



APPROVED

MINUTES POINCIANA MANOR

Annual Meeting of the Association of Apartment Owners of Poinciana Manor

DATE: Thursday, March 10, 2022

PLACE: St. John Lutheran Church
1004 Kailua Road
Kailua, Hawaii 96734

ROLL CALL AND CALL TO ORDER:

Owners of record as of the close of business on Tuesday, March 8, 2022, or their designated proxies were registered beginning at 6:30 p.m., which resulted with the following Roll Call tallied for the meeting:

Owners present at meeting:	8.74966%
Owners represented by proxy:	46.92367%

Total ownership represented	55.67333%

Article II, Section 3 of the By-Laws of Poinciana Manor requires that a majority of owners present in person or represented by proxy shall constitute a quorum, with a "majority of owners" defined as the owners of apartments to which are appurtenant more than fifty percent (50%) of the common interest as established by the Declaration. With 55.67333% of the ownership represented to establish a quorum, the Chairperson called the Annual Meeting of the Association of Apartment Owners of Poinciana Manor to order at 7:02 p.m.

PROOF OF NOTICE OF MEETING:

The Chairperson stated that in accordance with Article I, Section 5 of the By-Laws, notice of this meeting was sent to all owners of record on February 7, 2022.

PURPOSE:

Chairperson Marion Douglas stated the purpose of the Annual Association Meeting was to provide reports of the Board's activities and accomplishments of the previous year and to elect Directors for the coming year.

INTRODUCTIONS:

President Marion Douglas introduced herself as President of the Association and Chairperson ("Chair") for this Annual Meeting. The other members of the Board of Directors introduced were Darrell Beckmeier, Treasurer Ellen Spence, Secretary Nancy Kickertz, Rose Kauina, Judith Stilgenbauer (not present) and Anna Moody (not present). The Chair also introduced Touchstone Properties, Ltd., the Managing Agent, Property Manager Jim Merrell, and Registrar Stephanie German.

CONDUCT OF MEETING:

Chair Douglas informed the membership that the Association's Annual Meeting would be conducted in accordance with the most current edition of Robert's Rules of Order, Newly Revised as required by Chapter 514B-121 (D), Hawaii Revised Statutes. The Association membership permanently adopted the Association's Customary Meeting Rules for all association meetings at its annual meeting held March 6, 2014, and they were provided to all present and are attached.

MINUTES OF PRECEDING MEETING:

Chair Douglas stated that the minutes of last year's Annual Association Meeting were mailed to all apartment owners along with their notice of this Annual Meeting and were approved by the Board of Directors as authorized by the owners in attendance at the meeting last year. Chair Douglas then inquired as to whether there were any questions pertaining to the minutes. Hearing none, the minutes of the Annual Association Meeting held July 8, 2021, were filed.

REPORTS OF OFFICERS:

- A. President's Report.** Chair Douglas provided a written report summarizing this administration's accomplishments since last year's Annual Meeting, on-going projects and proposed future projects on which the new Board will be working. The report is attached.
- B. Auditor's Report.** Chair Douglas explained that the auditor's report was provided to all upon check-in. A copy of the Independent Auditor's report for December 31, 2021, prepared by Ratna Nuti, CPA will be provided to all those who marked the box on the proxy form.

APPOINTMENT OF TELLERS:

The Chair asked for two volunteers to collect and certify any ballot counting at this meeting. Kathy Baker (Apt. 412) and Ron Plucer (Apt. 251) volunteered and were appointed.

ELECTION OF DIRECTORS:

- A. Nominations.** Chair Douglas announced that Association members or their proxy holders would be electing three directors for three-year terms to fill the normally expiring terms of Darrell Beckmeier, Nancy Kickertz, and Ellen Spence.

The Chair stated that a notice for solicitation of nominees was posted in the elevators on December 31, 2021, providing owners an opportunity to submit their name in nomination and utilize Association funds along with the Board of Directors to distribute proxies for the election of directors as permitted by Hawaii Law. While no one responded, incumbents Darrell Beckmeier and Ellen Spence expressed a desire to continue to serve if re-elected. Their names were printed on the ballot to save time. Nominations from the floor were opened and Giancarlo (Johnny) Farfan (253) and Kirby-Lee Garbett (257) were nominated.

There being no further nominations, Chair Douglas closed the nominations and asked each candidate to introduce themselves.

- B. Voting and Results.** Voting was conducted in accordance with Article II, Section 3 and Article I, Section 7 of the By-Laws and directors were elected by secret ballot by cumulative voting. Teller Ron Plucer read the election results followed by Chair Douglas with the following results:

Darrell Beckmeier	29.60011%
Ellen Spence	8.56015%
Kirby-Lee Garbett	21.88957%
Johnny Farfan	41.14749%

Elected to a three-year term of directorship expiring in year 2025 were Johnny Farfan, Darrell Beckmeier, and Kirby-Lee Garbett. Chair Douglas thanked all owners who volunteered to run for the Board and announced there would be an Organizational Meeting of the Board of Directors immediately following the Annual meeting.

UNFINISHED BUSINESS: There was no unfinished business carried over from the previous Association meeting.

NEW BUSINESS:

- A. Resolution on Assessments.** By unanimous consent, the following resolution was adopted:

"Whereas the members of the Association desire that the Association act in full accordance with the rulings and regulations of the Internal Revenue Service; now, therefore, the members adopt the following resolution: Resolved, that any excess owner assessments not used by the Association in the current year 2022 for managing, operating, maintaining, and replacing the Association's property be applied against the following year's assessments as provided by IRS Revenue Ruling 70-604."

- B. Approval of Annual Meeting Minutes.** Chair Douglas stated that the Board of Directors recommends that the Association of Apartment Owners authorize the Board to approve the minutes of the Annual Meeting as to form and content as recorded by the Managing Agent acting as Recording Secretary. The Annual Meeting minutes would be approved at the next regular meeting of the Board of Directors following this Annual Meeting. This procedure will enable apartment owners to receive approved minutes upon request as needed, particularly to fulfill seller disclosure requirements to prospective apartment purchasers. Russell Henion (447) made a motion to approve the resolution, seconded by Connie Bacon (340) and it passed unanimously.

- C. Selection of Auditor.** The Chair stated that Article III, Section 8 of the By-Laws required a yearly audit of the Association's financial records performed by a Certified Public Accountant. The Board recommended the Association empower the Board to

select an auditor based on its evaluation of audit proposals for the year ended December 31, 2022. Hearing no objection, the Board is authorized to select an auditor.

- D. Volunteer Board Dinner.** President Douglas announced the Board is a volunteer Board and puts in many hours in committee and Board meetings to run the operations of the Association. In appreciation of its efforts, she asked that the current Board be authorized to have an annual dinner at the Association expense. There was no objection, and the Board is authorized to have an annual dinner at Association expense.

MEETING ANNOUNCEMENT:

Chair Douglas announced that an Organizational Meeting of the new Board of Directors would immediately follow the Annual Meeting for the election of officers and requested all Directors to remain. Chair Douglas thanked the tellers and the membership for participating.

ADJOURNMENT:

With no other new business requiring a motion, Chair Douglas declared the meeting adjourned at 7:42 p.m.

Approved as to form and content.
Rose Kauina, Secretary
AOAO Poinciana Manor

By direction.


James M. Merrell, R. RS®, PCAM®
Property Manager/Recording Secretary

for TOUCHSTONE PROPERTIES, LTD. AAMC®
as Agent for AOA Poinciana Manor

POINCIANA MANOR Association Meeting Rules

Permanently Adopted March 6, 2014

1. Smoking is not permitted in the meeting area.
2. This is a private meeting and attendance is restricted to owners and proxy holders representing owners, staff, and other persons who have been specifically invited by the Board. All others are required to leave.
3. Owners desiring to speak must stand and be recognized by the Chairman. Owners must state their *name each time* for the official record of the meeting. The owner must *use the microphone*, if available, so that everybody else can hear.
4. Long and complicated motions must be in writing and delivered to the Chairman, signed by the maker and seconder. This will help avoid confusion and ensure that everybody knows the exact wording of the motion.
5. Discussion is normally limited to the motion being considered. Therefore, please don't start a long discussion unless a motion is already pending for consideration.
6. In order to be sure that everybody has a chance to speak, the debate limit is reduced to 2 minutes.
7. Each nominee for an elected office shall be limited to one speech per nominee or delegate for a maximum of 2 minutes.
8. If cumulative voting is required, all removal motions must be made *before* an election is conducted. Any board member whose removal is proposed shall have a debate limit of 10 minutes. The board member may choose to speak after all other debate has concluded.
9. Ballot voting on any motion (including the election) will remain open for 10 minutes, unless extended by the owners.
10. All remarks are to be directed to the Chairman, not directly to other members. Personal attacks, vulgarity, or offensive language can result in loss of debate privileges.
11. No video-taping or other electronic recording is permitted (except for production of the minutes) during any of the proceedings unless first approved by the Association members at the meeting.

AOA POINCIANA MANOR
Annual Association Meeting
President's Report
Thursday, March 10, 2022

Good evening, ladies, and gentlemen and welcome to the Poinciana Manor Annual Association Meeting for 2022. My report will provide you with information about the accomplishments of this year's Board and what is on the horizon for the new Board.

There are two purposes for an annual association meeting, to provide owners with information on the accomplishments of the prior year and to elect directors for the coming year. We have a seven-member Board and terms are for three years. So, each year, we elect two directors, then two directors, then three directors, over a three-year period. This year three director positions are up for election. Two of the incumbents have offered to serve again if re-elected. We are hoping you will consider running for the Board tonight.

Waterline Project. Those of us who lived through the waterline project can say "*glad that is over.*" The project included replacing incoming water lines, and the associated pressure regulating valves that serve our buildings. When applying for a permit, the Building Department threw in the requirement for backflow preventer valves. The goal of this project was to guaranty uninterrupted water supply by avoiding a failure of the aging incoming pipes and valves. There was to be one scheduled water shut down but as you all know, there were three, one was not related to our project but to a Board of Water Supply shutoff. Alakai Mechanical completed.

Water Leaks. There are many causes for water infiltration, and our staff is dealing with all of them on one day or another. When the siding gets bad, water can get behind it and infiltrate the walls of units or common areas. These are addressed as they happen, so it is important for you to report potential problems when you see them. The plumbing vent pipes are made of cast iron and rise to the roof. These "air" vents allow water to flow freely down the drain. When it rains, water can enter the top of the vent pipes. That is not a problem until the vent line itself becomes damaged or cracked. When it does, it results in a leak, usually found when an owner or occupant reports that there is water damage to the interior of the apartment. Again, these are common area problems which must be reported to the Site Manager.

Water leaks also can be caused by owner equipment, such as a toilet wax seal or tank to bowl gasket, or water supply line, kitchen and bathroom sink supply lines and drain lines, dishwasher lines, icemaker lines, the tub drain, overflow drain, tub spout and even tub and tile caulking. And do not forget your water heater conveniently hidden away under the kitchen counter. When these things fail the results can be costly. With our current policy the first \$20,000 (deductible) will be made up by the homeowner causing the damage. Don't let it be you. Have our apartment plumbing checked out now and then every couple of years. Be safe not sorry. Water damage claims cause higher policy premiums which result in higher maintenance fees.

Second Floor Water Intrusion. The Board hired Wiss Janney Elstner engineers to design a repair to the building at the second-floor deck level. The original contractor built the wood frame portion of the building directly on the second deck concrete. As the concrete cured, the drainage patterns changed and water began to collect against the building wall, eventually causing damage to the sill plate, resulting in water intrusion. The Board has been repairing the building at these areas based on the designed fix created by the engineers. Eventually all sixty-three units on the second deck will have new curbs to keep out this water. If you suspect it is happening in your unit, contact our Site Manager.

Noise. Lifestyle changes brought about by the pandemic include many more people living at home. For your Board to maintain the property it has one landscaper, one custodian and three

maintenance personnel. Residents used to go to work and then come home to a carefully manicured, clean property. Now, people are already home and complaining about the noise. As a Board, we are required to maintain the property.

RULES. Wouldn't it be great to live without having rules? Abiding by the rules established are how we all get to thrive within such close distance. The Board worked on and adopted an enhanced rule on Smoking this year. It was mailed to all owners and is reprinted here.

Paragraph 2.13 Smoking

Smoking is prohibited in all common areas of Poinciana Manor, including but not limited to the pool and barbecue areas; Koi Pond Pavilion; walkways, hallways, and stairwells; lawns and gardens; driveways and entrance ways; parking garage and guest parking areas; storage areas and other common building facilities.

"SMOKING" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, electronic smoking device, e-cigarette, or pipe or any other lighted or heated tobacco or plant product intended for inhalation including medical marijuana, whether natural or synthetic, in any manner or in any form.

Provided that no smoke or odor from smoking can be detected in any common area or other Apartment or lanai, smoking may be permitted within an Apartment.

Residents and/or owners are responsible for ensuring that any Guest, including but not limited to friends, contractors, and repair people, invited onto the Poinciana Manor property is aware of and complies with the smoking policy.

OWNER PROJECT REQUESTS. Projects the Board approved on behalf of owners during the 2021-2022 year were:

Flooring	- 9	Bathroom Renovation	- 2
Window Replacement	- 4	Lanai Floor	- 1
Kitchen	- 3		

And finally. . . Thank you to those of you who attended the meetings and shared your ideas for improving our homes. I again want to thank my fellow Board members for their contributions, and time they have spent making our home run smoothly. Thanks to Darrell, Ellen, Rose, Nancy, Anna, and Judith. Your valuable input was and is appreciated. I like when we come together as a Board, with different views and make decisions that are fair and reasonable. Nancy as head of the Social Committee, found COVID bringing get-togethers to a screeching halt. But I want to thank Nancy for continuing to write well thought out, informative newsletters for all the residents and the non-owner occupants. Thanks to Site Manager Warren Ford who stepped up to the Site Manager role and has taken on the challenges of that job.

Your Board members volunteer their time to manage the Association's affairs. In return, there is the opportunity to learn parliamentary procedure, condominium laws and the inner workings of your Association. For me, this has been a rewarding experience, working with such a wonderful Board, learning about the management of our property, and maintaining our investment. Here is to another great year at Poinciana Manor.

Respectfully submitted,

Marion Douglas

President
AOAO Poinciana Manor