

BANYAN HARBOR

ADOPTED MEETING MINUTES
REVISION DATE: 19 May 2005
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**BANYAN HARBOR ASSOCIATION OF APARTMENT OWNERS
ORGANIZATIONAL MEETING
SATURDAY, FEBRUARY 26, 2005
KAUA'I MARRIOTT**

Director Cathy Martin called the meeting to order at 5:03 pm.

1. ROLL CALL

Board of Directors

Charles Looney	Linda Garcia
Alan Snodgrass	Ray Smith
Elinor Weeks	Elizabeth Nikolic [not present]
Cathy Martin	

Outrigger Lodging Services

Chris A. Gampon, General Manager, Banyan Harbor
Tore Wistrom, *Principal, Consultant, Outrigger Lodging Services*
Stephanie Nakamatsu, *Recording Secretary, Banyan Harbor*

2. ELECTION OF OFFICERS

MOTION :	<i>To elect Cathy Martin as President</i>
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MOVED BY: Linda Garcia. Second by Elinor Weeks.
VOTE: Unanimous
RESULT: **PASSED**

MOTION :	<i>To elect Charles Looney as Vice President</i>
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MOVED BY : Ray Smith. Second by Elinor Weeks.
VOTE: Unanimous
RESULT: **PASSED**

MOTION :	<i>To elect Linda Garcia as Treasurer and Elinor Weeks as Secretary</i>
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MOVED BY: Charles Looney. Second by Ray Smith.
VOTE: Unanimous
RESULT: **PASSED**

As a result of the votes taken, the remaining positions will be as follows:

Alan Snodgrass, Director
Elizabeth Nikolic, Director
Ray Smith, Director

3. NEW BUSINESS

- a. **House Rules** – Chris reported that during the annual homeowner’s meeting held on this date, just prior to the organizational meeting, the Banyan Harbor House Rules and Regulations were discussed. No objections were heard regarding the amendments proposed on 17 November 2004. During the meeting an additional rule to restrict solicitation was adopted by majority vote.

Chris read a resolution [EXHIBIT A] addressing for the formal adoption of all of the proposed amendments.

MOTION :	<i>To adopt the language as read by Chris Gampon.</i>
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MOVED BY : Charles Looney. Second by Elinor Weeks.
VOTE : Unanimous
RESULT: **PASSED**

IV. ADJOURNMENT

The meeting adjourned at 5:15 pm.

EXHIBIT A

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE ASSOCIATION OF APARTMENT OWNERS OF BANYAN HARBOR

Re: Adoption of Amended House Rules (Rev. 02/26/05)

Adopted: February 26, 2005

WHEREAS, the Amendment to and Restatement of By-Laws of the Association of Apartments Owners of Banyan Harbor ("Association"), recorded in the Bureau of Conveyances, State of Hawaii as Document No. 2000-173612, and filed in the Office of the Assistant Registrar of the Land Court, State of Hawaii as Document No. 2669839 ("Bylaws"), provide in Article V, Section 4 that the Board of Directors ("Board"), upon giving notice to all apartment owners in the same manner as provided for notice of meetings of the Association and opportunity to be heard thereon, may adopt, amend or repeal the Rules and Regulations ("House Rules") of the Association;

WHEREAS, the Board engaged legal counsel to review the House Rules (Rev. 05/21/03) and draft amendments to the same for clarification purposes and in furtherance of efficient and harmonious management and operation of the Association;

WHEREAS, at the meeting held on 17 NOVEMBER 2004, the Board approved the proposed amendments to the House Rules ("Amended House Rules"), having the revision date of November 16, 2004, a true and correct copy of which is attached hereto as Exhibit "A";

WHEREAS, a copy of the Amended House Rules was provided to all apartment owners by mail on 01 DECEMBER 2004;

WHEREAS, the apartment owners were given an opportunity to submit written comments or suggestions to the Amended House Rules by 03 JANUARY 2005, or to appear at the annual meeting on 26 FEBRUARY 2005 and orally present their comments or suggestions to the Board;

WHEREAS, the Board has not received any comments or suggestions regarding the Amended House Rules provided to all apartment owners on 01 DECEMBER 2004, either in writing or at the annual meeting, in opposition to the Amended House Rules;

WHEREAS, during the annual meeting on 26 FEBRUARY 2005 the apartment owners discussed and adopted by majority vote additional House Rules.

WHEREAS, the Board deems the adoption of the Amended House Rules advisable and hereby recommends that the Amended House Rules be adopted as the governing House Rules of the Association;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby adopts said Amended House Rules to be effective as of the date stated above;

FURTHER, RESOLVED, that any and all other actions heretofore taken by the Board in connection with the matters covered herein be and the same are hereby ratified and confirmed as the proper and binding actions of the Association; and that this Resolution shall remain in full force and effect until further resolution of the Board amending or rescinding this Resolution.