

BANYAN HARBOR ASSOCIATION OF APARTMENT OWNERS

BOARD MEETING

Wednesday November 16, 2005 – 11:00am

Banyan Harbor – A-4

1. Roll Call

President Martin called the meeting to order at 11:00am

Board Members Present

Cathy Martin, President	Charles Looney, Vice-President
Linda Garcia, Treasurer	Elinor Weeks, Secretary
Ray Smith, Director	Liz Nikolic, Director

Outrigger Lodging Services

Rick Ball, Vice President, Outrigger Lodging Services
Chris A. Gampon, General Manager, Banyan Harbor
Stephanie Nakamatsu, Accounting/HR, Banyan Harbor
Tore Wistrom, Consultant, Outrigger Lodging Services

Other in Attendance

B & M. Gracie – C29, J. Solberg, E. Madamba, S. Gonos, B. Garcia – Timeshare BOD,
P. Madamba – Timeshare Owner, Meryl Ferarri – B23, C. Wolf – L146

2. Proof of Notice

Chris reported that notice was posted on 10/13/2005

3. Approval of Minutes

- a. **Board Meeting, September 22, 2005** – Cathy asked if there were any additions or corrections to the minutes. Corrections were noted.

MOTION:	<i>To accept the minutes as corrected.</i>
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MOVED BY: Linda Garcia, Second: Ray Smith
VOTE: Unanimous
RESULT: **PASSED**

4. Management Reports

- a. **President's Report** - Cathy welcomed everyone to the meeting. Cathy recapped local and national events.
- a. **Manager's Report** – Chris reported that the staff continues to work well together. Chris reported that, sadly, Audrey, who just started at the Front Desk, had an auto-accident and did not pull through. Chris and Stephanie attended the funeral and represented the Property.

5. Financial Reports

- a. **July 2005 Financial** – Rick reviewed the September financial report noting that revenues are on track with budget forecasts. Expenses have exceeded budget by just over \$4,300. Utility expenses remain high and are expected to increase over the next year. There are also indications that insurance premiums will increase.

- b. **Reserve Study** – Rick reviewed the 5 and 20-year project list and forecasted expenses..

6. **Unfinished Business**

- a. **Building “L” Repair** – Chris reported on the progress of the project. Tore added that we can expect to have proposals for completing the work very soon. Current indications from the insurance agency are favorable and it is expected that a majority of the expenses to remediate the problem will be covered by the AOA's insurance policy.

- b. **Board Expenses** – Rick reported that the Board had asked that the current reimbursement program be reviewed. Board members are suggesting a change from the current \$1,500 per year limitation to a limit of \$500 per meeting. That would bring the allocation to \$2,000 (maximum) per Board member each year. The board feels that the change will give potential Board members a better understanding of the financial commitment required to attend meetings.

The Board will bring forward to the 2006 annual meeting that the reimbursement guideline be raised from \$1,500 to \$2,000. The reimbursement per meeting to be limited to \$500.

- c. **Building Sign** – Chris gave a brief history of the project and reported that the channel letter sign and logo are on order and should be installed during the first quarter of 2006.
- d. **Other Unfinished Business** – No other business was brought for discussion.

7. **New Business**

- a. **Board Member Resignation** – Cathy reported for the record that Alan Snodgrass had tendered his resignation on 09/22/2005. Cathy thanked Alan for his contribution.

MOTION:	To accept Alan Snodgrass' resignation.
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MOVED BY: Elinor Weeks, Second: Ray Smith
VOTE: Unanimous
RESULT: PASSED

- b. **Executive Session – (ADA/Personnel)**

MOTION:	To adjourn into executive session to discuss ADA issues.
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MOVED BY: Elinor Weeks, Second: Liz Nikolic
VOTE: Unanimous
RESULT: PASSED

Adjourned to executive session: 12:25pm
Meeting reconvened to regular session: 2:17pm

Executive session report: No action taken.

- c. **Budget 2006** – Rick reviewed the proposed budget for 2006. Rick reported that insurance, electrical, and gas expenses are expected to increase during 2006. As a result there is a need to increase maintenance fees to cover the escalating expenses. It was estimated that on average, maintenance fees will need to be increased by \$15 per unit per month. The increase is reflected in the proposed budget.

MOTION:	To adopt the 2006 budget as presented.
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MOVED BY: Linda Garcia, Second: Charles Looney
VOTE: C. Martin = Yes, C. Looney = Yes, E. Weeks = Yes, L. Garcia = Yes
 R. Smith = Yes, L. Nikolic = Yes
YES = 6 / NO = 0
RESULT: PASSED

- d. **Other New Business** – Other new business was discussed as follows:

<i>Note: in order to allow uninterrupted participation by meeting attendees, this item was discussed prior to the adjournment to executive session (see above). For the purpose of the minutes it is reported in the order listed on the meeting agenda</i>

- i. **Minutes** – Marcie Gracie asked for copies of the annual meeting minutes. Chris reported that approved minutes are available on the owner section of the property website. Chris added that the site was recently updated and the electronic copy of the unapproved minutes, which included the annual meeting, were lost due to a failure in the device used to store the file. Chris will have to re-draft that file. A copy of the annual minutes will be distributed to all homeowners with annual meeting information.
- ii. **Parking** – It was reported that there are still people with too many vehicles on property. Chris reported that this is a constant problem. Security tries to control the number of cars on property but as long as people try to skirt the rules, the problem will exist. Security will continue to do their best to control the problem.
- iii. **Pool Incident** – Marcie and Bill Gracie reported on an incident that took place at the pool. The incident resulted in Marcie filing a temporary restraining order against the tenant of B24. Chris reported that he responded to the issue and immediately asked the individuals involved, that did not live on property, to leave the premises or they would be reported to police for trespassing on private property. Chris reported that he advised the non-residents that they are not welcomed to use the recreation facilities and that they will have to limit their activity on property to going directly to and from B24. Any other activity would result in they being asked to leave or the involvement of Kauai Police to remove them as trespassers. Charles Looney asked if the Gracie's were satisfied with the actions taken in response to the incident. Bill Gracie affirmed that both he and Marcie felt the action was appropriate.

8. **Adjournment**

Hearing no further business, the meeting was adjourned at: 2:20pm