

Association of Apartment Owners
Wailea Fairway Villas
Board of Directors' Meeting Minutes
January 19, 2018

Board Members Present: Tara Weikum, Vice President; Mark Waite, Secretary; Bill
(In Person) O'Connell, Treasurer; and Directors Mike Luckado
and Tom Logan

Board Member Present: Mike McDole, Director
(By Telephone)

Board Member Excused: Edy Salenger, President

Owners Present: Mary and Denny Adams, B102; Sid Kirkland, W101; John
Moore, W102; Bob Helstowski, C202

Other Attendees: Jan Beemer, Destination Maui, Inc.; Josh Berkeley, Site
Manager; and Carol Simmons, Recording Secretary

I. DECLARATION OF QUORUM

A quorum was declared with six Directors present either in person or by telephone. President Edy Salenger was excused due to the flu and unable to attend.

II. INTRODUCTIONS

Introductions were made at this time.

III. CALL TO ORDER

Vice President Tara Weikum called the Wailea Fairway Villas Association of Apartment Owners Board of Directors' Meeting to order at 9 a.m. The meeting was held at Wailea Fairway Villas, Wailea, Maui, Hawaii.

IV. PROOF OF NOTICE

It was certified Notice of Meeting was emailed to the Board in accordance with the Association governing on January 5, 2018, and it was posted on property in compliance with Hawaii State Law.

V. OWNERS' FORUM

There was an Owners' Forum, with the following topics discussed: 1) Landscaping decisions and process to propose changes; 2) Request for removal of Plumeria tree blocking view by residence B102; 3) Suggestion by Site Manager for Property Inspection; 4) Landscape Committee Members 5) Challenges to potential for more rooftop solar opportunities; 6) Possibility for installation of vehicle charging station in the parking lot, separately metering the stalls; 7) Groundcover; 8) Foreclosure actions, procedures and options; and 9)

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Consistency of Board actions and enforcement.

VI. APPROVAL OF MINUTES

The Board considered approval of the October 27, 2017, Board of Directors' Meeting. A correction was noted on Page 2, under Treasurer's Report, Item VI, fourth sentence should be changed to read: "Cash at the end of August 2017 was \$363,000."

MOTION: To accept the Minutes of the Minutes of the October 27, 2017, Board of Directors' Meeting as corrected.

Logan / Waite Unanimous Approval

VII. TREASURER'S REPORT

Director O'Connell reported the Association is in sound financial condition. There was \$361,000 Operating Cash and equivalency at the end of November 2017, and the Capital Reserve account totaled \$1, 434,000. This is 85% of the fully funded level. Revenues exceeded expenses by \$16,000. Variances in expenses were noted and explained, with the only significant budget overage sewer service and water.

VIII. SITE MANAGER'S REPORT

Mr. Berkeley presented a written report dated December 2017, updating the Board on Island Plant Landscaping/Irrigation Activities; Building and Project Maintenance; and Office and Administration Reports.

A House Rules Sub-Committee was established. Members are Directors Edy Salenger, Tara Weikum and Mark Waite. Mr. Berkeley services on this committee as well. Later in the meeting the Board will discuss changes to the House Rules.

There have been no water leaks to report.

Mr. Berkeley answered questions the Board had.

IX. MANAGING AGENT'S REPORT

Ms. Beemer listed important projects accomplished, including: 1) Drafting of Job Description for Josh Berkeley; 2) Collection of delinquencies; and 3) Analysis of insurance premiums versus allowance for deductibles.

Ms. Beemer provide an analysis on LED savings realized, comparing the months of November to December 2017. The invoice in November for the parking lot lights was \$1,407, 16 kilowatts per day used. With the LED light change, the MECO bill for December was \$705.

X. OLD BUSINESS

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A. Revisions to House Rules

The House Rules Sub-Committee met in October 2017. Vice President Weikum reviewed the changes rule-by-rule, and some modifications to the revisions were made.

- 1.5 Enforcement. These Rules, including the provisions of the Declarations and By-Laws may be enforced by fines and other actions, as more specifically described in Article 16.0 below. Enforcement of these rules will be transparent. Failure to comply also may be grounds for an action to recover sums due, for damages or injunctive relief, or both, by the Association or, in a proper case, by an Owner. (Revised 1/19/2018)
- 7.3 Lanai – Furniture, Plants, etc. Only appropriate “Lanai Style Furniture and planters may be placed on lanais. Beach chairs and beach umbrellas are not permitted. Planters shall not exceed a reasonable number and size. Emergency access and privacy shall be maintained. Lanai umbrellas must be solid neutral earth tone colors. Any nonconforming items shall be removed upon written direction of the Site Manager. Lanai and adjacent common areas shall not be used for storage of any item. Reasonable holiday decorations may be displayed from lanai during holidays. Decorations shall not extend beyond the lanai or onto the common area, including adjacent landscaping. No other banners or decorations are permitted. (1/19/2018)
- 7.5 Windows – Lanai Doors. No blankets, sheets, beach mats or like objects shall be visible in the windows of the Apartments. Only window and lanai door treatments may be used in the Apartments (e.g. shades, blinds, curtains, drapes, etc.). Window treatments shall be a neutral color that blends with the exterior color of the building. Up to two stickers, no larger than 4 x 4 inches, may be permitted on windows and/or lanai sliding glass doors. (1/19/2018)
- 7.7 No Littering. Nothing shall be thrown or permitted to be thrown from lanais, windows or other facades of the buildings. No one shall litter or dispose of any debris, trash etc. in the common areas except in the designated waste disposal areas. Cigarettes and matches, specifically, are fire hazards and unsightly litter and shall not be disposed of except in proper ashtrays. (1/11/2012)
- 7.8.1 General. Nothing shall be affixed to the doors of the Apartments or the walls of the entryways, except seasonal holiday wreaths, and tiles no larger than 36 square inches may be affixed to doors. No front entrance carpet or floor covering allowed, except for welcome mats. (1/19/2018)
- 7.8.2 Three-bedroom Apartments. A reasonable number of footwear may be left at the door of any Apartment. An Owner of a three-bedroom Apartment may place one bench in the entranceway to the Apartment, but only if it does not impede access to the Apartment and conforms to the State Fire Code, measures no more than approximately 50” by 32”, is made of metal or wood and is a neutral color. (1/19/2018)
- 7.8.3 Two-bedroom Apartments. A reasonable number of footwear may be left at the door of any Apartment. An Owner of a two-bedroom Apartment may place on small stool in the entranceway to the Apartment, but only if it does not impede access to the Apartment and conforms to the State Fire Code, is made of metal or wood and is a neutral color. (1/19/2018)
- 7.11 Personal Property No items of personal property, including baby

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carriages, bicycles, surfboards, paddleboards, pool noodles, flotation devices, towels, bathing apparel and clothing, brooms, mops, ice chests, boxes or crates shall be left or allowed to stand in the common area in windows or any lanai, so as to be in view from the outside except as provided in this section. Such items may be stored only within an Apartment. Articles of any kind left in the common area in violation of this section may be removed by the Site Manager at the Owner's risk and expense. Bicycles may be parked in the racks provided in the parking lots if they are registered. (See Section 9.1 below) If the Association provides a rack for storage of kayaks, paddle board, etc. Owners and tenants may use it only after paying the required fee and entering into a written agreement with the Association in accordance with policies adopted by the Board from time to time. (1/19/2018)

- 7.16 Aesthetics No unsightliness in the public view is permitted within the Project. For this purposed, "unsightliness" includes, but is not limited to the following: Laundry including that on lines or reels, litter or trash containers except as provided by the Association, inappropriate, broken or damaged furniture or dead plants on lanais of any Apartment, non-decorative gear, equipment, cans, bottles, ladders, trash, boxes, barrels or similar items stored or stowed in or on walls, lanais, entrances, stairways, corridors or other common areas; unshaded or inadequately shaded lights that create objectionable glare; automobiles with substantial body damage, and ill-fitting or damaged vehicle covers. (1/19/2018)
- 8.6 When in the pool or spa, children under the age of 13 (13) shall be under the immediate supervision of an adult at all times.
- 8.7 Showers shall be taken before entering the pool. (1/19/2018)
- 8.9 Headphones required when listening to music. No speakers or amplification permitted. (1/19/2018)
- 8.10 All persons shall wear proper swimwear while in the pool. Infants and toddlers must wear swim diapers; regular diapers are not allowed. (1/19/2018)
- 8.12 No diving, splashing, running or excessing horseplay are permitted in the Recreation Area, including the pool, deck and recreation building. (1/19/2018)
- 8.14 Food, boogie boards, surfboards, diving equipment, large flotation devices or similar items are not permitted in the pool Noodles and small flotation devices are permitted. (1/19/2018)
- 8.17 The introduction of sand, rock or other foreign matter in the pool is prohibited. (1/19/2018)
- 8.25 The Site Manager, staff or a board member may direct any person violating these Rules to leave the pool or Recreation Area and the person shall immediately comply. (1/19/2018)
- 10.4 After 10 p.m. and before 8 a.m., each Occupant (a) shall make every reasonable and practicable effort to prevent noise that be heart outside of the Apartment; (b) shall play radios, TVs, stereos, etc., at reduced volume and only within the confines of the Apartment; and c) shall not use vacuum cleaners, washing machines, dryers or dishwashers. (1/19/2018)
- 10.7 Nuisance noise from a dog is defined as barking, yelping or whining for more than ten (10) minutes in any one-hour period. (1/18/2018)
- 12.10 No awnings or other projections shall be attached to any lanai or outside wall of any building or the exterior of any door. No garland or lights may be hung from the lanai ceiling or walls. (1/1/2018)

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- 12.13 Permitted Alterations of Units and Lanais. The Board of Directors has adopted policies pertaining to Lanai Storage Cabinets (permitting installations on lanais or certain two-bedroom units that do not have air-conditioning), Privacy Partitions, Lanai Shades and Repairs and Improvement (construction within units) and all Owners and other Occupants shall comply with those policies as they may be amended from time to time. Copies of the policies are available on the Association's Website (see end of document for address) and from the Site Manager. (1/19/2018)

MOTION: Motion to approve the Revised House, as noted above.

O'Connell / Luckado Unanimous Approval

The Revisions to the House Rules will be sent to the homeowners in the Newsletter and posted on the Website. It will also be distributed in the New Owner Packet and included in the Association document files.

B. Lanai Sunshade Guidelines

The installation of Lanai Sunshades was approved at the last meeting. Samples were solicited from the lanai sunshade company and included images, housing, operation and colors.

The owner is responsible for the maintenance of the sunshade and its cleanliness. In order to install, the owner will need to complete a Request for Modification Form, seeking approval. It was also recommended that owners sign off on the proposed rules in this regard.

Color options were agreed upon, including Desert Sand and Safari Cashmere. The owner is required to occupy the unit if the sunshade is in the down position.

With the installation, owners are required to adhere to all applicable Building Codes.

A formal Resolution / Policy was suggested to clarify rules of installation. It was agreed to defer drafting a Motion until exact language for the Resolution is determined.

C. Smoking Survey Results

A Survey Monkey was utilized. In the survey, owners were first informed of the current smoking policy; then they were told about the proposed change. There were 43 responses, and 33 were in favor of a non-smoking property and ten owners disagreed.

The next step is to determine if a Smoke Free community should be presented to the owners by vote. In order to change the documents to a smoke free Association, two-thirds approval of the owners is required.

The owners could make a decision at the Annual Owners Meeting or a Written Consent Ballot could be mailed to all owners for a change in the Association governing documents. The Association Attorney would be consulted and asked to draft the amendment ballot.

XI. NEW BUSINESS

A. Nominating Committee

At the 2018 Annual Owners Meeting there will be two positions open on the Board. The President has suggested that a Nominating Committee be formed, with the President and Vice President onboard.

Director McDole's term is expiring, and he is not seeking to serve another term. Director Salenger's term is also expiring. If she is seeking to serve again, it was noted, Director Salenger should not serve on the Nominating Committee.

The Annual Owners Meeting Notification will include a form asking for interest in serving on the Board.

XII. NEXT MEETING DATE

The Annual Owners Meeting will be held on March 10, 2018. The Organizational Board of Directors' Meeting will follow adjournment of Annual Owners Meeting business.

XII. EXECUTIVE SESSION

The Board moved to Executive Session at 10:25 a.m.

Respectfully submitted,

Louise Rockett

Louise Rockett,
Transcriptionist