



MEETING MINUTES
OF THE BOARD OF DIRECTORS
KAILUA VIEW ESTATES
March 18, 2019

PLACE

Hawaiiana Management Company, Ltd., conference room at 74-5620 Palani Road, Kailua-Kona, HI 96740.

OWNER'S FORUM

Owner's forum was held from 1:00 p.m. to 1:47 p.m. Owner Eva Davis was present and informed the Board that she did not like the new set of House Rules.

CALL TO ORDER

There being a quorum, President Erik Frostad, acting as Chair called the meeting to order at 1:48 p.m. HST.

PRESENT

President Erik Frostad, Vice President Peggy Stelmachowicz, Secretary/Treasurer Robert Oswald, Directors Lee Johnson, and Rory Love were present in person; Directors Kalei Farley, and Joe Skeens attended via conference call.

EXCUSED

None

BY INVITATION

Nan Cain, Senior Management Executive [SME], from Hawaiiana Management Co. Ltd. SME Cain acted as Recording Secretary, **by general consent.**

PREVIOUS MEETING MINUTES

The Regular Board Meeting minutes of January 14, 2019 were **approved as written, by general consent.**

The Annual Meeting minutes of February 2, 2019 and the Organization Meeting minutes of February 6, 2019 were **approved, by general consent** with the correction of Joe Skeens name.

PRESIDENT'S REPORT

None

FINANCIALS

Secretary/ Treasurer Oswald **made a motion** to accept the November 2018, December 2018, and January 2019 financial statements subject to audit. Director Johnson seconded and **the motion was unanimously approved.**

MANAGERS REPORT

'Action List' was provided to the Board.

COMMITTEE REPORTS

Design Review Committee (DRC) – The following proposed alterations were approved:

1. Lot 32075 Rock wall in front of home **was approved unanimously**
2. Ratify the **approvals** of Lot 32082 Painting and Lot 32084 two (2) gazebos **by general consent.**

SME Cain was directed to issue a violation letter to Lot 33050 stating the CC&R requirement of a carport or a garage for two vehicles and the owner has only 1 year to complete the approval process and for the installation of the carport or a garage.

Compliance Inspection Committee (CIC) – none

Coqui Frog Committee (CFC) – No report was given.

Street Parking Committee (SPC) – No report was given.

Safety Committee (SFTY) – President Frostad and Director Love volunteered to serve on the Safety Committee.

UNFINISHED BUSINESS

Parking Lot Resealing & Tennis Court – Deferred until after the new septic system is installed.

Rec Center Doors to the Restrooms – Deferred until after the new septic system is installed

Cesspool at the Rec Center – President Frostad and SME Cain will contact the Association's Attorney about the EPA Fines and speak with the Environmental Inspection Agency (EPA) about their demands.

NEW BUSINESS

The Board **approved** 'Addendum A' on Hawaiiaina Management Contract - Administrative Fee Cap to remain at \$600.00 per month for the 2016, 2017, 2018 and 2019 years, **by unanimous consent.**

CC&Rs and House Rules – Director Love is still reviewing the CC&Rs and the House Rules for consistencies.

Post Replacement at the Handicap Gate and Water leaks at Rec Center – SME Cain verified that there was concrete installed to secure the pipe for the gate. SME Cain informed the Board that there had been two water leaks in the main line at the gate entrance and both leaks have been repaired.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned to Executive Session at 2:50 p.m. HST, **by general consent.**

A discussion on Delinquencies was held. There being no further business to be brought before the Board Executive Session was adjourned at 2:57 p.m. HST to Regular Session, **by general consent.**

SME Cain was directed to issue a violation and to contact the Health Department and Vector Control regarding lot 32010 abandon pool.

NEXT MEETING

The 2019 Board Meetings:

- 4) Monday, January 14, 2019 *(held)*
- 5) Saturday, February 2, 2019 Annual Meeting *(held)*
- 6) Wednesday, February 6, 2019 Organizational Board Meeting *(held)*
- 7) Monday, March 18, 2019 *(held)*
- 8) Monday, April 15, 2019
- 9) Monday, May 20, 2019
- 10) Monday, June 10, 2019
- 11) Monday, August 12, 2019 (Preliminary Budget Meeting)
- 12) Monday, October 7, 2019 (2020 Budget Approval)
- 13) Tuesday, November 12, 2019 (Monday is a Holiday)
- 14) Monday, December 9, 2019

2020 Board Meeting:

- 1) Monday, January 6, 2020
- 2) Saturday, February 8, 2020 Organizational Board Meeting – KVE Rec Center after the Annual Meeting

The next Annual Meeting to be held at the Kailua View Estates Rec Center is scheduled for:

Saturday, February 8, 2020, registration begins at 9:30 a.m. HST, Call to order is at 10:00 a.m. HST

ADJOURNMENT:



Secretary/Treasurer Robert Oswald

Submitted by:
Nan N. Cain, CMCA®, AMS®,
Senior Management Executive
Hawaiiana Management Co. Ltd.
Managing Agent for Kailua View Estates Association

Kailua View Estates Homeowners Association House Rules

The primary purpose of these House Rules is to promote the harmonious occupancy of the homes within Kailua View Estates, HOA. In accordance with, Section 5.05 and Section 5.06, Kailua View Estates Homeowners Association Declaration of Covenants, Conditions, Restrictions and Easements and Section 3 of the Association's Bylaws, the Board of Directors, in order to maintain the quiet enjoyment of the property for all owners and the purposes of the community, has created the following rules. The Board of Directors shall be responsible for enforcing and amending these House Rules. In enforcing these rules the Board of Directors retains the authority to determine the extent of the violation including what is unreasonable and when an incident constitutes a nuisance.

These House Rules supplement, but do not change the obligations of the Owners, occupants, tenants and their guests as set forth in the Declaration and the Bylaws pertaining to Kailua View Estates Association.

Any suggested changes by Owners should be delivered in writing to the Managing Agent for transmission to the Board of Directors.

Animals - All animals must remain on leash when not on the owner's property. Owners whose pets are found unleashed in the neighborhood will first be given a verbal warning, subsequent incidents a written warning. Owners who fail to keep pets contained will be asked to remove the pet permanently from the neighborhood.

The animal owner must pick up and dispose of pet waste in a sanitary manner insuring that any pet waste is securely wrapped and disposed of. The owner of any animal, which threatens another person or animal, will be given a warning. If a subsequent incident occurs, the threatening animal must be permanently removed from the project. Any animal, which bites any person in the neighborhood, must be immediately removed from the neighborhood. Animal owners are responsible to hold harmless and defend the Association and the Board of Directors from any liability, damages, judgments or expenses (including attorney's fees) incurred or resulting from the actions of the animal.

The animal owner will be responsible for any animal which creates a nuisance by causing excessive noise for an unreasonable period of time or when the owner is not present. The owner will be given a verbal warning for the first incident. If a subsequent incident occurs the animal must be permanently removed from the neighborhood or some other measure taken that inhibits the noise. All animals must comply with the CC&Rs and Rules of the Association.

Construction Site Maintenance – All stored items on the construction site must be maintained so as not to create a danger or nuisance for others the community throughout the construction period. This includes securing construction materials from high winds, dust from stockpiled soil, litter and other unsightly appearance of items. The site must be watered if the wind is blowing dust and/or debris from the site onto neighboring lots.

Exterior Lighting – No exterior lighting shall be used that may be considered offensive or obnoxious as determined by the Board of Directors. In example: lights shining or reflecting into living or recreational areas of adjoining properties. Lights are not to shine directly toward a neighboring property. Flashing lights, exposed florescent lamps, mercury vapor lamps, colored

lights, unshielded exterior lights and lights that cause glare adversely affecting the neighboring properties are not allowed. Exterior lighting placed above 3 feet shall be turned off by 10pm so as not to disturb the neighboring properties/residents.

Noise – Property owners, guests, tenants and workers are asked to respect the community and neighbors by avoiding excessive noise of all types at all times and shall not cause or permit any unreasonably disturbing noise to emanate from their home which will interfere with the rights, comfort and convenience of other residents. Radios, televisions, stereos, musical instruments, etc. shall be played at reduced volume, which is considered by the Board of Directors not to be disturbing to other residents, after 9p.m. and before 8a.m. Landscape contractors should be considerate of neighboring properties at all times.

Coqui Frog Eradication – Property owners, residents, tenants, and agents of the owner are required to actively participate in the eradication of any Coqui Frogs on their property and to report any Coqui Frog noise or activity on neighboring lots to the Coqui Committee, Board of Directors or Management Company.

Property owners, who are sent a first citation of a Coqui Frog violation must actively participate in the eradication of the Coqui Frog infestation, or contact the Coqui Committee, or the Board of Directors, and or Management Company regarding the citation, within in ten (10) days of receiving the citation.

Owners who do not actively participate in the eradication of the frog infestation by using the Association supplied sprayer or contacting a Coqui Frog Committee Member, or the Board of Directors, or Management Company will be sent a second citation and assessed a \$250.00 fine.

If no action is taken within an additional ten (10) days of the date of the second citation the Board of Director will request that a Demand Letter be sent to the Owner from the Association's Attorney and all cost to remedy the situation shall be assessed to the Owner's account as a special assessment.

Contact Information – Property Owners are required to keep the Board of Directors and or Management Company informed about their current contact information including emails, phone numbers, mailing addresses. Property owners are required to provide the contact information for each lots resident, tenant, and or agent by providing updated emails, phone numbers, and mailing addresses for themselves the resident, tenant, and or agent or be subject to a fine of \$50.00 if not in compliance within fifteen (15) days from the date of the request or change.

Nan Cain

From: Beth Snyder <bethsnyderkona@gmail.com>
Sent: Monday, May 20, 2019 6:47 PM
To: Nan Cain
Subject: 75- 315 Nani Kailua dr

Hi Nan this is Elizabeth Snyder, long time resident in my Nani Kailua home, i have lived there with my husband for the last 25 years. We were married for years. He fell ill in 2015 passing softly after. He was head of house hold , and took care of all the paper work. He fell ill suddenly and did not have all of his paperwork in order . I did my best to pay the bills after he passed but I was in over my head with a single income. Shortly after realizing I was not included on the mortgage which had been recently then turned to a reverse mortgage, We were both supposed to be on. After almost losing the house to a foreclosure I was able to gain it back through probate. My nephew Charles Martin, who i believe spoke with you around a month ago. He Has Taken a loan to Help me recover the house from Debt and also give it a facelift so we could sell it. In doing so we used up all our finance. We were able to get the house on the market in October 2018, hoping that it would sell shortly and we can finish paying off the remaining debt including association dues. In November 2018 the bill was only \$2160.74 over the last six months it has almost doubled, Through this company. I know my husband always paid all the bills on time it's just been a struggle since I lost him. If there's anyway you could honor the bill with out So much interest and legal fees I'd be happy to negotiate, possibly even pay it in full depending on price , Since my nephew has been helping me I have been able to put a little money away and was hoping to pay off this debt. let me know if there's anything you can do you can contact me at this email. I am going to miss the neighborhood and enjoyed living there for all these years.