

**ACTIONS BY UNANIMOUS WRITTEN CONSENT
OF THE KUAU BAYVIEW BOARD OF DIRECTORS
Dec 2014 - Dec 2015**

WHEREAS, it is deemed desirable and in the best interests of this Corporation that the following actions be taken by the Directors of this Corporation pursuant to this Unanimous Written Consent,

NOW, THEREFORE, BE IT RESOLVED that, pursuant to applicable law and Article IV, Section 2(d) of the Bylaws of the corporation, the undersigned, being all the Directors of this Corporation, hereby consent to, approve, and adopt the following **ACTIONS** to be ratified at the next meeting:

- 1) 12-08-2014:** To allocate \$60.94 for a 5" x 7" AcrylaStone memorial plaque for Ricky Leaaetala who passed away shortly after completing our beautiful rock wall along the east side of Lae St. The plaque will be attached to the wall in a prominent place. (Reeves/Mack) All in favor.
- 2) 02-15-2015:** To allocate \$1,000 for the Hana Highway Project. This will involve months of clearing and landscaping the area from Lae Street east to Lot 49 along Hana Hwy, including Easement 19. Since 1996, this area had become massively overgrown to the point that the rock wall was no longer visible. This cleanup is necessary to enable the Lot 43 to 49 owners to take over landscaping maintenance of Easement 19 thereby freeing the HOA from this untenable responsibility. (Reeves/Kealoha) All in favor.
- 3) 04-20-2015:** To transfer ownership of the brown vinyl fence above the Kuau Bayview sign from the HOA to the owners of Lot 43. It was an error for the 2011 Board to use HOA funds in February 2012 to erect this fence for the sole benefit of one owner, and a mistake to cut off HOA access to the drainage easement. The property has since changed hands and these errors cannot be entirely undone; therefore, the closest we can come to correction is to assign ownership where it belongs and regain access to the drain at the west end of the drainage easement. The new owners of Lot 43, Thomas & Crystal Papritz, kindly allowed us to move the vinyl fence back one section. (Reeves/Kealoha) All in favor.
- 4) 04-24-2015:** To transfer responsibility for the landscaping maintenance of Easement 19 to the owners of Lots 43 to 49. This easement along Hana Hwy has always existed within the survey pins of these seven lots but the owners were legally precluded from entering this section of their back yards. These owners will now be free to remove the 4' chain link fence installed by A&B and erect their own fences inside the rock wall along Hana Hwy. The HOA has never maintained this easement due to difficult access. Over the course of eighteen years it became an overgrown eyesore for the owners as well as the public. Relinquishing this landscaping responsibility from Easement 19 will create a win-win-win situation for the owners, the HOA, and the public. Having an aesthetically pleasing northern border to the subdivision will increase property values for all owners. Easement 19 will remain in favor of the KB Association solely for the purpose of maintaining, repairing, and replacing the rock wall along Hana Highway. Easement 22 will remain intact and the Lot 43-49 owners have agreed to allow access to utility companies whenever requested. (Mack/Reeves) All in favor.
- 5) 06-15-2015:** To allocate \$500 for repair/replacement of the HOA common area irrigation system whose 19-year-old components have begun to fail resulting in catastrophic leaks & loss of water. (Judson/Aguera) All in favor.
- 6) 09-04-2015:** To initiate Grievance Procedures regarding overgrowth blocking the sidewalk along the N Laelua side of 45 Hoe St. After multiple complaints from owners, the violation was confirmed as a danger to pedestrians. Notice was sent giving the Lot 35 owners 30 days to remedy the violation. (Judson/Mack) All in favor.
- 7) 09-13-2015:** To appoint Elizabeth Jordan (Lot 55) to replace Secretary Shelley Mack who stepped down when her house at 27 S Laelua Place (Lot 57) was sold to her tenant. George-ann Kealoha will assume the office of Board Secretary. (Judson/Kealoha) All in favor.

8) **10-05-2015:** To have the HOA landscaper, Darlene Brothers, clear the County strip along the N Laelua side of Lot 35 at 45 Hoe St to remedy multiple County Ordinance & CC&R violations. After thirty days notice, the owners of Lot 35 had failed to respond or remedy the violations. (Judson/Reeves) All in favor.

9) **10-20-2015:** To attend the Nov 2, 2015 District Court hearing to defend the HOA landscaper from the unwarranted TRO filed against her by the owners of 45 Hoe St (Lot 35) for doing the job assigned to her by the Board. (Judson/Reeves) All in favor.

10) **10-30-2015:** To set the date of the Annual Meeting for January 7, 2016 to be held at 65 Hana Hwy, unless the Paia Community Center becomes available. The meeting had to be postponed when construction at the Paia Community Center was not completed on time and left us with no venue. Owner Michael Baskin generously offered use of his space at 65 Hana Hwy. Mahalo, Michael! Dec 17th was proposed but was generally considered too close to Christmas. A January date coincides with the fiscal year so may have advantages. (Kealoha/Jordan) All in favor.

11) **11-14-2015:** Not to distribute to the individual Board members the five unstamped letters which the owners of 45 Hoe St (Lot 35) dropped off at Director Greg Aguera's place of business on 2015-11-14. The Lot 35 owners will be instructed to retrieve them from the Postal Shop and follow proper protocol by contacting the Board at the official HOA address as they were previously advised. (Aguera/Reeves) All in favor.

12) **11-14-2015:** To take steps to open up the shortcut to Makana Park consisting of a strip of public land 30-35 feet wide running along the mauka side of Lots 93-79-78. Owners east of Makana Park would like to exercise their right to use this walking access to the park. (Kealoha/Reeves) All in favor.

13) **11-18-2015:** Not to respond to multiple threats to sue the Board from the owner of Lot 93 or comply with this owner's demands that the Board apologize, fire the HOA gardener, and retract the Board's request that this owner cease blocking access to the public land mauka of Lots 93-79-78. (Reeves/Judson) All in favor.

14) **11-18-2015:** To allocate \$500 for the Annual Meeting preparation. (Aguera/Kealoha) All in favor.

15) **12-06-2015:** To accept Elizabeth Jordan's resignation, effective immediately, and to appoint Tom Atkins in her stead to fill Shelley Mack's position. Tom will run in the election at the Annual Meeting. (Kealoha/Judson) All in favor.

16) **12-06-2015:** To extend the terms of Directors Dan Judson, George-ann Kealoha, and Tom Atkins to the Annual Meeting on January 7th, 2016. (Reeves/Aguera) All in favor.

17) **12-06-15:** To assign Darlene Brothers an official Job Title commensurate with the scope of the many and various duties she performs on behalf of the Association. *Kuau Bayview HOA Manager* is more clearly in accordance with the terminology used in the HOA Insurance Policies to define her role. Also to combine the separate payments for bookkeeping, landscaping, and Annual Meeting preparation into one monthly payment for HOA Management commencing January 2016. (Reeves/Judson) All in favor.

18) **12-10-2015:** To reassign \$10,000 of the 2014 insurance recoupment from Reserves to the Operating Account. (Atkins/Reeves) All in favor.

Approved by the Kuau Bayview at Paia Board of Directors

Luba Reeves

Luba Reeves, President

Dan Judson

Dan Judson, Treasurer & VP

George-ann Kealoha

George-ann Kealoha, Secretary

Greg Aguera

Greg Aguera, Director

Tom Atkins

Tom Atkins, Director

Minutes submitted by:

George-ann Kealoha

George-ann Kealoha, Secretary

Approved by:

Luba Reeves

Luba Reeves, President

Date: Dec 10, 2015