

**Maui Vista Association of Apartment Owners (AOAO)**  
**Annual Meeting**  
at  
**Tennis Court # 1**  
**2191 S. Kihei Road, Kihei, HI 96753**  
Saturday, November 5, 2022

**CALL TO ORDER**

President Shea called the meeting to order at 9:33 am. She noted that as of Thursday, November 3, a quorum had been established as the owners of apartments to which are appurtenant to fifty-four percent (54%) of the common interests established in the *Property Declaration* were participating, more than the fifty percent (50%) requirement. Pursuant to the recently approved amendment to Article II, Section 11 of the *AOAO By-laws*, participation in this Association of Apartment Owners (AOAO) Annual Meeting is permitted via electronic means. General Manager Jennelle Fraser has made preparations for the meeting with shade tents installed on Tennis Court #1 and for owner participation, including voting, via ZOOM®.

*Secretary's note: It was determined the final tally was owners of apartments to which are appurtenant to fifty-nine percent (59.242%) of the common interests.*

**PROOF OF NOTICE OF MEETING**

In accordance with Article III, Section 4 of the *By-Laws*, notice was sent by mail to all owners of record on September 30, 2022, and was posted on property October 28, 2022, in compliance with Hawaii State Law.

**INTRODUCTIONS**

The Board members were introduced:

President - Margaret (Peggy) Ann Shea (3312)  
Vice-President - Chet Hodgson (2407)  
Secretary - Don Smart (3313)  
Treasurer – Jennifer (Jenny) Copeland (1407)  
Member-at-Large – Gerald (Jerry) Jenkins (2107)

Also present were General Manager (GM) Jennelle Fraser, Administrative Assistant Letitia (Tish) Carreira, Kaila Kaaihue, Office Assistant, Account Manager Gary Hipp, and Peter Horovitz, AOA Attorney.

*Secretary's note: Attachment 1 to these minutes lists the owners who signed into the meeting at Maui Vista. While no attendance was taken for owners on ZOOM video or telephone, those known to have been connected at least some time during the meeting, and/or to have voted, have been included.*

**VOTING PROTOCOL**

President Shea introduced GM Jennelle Fraser who was tasked to explain how, for the first time, balloting will be conducted by paper ballot for owners physically present and electronic ballot by those participating via ZOOM®.

Regarding the election of officers. GM Fraser explained that, once ballots are made available, owners physically present may vote by placing them in the ballot box at the table where owners signed in up until the "Election of Officers" agenda item. Further, those who have been named as a proxy by owner(s) will receive the proxy ballot(s) at the rear table. She also explained how owners participating via ZOOM® will be able to cast ballots electronically, including write-in candidates and those who have been named as a proxy by owner(s) may vote the proxy ballot(s) they hold.

Regarding other motions. GM Fraser explained that individual motions will be voted upon by owners physically present in the typical manner. She also explained how owners participating via ZOOM® will be able to vote via individual questions she will create within ZOOM® at the proper time with 'yes' or 'no' options.

President Shea asked for questions from the owners present as well as the owners participating via ZOOM®. An unidentified owner asked how owners provide proxies to the Board. President Shea explained the packet that was mailed to owners on September 30 included a *Proxy Form* which, consistent with Hawaiian law, provided options to 1) solely allow their unit to be counted as part of the quorum, 2) assign their right to vote to another individual (who must be present in order to vote), 3) assign their right to vote to the Board majority vote, except that if a list of candidates is included the Board must vote for these candidates, or 4) assign their right to vote proportionately to Board members present (*i.e., 0.2 vote for each of five Board members if all five are present*), except that if a list of candidates is included each individual Board must vote for these candidates).

Sheridan Eastman (1113) via ZOOM® noted that it is difficult to hear people not close to the microphone. President Shea indicated people wishing to speak will need to get closer to the microphone and we may need to repeat any questions for owners participating via ZOOM®.

President Shea reported that Jennelle Fraser, Tish Carreira, Kaila Kaaihue, and Taylour Fraser will be serving as Tellers and will be available to help with election balloting.

## **APPROVAL OF MINUTES**

President Shea noted that the draft minutes of the November 6, 2021, Annual Meeting had been published on the Maui Vista AOAO website for several months and copies were available to owners when they signed in. She asked if there were any corrections to the minutes. David Lundgren (2319) moved, seconded by Bryan Sylvester (3408), to approve the November 6, 2021, minutes as presented. Motion carried.

## **PRESIDENT'S REPORT**

President Shea summarized items that have affected Maui Vista since the last AOAO Annual Meeting, which appears as Attachment 2 to these minutes. This report includes changes in AOAO Office personnel, notice of the *Maui Vista By-Laws* revision approval and recording, a Maui Coast Hotel expansion update, and the Building 2 water feature damage.

After this presentation, President Shea asked for any questions. No owners present or attending via ZOOM® had any.

Treasurer Copeland noted that the handouts for the Treasurer's Report were not ready and suggested adjusting the agenda. Director Jenkins moved, seconded by Treasurer Copeland, to reorder the agenda such that the Treasurer's Report follows the Committee Reports. Motion carried.

## **COMMITTEE REPORTS**

**Landscaping Committee.** Donna Neal (2408), Committee Chair, presented an overview of the Landscaping Report, which appears in full as Attachment 3 to these minutes. She noted the report covers the period of November 2021 to October 2022. JoAnn Belva (3322) asked if the oleanders described along the east fence will also include the eastern end of the north fence, where the vegetation is sparse. GM Fraser responded that work is being done to repair the irrigation line in this area.

**Security Advisory Committee.** Kathy Gookin (2418), Committee Chair, presented via ZOOM®. First, she noted the Security Advisory Committee is small and encouraged owners who might be interested in joining the Committee to reach out to GM Fraser. Ms. Gookin introduced Mathew Baker (1112) and John Marangio (1112) as the other members of the Committee and provided an overview of the Security Advisory Committee Report covering the past year, which appears in full as Attachment 4 to these minutes.

The primary recommendation is to develop a data collection system for reported incidents in order to better inform the Board and owners as to how to reduce crime. Additional recommendations include adding more signage about cameras being in use and possibly adding secure bicycle storage.

**Amenities Committee.** Co-Chairs Tina Evans (3103) and Tara Wells (3320), via ZOOM®, used a PowerPoint presentation to provide an overview of the Amenities Committee's research, conclusions, and recommendations over the past sixteen (16) months. The *PowerPoint Summary* presentation and the Committee's *Final Report and Recommendations* appear in full as Attachment 5 and Attachment 6, respectively.

The final recommendations were:

- 1) The newly elected 2023 Board send this Amenities Committee Recommendation to the owners for consideration and, hopefully, approval—clearly noting:
  - ✓ Only those funds already committed in the 20-Year Reserve Funding Analysis to resurface and maintain the tennis courts and donations would be used.
  - ✓ As funding is constant, the improvements would be made over time as the committed 20-Year Reserve Funding Analysis funds and owner donations become available.
  - ✓ Only approval to change the common area use from “tennis” to “recreational activities” is requested.
- 2) Once the expanded use is approved, the Board implement, determined by the availability of existing funding and owner donations, the phased-in delivery of the following priority-ordered listing:
  - ✓ Phase I - Bench seating, shade for courts, and additional seating in BBQ areas for buildings 1-3 (in the order maintenance is scheduled).  
Estimated cost in 2022 dollars- \$ 37,375
  - ✓ Phase II - Gathering area, BBQ, and recreational game area to Court 3. Stripe Courts 4 and 6 for Pickleball.  
Estimated cost in 2022 dollars- \$ 103,743
  - ✓ Phase III - Additional small gathering areas and amenities, based upon use and identified interests.  
Estimated cost in 2022 dollars- \$ 6,750  
*(Plus whatever additional recreational expansion the Board deems appropriate based upon Phase II implementation.)*

Owners asked clarifying questions, expressed concerns, and expressed support for the recommendations:

Jenny Copeland (1407) clarified that the recommendation would change the use of Court 3 (adding pickleball) and Court 4 (replacing tennis with shuffle board, corn hole, bocce ball, a barbeque area, and social gathering areas) which would require approval by 67% of the owners.

Georgia Hodgson (2407) asked if the recommendation would maintain Courts, 1, 2, 5, and 6 as tennis courts. Ms. Evans confirmed that is correct, but if pickleball becomes successful it may make sense in the future to add striping to Courts 2 and 6 to permit the addition of pickleball.

Sonya Stelmasky (2218) expressed concern about the impact on Building 2, as their bedroom windows face what would be the new area for social gatherings. She also had concerns about the related costs.

Kay Erickson (2310) expressed concern about pickleball noise and how that will be mitigated. Ms. Evans noted the recommendation is to add one pickleball court as opposed to other resorts that have been placing four in the same space. She also cited the Committee's *Final Report and Recommendations*, page 6 (Attachment 6). And finally, Ms. Evans reported on the two-month trial of pickleball after which former GM Haley reported two concerns were received; one noting that someone was playing in flip flops and a second that it was too windy to play pickleball.

Larry Shepard (2304) expressed concern about noise, as his bedroom overlooks the grill and there are many evenings when activities there go beyond quiet hours.

Brian Sylvester (3408) noted that everybody on his side of building 3 are impacted by everything that happens on Courts 3 and 4. He also noted that tennis player "grunts" and "groans" are much louder than pickleball play.

Addie Brown (2416) noted that much of what is being discussed sounds pretty cool, but has some questions/concerns. First, wouldn't some funds be required to prepare the surface of Court 3 for the recommended new activities- leaving less money for the new equipment/furniture? Second, it was stated this was proposed as being available to Maui Vista owners and guests, but if there were a wedding attendees might include others. What would their impact on parking and facilities? Ms. Evans noted that she either misspoke or was misunderstood, there is no plan or consideration to permit weddings at Maui Vista.

George Laing (1324) asked if there would be access control to the recreational area. Ms. Evans indicated the drawing does not include a gate, but it could have one.

Carol Shepherd (2304) thanked staff for how well the grounds look and shared they were here last April when a wedding was held with guests staying in several units. As her unit is by the barbeque grill, they were up all night with noise, even after security was called. She is also concerned about cost.

Ryan Stirling (1212 & 2318) asked, via ZOOM®, what the timeline would be for the cost neutral timeline. Ms. Evans responded that she understood the new *Reserve Study* will be made available today and it will be possible to look at what is budgeted over what timeline. The recommendation says "with patience" we can do this in a cost neutral manner, but it will take time (years).

Dave Zimmer (2423) is concerned about quieting people down at gatherings. He doesn't see being able to quiet down people when quiet time begins.

An unidentified owner noted that the discussion is about using the money saved from not having to resurface Courts 3 and 4, but Court 4 would need to be resurfaced, so it would be half of those funds. Treasurer Copeland responded that there is about \$75,000 in the budget this year for resurfacing Courts 3 and 4. She also asked if the proposal would be an all or nothing for owners to vote on?

Sonya Stelmasky (2218) asked who will maintain and wash the area and furniture.

Susana McIntosh (2415) asked if there would be an impact on insurance. Ms. Evans responded by sharing that Don Smart provided the Committee with a list of questions to consider, including insurance. This was accomplished in consultation with former GM Haley and is presented in the Final Report on the AOAO website.

Secretary Don Smart (3313) noted that in his opinion 67% approval is required for each change of use of a designated common element.

Attorney Peter Horovitz summarized the process for making such a change. The Committee has made its report, the Board will digest that report and make some recommendations to owners as to whether to implement all or some of that report, then attorneys (Horovitz Tilley LLC) would draft changes that would be necessary to implement it, and then a specific proposal would go out to owners who would have the opportunity to approve or disapprove the proposal. At that point if you have the votes to make the change you do it, and if you don't you don't. This is part of association living. It is important to note this is not being decided today and will not be decided by the Committee or the Board; it will be decided by the owners.

President Shea recessed the meeting at 11:23 am for a ten (10) minute break to permit owners to get water and secure their ballots, noting owners were able to cast their ballots at any time until the "Election of Directors" agenda item when the final call for ballots will occur before the voting is closed.

President Shea reconvened the meeting at 11:34 am. An error on the paper ballots was noted (it called for five [5] candidate votes rather than the three [3] candidate votes permitted). A check of the ballot box, authorized by Attorney Horovitz, indicated that no ballots had been cast with more than the three (3) candidates allowed. Attorney Horovitz advised that the voting continue and provided verbal clarification/instruction.

## FINANCIAL ISSUES

**Treasurer's Report.** Treasurer Copeland presented a detailed *Treasurer's Report*, which appears in full as Attachment 7 to these minutes, and was divided into two parts: 1) *Fiscal Year (FY) 2023 Budget* recommendation; and, 2) future reserve funding alternatives. The first part of the presentation dealing with the *FY 2023 Budget* presentation included:

- Review of FY 2022 Projected compared to FY 2022 Budgeted wherein line items varying by at least ten percent (10%) and \$1,000 were highlighted.
- Review of FY 2022 Projected compared to FY 2023 Budget wherein adjustments to line items by at least ten percent (10%) and \$1,000 were highlighted.
- Review of the preliminary October 31, 2022 Balance Sheet wherein the current reserve balance of approximately \$134,000 was highlighted, indicating a 4.3% funded level as of the end of October.
- Explanation reserve study/budgeting options including a summary of the three (3) Hawaiian reserve study methods permitted under Hawaiian law, their associated risk factors, and the goal of getting to 50% Fully Funded by the end of 2030.
- FY 2023 maintenance fee consideration wherein three different maintenance fee increase options were summarized, including the use of \$190,000 of the most recent special assessment for operations in order to reduce the required maintenance fee increase from 24.1% to 14%.
- Phasing in the special assessment and FY 2023 maintenance fee increase wherein an owner-suggested option to delay the maintenance fee increase until after the FY 2022 special assessment due in April 2023 was explored. Unfortunately, the AOAO cannot forgo four (4) months of increased revenue so this would have to be redistributed over the remaining eight (8) months, which would require an increase of 21.6% for the May-December 2023 maintenance fee.
- FY 2023 maintenance fees by unit wherein the maintenance fees with the 14.3% increase for each Maui Vista unit type was presented.
- History of reserve health with a graphic presentation of the Maui Vista AOAO reserves from 2018 and projected through December 2022, showing what the reserve level would be if no adjustments were made. Contributing factors were included as well as risks of remaining below 30% funded.

- FY 2022 special assessment by unit wherein the recent \$800,000 special assessment for each Maui Vista unit type was presented.
- FY 2022 special assessment overview wherein the planned uses for recent \$800,000 special assessment funds were presented.
- FY 2023 is an inflection point. The AOAO is at a turning point and must plan for the future. The current path, without making adjustments, is not practical and will simply cost more in loan interest charges and/or additional special assessments. The *FY 2023 Budget* recommendation is based upon the best information available today. If there are changes to the assumptions, adjustments will be made in future years but owners should understand the situation and plan for future maintenance fee increases, absent changes to these assumptions.
- Presentation of the *FY 2023 Budget* summary, which appears in full as Attachment 8 to these minutes. The following sub-totals were included:

	FY 2022 Projected	FY 2022 Budget	Over/(Under) Budget	FY 2023 Annual Budget
Income:	\$ 2,239,339	\$ 2,230,832	\$ 8,507	\$ 2,555,968
Transfer to Reserves:	\$ (445,722)	\$ (445,722)	\$ 0	\$ (457,388)
Building Expenses:	\$ 773,484	\$ 736,202	\$ 37,282	\$ 809,074
Administrative Costs:	\$ 616,042	\$ 573,034	\$ 43,008	\$ 790,268
Utilities Expenses:	\$ 488,583	\$ 475,874	\$ 12,709	\$ 499,238

Treasurer Copeland offered to make all of the back-up spreadsheets/data used in the preparation of the fiscal analysis and *FY 2023 Budget* recommendation available to any owner who requested them. She then asked for questions.

Jocelyn Berube (3114) asked what options have been considered to identify new revenue. Treasurer Copeland responded that options have been considered, but they appear to be pretty limited. She noted that a suggestion to establish a resort fee would result in the loss of Maui Vista's grandfathered status which would eliminate vacation rentals, which no one wants. Ms. Berube asked about parking fees and Treasurer Copeland said we would look into it and all suggestions to increase revenue are welcomed. Ms. Berube asked if the termite damage repair was put out to bid. As she was not on the Board at that time, Treasurer Copeland referred the question to more tenured Board members. Secretary Smart noted that there was no bid. When asked why, Secretary Smart noted the impacts of COVID and President Shea indicated GM Haley made the decision at the time and the Board went along with his recommendation.

Melissa Bryant (3419) indicated she was at the Board meetings when the decisions related to the termite repairs were made and everything was done in the open in a fully transparent process in which GM Haley shared recommendations/bids with the Board which were acted upon. She suggested if owners have concerns consider them when voting and that our focus should be forward not back.

Mike Corella (1216 & 3110) asked Attorney Horovitz how the imposition of a resort or hospitality fee would impact operations. Attorney Horovitz indicated Maui County wants to shut down short-term rentals and would use such a change as an excuse to end Maui Vista's grandfathered status for current and future owners. Mr. Corella suggested consideration of changing the *Property Declaration* to permit parking fees. Treasurer Copeland thanked him for the suggestion.

Noting that this is a very appropriate discussion related to future fiscal considerations, but is not related to the *FY 2023 Budget* recommendation, Director Jenkins (2107) moved, seconded by Chet Hodgson (2407), to approve the conservative *FY 2023 Budget* that Treasurer Copeland developed and brought forward. Motion carried.

Treasurer Copeland (1407) moved on to the second part of her *Treasurer's Report*, future reserve funding alternatives, which included:

- Future maintenance fee projections with a graphic presentation of consistent 12% annual Maui Vista AOAO maintenance fee increases, based upon the best assumptions available at this time, that would attain the goal of 50% Full Funding by 2030. This would result in 2030 monthly maintenance fees of approximately \$1,500 to \$2,200/month (depending on unit type).
- An owner-suggested special assessment option that would reduce the consistent annual Maui Vista AOAO maintenance fee increases to 6% through the use of \$275,000 annual special assessments. This would result in 2030 monthly maintenance fees of approximately \$1,000 to \$1,400/month (depending on unit type).

Treasurer Copeland again noted these projections are based upon the best information available today. If there are changes to the assumptions (inflation rate decreases, a better insurance premium is identified, etc.) adjustments will be made. She is presenting this in order to have owners begin to consider options and plan accordingly. Treasurer Copeland then asked for questions.

Michael White (3216) indicated he is actively involved with a vacation rental and his CPA had advised him that special assessments may have a financial advantage for some owners. As such, he would rather see the second option that includes annual special assessments.

Ryan Stirling (1212 & 2318) expressed support for the second option with the annual special assessments as the first option would probably require some type of de-escalator once the reserve was fully funded and the reserve contributions were no longer needed. He had concern such a de-escalation might not occur.

Gary Degliantoni (3118) asked if it would be possible to receive a receipt for the special assessment and his monthly maintenance fee payments. Accountant Gary Hipp indicated if Gary sends him an email requesting receipts, he will provide receipts.

President Shea thanked Treasurer Copeland for a very thorough and detailed presentation. Treasurer Copeland again offered to make all of the back-up spreadsheets/data used in the preparation of the fiscal analysis available to any owner who requested them.

**Delinquency Status.** Director Shea summarized the status of delinquent maintenance fees. She reported the current delinquency is \$1,469, with most owners paying their monthly maintenance fees even in trying economic times. The Board is extremely appreciative of these efforts.

## **ELECTION OF DIRECTORS**

President Shea reminded owners the names appearing on the ballot today are not in the same order as those mailed previously, so it is important to read the ballot as owners cast their votes.

There were three expiring board positions and there were six declared candidates for these positions: Margaret (Peggy) Ann Shea (3313); Joseph Cascio (3305); Michael Corella (3110); Tina Evans (3103); Kathy Gookin (2418); and, Blake Gray (3207). Director Shea called upon each candidate to provide a two (2) minute statement of why they want to serve on the Board.

An unidentified owner asked why voting was permitted prior to the candidate statements and President Shea directed the question to Director Jenkins, who noted past practice permitted owners who participated in the Annual Meeting via proxy to name specific candidates prior to hearing candidate statements and owners in attendance could deposit their ballots and leave early if they desired. He had argued that the same option should be afforded owners participating via ZOOM®. The attorneys agreed this was proper. This is why owners continue to have the right to vote any time after a quorum is established until the polls are closed following candidate statements.

Director Shea asked if there were any additional questions and, hearing none, returned to candidate statements, beginning with herself. Each remaining candidate offered their statements.

Director Shea asked if there were any additional nominations from the floor. There were none. She then declared a short recess at 1:08 pm so the Board, under the supervision of Attorney Horovitz, could vote the proxies given to the Board. As soon as this was completed there was be a last call for ballots to be cast and the polls were closed.

President Shea reconvened the meeting at 1:29 pm and asked GM Fraser to confirm that everyone participating via ZOOM® has voted. Once this was confirmed President Shea declared the polls closed.

The four non-owner Tellers Jennelle Fraser, Tish Carreira, Kaila Kaaihue, and Taylour Fraser took the ballots to the secure AOAO Office for counting.

## **UNFINISHED BUSINESSES**

**Redesign of Driveway Entrance Divider.** President Shea reported the reduced driveway entrance divider has been completed and landscaped. A sign is being ordered as the final touch. Director Jenkins, citing the current fiscal challenges, moved to cancel the new sign. President Shea indicated the Board had already voted to approve the sign some time ago. Attorney Horovitz commented that such action would be appropriate at a Board meeting rather than at the AOAO Annual Meeting. Director Jenkins withdrew his motion and indicated he would raise the issue at a Board meeting.

**4th Floor Termite Eradication and Fascia Board Repairs.** President Shea reported the termite eradication and fascia board repairs had been completed. The total cost was \$458,954, which was discussed as part of the Treasurer's Report.

**Unit 2105 Water Leakage Problem and Water Feature in Building 2.** President Shea reminded owners that the Building 2 water feature had been leaking, causing rot in the adjacent wall. The waterfall had to be removed in order to permit repair of the wall, which abuts an AOAO records storage area. A committee, consisting mainly of Building 2 owners, is working with GM Fraser to provide suggestions as whether, and if so how, a water feature should be included in the future.

**County Attempt to Eliminate Short-Term Rentals.** President Shea reported that Maui County continues to work towards realization of its desire to shut down short-term rentals. Under the most recent proposal, which the County Council is scheduled to vote on the following week, Maui Vista is provided 'grandfathered' status as it is a self-managed property that does not function as a resort. She encouraged owners to stay vigilant on monitoring Maui County's actions.

**Other Unfinished Business.** President Shea asked for any other unfinished business and none was proffered.

## **NEW BUSINESS**

**Homeowner Dwelling Insurance: 15K or 50K.** President Shea reported that the Maui Vista AOAO Insurance policy renewal increased the deductible limit from \$15,000 to \$50,000. The Board had considered whether to require owners to, therefore, increase their policy coverages from the previously required \$15,000 to at least \$50,000. After receiving feedback from several owners, the Board decided to strongly recommend \$50,000 dwelling coverage in each owner's unit insurance policy, but will not increase the existing \$15,000 requirement.



It is important owners know that those who elect to secure insurance coverage below the recommended AOAO insurance policy deductible level of \$50,000 will be personally liable for the cost of any loss above their insurance coverage limit (\$15,000 minimum) but below the AOAO insurance coverage deductible (\$50,000). For example, an owner who elects to insure at the minimally required \$15,000 level and suffers a loss costing \$75,000 to repair would be personally responsible for the \$35,000 gap between the \$15,000 policy coverage and the \$50,000 level when the AOAO policy coverage would begin. President Shea also noted that the AOAO responsibility ends with repair to original "as built" conditions.

**Plumbing Vent Line Inspections.** President Shea reported that there have recently been incidents of clogged horizontal vent lines in the ground floor units. GM Haley had recommended, and the Board approved, for Maui Vista to go into ground floor units when they are being remodeled to open and inspect the vent pipes at AOAO expense. This will permit a better assessment of the problem's prevalence. Owners are asked to let GM Fraser know if they are planning a remodel project that would include the removal of cabinets, bathroom tile replacement, and/or exposure of the pipes in their plumbing wall.

**On-Island Agent Requirements; Suggest Fining Owners if Not Compliant.** President Shea shared that there have been several incidents of on-island agents failing to respond to problems after hours. This creates challenges for Maui Vista. Attorney Horovitz advised that it is appropriate for the Maui Vista AOAO to have on-island agents sign a notification of responsibilities form. President Shea advised this may be forthcoming.

**Air Conditioner Leakage Control.** GM Fraser indicated the contractor she had planned to share a new method for containing air conditioner leaks had to leave. This information will be sent to owners via another method.

**Fascia Board Paint Bubbling.** President Shea reported that Jami Vaux (1406) had had sent an email noting that the paint on the recently replaced fascia boards on Building 1 one has bubbled in several places. The contractor who completed the termite eradication and fascia replacement will be called back to assess and make repairs. As less than a year has passed, there should be no cost to Maui Vista. An unidentified owner suggested that all buildings should be inspected and President Shea concurred this will be done.

**Adoption of Annual Tax Resolution.** President Shea shared that at a Special Meeting on November 3, 2022, the Board adopted the customary resolution in order for the AOAO, which operates as a non-profit organization, to not be liable for federal income taxes.

**Other New Business.** President Shea called for any other new business. None was offered.

As the Tellers had not yet completed the ballot counting, President Shea declared a recess at 2:52 pm until the Tellers finalized the election results.

President Shea reconvened the meeting at 3:10 pm.

## **ELECTION RESULTS**

President Shea asked Teller GM Fraser to share the election results. GM Fraser noted the Tellers had checked and re-checked the counting results to confirm the accuracy of these results:

Tina Evans (3103) - 86 votes  
Kathy Gookin (2418) - 83 votes  
Margaret Ann (Peggy) Shea (3313) - 77 votes  
Blake Grey (3207)- 76 Votes  
Joseph Cascio (3305) - 38 Votes  
Michael Corella (3110) - 32 Votes

Based on these results, Tina Evans, Kathy Gookin, and Margaret (Peggy) Ann Shea were elected/re-elected members of the Maui Vista Board of Directors for two-year terms.

#### **NEXT AOA ANNUAL MEETING**

Director Jenkins moved, seconded by Treasurer Copeland, to schedule the next AOA Annual Meeting for 9:30 am, Saturday, November 4, 2023, at a location to be determined. Motion carried.

#### **ADJOURNMENT**

The meeting agenda being completed, President Shea asked a formal motion for adjournment. Treasurer Copeland moved, Director Smart seconded, the meeting be adjourned. Motion carried. The meeting was adjourned at 3:14 pm.

Prepared by:

Tina Evans  
Maui Vista AOA Secretary

# Attachment 1

Owners known to be participating either in person, connected electronically, or via proxy:

James & Vicky Olson (1101); Present  
Joe and Brenda Stoudt (1102); via Proxy  
Vivian Miller (1103); Present  
Tony & Mair Jones (1104); Present  
Ron Newton (1105); Present  
Mark & Pam Rill (1108); via Proxy  
James & Vicky Olson (1110); Present  
Stephanie A. Moreno (1116); via ZOOM®  
Allyse Bogue & Jose Chavez Perez (1118); via Proxy  
Pat & Judi Smith (1120); Present  
Michael Wagner (1121); Present  
Haobang & Shi Lu (1125); via ZOOM®  
Chris Johnson, Michael Meyer (1201); via ZOOM®  
Troy & Rebecca Monk (1202); via Proxy  
Jeff & Sheryl Williams (1204); via Proxy  
Debra Moser (1205); via Proxy  
Ryan Stirling & Erica Ryan (1212); Proxy via ZOOM®  
Mike Corella (1216); Present  
David May (1303); Present  
David May (1304); Present  
Kimberly Johns (1305); Present  
Mary Anne Aldrich (1307); via ZOOM®  
Rommel S Carlos (1310); via Proxy  
Sonia Willems (1318); Present  
William Minikel (1320); via Proxy  
George Laing (1324); Present  
Paul Mirko (1401); Present  
Jami Vaux (1406); Present  
Craig & Jennifer Copeland (1407); Present  
Richard & Sherilyn Talley (1408); Present  
Nanci L Grube (1410); Present  
Rommel Sian Carlos (1421); via Proxy  
Arden & Janet Kinser (2106); Present  
Jerry & Sue Jenkins (2107); Present  
Kristina Shaw (2108); via ZOOM®  
Brie Matthews (2109); via Proxy  
Brie Mathews (2110); via Proxy  
Ralph & Tricia Chiariello (2112); via ZOOM®  
Sheridan Eastman (2113); Present  
Mike & Deirdre Lozica (2114) via ZOOM®  
Tom and Laurel MacNair (2123); via ZOOM®  
Bob & Aletta Weber (2201); Present  
Jerome & Yvonne Bosch (2214); Present  
Mike & Sonya Stelmasky (2218); Present  
David & Phyllis Bosch (2220); Present  
Andrea, Rhesa Ashbacher (2224); via Proxy  
Larry & Carol Shepherd (2304); Present  
Angelika "Angie" Hofmann (2307); via ZOOM®  
Kay Erickson (2310); Present  
Lam Huynh, Chris/Kelly Summers (2316); via ZOOM®  
Ryan Stirling & Erica Ryan (2318); via Proxy  
David Lundberg (2319); Present  
Mark & Alexandra Martella (2402); via Proxy  
Robert Kenneth & Jessica Ann Silvernagel (2403); via ZOOM®  
Wanda Shaw (2405); Present  
David & Cindie Schlater (2406); via Proxy

Chet Hodgson (2407); Present  
Donna Nea (2408); Present  
Tim & Gretchen Hennum (2412); via Proxy  
George Banker (2413); via Proxy  
Martin & Paula Lindsay (2414) Proxy via ZOOM®  
Cory McKim & Susana McIntosh (2415); Proxy via ZOOM®  
Addie Brown (2416); Present  
Alex and Ramee Ray (2417); via Proxy  
Christopher Murray & Kathleen Gookin (2418); via ZOOM®  
David Zimmer (2423); Present  
Tina Evans (3103); Present  
Patricia Allen (3104); via Proxy  
Michelle Caplan (3106); Present  
Scott Morris (3107); via ZOOM®  
Mike Corella (3110); Present  
Gerald & Nancy Gordon (3111); via ZOOM®  
Nancy L. Mann/ Debra Stevens (3112); via ZOOM®  
Jocelyn Berube (3114); Present  
Gary and Marian Degliantoni (3118); Present  
Fredric & Jane Litt (3119); via Proxy  
Tyler Baker (3122); via ZOOM®  
Diane Luther (3204); Present  
Blake Gray (3207); Present  
Maribeth Theisen (3209); via Proxy  
Don Smart (3212); Present  
Kelly C. Savage & Allyson B. Savage (3214); via Proxy  
J. Michael White (3216); Present  
Roland Garrido (3221); Present  
John Gorsline (3301) Present  
Joseph Cascio (3305); Present  
Robert Fischer (3306); Proxy via ZOOM®  
Don Smart & Margaret Shea (3312); Present  
Don Smart & Margaret Shea (3313); Present  
Renee Richardson (3314); Present  
Debra Moser & Michael Young (3315); via Proxy  
Jeffrey Alan Francis & Silvia Kang Francis (3317); via ZOOM®  
Dean & Celeste Bellagente (3319); via Proxy  
Bruce & Tara Wells (3320); via ZOOM®  
Enrica Arnaudo (3321); via ZOOM®  
Jo Ann Belva (3322); Present  
Kelly Savage (3401); via Proxy  
Michael Barksdale (3407); Present  
Brian Silvester (3408); Present  
Walter & Sandee Sterrenburg (3409); Present  
Fredric & Jane Litt (3412); via Proxy  
Fredric & Jane Litt (3413); via Proxy  
James Petrakis (3416); via Proxy  
Alan & Laurie McCann (3417); Proxy via ZOOM®  
Stephanie Wolcik (3418); Present  
John McManus & Melissa Bryant (3419); via ZOOM®

Additional viewers via ZOOM®: BTWEL, RICH C, KK, 510-858-8274, 702-787-6396, 604-209-2225, 518-588-3742, 954-604-1390, 707-293-3063, Tim H, BMNM, Martin C, RYN, MIKE, Juliett B, Sydney Lawrence, Crystal M, Mark S, Ralph K, WW, and KKE.

# Attachment 2

## **PRESIDENT'S REPORT** November 2021-October 2022

This report will include only the major highlights from November 2021 until November 2022. For more detailed information, owners are directed to the minutes of the various Board meetings that are posted on the Maui Vista website.

### **Change in Office Personnel**

The major event for the owners at Maui Vista was the resignation of the General Manager, Jerel Haley, and the selection of Jennelle Fraser as the new General Manager. In June 2022, Mr. Haley submitted his resignation effective the first week of September 2022. A search committee was established to advertise for applicants, evaluate the applications, conduct interviews, and present the Board with a maximum of five (5) names as possible replacements. Almost 100 applications were evaluated with three (3) names presented to the Board of Directors. Of those three candidates, one individual removed his name as he had found a different position. Of the two final candidates interviewed, Ms. Jennelle Fraser was selected as the Maui Vista Association General Manager. Ms. Fraser assumed her duties on 15 August allowing for a two week overlap with Mr. Haley.

Ms. Holly Bigelow resigned as office assistant and was replaced by Ms. Kaila Kaaihue.

### **Maui Vista By-Laws Update**

The owners approved a change to the Maui Vista By-Laws allowing electronic voting for Association Meetings. There have been several changes in the By-Laws since 2013, so the Board requested the Association Attorney to prepare the 4<sup>th</sup> Restatement of this document. This has been done, the final document approved by the Board, the authorizing signatures obtained, and the document forward to the state of Hawaii for recording. Once this has been duly recorded, the 4<sup>th</sup> restatement will be available to owners on the Maui Vista website.

### **Maui Coast Hotel Expansion Update**

General Manager Haley and the Board President met with the planners of the Maui Coast Expansion project. We voiced several objections to their planned building ranging from traffic problems to loss of view by Maui Vista residents and consequently a loss in property value. One suggestion we offered was to reverse their planned building and parking area so that the main building be at the mauka side of the land, the parking lot in the middle area and their smaller two-story building be in the front (as planned). They insisted that the taller six story building had to be in the middle area as it was closer to the beach and the general parking area should be at the rear.

Both General Manager Haley and the Board President, along with several Maui Vista owners attended, via video conferencing, the Maui county planning committee meeting where the Special Management Area proposal was discussed. I filed two testimonies, one as Board President (which is on the Maui Vista website) and one as an owner. Both documents opposed the project. Several Maui Vista owners also verbally and via written documents opposed the project as well as many Maui residents. The Special Management Area request was approved primarily because the construction of this facility would to give employment to Maui residents. The one concession we were able to obtain was an additional turn lane on South Kihei Road to allow vehicles headed south to make a left turn into the Maui Vista driveway.

### **Building 2 Water Feature**

The water feature in Building 2 has been leaking water into the wall of unit 2105 which is a storage room for AOA documents and other association items. As this is a structural problem, the water feature had to be totally removed to repair the damaged area. A committee composed mostly of owners in Building 2, is being tasked to make recommendations to the Board regarding (1) whether a replacement water feature should be added elsewhere in the Building 2 area especially since plants will not flourish in the original area and (2) what to do with the empty space created by the removal of the water feature and small retaining wall.

Peggy Ann Shea  
AOAO Board President

# Attachment 3

## LANDSCAPE COMMITTEE REPORT

November 2021-October 2022

Several of the landscaping projects that were postponed during the pandemic were initiated during the past year.

Several new trees and hedges were planted.

1. A hedge of variegated hau was planted along the eastern fence in the rear parking lot.
2. A row of areca palms was planted on the north side of swimming pool 3 to provide a future wind break.
3. Five areca palms were planted in the entrance way of Building 3 by the waterfall. These plants replace fishtail palms that were removed earlier and will provide a better wind break in that area.
4. A lipstick palm with its red trunk was planted in a sheltered area on the south side of Building 2.
5. Two foxtail palms were planted along the walkway on the south side of Building 2 forming a line with the other foxtail palms. Two additional foxtail palms were planted along the long walkway on the south side of the property.
6. A royal palm tree was planted in the north east section of the grass circle between Buildings 2 and 3 where the large monkey pod tree was removed. This “matches” the royal palm at the north west section of this grass circle.
7. A majesty palm was planted in the entrance way oval. The oval area is currently being planted with additional smaller plants to compliment the majesty palm.

The variegated hau plants located along the east end of the rear parking lot are thriving. Eventually they should grow to about a height of six feet, blocking the unsightly view into the adjacent property.

The oleander hedge along the north side of the parking lot was drastically trimmed in an effort to encourage new growth after the construction work in that area. Plants that were damaged or died during the construction were replaced. The oleander hedge along the south walkway requires constant maintenance until it grows as thick as the hedge by the parking lot. Wood chips were laid along the entire area to help prevent weeds from growing.

The hedge of variegated hau originally planted to hide the dumpster area of Building 2 was removed because it was harboring excessive cockroaches feasting on refuse in the dumpster. Other methods to conceal the dumpster area are being investigated.

An area by the BBQ at Building 1, which was continually damp from runoff from the tennis court, has been relandscaped with additional dirt to mitigate the water problem. Additional landscaping was necessary where damage occurred when moving the cherry picker required for the termite repair. Excessive rainfall resulted in flooding of the

Landscape Committee  
Report to the AOA Annual Meeting  
November 2021-October 2022; Page 2 of 2

bedroom of unit 1125; this has occurred twice recently. New landscaping was done to improve the drainage and direct rain water to a different location to prevent a recurrence.

The water feature area in the entrance to Building 2 had to be destroyed to repair a wall between the water feature and unit 2105. A committee is currently reviewing how to make the best use of that area.

Several problem areas were addressed with personnel from Island Plant. These included the loss of leaves on two shower trees, the destruction of the shell ginger leaves apparently being “eaten” by some insect, and the removal of stumps on the property.

Our landscaping is done by Island Plant. During the year members of the landscaping committee discussed various issues with Mr. Foster the owner of Island Plant. They have been short staffed since the pandemic with two key personnel moving to the mainland which is why many of the routine project such as tree trimming have been delayed. Eventually these routine projects were completed.

Landscape reports are usually included during regular Board meetings and are summarized in the meeting minutes that are on the Maui Vista website.

# Attachment 4

## MAUI VISTA SECURITY ADVISORY COMMITTEE REPORT TO THE AOA BOARD October 2022

### BACKGROUND INFORMATION:

- Members of the Security Advisory Committee: Kathy Gookin (Chair), Matt Baker, John Marangio, and General Manager, Jen Fraser (liaison).
- The committee's purpose is to advise and offer recommendations to the board on security issues and improvements at Maui Vista.

### REPORT SUMMARY:

This report summarizes the committee's work over the past year. The committee focused on monitoring reported crimes, helping the general manager select a new security company and developing recommendations to reduce crime at Maui Vista. Our primary recommendation is to develop a data collection system for reported incidents at Maui Vista in order to better inform the board as to how to reduce crime. Additional recommendations include signage about security cameras in use by the bicycles and mopeds as well as secure storage for bicycles. We request this report be disseminated to members at the annual meeting and posted on the association's website.

### NEW COMMITTEE CHAIR AND APPEAL FOR MEMBERS

Our previous chair, Mark Emoto, resigned a few months ago when he sold his unit. We would like to thank Mark for his service. His experience as a former police lieutenant proved quite valuable. The board appointed Kathy Gookin as chair at the September board meeting and her experience working with law enforcement agencies around the country also provides a law enforcement perspective. However, we feel we could benefit from a couple more members. If any owners are interested in joining the committee, please contact the new General Manager, Jen Fraser.

### CRIME REPORTS

The committee continues to monitor reported crimes as posted in the Lexis Nexis System by the Maui Police Department (MPD). However, there is underreporting by MPD. We know this because the Maui Vista staff intervened in incidents on property that involved MPD, yet there is no report in the Lexis system. For example, there have recently been three bicycles stolen, caught on camera and reported to MPD. These thefts are not in the reporting system. Our previous General Manager, Jerel Haley, indicated thefts in the Kihei area are rampant and the police have not been able to get a handle on it. That being said, we recommend owners have bike locks that are difficult to cut with bolt cutters. The brand Kryptonite is known for not being compromised by bolt cutters. In fact, one owner recently reported someone being seen by one of our MPI officers trying to saw through his Kryptonite lock. The would-be thief ran away. Additionally, signage about video monitoring by the bike stands can also serve as a deterrent. Ultimately, it would be prudent to have a secure bicycle area whereby owners would have key access or use a Kaba code.

### MPI SECURITY COMPANY PERFORMANCE

Last year, the committee assisted Jerel Haley in selecting a new and hopefully more effective security company. Jerel reported he was extremely happy with the new contractor, MPI. (Note: We do not know what MPI stands for and it is not obvious on their website.) Jerel said it is like night and day when compared to our previous contractor. Members of the committee have seen MPI in action and MPI does appear to cover the ground and assist people as needed.



### **REDUCING CRIME AT MAUI VISTA**

Steps to reduce crime require understanding what crimes are being committed, what crime prevention measures are already in place and what further measures would be effective. We've already mentioned that the MPD reporting system is no longer useful. It is our understanding the GM is looking into a commercial product that would provide this data. Alternatively, the committee may be able to assist the AOA in developing an in-house data collection system of incidents. Think of it in terms of an electronic log that would track date, time, category (such as theft, assault and domestic violence). Once the log is established, data can be summarized and analyzed. This will bring focus to measures that can mitigate the problems. Further discussion is required to determine if this is feasible.

Anecdotally, it appears theft is the predominant security issue at Maui Vista. The best way to reduce theft is to make it difficult to steal items. Maui Vista has implemented many measures towards this end including 24/7 staff coverage (when combining daytime staff and security patrols), cameras, improved lighting and signage. In addition to bike owners using locks that are difficult to cut, the committee would also like to remind owners to stay alert and report anything out of the ordinary. There seems to be a pattern with these thefts (as evidenced by catalytic converter thefts and the recent bicycle thefts.) If we detect a pattern we can focus on vulnerable areas and prevent further crime. Additionally, we'd like to remind owners and more importantly their guests, to keep vehicles, windows and doors secure in an effort to deter criminals.

The GM reports a high-definition camera will replace the low-def camera at the main entrance. We appreciate Jen thinking ahead on this as it will be able to read license plates at night. She is also looking at additional locations where cameras would be helpful. An item of unfinished business is the completion of four lights in the parking area. Once completed, the lights will provide a continuous line of sight from the entrance all the way to the storage sheds in the back.

### **FINAL COMMENT**

The committee has been in operation for seven years and is pleased with the progress made particularly in the area of security cameras and lighting. Going forward, we would like to avail ourselves to assist the new general manager and board in problem solving additional security matters identified throughout the year.

In closing, the committee very much appreciates the support of the board and our liaison, Jerel Haley and now Jennelle Fraser. It was nice to hear their appreciation of the committee at the September meeting. Thank you.

# Maui Vista Amenities Committee Vision

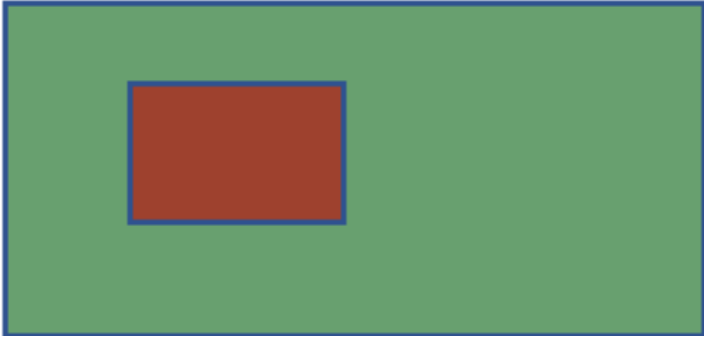
Including:

- ✓ Owners' Input
- ✓ Survey Results
- ✓ AOA Board Recommendations
- ✓ General Manager's Review and Feedback

# Budget

- ✓ The Committee's recommendation **requires only those the use of funds already committed in the 20-Year Reserve Funding Analysis** to resurface and maintain the tennis courts.
- ✓ This **approach would determine the timeline.** As funding is constant, the improvements would be made over time as the already committed funds become available.
- ✓ In addition, some owners have asked about making dedicated donations to specific amenity enhancements.

# Creative Direction



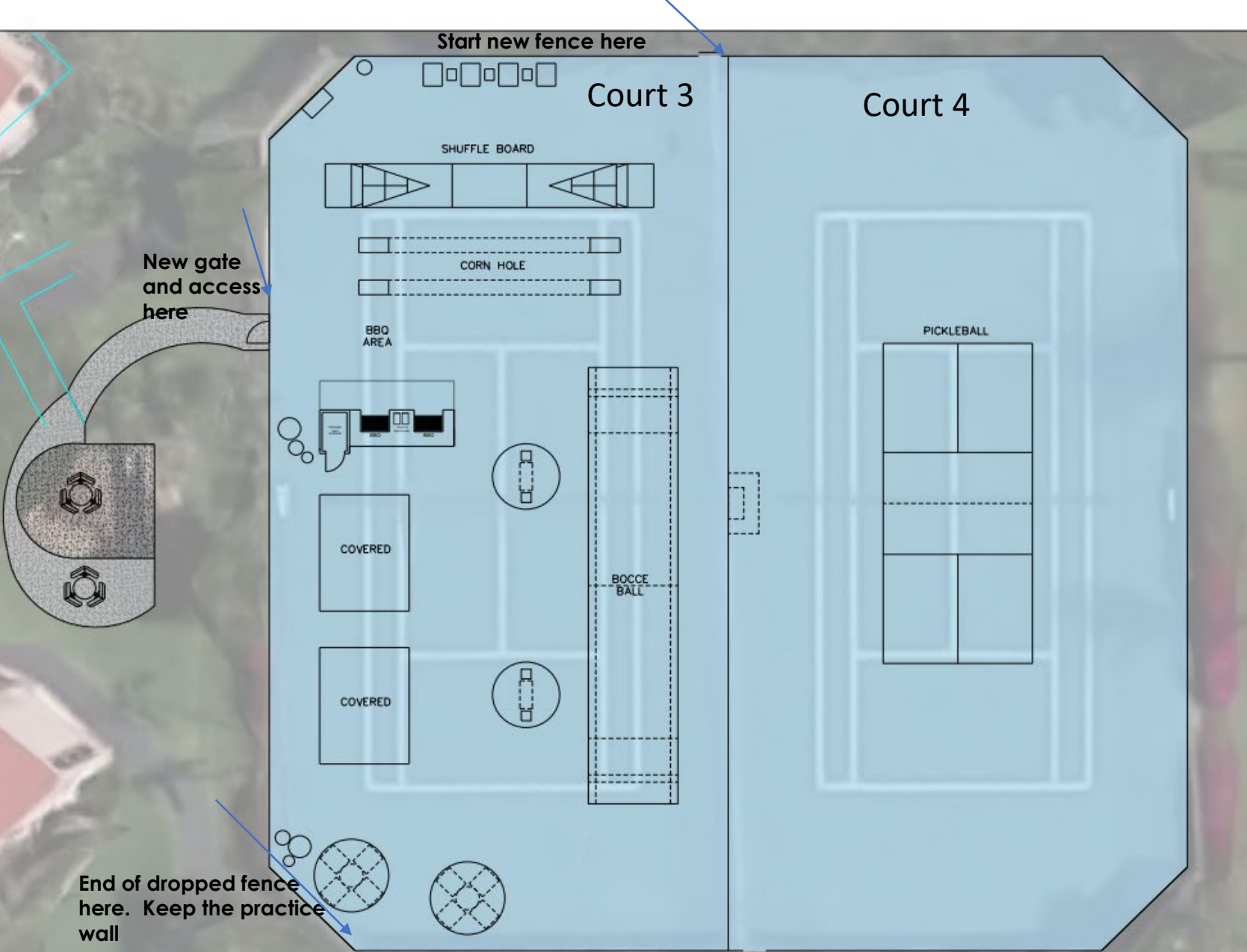
- ✓ Accent color under furniture groupings



- ✓ Tropical planting with splashes of color







Court 3 would have new fencing similar to the pool. Fence would be 54" high.

- ✓ Pergolas, tables, and chairs would be added for additional dining and gathering.
- ✓ A BBQ area would be designed to include two grills, granite serving area, with waste receptacles.
- ✓ Bocce ball, corn hole, and shuffle board would be added.
- ✓ Additional smaller gathering areas would be set up for socializing.
- ✓ An additional walkway would be added to the existing BBQ area up to Court 3.
- ✓ Striping for pickle ball would be included for Court 4.
- ✓ Additional seating and shade covering would be added.



- ✓ Rubbed bronze pergolas with shades for additional dining and gathering.
- ✓ Commercial grade furniture in oil-rubbed bronze finish. Table tops in glass fiber reinforced polymer to represent quartz.



- ✓ The BBQ area is an image only. An exact design is still to be determined.





## Court 4 Tennis and Pickle Ball



- ✓ We envision an accent color for the this court that would be stripped for tennis, pickleball and spec-tennis. A portable net could be installed for tennis or pickleball.
- ✓ Shaded areas and bench seating will be created for all courts.





✓ Bocce Ball on Court 3

## Shuffleboard



- ✓ DIY shuffleboards from Planet Shuffleboard or Versacourt.
- ✓ Good color selection and many sizes available.
- ✓ Made for in ground or on top of a hard surface.
- ✓ Version with gutters available.
- ✓ Equipment storage for recreational games and equipment.
- ✓ Equipment storage needs to be 6 ft long to accommodate shuffle board cues.







Small gathering area behind Building 3 as well as Court 3.



# Furnishing Images

Casual Furnishings in the Games Areas,  
including Shade Cover.



Maui Vista Amenities Committee

## Costco Paragon Modena Aluminium Pergola



- ✓ Two of these pergolas would be installed on Court 3 to be used for larger dining and gathering areas.
- ✓ Rectangle and square dining tables with chairs would be included. Would accommodate 40 people.



- ✓ Recommend expanding the current BBQ areas for **all three buildings**. The current concrete pad could either be enlarged or a second pad added. The existing concrete table and bench would be replaced by two of these Polywood Park Round Tables (89"), made of sturdy composite material. Weight 335 lbs. Tables like this are currently being used at Kihei Surfside in an unsecured open area.
- ✓ Fencing that closely matches the pool is being recommended for Court 3; new gathering and recreation game area.



# Recommendations

1) The newly elected 2023 Board send the Amenities Committee Recommendation to the owners for consideration and, hopefully, approval—clearly noting:

- ✓ **Only those funds already committed in the 20-Year Reserve Funding Analysis** to resurface and maintain the tennis courts and donations **would be used**.
- ✓ As funding is constant, the **improvements would be made over time** as the committed *Reserve Funding Analysis* funds and owner donations become available.
- ✓ **Only** approval to **change the common area use from “tennis” to “recreational activities”** is requested.

2) Once the expanded use is approved, the Board implement, determined by the availability of existing funding and owner donations, the phased-in delivery of the following priority-ordered listing:

- ✓ **Phase I** - Bench seating, shade for courts, and additional seating in BBQ areas for buildings 1-3 (in the order maintenance is scheduled).

*Estimated cost in 2022 dollars- \$ 37,375*

- ✓ **Phase II** - Gathering area, BBQ, and recreational game area to Court 3. Stripe Courts 4 and 6 for Pickleball.

*Estimated cost in 2022 dollars- \$ 103,743*

- ✓ **Phase III** - Additional small gathering areas and amenities, based upon use and identified interests.

*Estimated cost in 2022 dollars- \$ 6,750\*\**

*\*\*Plus whatever additional recreational expansion the Board deems appropriate based upon Phase II implementation.*

***Again***, the Committee's recommendation would be funded through the use of funds identified as needed to resurface and maintain the tennis courts in the *20-Year Reserve Funding Analysis*.

## **Final Report Presented to the Board includes:**

- ✓ Survey Results
- ✓ Trial Period and Results
- ✓ The Committee's recommendations
- ✓ Other suggestions/feedback from owners beyond the Amenities Committee's scope
- ✓ Detailed costs spreadsheet
- ✓ Detailed Phased-in Approach, and Timeline



# Attachment 6

## Association of Apartment Owners

### Maui Vista

2191 South Kihei Road, Suite #1119

Kihei, Maui, Hawaii 96753

Phone: (808) 879-5373

Fax: (808) 442-0823

[aoaomv@gmail.com](mailto:aoaomv@gmail.com)

## Amenities Committee Final Report

Maui Vista Association of Apartment Owners (AOAO)

Presented at the November 5, 2022, Annual Meeting

**Background:** Pursuant to the Association of Apartment Owners (AOAO) Board's August 21, 2021, action, a Maui Vista Amenities Committee (Committee) was formed to consider improvement and expansion of on-site amenities. Seven (7) owners served on the Committee, representing all three buildings; Tina Evans (3103), Tara Wells (3320), Mike White (3216), Eric Sweet (3121), Jerry Jenkins (2107), Tim Hennum (2412), and Justin Gilliland (1413).

The Committee met on a regular basis this past sixteen (16) months via Zoom video conferencing. Co-Chairs, Tina Evans and Tara Wells, have provided summaries and PowerPoint presentations updating the AOAO Board, owners and the General Manager (GM) as requested by the AOAO Board, at regular intervals. The Committee followed guidelines and directives from the AOAO Board throughout its study process in the development of this recommendation.

**Purpose:** The Committee researched the expansion of owner and guest experiences through the creation of multi-use recreational activity and gathering options. It was the intent of the Committee to 1) gauge owner interest, 2) determine the level of owner support, and 3) to report back to the AOAO Board.

This recommendation **requires as only those funds already committed in the 20-Year Reserve Funding Analysis** to resurface and maintain the tennis courts and specific owner donations would be used.

As funding would be constant, the improvements delineated in this recommendation would be made over time as the committed *Reserve Funding Analysis* funds and owner donations become available.

**Process:** The Committee followed the following process.

**Survey.** An owner survey was created and sent out to all Maui Vista owners in the Fall of 2021. The Amenities Committee worked diligently to get the responses needed for a valid sample size essential to proceeding with its analysis of owners' priorities and levels of support prerequisite to completing the development of this recommendation.

The survey was distributed to owners on September 28, 2021, and closed on November 18, 2021. The results of the survey were shared with the AOA Board, General Manager and owners via a PowerPoint presentation (attached as Appendix A). The survey results included: 152 (52%) of the owners responded to the survey

- ✓ 68% indicated that between two (2) and four (4) tennis courts were needed.
- ✓ 75% said to convert between two (2) and four (4) tennis courts.
- ✓ 83% wanted one (1) or more new activities, generally a mix of activities.
  - 54% each for Bocce Ball and Pickleball were specified as the favorite.
- ✓ 86% wanted one (1) or more additional amenities.
  - 59% wanted a mix of games and dining.
  - 56% wanted additional barbeque area/seating.

In addition, there were owner feedback and suggestions provided which were outside the parameters established by the AOA Board for the Amenities Committee. A listing of these is attached as Appendix B, as the AOA Board may find some to be interesting and worthy of its future consideration.

Trial Period. The AOA Board suggested a trial period of sixty (60) days be given to the Amenities Committee to collect additional data regarding concerns related to Pickleball. Committee Co-Chairs Tina Evans and Tara Wells worked with the GM on a timeline, rules, and implementation strategies. The Board approved funding for \$500 to purchase a Pickleball net, paddles, balls, Spec Tennis equipment, and a Cornhole game.

The results of the trial period proved favorable. The AOA Front Office received one (1) complaint from an owner that reported a person playing Pickleball while wearing flip-flop sandals and another that the weather was too windy. The Committee members and GM noted that owners and guests took advantage of the trial period, playing Pickleball, Spec Tennis and Cornhole daily. The concern regarding the additional noise that Pickleball may create was not noted or reported.

AOA Board Questions. AOA Board Secretary, Don Smart provided several questions for the Amenities Committee to consider in its study. These questions provided direction, guidelines, and a focus that guided the Committee to proceed effectively and efficiently. As a result, the Committee's process was intentional and this recommendation is detailed and specific to the owners' survey responses, AOA Board directives, GM feedback, and the trial period. These questions and Committee responses follow:

1) Exactly what amenities will be provided and how will these be determined?

*Response- The Amenities Committee recommends a mixture of gathering, dining, and additional recreational game areas be created. Specifically, see layout photo included as Appendix C:*

- *Additional seating at each building in the existing BBQ areas.*
- *Bench seating with shade covers for all tennis courts.*
- *Re-stripping Court 4 and Court 6 to include Pickleball lines.*
- *Using Court 3 to create a large central gathering, dining, and recreational gaming area.*

2) Which court/s will be converted, and how will this be determined?

*Response- The Amenities Committee recommends that Court 3 be converted into a large central gathering, dining and recreational gaming area. The Committee is also recommending that Court 4 and Court 6 include striping for Pickleball (see layout/design attached as Appendix D).*

3) Court Conversion Costs (for each section, include how owners will pay for these increased costs):

*Response- This Amenities Committee recommendation **requires as only those funds committed in the '20-Year Reserve Funding Analysis'** to resurface and maintain the tennis courts and specific owner donations would be used.*

a. What is the cost for the conversion including the cost of additional equipment, barbeques, seating, etc.?

*Response- A projected budget for the phased-in implementation of this Amenities Committee recommendation is presented on the 'Amenities Committee Recommendation Cost Estimates' (attached as Appendix E). These costs are based upon 2022 price lists/quotes. Taxes and shipping will need to be considered when purchasing and implementing the plan, as budgeted funds and owner donations become available. As the '20-Year Reserve Funding Analysis' includes adjustments for inflation in its projected tennis court resurface and maintenance costs, it is reasonable to expect the projections should keep up with inflation.*

*The actual recommendation implementation timeline is beyond the ability of the Amenities Committee to present, as it would be determined by the AOA Board's Reserve Study process. **With patience over time, the full Amenities Committee recommendation can be implemented without owners being asked to pay more than currently obligated to maintain the under-used tennis courts that owners have indicated they would like to see repurposed.***

b. What is the anticipated cost of daily/monthly maintenance, equipment replacement, cleaning, etc.?

*Response- GM Jennelle Fraser indicated the cost of daily/monthly maintenance on the amenities would be the same for the pickleball courts, as the same cleaning services would be required from the PWC. She views maintenance on the project on an as needed basis, just as with any particular item that gets damaged now. In other words, no additional resources would need to be allocated.*

*In addition, the Amenities Committee would encourage owners to provide tennis rackets, pickleball paddles, balls, and bean bags for guests that are interested in using the additional recreational games. This would reduce the funds needed to maintain some of the equipment.*



- 4) What additional insurance coverage would be required, and what is AOA liability for the space if alcohol is consumed at any private function?

*Response- Former GM Jerel Haley provided the following response related to this issue:*

*"We would need to pin down what activities we are anticipating before I ask the questions of our attorney or insurance person. To this point I don't see anything that would require us to obtain additional insurance. For instance, if people are playing Pickleball, it isn't much different from Tennis and I don't assume additional liability would apply. An expanded barbeque and eating area still wouldn't create additional liability.*

*The only thing that would change this in my understanding is the large gathering issue. So, I think the best thing to do is to wait until we really nail down what that looks like. If it's a wedding party of 50 people, that would be different than a handful of owners who want to have a pizza party or something. **At this point I don't see any problems that would require additional insurance is my short answer.**"*

- 5) Can someone reserve total area or specific area for private functions?

*Response- No, the space would be available to Maui Vista owners and guests on a first come first serve basis (just like the pool and tennis courts).*

- 6) Who will administer and manage the reservation system for gatherings?

*Response- There would be no private functions and, therefore, no reservation system. The large gathering area will be on a first come, first serve basis*

- 7) Who will be responsible for cleaning after a private function?

*Response- Both former GM Jerel Haley and current GM Jennell Fraser, cleaning of the areas can be done by the contracted cleaners on property. The Tennis courts and BBQ areas are already included in their daily responsibilities. These cleaners start at 7:00 am daily.*

AOAO Board Action Items. AOA Board Secretary, Don Smart provided several "action items" for the Amenities Committee to address in its study. These action items and Committee responses follow:

- 1) Determine who will oversee the project.

*Response- The Amenities Committee has confirmed with GM Jennelle Fraser that she will oversee the project, once the required 67% owner approval for revised language to expand common area(s) uses to include recreational activities prescribed in this recommendation is received.*

*When asked, GM Fraser can supply names of recommended contractors (as well as ones to be avoided). She will also provide insight related to established policies.*

*Note- For future reference, the Amenities Committee relied upon the following contractors in order to develop this recommendation:*

- *Valley Isle Fencing, Eric Parana 808-877-6350*
- *All Courts, Cynthia Monnier 808-283-1148*
- *Hawaiian Style Interiors LLC, Vicky Pries 808-875-1055*
- *Planet Shuffleboard, Gaetan Gilbert 321-427-7866*
- *Versa Court 800-540-4899*
- *LED Construction, Joe Koch 808-264-3188 / [joekoch29@hotmail.com](mailto:joekoch29@hotmail.com) (BBQ areas, shade shelters and recreational game area experience).*

2) Determine if permits are required for this conversion.

*Response- GM Jennelle Fraser checked with Maui County and confirmed no permits will be needed for the changes contained in this recommendation. The possible exception would be if it was determined additional lighting was desired. She noted, even if lighting was desired in the future, rather than going through a permitting process for tall lights on poles, attaching them at the top of the structure and have an on/off switch or a timer-based lighting system to have the mandatory shutoff with quiet time hours would be an option to consider.*

3) Determine if the present base of the tennis courts is adequate for the intended use and the anticipated lifetime of the surface considering the projected changes.

*Response- The existing Tennis court base/substrate is adequate for the gathering area, pergolas and BBQ area. The Committee may recommend a different surface be used under the new BBQs for easier cleaning and design. Bocce Ball and Shuffleboard can be played on Court 3 as well with game designs that can fit/be placed over the current surface.*

4) Provide bids to the board for construction, equipment, etc.

*Response- Specific itemized quotes/prices are included on the attached 'Amenities Committee Recommendation Cost Estimates' (Appendix E).*

5) Provide requirements for lighting, type of fencing and gates, storage and security of gaming materials.

*Response- Security is on property from 4:00 pm – 7:00 am M-F and 24 hours on Saturday and Sunday. Security assists with noise disturbances, locking up the Tennis courts, rubbish bins, and pools. It is anticipated/hoped they would also be helpful keeping the various amenities-related projects secure.*

*GM Fraser has indicated Security would just need to be taught and helped learn management of the facilities. As they already close the pools and courts, Ms. Fraser does not expect this to be challenging for them to handle. And on weekends it might give them something more to do to break the mundane days, to help with noise control, or even help guests get what they need to enjoy themselves.*

*The tennis courts do not have any lighting so adding lighting may need to be considered, if determined appropriate. GM Fraser suggested lighting might be as simple as getting some lights on timers.*

*The front office is willing to help with equipment storage if the Amenities Committee develops a simple process. Alternatively, prior GM Jerel Haley suggested that there could be a code-accessed locked storage cabinet near the amenity. He also suggested the sign-out form for equipment indicate equipment is rented/used at the user's risk and waives Maui Vista of liability.*

- 6) Provide comparison of increased noise of pickle ball to existing noise of tennis.

*Response- At the Boards suggestion, the GM and Amenities Committee designated a "trial period" for Pickleball to be played on Courts 4 and 6. Feedback forms were given to individuals playing Pickleball. The GM did not receive any complaints or negative comments due to added or annoying noise due to Pickleball. The Committee recognized the trial provided for one (1) Pickleball court per existing Tennis court and this likely limited noise levels. This recommendation initially continues this more limited transition.*

*The Committee recommends that Courts 4 and 6 be stripped for Pickleball and a net system be added that can be lowered/raised for the game individuals wish to play.*

- 7) Provide suggested house rules for use of the area to include hours of operation, length of use, types of allowed use, etc. Include suggestions for what action AOA MV would take for violations of *House Rules*.

*Response- Current 'House Rules' for BBQ areas and Tennis courts would be appropriate and apply. In addition, see 'Rules for Additional Amenities' (Appendix F).*

Amenities Committee Recommendation. Through ongoing meetings and email communications throughout the past sixteen (16) months, the Committee developed this detailed recommendation based upon owners' survey responses, AOA Board directives, GM feedback, and the trial period. Specifically:

- 1) The newly elected 2023 Board send this *Amenities Committee Recommendation* to the owners for consideration and, hopefully, approval—clearly noting:
  - ✓ **Only those funds already committed in the 20-Year Reserve Funding Analysis** to resurface and maintain the tennis courts and donations **would be used.**
  - ✓ As funding is constant, the **improvements would be made over time** as the committed *20-Year Reserve Funding Analysis* funds and owner donations become available.
  - ✓ **Only approval to change the common area use from "tennis" to "recreational activities" is requested.**

2) Once the expanded use is approved, the Board implement, determined by the availability of existing funding and owner donations, the phased-in delivery of the following priority-ordered listing:

- ✓ **Phase I** - Bench seating, shade for courts, and additional seating in BBQ areas for buildings 1-3 (in the order maintenance is scheduled).  
*Estimated cost in 2022 dollars- \$ 37,375*
- ✓ **Phase II** - Gathering area, BBQ, and recreational game area to Court 3. Stripe Courts 4 and 6 for Pickleball.  
*Estimated cost in 2022 dollars- \$ 103,743*
- ✓ **Phase III** - Additional small gathering areas and amenities, based upon use and identified interests.  
*Estimated cost in 2022 dollars- \$ 6,750*  
*(Plus whatever additional recreational expansion the Board deems appropriate based upon Phase II implementation.)*

#### Recommendation Budget.

The Committee's recommendation to diversify and expand amenities available to owners and guests will **require only those funds committed in the 20-Year Reserve Funding Analysis** to resurface and maintain the tennis courts. In addition, owners have inquired about making targeted specific donations. As funding is constant, **the improvements would be made over time** as the committed *20-Year Reserve Funding Analysis* funds and owner donations become available.

As previously presented, this recommendation would phase-in expanded amenities by transitioning tennis courts to other uses overtime, per reserve study projections. A projected budget for the implementation of this Amenities Committee recommendation is presented on the Amenities Committee Recommendation Cost Estimates (attached as Appendix E). Again, these costs are based upon 2022 price lists/quotes. Taxes and shipping will need to be considered when purchasing and implementing the plan, as budgeted funds and owner donations become available. As the *20-Year Reserve Funding Analysis* includes adjustments for inflation in its projected tennis court resurface and maintenance costs, it is reasonable to expect the projections should keep up with inflation.

The actual recommendation implementation timeline is beyond the ability of the Amenities Committee to present, as it would be determined by the AOA Board's Reserve Study process. In addition, it is recognized some of the funds identified in the *20-Year Reserve Funding Analysis* will need to be used to maintain the Tennis courts not affected and, therefore, the actual funds available will vary (it is not possible to know with certainty what maintenance will be needed). This will also affect the implementation timeline. But, **with patience over time, the full Amenities Committee recommendation can be implemented without owners being asked to pay more than currently obligated to maintain the under-used tennis courts that owners have indicated they would like to see repurposed.**

Concluding Comments. The Amenities Committee would like to thank the AOA Board and Maui Vista owners for the time and support provided to assure a thorough and quality analysis of desired Maui Vista AOA amenities that permitted identification of priorities and the development of this recommendation.

Respectfully submitted by the Amenities Committee:



Tina Evans (3103), Co-Chair



Tara Wells (3320), Co-Chair



Justin Gilliland (1413), Member



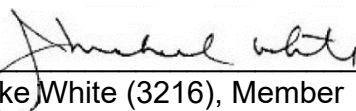
Tim Hennum (2412), Member



Jerry Jenkins (2107), Member



Eric Sweet (3121), Member



Mike White (3216), Member

## APPENDIX A

### Summary Maui Vista AOA Amenities Survey Final Report November 23, 2021

**Background:** The Amenities Committee was formed and approved by the AOA Board in June 2021 with Tina Evans and Tara Wells as co-chairs of the Committee. There were seven owners on the Committee, representing all three buildings. Following guidelines and directives from the AOA Board, a survey of potential changes to Maui Vista amenities was developed. The survey was distributed to owners on September 28, 2021. A status report for the amenities survey based on 104 respondents (38% of owners) was presented to the Board at the November 6, 2021 AOA Annual Meeting. The survey was closed on November 18, 2021, at which time responses had been received from 152 owners (52% of owners).

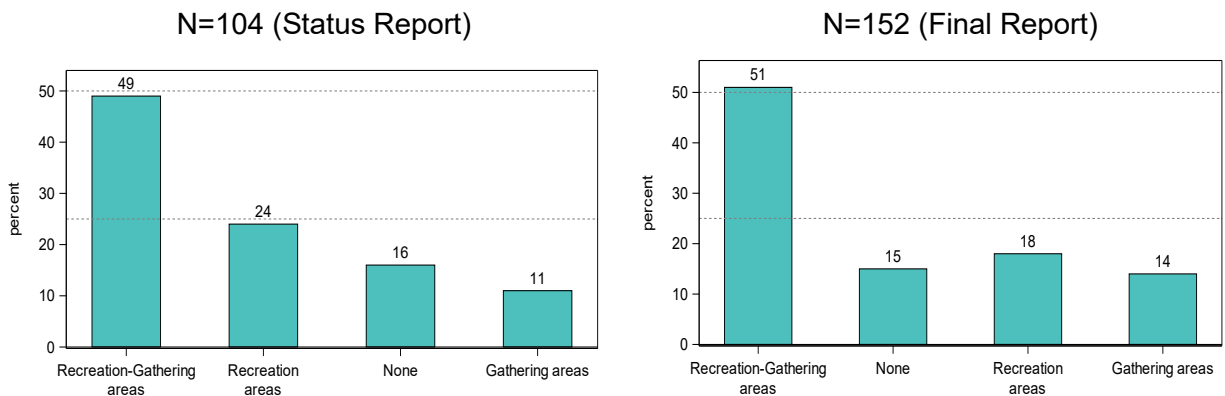
**Question 1:** *One of the concerns raised by the Board and by the Committee was how representative was the owner response sample? Was there bias in the survey? Did only owners who wanted changes to the amenities respond to the survey?*

All surveys collect a sample of potential respondents. There is always a possibility of bias unless everyone responds. Relative to this specific survey, important indicators reveal no bias due to disproportionately more owners who wanted changes responding to the survey.

First, in the data for the Status Report, 16% of the respondents wanted no changes to the amenities. Then in the final results, this value was essentially unchanged (15%). Thus, responses from owners with desires across the board were obtained. Since all owners had the opportunity to see the preliminary results of the Status Report, which strongly indicated a desire for changes, it would be expected that owners not wanting changes would complete the survey so as to make sure their views were considered and to increase the percentage of owners wanting no change. This did not occur.

As presented below, the results for the Status Report and Final Report are remarkably similar. Given that almost 50% more responses (48/104) were included in the Final Report with no statistically significant impact on the results, no evidence of bias exists.

#### Type of Amenity Desired

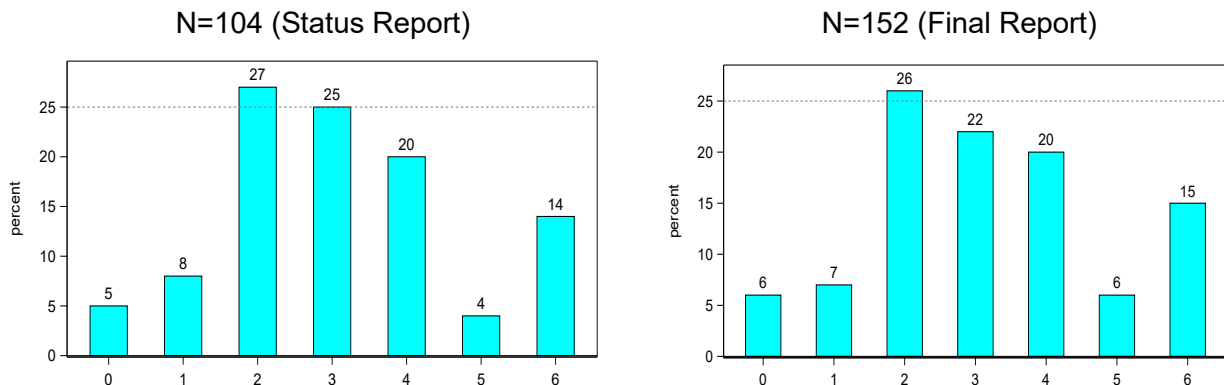


Secondly, based on the 152 respondents, statistically there is at least 95% confidence rate that the percentage of owners who want no changes to existing amenities is no more than 23%, or less than a quarter of the owners. Similarly, there is at least 95% confidence that at least 77% of the owners want some sort of change in amenities. The similarity of the survey results for the Status Report and the Final Report are remarkably similar. There is nothing to suggest that owners who wanted no change completed the survey at a lower rate than owners who wanted change. This method of statistical analysis/projection is used to predict election results based upon polling, with remarkable accuracy. Just as with the amenities survey, potential respondents have the option to decline to be polled.

**Question 2: *How many tennis courts are needed at Maui Vista?***

At the time of the Status Report 72% of owners indicated that between two and four courts are needed, 14% indicated that six courts are needed, and 5% indicated that no courts are needed. For the Final Report, 68% of owners indicated that between two and four courts are needed, 15% indicated that six courts are needed, and 6% indicate that no courts are needed. Based on the Final Report, the AOA can be at least 95% confident that at least 75% of the owners believe that no more than four tennis courts are needed.

**Number of Tennis Courts Needed**



As noted previously, the consistency of the results, even after a 46% higher response rate (46/104), is remarkable and indicates the survey is representative of all owners.

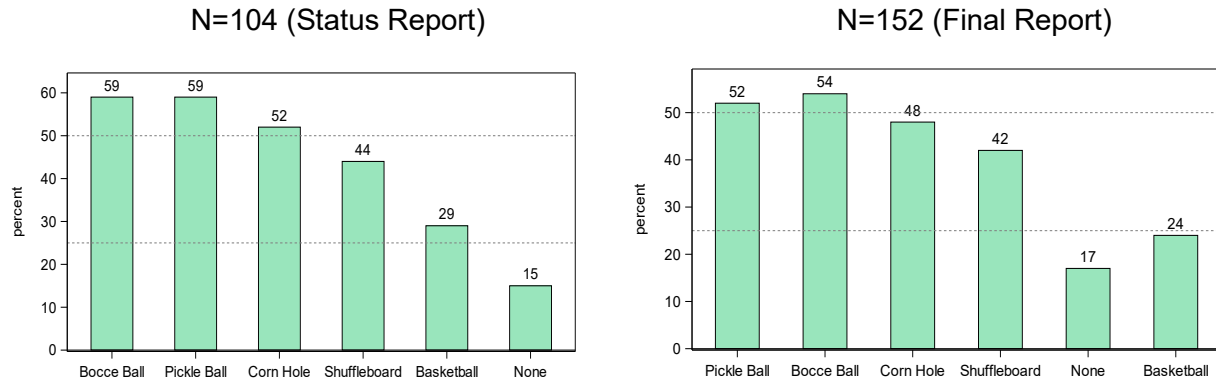
While 13% of the respondents said that none or only one tennis court is needed, this is a small percentage and the Amenities Committee believes that having some tennis facilities is important to the future of Maui Vista.

The Amenities Committee is investigating and studying how many tennis courts it will ultimately propose be converted to other recreation and gathering amenities.

**Question 3: *What other recreation amenities do we need?***

At the time of the status report, 85% of owners wanted one or more new activities, generally a mix of activities, 24% wanted at least 4 activities, 59% wanted bocce ball, 59% wanted pickle ball, and 15% wanted no new activities. For the final report, 83% wanted one or more new activities, generally a mix of activities, 16% wanted at least 4 activities, 54% wanted bocce ball, 54% wanted pickle ball, and 17% want no new activities. Again, the results are very consistent between the status report and the final report. Many owners offered suggestions other than these amenities with enhancements to the pool areas a particularly popular suggestion.

### Recreation Amenities Other than Tennis

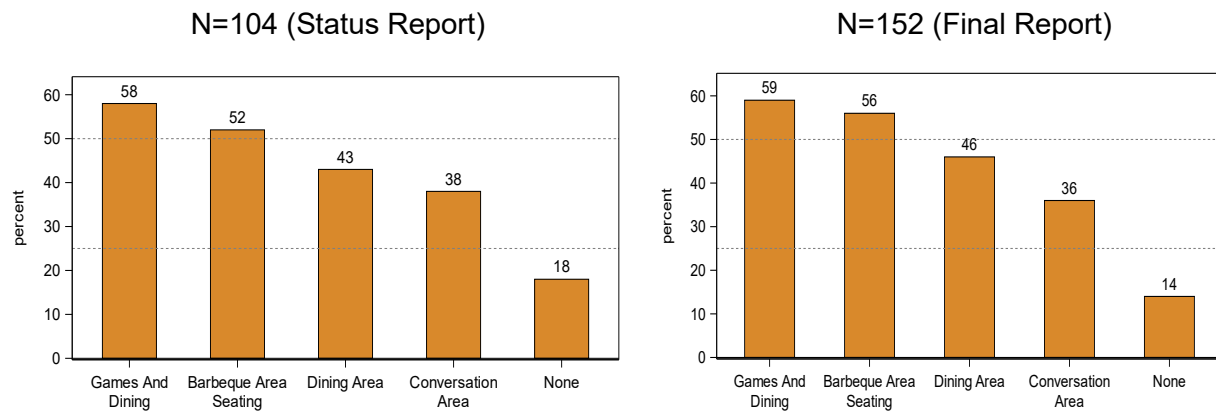


We are investigating what mix of recreation venues we propose in the near term and long term.

#### Question 4: *What gathering amenities should be provided at Maui Vista?*

Currently, Maui Vista has limited gathering areas for small (4-8 people) or large (>8 people) groups. There are tables on the pool decks and concrete tables near the barbeques. Based on the Status Report, 82% of owners wanted one or more additional amenity, 18% wanted all the additional amenities, 58% wanted a mix of games and dining areas, 52% wanted barbeque area seating, and 15% wanted no additional amenities. For the Final Report, 86% of owners wanted one or more additional amenity(ies), 18% wanted all the additional amenities, 59% wanted a mix of games and dining areas, 56% wanted barbeque area seating, and 14% wanted no additional amenities.

### Gathering Amenities



As noted previously, the repeatability of the results based on comparing the Status Report and Final Report indicates the survey result is representative of all owners. The internal consistency of responses to each of the questions demonstrates the validity of the questionnaire, with approximately 15% of the respondents wanting no changes and 85% of the respondents wanting some enhanced amenities. In addition, these percentages varied little from question to question.



## **APPENDIX B**

### **Owner Feedback/Suggestions Amenities Committee Parameters**

- Better landscaping upkeep of weeds; garden area
- Composting area for vegetable waste
- Try to ensure low maintenance costs
- Hot tub
- Lap swimming pool
- Small indoor/outdoor gym or exercise room for shared use
- Adults only pool
- Larger maintenance building in back
- Recycling
- Lockable storage for surf and paddleboards
- Solar energy panels

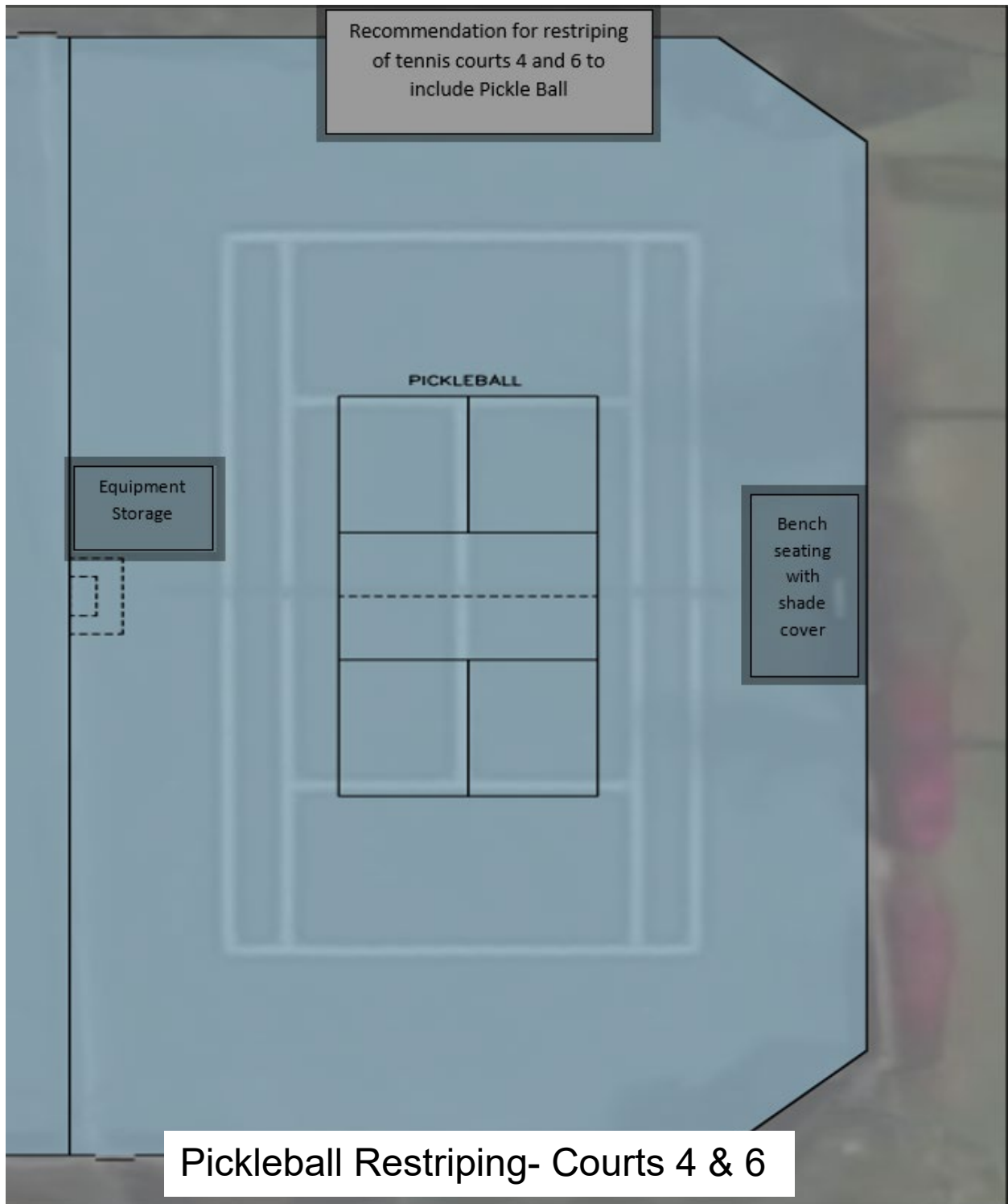
## APPENDIX C



Court 3 would have new fencing similar to the pool. Fence would be 54" high.

- ✓ Pergolas, tables, and chairs would be added for additional dining and gathering.
- ✓ A BBQ area would be designed to include two grills, granite serving area, with waste receptacles.
- ✓ Bocce ball, corn hole, and shuffle board would be added.
- ✓ Additional smaller gathering areas would be set up for socializing.
- ✓ An additional walkway would be added to the existing BBQ area up to Court 3.
- ✓ Striping for pickle ball would be included for Court 4.
- ✓ Additional seating and shade covering would be added.

## APPENDIX D



## Appendix E

Amenities Committee Recommendation Cost Estimates			
Phase I			
Bench seating, shade for courts, and additional seating in BBQ areas for buildings 1-3 (listed in the order the upgrade is to be made; guided by maintenance schedule)			
Item Description	Quantity	Price	Total (2022 \$) (plus tax & )
Racket Court Upgrades- Bench Seating	5	\$429.00	\$2,145.00
Racket Court Upgrades- Shade Structures (Materials Only; Labor Donated)	5	\$700.00	\$3,500.00
Racket Court Upgrades- Equipment Storage Lockers courts 1,2,4,5,6	5	\$230.00	\$1,150.00
Courts 1, 2, 4, 5, 6 Padlocks for storage lockers	4	\$20.00	\$80.00
BBQ Expansions- 10x10 Concrete Pad Bid from Gus	5	\$4,000.00	\$20,000.00
BBQ Expansions- Round Tables w-Bench Seating	5	\$2,100.00	\$10,500.00
Phase I Total			\$37,375.00
Phase II			
Gathering area, BBQ, and recreational game area to Court 3; Stripe Courts 4 and 6 for pickleball (listed in the order the upgrade is to be made; guided by maintenance schedule)			
Item Description	Quantity	Price	Total (2022 \$) (plus tax & )
Court 3 Gathering Area- Pergola (Costco 12x20)	2	\$2,799.00	\$5,598.00
Court 3 Gathering Area- BBQ Area w-Server and 2 BBQs w/labor	1	\$18,000.00	\$18,000.00
Court 3 Gathering Area- Additional Propane Tanks	2	\$300.00	\$600.00
Court 3 Gathering Area- Locking Cabinet for Propane Tanks	1	\$275.00	\$275.00
Court 3 Gathering Area- Lighting		\$500.00	\$500.00
Court 3 Gathering Area- Fencing (Removal & Installation w-2Gates/Locks) (See attached quote from Valley Isle Fencing.)	155 ft		\$23,900.00
Court 3 Gathering Area- 11 ft. Solar Lights	2	\$600.00	\$1,200.00
Court 3 Gathering Area- New Furniture (BBQ, Gathering Area, Games) (See attached quote from Hawaiian Style Interiorz; includes tables/chairs for 20, 24 adirondack chairs, and several coffee/side tables.)			\$36,000.00
Court 3 Gathering Area- Flower Pots w-Flowers (Owners Will Plant)	6	\$200.00	\$1,200.00
Court 3 Gathering Area- Colored Surface Under Dining Area	2	\$600.00	\$1,200.00
Court 3 Gathering Area- Signage	6	\$50.00	\$300.00
Court 3 Recreational Games- Bocce Ball	1	\$5,000.00	\$5,000.00
Court 3 Recreational Games- Shuffleboard	1	\$6,800.00	\$6,800.00
Shuffleboard options:			
	<b>VersaCourt</b>	<b>Planet Shuffleboard</b>	<b>All Court</b>
Shuffleboard Court 8x52	\$3,653.50	\$3,545.00	
Shuffleboard Court 10x52	\$4,080.50	\$4,384.00	
Shuffleboard Court 7x42		\$2,534.00	
Shipping for Court 10x52	\$1,681.31		
Court (unspec size)+shipping+install			\$6,800.00
Set of Cues and Disk		\$200.00	
Court 3 Recreational Games- Corn Hole	1	\$250.00	\$250.00
Court 3 Recreational Games- Scoreboards	3	\$40.00	\$120.00
Court 3 Recreational Games- Equipment Storage Lockers	2	\$230.00	\$460.00
Court 3 Padlock for Equipment Storage	2	\$20.00	\$40.00
Courts 4 and 6 Striping for Pickleball	2	\$150.00	\$300.00
Courts 4 and 6 Convert a Net for Pickleball (All Courts)	2	\$100.00	\$200.00
Court 3 Recreational Games- Shade Umbrellas	3	\$600.00	\$1,800.00
Court 3 Recreational Games- Slab Repair/Maintenance (Impossible to predict; simply acknowledging this will be a factor/cost.)			
Phase II Total			\$103,743.00
Continued on Page 2			



Continued from Page 1			
Amenities Committee Recommendation Cost Estimates (page 2 of 2)			
Phase III			
Additional small gathering areas and amenities, based upon use and identified interests (listed in the order the upgrade is to be made; guided by maintenance schedule)			
Item Description	Quantity	Price	Total (2022 \$) (plus tax & shipping)
Court 2 Recreational Games- Striping for Pickleball	1	\$150	\$150
Court 2 Recreational Games- Convert a Net for Pickleball (All Courts)	1	\$100	\$100
Court 3 Gathering Area- Adirondack Chairs	12	\$309	\$3,708
Court 3 Gathering Area-Side Tables	6	\$239	\$1,434
Court 3 Gathering Area- Bench Seating	2	\$429	\$858
Behind Building 3- Corn Hole Game	1	\$250	\$250
Behind Building 3- Equipment Locker w-Padlock	1	\$250	\$250
Courts 1 & 5 Recreational Games- Expansion			
<i>(Impossible to predict; the Board would determine, based upon Phase II implementaion, what additional games should be provided (if any).)</i>			
Courts 1 & 5 Recreational Games- Slab Repair/Maintenace			
<i>(Impossible to predict; simply acknowledging this will be a factor/cost.)</i>			
Phase III Total			\$6,750.00
Phase I, II, & III Grand Total			\$147,868.00

## **APPENDIX F**



**Maui Vista Activity and Pickleball Court Rules**  
**Pickleball Court Hours: 8 a.m. to Dusk**  
**Gathering and Barbeque Area Hours 8 a.m. to 9:30**

- 1. Court use is for Owners, owner's family, long term tenants and Guests only. Please contact the Main Office or Security for an access code.**
- 2. Gathering area use is on a first come first served basis, and must comply by all rules and regulations.**
- 3. Activity area can only be used for the intended purpose only, not other horseplay is allowed.**
- 4. No violence or aggressive activities are permitted.**
- 5. Pickleball lessons are permitted by the Tennis/Pickleball Instructor.**
- 6. Children under fourteen (14) must be accompanied by an adult at all times.**
- 7. No excessive noise.**
- 8. No amplified music,**
- 9. No more than twenty (20) persons allowed in the area at a time, unless prior authorization from General Manager (GM) has been granted.**
- 10. NO glass bottles.**
- 11. Cleanup is required by persons in party and group prior to leaving the area.**
- 12. Be respectful of others Guests and Owners.**
- 13. GM has the right to refuse use and can evict persons from the area at any time for misuse or negligence.**
- 14. Rental equipment for activities is available in the Main Office and Security after hours.**
- 15. No drink allowed on the Pickleball court.**

**FOR EMERGENCIES, PLEASE CALL 911:**

**OR**

**Monday – Friday 8:00am to 4:00pm – Office: 808-879-5373**  
**Monday – Friday 6:00pm to Dusk – Security: 808-281-3629**  
**Saturday – Sunday 8:00am to Dusk -- Security: 808-281-3629**

## **Maui Vista 2022 Homeowners Meeting**

— Treasurer's Report —

---

---

## 2022 FY Projected v 2022 Budget

Projected 2022 P&L v 2022 Budget		2022 FY Projected	2022 Budget	Over/(Under)	% Over/(Under)	Notes
<b>Income:</b>						
	Maintenance Fees	2,207,232	2,207,232	0	0.00%	
	Special Assessment	0	0	0	0.00%	
	Transfer to Reserve	(445,722)	(445,722)	0	0.00%	
	Other Income	5,198	5,000	198	3.96%	
	Late Fees	(851)	0	(851)	0.00%	
	Commissions	2,017	600	1,417	236.17%	
	Parking Stalls	25,743	18,000	7,743	43.02%	
	<b>Total Income</b>	<b>1,793,617</b>	<b>1,785,110</b>	<b>8,507</b>	<b>0.48%</b>	
<b>Expense:</b>						
	<b>Administrative:</b>					
	Office Expense	25,275	28,000	(2,725)	-9.73%	
	Payroll Expense	229,239	212,174	17,065	8.04%	
	Payroll Tax	19,067	19,096	(29)	-0.15%	
	Accounting Service	55,248	55,250	(2)	0.00%	
	Legal Fees	18,065	13,000	5,065	38.96%	Harwood case; more frequent Board consultations
	Audit & Tax Service	8,007	7,865	142	1.81%	
	Contingency	7,959	3,000	4,959	165.30%	New GM hiring package
	Board Meetings	1,031	3,500	(2,469)	-70.54%	Sourced less expensive options
	General Excise Tax	1,108	744	364	48.92%	
	Insurance	209,283	184,967	24,316	13.15%	Insurance increase began in June; offset by change in accounting method
	Health Insurance	33,946	35,378	(1,432)	-4.05%	
	Workers Comp	4,193	6,380	(2,187)	-34.28%	One less staff in Q4
	TDI	905	930	(25)	-2.69%	
	Bank Service Charges	2,716	2,750	(34)	-1.24%	
	<b>Total Administrative</b>	<b>616,042</b>	<b>573,034</b>	<b>43,008</b>		
	<b>Building Maintenance:</b>					
	Elevator	12,854	12,907	(53)	-0.41%	
	Grounds & Supply	49,232	48,625	607	1.25%	
	Pest Control	9,994	13,000	(3,006)	-23.12%	Billing/timing error
	Pool	17,810	14,000	3,810	27.21%	Inflation; scarcity of products
	Refuse	89,815	86,704	3,111	3.59%	
	Repairs	68,918	50,000	18,918	37.84%	Inflation; scarcity of products and service people
	Landscaping Contract	170,760	170,760	0	0.00%	
	Cleaning Service Contract	149,472	149,468	4	0.00%	
	Watchmen and Alarms	204,629	190,738	13,891	7.28%	
	<b>Total Building Maintenance</b>	<b>773,484</b>	<b>736,202</b>	<b>37,282</b>		
	<b>Utilities:</b>					
	Electricity	52,166	37,482	14,684	39.18%	Inflation; oil prices
	Sewer	178,455	181,077	(2,622)	-1.45%	
	Water	81,294	85,035	(3,741)	-4.40%	
	Telephone	9,786	11,000	(1,214)	-11.04%	Some phone lines disconnected
	Television Cable	166,882	161,280	5,602	3.47%	
	<b>Total Utilities</b>	<b>488,583</b>	<b>475,874</b>	<b>12,709</b>		
	<b>Total Expense</b>	<b>1,878,109</b>	<b>1,785,110</b>	<b>92,999</b>	<b>5.21%</b>	
	<b>Net Ordinary Income (loss)</b>	<b>(84,492)</b>	<b>0</b>	<b>(84,492)</b>		



## 2022 FY Projected v 2023 Budget

Projected 2022 P&L v 2023 Budget		2022 FY Projected	2023 Budget	Incl(Dec)	% Inc(Dec)	Notes
Income:	Maintenance Fees	2,207,232	2,524,668	317,436	14.38%	
	Special Assessment	0	800,000	800,000	100.00%	
	Transfer to Reserve	(445,722)	(1,257,388)	(811,666)	182.10%	Entire Special Assessment in '23; actual flow of receipts may be different
	Other Income	5,198	3,000	(2,198)	-42.29%	
	Late Fees	(851)	0	851	-100.00%	
	Commissions	2,017	2,300	283	14.03%	
	Parking Stalls	25,743	26,000	257	1.00%	
	<b>Total Income</b>	<b>1,793,617</b>	<b>2,098,580</b>	<b>304,963</b>	<b>17.00%</b>	
Expense:	Administrative: Office Expense	25,275	23,986	(1,289)	-5.10%	
	Payroll Expense	229,239	249,030	19,791	8.63%	
	Payroll Tax	19,067	20,836	1,769	9.28%	
	Accounting Service	55,248	60,775	5,527	10.00%	Hawaii State 2022 Cost of Living increase = 9.75%; Est. 10% for 2023
	Legal Fees	18,065	12,000	(6,065)	-33.57%	Fees higher in 2022 due to lawsuit; more frequent Board member consultations
	Audit & Tax Service	8,007	8,040	33	0.41%	
	Contingency	7,959	1,200	(6,759)	-84.92%	Higher in 2022 due to new GM hiring
	Board Meetings	1,031	4,000	2,969	287.97%	Hoping to return to offsite Homeowner's meeting
	General Excise Tax	1,108	1,200	92	8.30%	
	Insurance	209,283	370,337	161,054	76.96%	131% increase offset by change in accounting method; '21-22 cost all paid in '21
	Health Insurance	33,946	27,830	(6,116)	-18.02%	Replaining FT staff headcount with PT
	Workers Comp	4,193	7,390	3,197	76.25%	Insurance company billing not consistent
	TDI	905	944	39	4.31%	
	Bank Service Charges	2,716	2,700	(16)	-0.59%	
	<b>Total Administrative</b>	<b>616,042</b>	<b>790,268</b>	<b>174,226</b>		
	Building Maintenance: Elevator	12,854	13,600	746	5.80%	
	Grounds & Supply	49,232	52,000	2,768	5.62%	
	Pest Control	9,994	11,668	1,674	16.75%	Billing/timing error
	Pool	17,810	19,000	1,190	6.68%	
	Refuse	89,815	96,000	6,185	6.89%	
	Repairs	68,918	65,000	(3,918)	-5.69%	
	Landscaping Contract	170,760	180,000	9,240	5.41%	
	Cleaning Service Contract	149,472	156,946	7,474	5.00%	
	Watchmen and Alarms	204,629	214,860	10,231	5.00%	
	<b>Total Building Maintenance</b>	<b>773,484</b>	<b>809,074</b>	<b>35,590</b>		
	Utilities: Electricity	52,166	53,102	936	1.79%	
	Sewer	178,455	182,345	3,890	2.18%	
	Water	81,294	81,178	(116)	-0.14%	
	Telephone	9,786	9,181	(605)	-6.18%	
	Television Cable	166,882	173,432	6,550	3.92%	
	<b>Total Utilities</b>	<b>488,583</b>	<b>499,238</b>	<b>10,655</b>		
	<b>Total Expense</b>	<b>1,878,109</b>	<b>2,098,580</b>	<b>220,471</b>	<b>11.74%</b>	
Net Ordinary Income (loss)		<b>(84,492)</b>	<b>0</b>	<b>84,492</b>		

**MV AOAO Balance Sheet****Prelim Oct 31, 22****ASSETS**

Operating Funds	9,860.18
Reserve Funds	<b>133,573.92</b>
Total Funds	143,434.10
Total Association Fees Receivable	12,754.96
Total Other Current Assets	52,015.26
Total Assets	<b>208,204.32</b>

**LIABILITIES & EQUITY**

Liabilities: Accounts Payable	56,082.13
Credit Cards	20,139.31
Prepaid Association Fees	21,715.48
Payroll Liabilities	1,442.46
Total Current Liabilities	99,379.38

**Long Term Liabilities**

8/3/17 BOH Reserve Loan 3.78%	<b>440,912.30</b>
-------------------------------	-------------------


Total Liabilities	<b>540,291.68</b>
-------------------	-------------------

**Equity**

Association Equity	(298,577.64)
--------------------	--------------

Net Income	(33,509.72)
------------	-------------

Total Equity	(332,087.36)
--------------	--------------

**TOTAL LIABILITIES & EQUITY****208,204.32** 4.33% funded



# Review

## Bylaws: Article 10, Section 20 (B):

The Association shall assess the apartment owners to either fund a minimum of fifty percent (50%) of the estimated replacement reserves or fund one hundred percent (100%) of the estimated replacement reserves *when using a cash flow plan.*

### 3 Hawaii Reserve Methods:

Hawaii Cash Flow Method*	50% Full Funded	100% Full Funded
Fund 100% estimated <u>current year</u> replacement cost	Fund 50% total deteriorated value	Fund 100% total deteriorated value
<i>Risk of surprise loans and special assessments</i>	Moderate risk of future cash problems	Minimal risk of future cash problems



\*Maui Vista currently on cash flow method

# AOAO Maintenance fee increase scenarios

Scenario 1 - 12% increase						
Total Annual Maintenance Fee				SA allocated to Ops*	Est. 12/23 reserves bal	% funded
2022	2023	\$ Increase	% Increase			
\$2,207,232	\$2,474,750	\$267,518	12.12%	\$250,000	\$586,572	14.10%
Scenario 2 - 14% increase						
Total Annual Maintenance Fee				SA allocated to Ops*	Est. 12/23 reserves bal	% funded
2022	2023	\$ Increase	% Increase			
\$2,207,232	\$2,524,668	\$317,436	14.38%	\$190,000	\$646,572	15.54%
Scenario 3 - 23% increase						
Total Annual Maintenance Fee				SA allocated to Ops*	Est. 12/23 reserves bal	% funded
2022	2023	\$ Increase	% Increase			
\$2,207,232	\$2,714,758	\$507,526	22.99%	\$0	\$836,572	20.10%

\*portion of \$800k Special Assessment



# 2023 AOA Maintenance Fees - *options considered*

Full-Year Dues increase compared with starting in May					
2022 Maintenance Fees	Start Date	2023 Maintenance Fees		\$ Increase	% Increase
2,207,232	Jan	2,524,668		317,436	14.38%
2022 Maintenance Fees	Start Date	2023 Maintenance Fees		\$ Increase	% Increase
735,744	Jan	735,744		0	0.00%
1,471,488	May	1,788,944		317,456	21.57%
2,207,232	FY	2,524,668		317,436	14.38%
F Unit Example					
2022 Maintenance Fees	Start Date		Ttl Maintenance Fees	\$ Increase	% Increase
10,596	Jan	1,010	12,120	1,524	14.38%
2022 Maintenance Fees	Start Date		Ttl Maintenance Fees	\$ Increase	% Increase
3,532	Jan	883	3,532	0	0.00%
7,064	May	1,073	8,588	1,524	21.57%
10,596	FY		12,120	1,524	14.38%

*\$84-127 increase per unit/month*

*Owner suggestion: Increase dues after Special Assessment is collected in full*

Delaying increase will mean same amount collected over shorter period of time:

- No increase Jan-Apr
- 21% increase May-Dec
- Will increase base going into 2024
- *We can't afford to forgo 4 mos of dues increase*

*\$127-190 increase per unit/month*



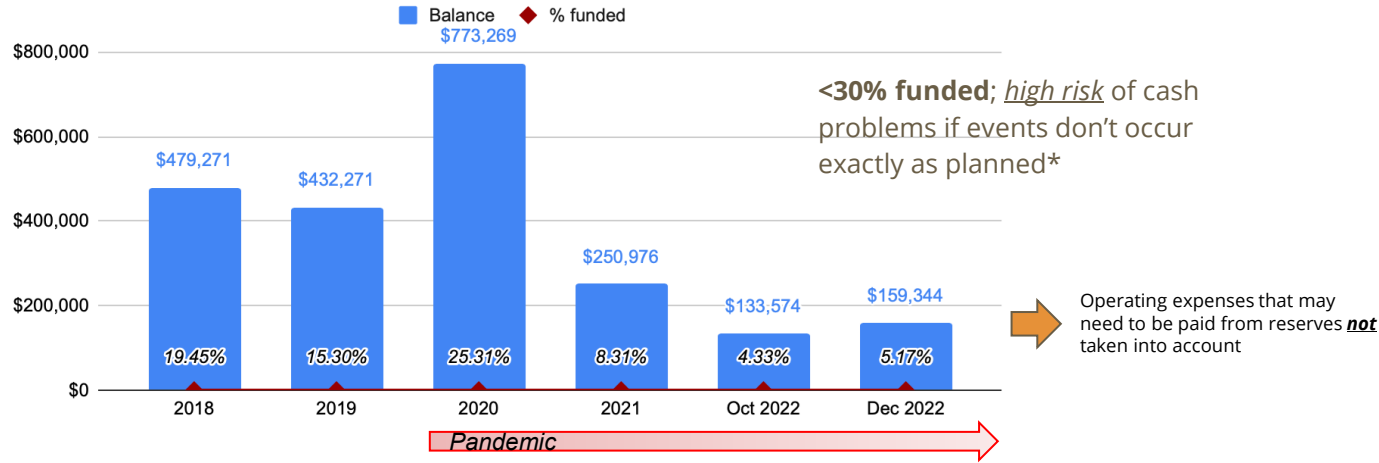
# 2023 AOA Maintenance Fees

Unit	Unit %	# of units		Total to Reserves	Total to Operating	Mthly/unit
AA1	0.00332	27	0.08964	\$58,048	\$168,265	\$700
B1	0.00322	166	0.53452	\$346,136	\$1,003,360	\$677
C1	0.00346	2	0.00692	\$4,481	\$12,990	\$728
C2	0.00337	2	0.00674	\$4,365	\$12,652	\$709
DD1	0.00463	9	0.04167	\$26,984	\$78,220	\$975
EE1	0.00451	57	0.25707	\$166,469	\$482,552	\$949
F	0.0048	1	0.0048	\$3,108	\$9,010	\$1,010
G	0.0032	1	0.0032	\$2,072	\$6,007	\$674
HH1	0.003387	5	0.016935	\$10,966	\$31,789	\$713
J	0.00332	6	0.01992	\$12,899	\$37,392	\$699
KK1	0.004689	2	0.009378	\$6,073	\$17,604	\$988
L	0.00462	2	0.00924	\$5,983	\$17,345	\$973
		280	1.000033	\$647,564	\$1,877,124	
				26%	74%	

**NOTE: Percentage split derived from amounts, not vice versa**

# Health of Maui Vista Reserves

Reserve balance % funded



## Contributing Factors:

- No maintenance fee increase in 2021 due to pandemic
- 2021-22 ~\$460k termite project
- 2022 insurance premium increased 131%
- High inflation - goods and services cost more
- 42 year old property requires more frequent maintenance

\*<https://cca.hawaii.gov/reb/files/2016/09/cb1609a.pdf>

# 2022 Special Assessment

Due in full by April 30, 2023

- Invoices sent
- Payment plan options available
- There will be no extension of this deadline, barring unforeseen circumstances

Unit	Unit %	#		Total	Total Per Unit Ass.	Nov-Apr mthly/unit
AA1	0.00332	27	0.08964	\$71,712.00	\$2,656.00	\$442.67
B1	0.00322	166	0.53452	\$427,616.00	\$2,576.00	\$429.33
C1	0.00346	2	0.00692	\$5,536.00	\$2,768.00	\$461.33
C2	0.00337	2	0.00674	\$5,392.00	\$2,696.00	\$449.33
DD1	0.00463	9	0.04167	\$33,336.00	\$3,704.00	\$617.33
EE1	0.00451	57	0.25707	\$205,656.00	\$3,608.00	\$601.33
F	0.0048	1	0.0048	\$3,840.00	\$3,840.00	\$640.00
G	0.0032	1	0.0032	\$2,560.00	\$2,560.00	\$426.67
HH1	0.003387	5	0.016935	\$13,548.00	\$2,709.60	\$451.60
J	0.00332	6	0.01992	\$15,936.00	\$2,656.00	\$442.67
KK1	0.004689	2	0.009378	\$7,502.40	\$3,751.20	\$625.20
L	0.00462	2	0.00924	\$7,392.00	\$3,696.00	\$616.00
		280	1.000033	\$800,026.40	\$2,857.24	\$6,203.47






# 2022 Special Assessment

Special Assessment to **replenish reserves** for termite project, legal settlement, budget shortfall, primarily due to 131% insurance increase, high inflation, drain pipe mitigation

Termite Project	\$458,954	57.4%
Legal Settlement	\$30,000	3.8%
2022 Est. Budget Shortfall	\$84,492	10.6%
2023 Operating	\$190,000	23.8%
Additional Reserves	\$36,554	4.6%
	\$800,000	100.0%

 Harwood settlement; \$107/unit

# Inflection Point

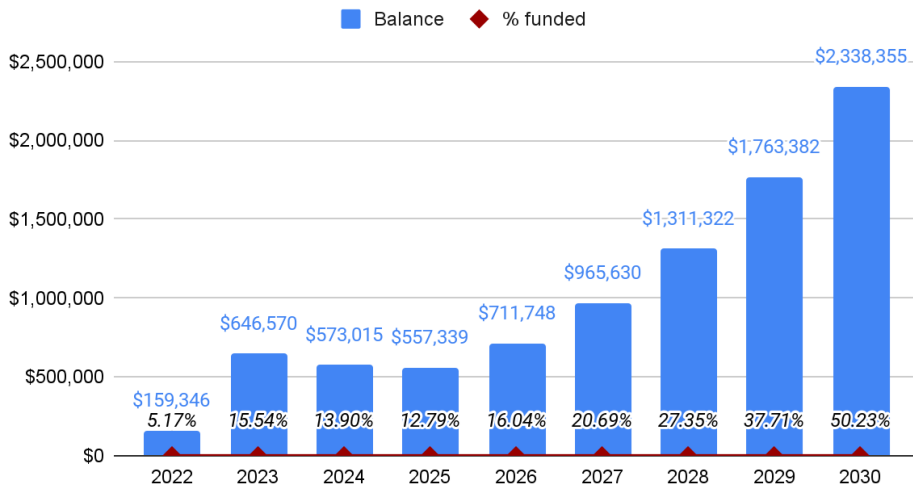
- Underfunded properties must impose special assessments or take out loans
  - 2017 - \$866k loan @ 3.78% for drainpipe repair project
    - October loan balance - \$441k (payoff Feb 2026)
  - Delayed projects could result in higher costs in the future
  - Property values affected by poorly maintained complex
- Plan for expected steady dues increases until healthy reserve level is attained
  - Rather than surprise assessments
  - Money spent on the property rather than loan interest
- Goal is to reach 50% full funded in 2030
  - Special assessments and/or loans may be necessary until then
  - Projection based on currently available information



# Maintenance fee increases

Increasing dues by 14% in 2023 and ~12% per year thereafter; MV should reach 50% full funded by 2030\*

Balance % funded projection



Includes Special Assessment



## Assumptions:

- 5% inflation
- Loan paid-off Feb 2026
- Includes \$610k Special Assessment
- Used full-funded amounts and annual expenses from 2022 Reserves Study to calculate % funded

## Note:

- Amount of dues increase will be adjusted based on future actual balances
- Projection based on current information

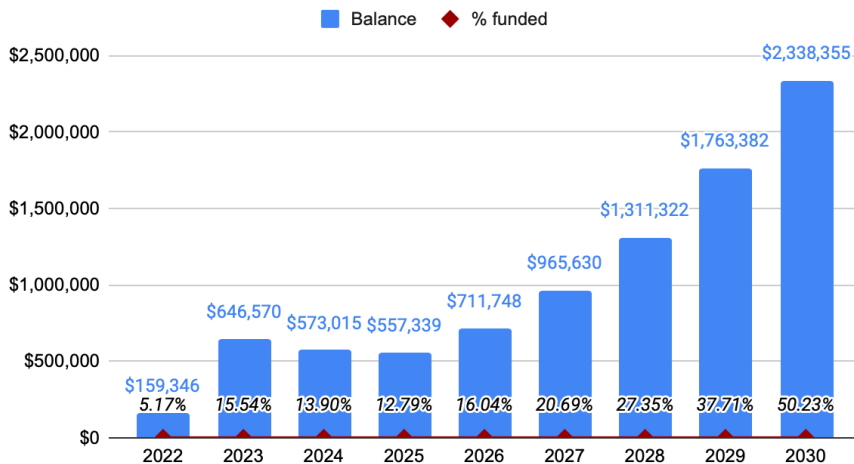


## Owner suggestion

# Annual Special Assessments to reach 50% funded

- In lieu of high annual maintenance fee increases, annual Special Assessment 2024-2030
- Would keep maintenance fees at a reasonable level, while building reserves
- Scheduled annually for planning purposes

Balance % funded projection



Owner suggestion

## Annual Special Assessments to reach 50% funded

*Proposal for consideration - 14% increase in 2023; 6% increases + \$275k Special Assessments 2024-2030*

Annual \$275k Special Assessment per unit

Unit	Unit %	# of units		Total to Reserves	Per Unit total
AA1	0.00332	27	0.08964	\$58,048	\$2,150
B1	0.00322	166	0.53452	\$346,136	\$2,085
C1	0.00346	2	0.00692	\$4,481	\$2,241
C2	0.00337	2	0.00674	\$4,365	\$2,182
DD1	0.00463	9	0.04167	\$26,984	\$2,998
EE1	0.00451	57	0.25707	\$166,469	\$2,921
F	0.0048	1	0.0048	\$3,108	\$3,108
G	0.0032	1	0.0032	\$2,072	\$2,072
HH1	0.003387	5	0.016935	\$10,966	\$2,193
J	0.00332	6	0.01992	\$12,899	\$2,150
KK1	0.004689	2	0.009378	\$6,073	\$3,036
L	0.00462	2	0.00924	\$5,983	\$2,992
		280	1.000033	\$275,000	

# Appendix



# Hawaii Cost of Living

- CNBC ranked Hawaii the most expensive state in the US in which to live
- Maui is the second most expensive island after Oahu
- Kihei has the 12th most expensive home prices in Hawaii
- On average, it costs 30% more than the rest of the US to live in Hawaii
- Hawaii is ranked 42 out of 50 as best state to retire by Bankrate

## References:

<https://www.cnbc.com/2022/07/13/these-are-americas-10-most-expensive-states-to-live-in.html>

<https://coastaldreamlife.com/which-hawaiian-island-is-the-most-expensive-to-live-on/>

<https://www.khon2.com/local-news/from-hanalei-to-kapolei-cities-with-most-expensive-homes-in-hawaii/>

<https://www.cnbc.com/2022/10/09/least-affordable-states-to-retire-in-2022.html>

<https://www.bankrate.com/retirement/best-and-worst-states-for-retirement/>



# Attachment 8

## 2023 MAUI VISTA BUDGET

	2022 Jan - Sep 22	2022 Projected	2022 Annual Budget	2023 Annual Budget
Ordinary Income/Expense				
Income				
Maintenance Fees	1,655,424	2,207,232	2,207,232	2,524,668
Other Income	4,250	5,198	5,000	3,000
Parking Stalls	25,743	25,743	18,000	26,000
Commissions	1,866	2,017	600	2,300
Late Fees	(851)	(851)	0	0
Transfer to Reserve	(334,292)	(445,722)	(445,722)	(457,388)
Total Income	1,352,140	1,793,617	1,785,110	2,098,580
Gross Profit	1,352,140	2,060,284	1,785,110	2,098,580
Expense				
Administrative				
Total Insurance	119,696	209,283	184,967	370,337
Payroll Expense	165,506	229,239	212,174	249,030
Accounting Service	41,438	55,248	55,250	60,775
Health Insurance	25,761	33,946	35,378	27,830
Office Expense	13,596	25,275	28,000	23,986
Legal Fees	14,561	18,065	13,000	12,000
Payroll Tax	14,231	19,067	19,096	20,836
Audit & Tax Service	7,811	8,007	7,865	8,040
Bank Service Charges	2,027	2,716	2,750	2,700
General Excise Tax	1,108	1,108	744	1,200
Contingency	7,208	7,959	3,000	1,200
TDI	669	905	930	944
Board Meetings	156	1,031	3,500	4,000
Workers Comp	2,279	4,193	6,380	7,390
Total Administrative	416,047	616,042	573,034	790,268
Building Maintenance				
Watchmen and Alarms	153,629	204,629	190,738	214,860
Landscaping Contract	128,070	170,760	170,760	180,000
Cleaning Service Contract	112,101	149,472	149,468	156,946
Refuse	67,979	89,815	86,704	96,000
Grounds & Supply	39,943	49,232	48,625	52,000
Repairs	49,417	68,918	50,000	65,000
Pool	14,809	17,810	14,000	19,000
Elevator	9,600	12,854	12,907	13,600
Pest Control	6,749	9,994	13,000	11,668
Total Building Maintenance	582,297	773,484	736,202	809,074
Utilities				
Sewer	132,585	178,455	181,077	182,345
Television Cable	129,423	166,882	161,280	173,432
Water	59,501	81,294	85,035	81,178
Electricity	38,666	52,166	37,482	53,102
Telephone	6,861	9,786	11,000	9,181
Total Utilities	367,036	488,583	475,874	499,238
Total Expense	1,365,380	1,878,109	1,785,110	2,098,580
Net Ordinary Income	(13,240)	(84,492)	0	0

Maintenance Fees			
Unit	Unit %	2022	2023
AA1	0.00332	611	700
B1	0.00322	592	677
C1	0.00346	636	728
C2	0.00337	619	709
DD1	0.00463	852	975
EE1	0.00451	830	949
F	0.00480	883	1,010
G	0.00320	589	674
HH1	0.00339	623	713
J	0.00332	611	699
KK1	0.00469	863	988
L	0.00462	850	973