

Ka Ono Ulu Estates
Board of Director's Meeting
Minutes for July 22, 2005

- I. Meeting was called to order at 6:30 by President (Amato)
- II. Board of Director's present; Gary Lee, Gavin Wardley, and Clem Amato.
- III. Notice of meeting posted by e-mail.
- IV. Approval of minutes for June 16th and 22nd meeting was tabled.
- V. Managing Agent's Report. Mr. Ryan Nixon could not attend the July 22 meeting due to the rescheduling of July 20th meeting.
- VI. Unfinished Business:

A) Front entrance (Tabled)

- VI. New Business:

A). Bids for tree trimming and cutting grass (Tabled due to more information).

B). News Letter. News Letter was reviewed and approved for mailing by Lee and Wardley.

C). Brian & Sheri Ott 543 Papau Komohana (addition). Motion to approve addition by Lee, second by Wardley, motion carried. Lee, Wardley, and Amato.

D). Benny & Faline Abut 598 Kaiola (patio enclosure). Tabled due to lack of information regarding prior addition approval. Clem Amato will research owner's file.

E). Gavin Wardley 103 Makalauna. The construction of a retractable wooden gate entry, trash enclosure, and driveway extension. Motion to approve. Lee, second by Amato, motion carried, Lee and Amato.

F). Mark & Charly Takahama 152 Makalauna (addition) Motion to approve Amato, second by Wardley. Motion carried, Lee, Amato and Wardley.

G). Florendo & Lucreia Ancheta 551 Papau (Gate) The drawing of the gate was reviewed, however the gate must be the same color of the garage and gate door must be cut down to match the same height as existing gate.

H) Samuel & Leslie Johnsen 595 (Arbor) The drawing of the arbor was reviewed and approved, however the arbor must be location at the concrete entry off the driveway. Motion to approve the arbor but change the location; Amato, second Lee. Motion carried Lee, Wardley and Amato.

I). Kerry Workman 551 Halalai (backyard trellis) the drawing of the trellis was reviewed and approved. Motion by Amato, second by Wardley. Motion carried, Lee, Wardley and Amato.

- VII. Letter of Request to rescind assessed fines:

1) Ancheta (kou-1051) Request to rescind \$300.00 fine, \$250.00 for gate construction without Design Committee approval and \$50.00 for canvas awning. The \$50.00 fine was rescinded, the homeowner had complied.

Regarding the \$250.00 fine, the Board agreed to reduce the fine to \$20.00 since the homeowner had submitted a drawing. However, the owner had knowledge of Design Committee Rules regarding construction prior to approval; therefore a \$20.00 fine would be assessed. Motion: Lee, second Amato, motion carried by Wardley, Amato and Lee.

- 2) Johnsen (Kou-3028) Request to rescind \$250.00 fine (Arbor construction prior to approval). The Board agreed to reduce \$250.00 fine because the owner had complied with Design Committee rules (submitted a drawing of the arbor). However the owner did start the construction of the arbor prior to approval. The owner did stop the construction at the request of Clem Amato. The owner did submit a drawing, however the owner'(s) had knowledge of Design Committee Rules regarding construction prior to approval. The fine was reduced to \$20.00. Motion to reduce \$250.00 to \$20.00 Lee, second by Amato. Motion carried Lee, Wardley and Amato.
- 3) Bartlett (Kou-1041) Request to rescind \$25.00 fine (Yard maintenance). Clem Amato did speak to the rental agent regarding this matter. The agent motioned that sprinkler system was enabled due to faulty wiring at the time clock and that the problem has now be corrected. Motion to rescind the fine. Lee, second by Wardley. Motion carried; Wardley, Lee and Amato.
- 4) Abut (Kou-1031) Request to approve and rescind \$300.00 fine (Concrete driveway poured prior to approval). Since plans of the driveway have not been submitted the driveway will not be approved and the fine stands. Motion to deny request Lee, second Amato. Motion carried Wardley, Lee and Amato.
- 5) The Board also mentioned that because there could be different situations, the board should handle each situation on a case by case basis.

Minutes for July 22, 2005 B.O.D. Meeting submitted by:
Clem Amato B.O.D.

Ka Ono Ulu Estates
Board of Director's Meeting Minutes
September 22, 2005

- I. Call to order @ 6:40 pm
- II. Establish Quorum: Clem, Gary, Heather, Gavin, Leslie
Homeowner/Design Committee - Jan
- III. Notice of next BOD Meeting on 10-19-05 @ 6:30pm Location "to be announced."
- IV. Approval of June 22, 2005 and August 17, 2005 minutes "Tabled"
- V. Managing Agent's Report: Ryan not present - "Tabled"
- VI. Unfinished Business:
 - a.) Front Entrance - "Table"
 - b.) Abut's driveway - "forward to new business"
 - c.) Landscape bids - Gary & Gavin to go out for bids. Kelly to resubmit bid.
- VII. New Business:
 - a.) Agapay - "approved" with conditions: 3 bedrooms, NO WET BAR, NO SEPARATE ENTRY, SLIDERS ONLY. Final approval is subject to BOD's inspection(s).
 - b.) Abut - 1. Put fence across driveway to avoid parking in this area.
 - 2. The addition done in 2000, plans need to be submitted as this was "not approved".
 - 3. Driveway- Darryl sent letter to "stop" construction or pour of cement, Mr. Abut did not comply "not approved".
 - 4. Ohanas- Clem to send a letter requesting the BOD needs to come in and inspect the 2000 addition/Ohanas. Separate entry doors must be removed and replaced with sliders and kitchens need to be removed. Inspection to be done in 30 days.
 - c.) Sanyo- NO KEYED ENTRY. Sanyo requests one keyed entry - "Denied". Addition is approved with conditions of no keyed entry and no wet bar.

****wet bars are to be assessed case by case. Wet bars are not approved in additions with the "appearance" or "potential" for rental/ohana.***

d.) Ruth Pelligrin - 7:45 pm Homeowner arrived to address BOD to remove fines, late fees, lien and Attorney fees assessed to her account, "Denied". BOD's dismissed previous dues/late fees assessed to previous owner which rolled over to Ms. Pelligrin's account. She is to be responsible for all dues and late fees from time she took ownership of home. 8pm

****All Dues/Fines/Late Fees are to remain with the house/lot and subject to the Buyer. It is the responsibility of the Buyer to take action and not that of the BOD. Any owing dues, fines, late fees are subject to the Buyer. The Buyer can***

seek legal action, if needed, towards the Seller and/or Realtor to settle the matter and not HOA BOD's.

e.) Johnsen- 1. Patio addition "approved" with conditions: roof to be flat, no pitch.

2. Van not to be parked in homeowners driveway but the street. Parking in driveway is subject to "per occurrence" fine, per President Amato. Gary motioned to drop \$25 fine, Gavin second.

f.) Yalon- 1. Request to remove fine fees for unapproved overhang/materials "denied"

2. Request to remove late fees- "denied"

3. Excessive driveway parking fine - Yalon to submit proof of "approval" for additional parking area by Ka Ono Ulu BOD's and Maui Co. permit(s). No parking on side driveway of home. Heather to send letter.

g.) Ilar- No parking in lanai area. Ilar to produce prior "approval" of lanai plans. NO washer/dryer, NO clothes line, No parking in lanai area as this is a violation. Letter to be sent to homeowner.

h) Domingo- "Table" Plans submitted. Clem to research removed garage and homeowner file... "pending"

I) Purple House- homeowner fined for Motor home parking. The vehicle is an RV (recreation vehicle) and Heather is requesting the fines be dismissed and further action "stopped". Motioned by Heather, 2nd by Gary

* Clem brings up subject of 1 ton trucks and business trucks parked on the streets and in driveways of homeowners. Evaluation of CCR's - Residential Special Use 3.02 and Restrictions J to be reviewed by BOD.

* Fines: Clem asks if he could give "verbal warning" to homeowner, noting date and time of warning. Heather informs BOD that we have been sending "written notices" to homeowner with a warning of violations and all verbal warnings should be "a courtesy" to the homeowner. BOD agrees to continue with warnings/1st offense by written notification to the homeowner.

j) Fine Schedule: Future additions/construction
Current 'Unapproved' construction is subject to monthly fine \$250, BOD to increase fine to \$250 weekly. New fine schedule to start after settlement of Quilos unapproved construction.

To amend and increase fine to \$250 per week

Ka Ono Ulu Estates
Board of Directors Meeting "Special Meeting"
Friday, October 14, 2005

- I. Call to Order @ 6:10 pm
- II. Establish a Quorum: Gary, Gavin, Leslie and homeowner/Design Committee-Jan
- III. Notice of BOD Meeting: "special meeting" notified by phone via Gary
- IV. Approval of Minutes: September 22, 2005 "Tabled"
- V. Managing Agent's Report: Ryan not present "Table"
- VI. Unfinished Business: "Table"
- VII. New Business:
 - 1. To accept Heather Larson's, Treasurer, Resignation on Oct.4, 2005
Motioned by Leslie, 2nd by Gavin
 - 2. To appoint Jan O'Gara to fill the vacancy as Treasurer until the next Annual Meeting. Motioned by Gary, 2nd by Leslie
 - 3. Maitos submitted plans for built in patio BBQ- "approved" Motioned by Jan, 2nd by Gary.
- IX. Adjournment @ 6:20pm