

ASSOCIATION OF APARTMENT OWNERS  
MAUI HILL  
BOARD OF DIRECTORS REGULAR MEETING  
CONFERENCE CALL  
December 3, 2020

I. Call to Order

President Dick Endean called the meeting to order at 9:03 a.m. HST.

II. Establish Quorum

Members Present: Dick Endean, Loren Knott, CJ Law, Carl Carlson, Alex Cordas (connected later).

Maui Lea Board: Bill Petro, Loren Knott, CJ Law, Tim Ohm, Dick Endean, Bob Jacalone.

By Invitation: Frank Robar, Condominium Fiscal Management Inc., Co-Plan Manager Maui Lea; Dennis Costa, General Manager; Ruth Okada, Aqua-Aston Hospitality, Inc., Managing Agent.

III. Approval of Agenda

**MOTION #1: CJ Law moved to approve the agenda with the addition of the following topics:**

1. Hiring Ruth Okada
2. VRBO Units' Electronic Locks

**The motion was seconded by Carl Carlson and passed by unanimous consent.**

IV. Approval of Board Meeting Minutes – 9/16/20 Regular Meeting

**MOTION #2: Carl Carlson moved to approve the 9/16/20 Regular meeting minutes as circulated with no changes. The motion was seconded by CJ Law and passed by unanimous consent.**

V. Treasurer's Report

1. Financial

- A. Review – Carl Carlson reviewed the October 2020 financials. General discussion followed on the over budget expense for electricity. Dennis Costa noted that there is now savings with the installation of the PV charging stations for the golf cart. He will continue to monitor the savings.
- B. Accounting Standards Codification Topic 606 – Ruth Okada reported that there is no change for now.

2. Activities Desk Rent Waiver

**MOTION #3: CJ Law moved to waive the activity desk rent through January 2021. The motion was seconded by Carl Carlson and passed by unanimous consent.**

3. Delinquencies/Collections

- A. Delinquency Status – To be discussed in executive session.
- B. Collections – To be discussed in executive session.

4. Investments – As instructed by Carl Carlson, all funds were moved to the checking account to offset banking fees.

VI. Standing Committee

1. Unit Rental Interface Program – Carl Carlson thanked Loren Knott, Bob Jacalone, and Dennis Costa for their assistance. They worked with Shannon Sheldon (legal counsel) to redraft the policy.

**POLICY**

**MOTION #4:** Carl Carlson moved to approve the fining for smoking policy a copy of which is attached and made a part of these minutes. The motion was seconded by Loren Knott.

Discussion: General discussion following on all occupants not checking in at the front desk and not having access to all units. Will also work on a policy to require registration and picking up keys at the front desk.

**The motion passed by unanimous consent.**

Alex Cordas connected to the meeting at 9:26 a.m. HST.

**MOTION #5:** Alex Cordas moved to approve to change all VRBO entry door combination locks to a standard key lock at the AOAO's expense. The keys will be administered by the front desk same as the Aqua-Aston Rental and the Maui Lea Timeshare units. The implementation of this policy will be contingent upon the AOAO's legal counsel drafting the policy. The motion was seconded by Carl Carlson and passed by unanimous consent.

2. Architectural Review – CJ Law reported there was nothing submitted to the ARC and reported:
  - A. The owner who installed the split AC has 14 days to repair the exterior hole of the old AC.
  - B. Unit #8 has completed the installation of their flooring.

VII. Ad Hoc Committee

1. Energy Conservation – Alex Cordas and reported on the status on the following.
  - A. Photovoltaic System
    - a. Golf Cart Charging Project – Completed with HNU and batteries installed.
    - b. Rising Sun PPA for All Units PPA Status – Still continuing to work on this project:
      - Waiting for confirmation from the investors to fund this project.
      - Rising Sun received approval from HECO to proceed with his project.
      - Dick reported \$30,000 required to hire an architectural to design and submit for the roofing permits.
    - c. Hawaii Inspection Group (HIG) Review – Alex reported that final report has not been received however HIG verbally concluded that Rising Sun's engineering proposal was sound and there were no major issues. The cost to have HIG review was \$1,000 plus tax.

VIII. Manager's Report

Dennis Costa reported on the following.

1. Accomplishment - Updated on projects that is being done and completed.
2. COVID – Reviewed current and projected occupancies and updated cleaning protocols.
3. Projects Status – FYE 2021 Budget
  - A. Roof Phase 1 - \$70,080 (in conjunction with PV project)
  - B. Unit Entry & Storage Frames - \$45,000 (proceeding)
  - C. Waterproof Unit Entry & Storage Frames & Doors - \$45,000 (proceeding) Frames are being changed to vinyl, doors being painted and changing hinges. Should be completed by April 1.

IX. Unfinished Business

1. Zoning Impacting Maui Hill – Dick Endean stated there was nothing new to update on the following.
  - A. Kahoolawe Research Center
  - B. Affordable Income Housing

X. New Business

1. Smoking Rule Policy & House Rules Change (Short & Long Form) – Discussed earlier.
2. DLNR Revocable Permit Continuation – Ruth Okada updated the Board that the State is continuing the permit for 1/1/21 – 12/31/21 at no rent adjustment.
3. Reserve Study Software Proposal (\$1,150 annual or \$1,100 annual for 3 years) – Ruth Okada explained the functions for the reserve study software and its benefits. The Board agreed that the software continue to be used.

**MOTION #6: Loren Knott moved to approve 3 years for SmartProperty software at \$1,100 for each year. The motion was seconded by CJ Law and passed by unanimous consent.**

4. Association Records Soft Copies – Ruth Okada explained that all Association records are maintained soft copies.

**POLICY**

**MOTION #7: CJ Law moved to approve continuing to maintain all Association records by soft copies. The motion was seconded by Carl Carlson and passed by unanimous consent.**

5. Ruth Okada Assistance – Dick Endean expressed his concern with the preparation of the next fiscal budget and recommended to the Board to hire Ruth directly.

**MOTION #8: CJ Law moved to approve the hiring of Ruth Okada to assist with the budget preparation and finalization at the April 2021 Board meeting. The cost will be shared 50% with the Maui lea Timeshare. The motion was seconded by Carl Carlson and passed by unanimous consent.**

6. PBX Black Box Yearly Contract – The current annual contract with Black Box for maintenance is \$12,088. The renewal for 1/1/21 – 12/31/21 is \$11,174.

**MOTION #9: Loren Knott moved to approve renewing the contract with Black Box for 1/1/21 – 12/31/21 for \$11,174. The motion was seconded by CJ Law and passed by unanimous consent.**

7. Internet & TV Service – The contract with Spectrum expires May 2022. Should review other options for both internet and TV service.

XI. Next Meeting

1. Board
  - A. Wed, 1/27/21 (following annual meeting) (conference call)
  - B. 4/21/21 (Vegas or Maui) depending on COVID situation
  - C. Others to be scheduled at the Organizational meeting on 1/27/21
2. Annual – Wed, 1/27/21 (Reconvened 9/15/20 meeting) Maui 9:30 am (9 am registration)
3. 2021 Annual Meeting 9/15/21

The timeshare Board, Mike Robar and Frank Robar disconnected from the meeting.

XII. Executive Session

**MOTION #10: Alex Cordas moved to go into executive session. The motion was seconded by CJ Law and passed by unanimous consent.**

The Board went into executive session at 10:27 a.m. Upon coming out of executive session, the regular meeting resumed at 10:40 a.m. HST. During the executive session, the Board discussed personnel and legal matters.

XIII. Adjournment

**MOTION: Loren Knott moved to adjourn the meeting. The motion was seconded by Carl Carlson and passed by unanimous consent.**

The meeting was adjourned at 10:49 a.m. HST.

Approved by: \_\_\_\_\_  
Alex Cordas, Secretary  
Board of Directors

\_\_\_\_\_  
Ruth Okada  
Recording Secretary

Approved by the Board of Directors on \_\_\_\_\_.

Attachment: Smoking Fining Policy

Attachment: Smoking Fining Policy

## ASSOCIATION OF APARTMENT OWNERS OF MAUI HILL

### NO SMOKING POLICY

1. Except as provided in Paragraph 3 below, no smoking is permitted anywhere at the project, including but not limited to all 140 condominium units, pursuant to Article V, Section 3, Subsection (s) of the Amended Bylaws of Association of Apartment Owners of Maui Hill, which states:

Smoking is prohibited at the project, including in or on all common elements, limited common elements, apartments, and patios and lanais; provided, that the Board of Directors may designate a smoking area on the common elements that does not unreasonably interfere with the use and enjoyment of the apartments. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated tobacco product or plant product, including but not limited to marijuana or hash, intended for inhalation in any manner or in any form, including the use of an electronic smoking device. "Electronic smoking device" means any electronic product that can be used to aerosolize and deliver nicotine or other substances to the person inhaling from the device, including but not limited to an electronic cigarette, electronic cigar, electronic cigarillo, vape, electronic pipe, hookah pipe, or hookah pen, and any cartridge or other component of the device or related product, whether or not sold separately.

2. This prohibition against smoking applies to all owners, renters, guests and other occupants at Maui Hill, including any timeshare owners and guests.
3. Smoking is permitted in the designated smoking areas as designated by the Association from time to time.
4. The Association, through its General Manager, is responsible for enforcement of this Policy.
5. In addition to this Policy, Aqua-Aston Resort ("Aqua") and the Maui Lea Time Interval Owners Association ("TIOA") have implemented their own additional no smoking policies that must be followed by all participating owners and guests.
6. Violations of this Policy shall result in the following:
  - a. If a first violation occurs, a warning notice shall be issued to the violator. If the violator is not the owner of the unit, a copy of the warning notice shall be sent to the agent, if any, and owner of the unit via email with a notice that if the violations continue a fine will be assessed.
  - b. If a second violation occurs, a second notice of violation will be issued and a fine of \$250.00 will be assessed.
  - c. For any third or subsequent violations, a notice of violation will be issued and a fine of \$450.00 will be assessed.

- d. Upon three or more violations of the Policy, the Association may instruct Aqua or TIOA or agent to evict the tenant/guest, or the Association may evict the tenant/guest.
7. If an Aqua or TIOA guest/tenant is the violator, then the fine will be issued to Aqua or TIOA and Aqua or TIOA may charge the guest/tenant in accordance with their policies. For all other occupants, the fines will be assessed against the unit as a special assessment and be the obligation of the owner and occupants of the unit.

IN WITNESS WHEREOF, the undersigned directors have executed this Non-Smoking Policy the \_\_\_\_th day of \_\_\_\_ in the year 20\_\_.

**ASSOCIATION OF APARTMENT OWNERS OF  
MAUI HILL**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name  
Its: President

CERTIFICATE

I, hereby certify that the foregoing is a true copy of the Policy duly adopted at a meeting of the Board of Directors duly held on \_\_\_\_\_ and duly entered in the book of minutes of the Association, and that this Policy is in full force and effect.

**ASSOCIATION OF APARTMENT OWNERS OF  
MAUI HILL**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name  
Its: Secretary