

Minutes – Board of Directors Meetings

Minutes – Annual Homeowners Meeting



A LIMITED LIABILITY COMPANY

Aloha.....

We have been authorized to collect and assemble Homeowners Association Documents related to this transaction.

DISCLOSURE OF CONTENTS: Limitations and Recommendations

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These documents are subject to the following limitations and conditions.

1. **Annual Meeting Minutes** of the Homeowners Association contained in this Disclosure are those minutes approved by the Association for publication and distribution. There may have been a more recent annual meeting and meeting minutes that have not been approved for publication and/or distribution as of the date this Disclosure was assembled.
2. **Board of Directors Meeting Minutes** contained in this Disclosure are those minutes approved by the Association for publication and distribution. There may have been more recent Board of Directors Meetings and meeting minutes that have not been approved for publication and/or distribution as of the date this Disclosure was assembled.
3. **Managing Agent’s Report (RR105c)**. The information contained therein is subject to the date of the Managing Agent’s report. For more up-to-date information and revisions (if any), contact the Managing Agent and/or your Real Estate Agent.
4. **Conditions, Clauses and Restrictions (CC&Rs) and Subdivision/Title Documents**. These documents are not included in this disclosure. They are not part of the Homeowners Association documentation. To review these documents, refer to the Title Report.

All parties relying upon the information contained herein are advised that the documents provided cannot be considered a substitute for a careful inspection of the Property and the Association’s governing documents and financial records. You should refer to qualified experts in the various professional fields, including but not limited to Attorneys, Certified Public Accountants, Architects, Engineers, Contractors and other appropriate professionals for a detailed evaluation of areas where additional clarification or information is desired.

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We wish you much “ALOHA”

In the peaceful enjoyment of your own special “Piece of Paradise” here on Maui.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
JANUARY 12, 2021**

MINUTES

Directors Present: Allen Prestegard, Alan Crawley, Dave Bergmann, Walter Straub and Bill Faia by phone

Others Present: None

Call to Order

The meeting was called to order at 10:00 a.m. in the Resident Manager's office.

1. Election of Officers

The following Directors were nominated and elected to serve as Officers for the coming year:

Allen Prestegard, President
Walter Straub, Vice President
Dave Bergmann, Treasurer
Bill Faia, Secretary

2. New Board Members

Alan Crawley was appointed as a Board Member on November 21, 2020 to fill the vacancy of Una Somerville and Dave Bergmann was appointed as a Board Member on January 5, 2021 to fill the vacancy of Anthony Garcia.

3. Old Business

None

4. New Business

- a. The Board agreed to donate \$1,000 to the Henry Barnard School of Rhode Island in Memory of Anthony Garcia, our HOA President who recently passed suddenly.
- b. The Board declined to make any changes to the Pavilion usage by Owners at this time.
- c. The Board decided that more study is needed before making any changes to the Rules regarding electric scooters.

Adjournment

There being no further business the meeting was adjourned at 11:00 a.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
JANUARY 4, 2021**

MINUTES

William Faia made a Motion via email to appoint James David (Dave) Bergmann as a member of the Board of Directors to fill the vacancy of Anthony Garcia to be effective January 5, 2021 and continue to January 2022 at which time James David (Dave) Bergmann can stand for reelection. A second to the Motion was made by Alan Crawley and all Board Members voted Yea. This will be reaffirmed at the Board of Directors meeting after the Annual Owners' Meeting in January 2021.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
JANUARY 1, 2021**

MINUTES

Directors Present: Allen Prestegard, Alan Crawley (in office), Walter Straub, Bill Faia (by phone)

Others Present: Marie Janowiak, Resident Manager (in office) and Gary Mano of Soleil Management (by phone)

Call to Order

An Emergency Board of Directors meeting was called to order at 10:00 a.m. in the Resident Manager's Office.

A meeting was called to fill the position of President of the Board of Directors due to the sudden death of President Anthony Garcia.

Motion made by Bill Faia to appoint Allen Prestegard as interim President of the Board of Directors, second by Alan Crawley. All Members voted Yea.

Adjournment

There being no further business the meeting was adjourned at 10:29 a.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
NOVEMBER 2, 2020**

MINUTES

Directors Present: Tony Garcia, Allen Prestegard (in office), Una Somerville, Walter Straub, Bill Faia (by phone)

Others Present: Marie Janowiak, Resident Manager

Call to Order

The meeting was called to order at 10:45 a.m. in the Resident Manager's office.

1. 2021 Preliminary Budget

The 2021 Preliminary Budget was reviewed and approved.

2. President's Letter and More Detailed Analysis of Financial Position

The President's Letter and attached More Detailed Analysis of Financial Position was reviewed and approved.

3. Capital Expenditures

- a. Tennis Court Resurfacing has been estimated to cost about \$15,000 and may be done in 2021.
- b. Highway Gates not working properly is an ongoing problem and Marie continues to work with the vendors to try to resolve the problem.
- c. The Hillsides and Rock Swales Refurbishing project will continue in 2021.

4. Charitable Donations Policy

The policy of the Pineapple Hill Board is that charitable donations are not made, but a \$5,000 donation was made to the Maui Food Bank in October 2020 to help West Maui Residents due to the circumstances of the COVID-19 virus.

5. Items to be Discussed at Annual Owners' Meeting

There was an attachment to the President's Letter addressing items usually discussed at the Annual Meeting since we are not sure how attendance will be due to the COVID-19 virus. Another letter will be sent to owners after the meeting, if needed. There will not be an Owner's Dinner this year.

6. Staff salaries for 2021 were discussed.

7. Other Matters

- a. Future Board member ideas were discussed.
- b. Tony Garcia plans to meet with Paul Subrata of Maui Land and Pineapple (MLP) to discuss the possibility of potable water lines being hooked into the irrigation system if that would be needed in the future.
- c. The Board agreed to give \$200 to the Boar Hunters as a thank you. Although they do not request payment for their hunting, they have gone out of their way this year hunting pigs that have been causing problems in Pineapple Hill.
- d. A street light pole and fixture had to be replaced this year because the bottom area rusted out. All posts have been inspected and none appear to need immediate attention, but this is something that will need to be addressed in the future.

Adjournment

There being no further business the meeting was adjourned at 11:45 p.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
JANUARY 7, 2020**

MINUTES

Directors Present: Tony Garcia, Una Somerville, Allen Prestegard, Walter Straub, and Bill Faia

Others Present: Marie Janowiak, Resident Manager

Call to Order

The meeting was called to order at 10:30 a.m. in the Resident Manager's office.

1. Election of Officers

The following Directors were nominated and elected to serve as Officers for the coming year:

Tony Garcia, President
Una Somerville, Vice President
Allen Prestegard, Treasurer
Walter Straub, Secretary

The Board confirmed Tony Garcia, Una Somerville, and Bill Faia as members of the Design Review Committee (DRC).

2. Annual Meeting Items

A supplemental letter will be emailed to all owners regarding side-yard and excessive foliage blocking views.

3. Old Business

The Board agreed that Tony Garcia will contact our attorney to request a letter be prepared to be sent to the owners of 712 Fairway, Lot 58 (Steingass) advising them that a lien will be placed on their property if the fine levied in 2019 is not paid.

4. New Business

Discussion about potential new Board members in the future.

An email will be sent to all Owners before the July 4th celebration and before the New Year reminding them that Fireworks are not allowed in Pineapple Hill.

Marie reported the AC unit in the Manager's Residence may need to be replaced soon due to the age of the equipment. The last service report stated the system is rusting.

Adjournment

There being no further business the meeting was adjourned at 11:30 a.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS
DECEMBER 10, 2019**

MEETING MINUTES

Directors Present: Allen Prestegard, Una Somerville, Walter Straub, Bill Faia, and Tony Garcia

Others Present: Marie Janowiak, Resident Manager

CALL TO ORDER

The meeting was called to order at 10:00 a.m. in the Resident Manager's office.

NEW BUSINESS

1. 2020 Budget

The Board reviewed the 2020 Budget. Motion made by Allen Prestegard to approve Budget, second by Walter Straub. Motion approved.

2. Pavilion Bathrooms

The Board discussed a budget of \$50,000 to \$75,000 for renovations of the Pavilion Bathrooms to be completed in 2020. Motion made by Walter Straub, second by Una Somerville. Motion approved.

3. Annual Owners' Meeting

Items for the Annual Owners' Meeting agenda were discussed (financial summary, Kapalua Water, side-yard foliage, Kapalua Resort Association dues increase)

4. Quiet Fridays

Quiet Fridays (no noisy landscape equipment) will remain a courtesy between owners and majority of the Board members voted that this will not be made a rule.

5. Salaries

The Board discussed Association Office employee salaries for 2020.

6. Other Matters

Haiku Landscape will be submitting proposals for work needed on some of the hillsides in the community.

The Association Office will take over managing the Pineapple Hill website that is currently being handled by Soleil Management.

ADJOURNMENT

There being no further business the meeting was adjourned at 11:43 a.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS
FEBRUARY 6, 2019**

MINUTES

Directors Present: Allen Prestegard, Una Somerville, Walt Straub, Bill Faia, and Tony Garcia

Others Present: Marie Janowiak, Resident Manager and Wayne Cober and Gary Mano of Soleil Management Hawaii

Call to Order

The meeting was called to order at 10:00 a.m. in the Resident Manager's office.

New Business

1. Footprint Expansion

The Board discussed potential of allowing owners to expand their homes within the existing footprint by allowing the enclosure of lanais and breezeways. The Board also discussed parameters for any expansion including the impact on neighboring properties and the DRC process for review and approval. The Directors all agreed some flexibility is in order and are willing to continue exploring the issue. Management will prepare a draft of the possible parameters and the pros and cons of allowing the expansion. (See attached variance document).

2. Fractional Ownership

The Board reviewed the use of homes in the subdivision as "fractional ownership." Under current zoning and HOA bylaws and policies the Board does not believe they can prevent the fractional use of a home.

3. Black Mold

The review of the homes that have excessive black mold on the roof has been completed and letters will be sent to the owners. It was noted that several owners have already had their roofs power-washed to remove the mold buildup.

4. Traffic Control

The Board discussed concerns regarding cars speeding in the subdivision. The Board does not believe that speed bumps are a viable option. They will review the signage in the area and consider additional/revised signage.

5. Irrigation Water

Tony Garcia has been involved in meetings related to the potential diversion of stream water that supplies irrigation water to Kapalua. A large percentage of the stream water that was previously used for pineapple irrigation was restored to the stream when pineapple production shut down. Maui Land and Pine are working with the State and they believe that there is adequate stream flow to supply all users.

6. Pavilion/Pool Restrooms

Una Somerville will continue to work on recommendations for the renovation of the Pavilion/Pool restrooms.

Adjournment

There being no further business the meeting was adjourned at 11:40 a.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
JANUARY 8, 2019**

MINUTES

Directors Present: Allen Prestegard, Una Somerville, Walt Straub, Bill Faia, and Tony Garcia.

Others Present: Marie Janowiak, Resident Manager and Wayne Cober and Richard Rodriguez, Soleil Management Hawaii.

Call to Order

The meeting was called to order at 11:15 a.m. in the Resident Manager's office.

1. Elections of Officers

The following Directors were nominated and elected to serve as Officers for the coming year:

Tony Garcia, President
Una Somerville, Vice President
Allen Prestegard, Treasurer
Walt Straub, Secretary

The Board confirmed Tony Garcia, Una Somerville, and Bill Faia as members of the Design Review Committee (DRC).

2. Annual Meeting Items

The Board reviewed the major items from the Annual Meeting.

- a. Black Mold. It was agreed that the Association would continue to notify the owners that have a buildup of mold on their roof that they need to have it pressure washed and to be considerate of neighbors as the process causes overspray.
- b. Pavilion/Pool Restrooms. Marie will contact a plumber to get an idea of the cost to modify the restrooms for ADA compliance and Una will continue to look at material options.
- c. Pool Lift. There was discussion regarding an ADA compliant lift being added to the Pool. Management will do additional research.

3. Old Business

- a. The Board discussed the final 2019 Budget and the Association Dues as sent to the owners.

MOTION to approve the 2019 Operating and Reserve Budget and to set the monthly Association Dues at \$900.00 per Lot. (Straub/Prestegard) Unanimous.

- b. The roadway sealcoating project was rescheduled for the spring in order to allow Kapalua Water to complete installation of new lateral water lines in Phase 1.
- c. The owner (Ross) of 1200 Summer Road, Lot 51 has hired someone to oversee the property so there is no Board action necessary at this time.
- d. The Board agreed that the Association Office will observe the ten Federal holidays.

4. New Business

- a. There was discussion that we will need new Board members in the future.
- b. It was determined that the number of members on the current Design Review Committee (DRC) is adequate and no additional members are needed at this time.
- c. Capital Expenditures in 2019. In addition to the completion of the roadway sealcoating, the Highway Entrance and Exit Gates operating system need to be replaced. Upgrades to the Pavilion/Pool restrooms being done in 2019 will depend on cost estimates.

MOTION to approve up to \$12,000.00 for the replacement of new Highway Gate operating system. (Prestegard/Somerville) Unanimous.

- d. Language to be added to the Association Rules related to owners planning to remodel/renovate their homes was distributed. The Board members will review the new Rule and comment/approve by email.
- e. The Association and Board will continue to handle issues of trees and vegetation that are impacting views on a case-by-case basis.
- f. There was discussion related to speed bumps in the neighborhood. No action was taken.

Adjournment

There being no further business the meeting was adjourned at 12:30 p.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
BOARD OF DIRECTORS MEETING
OCTOBER 24, 2018**

MINUTES

Director Present: Allen Prestegard, Una Somerville, Walt Straub, Bill Faia, and Tony Garcia.

Others Present: Marie Janowiak, Resident Manager and Wayne Cober, Soleil Management Hawaii

Call to Order

The meeting was called to order at 2:00 p.m. in the Resident Manager's office.

NEW BUSINESS

1. 2019 Budget Review

The Board reviewed the Operating and Reserve Budget for Fiscal 2019. The Association has operated without an increase in maintenance fees for several years during which time several large projects have been completed and funded by Reserves. The Board feels that it is necessary at this time to increase the fees to cover cost of living increases in operating and to replenish the Reserve Fund. A significant increase is needed to build reserves over the next five to six years to fund road improvements that are likely to be needed.

MOTION: To approve the 2019 Operating and Reserve Budget and to set the monthly maintenance fee at \$900.00 per Lot.
(Somerville/Prestegard) Unanimous

2. 2019 Capital Projects

The Board discussed potential Capital Projects for 2019. The restrooms at the pool are original and dated. There was discussion about whether to keep the showers and options for upgrades. Una Somerville volunteered to work on a design concept and will provide a bid.

The Highway Gate operating system needs to be upgraded. Management will secure bids for the Board's review.

3. Maintenance of Homes

There are several homes in the neighborhood that have mold or algae on the roof as well as other exterior maintenance items needing attention. The Board reviewed a draft letter about dealing with this issue. This letter will be emailed to owners in early December and the topic will also be discussed at the Owners' Meeting in January. Management will put together a list of vendors that can perform the necessary remediation.

Prior to the Board meeting, Marie, Allen, Una and Tony discussed a list of residences that they felt were the top 10 to 15 worst conditions on roofs. There was substantial agreement as to which were in most need of remediation and the initial effort to require remediation will likely be limited to those 10 to 15 worst case situations. Reaction at the Owners' Meeting will also be considered.

4. President's Letter

The President's Letter was reviewed and will be emailed to owners on November 1.

5. Flooding

The Board wanted to clarify our policy as to when the Association should be doing remediation to mitigate flooding that might impact an individual owner's property. Basically, the policy is that the Association will perform remediation if something on Association common area is clearly exacerbating the amount of water impacting an individual property. The most common example is the small rock walls installed at the base of certain hillside rock swales where such swales tend to overflow onto and across the roadway during heavy rains. Generally, this would not include modifying the actual roadways and how the roadway slope pre-existed during any home building and owners taking into consideration how to properly provide drainage on their property.

Owners of Lot 231 in Phase 2 recently had two concrete swales installed on the side of the roadway surface near their residence to prevent flooding of their property and the Board agreed that the Association should assist in partial payment of the work that was done.

MOTION: To reimburse the Owners of Lot 231 a total of 50% of the Friendly Island Landscape invoice for the concrete swales installed.
(Somerville/Garcia) Unanimous

6. Haiku Landscape

Tony Garcia and Marie Janowiak will be meeting with Haiku Landscape to address several areas that require weeding to determine a schedule to ensure proper care of the areas. They will also be discussing a proposed cost of living increase proposed for 2019.

7. Updates

The pool solar panel system has been removed and the plumbing for the pool heat pumps has been revised resulting in very efficient operation of the pumps, keeping the pool water at a very comfortable temperature.

The Roadway Sealcoat has been put on hold until after the first of 2019 due to wet weather and work that has been scheduled by Kapalua Water that involves tearing up existing asphalt to install new lateral pipes in Phase 1.

The Association office continues to try to reach the owners of 1200 Summer, Lot 51 about the work needed on their landscaping and exterior of the residence.

8. Other Matters

The Board reviewed the pay rates for the staff for 2019 and the following rates were approved. Marie Janowiak will increase \$2,500 to \$59,500 annually, Mike Delvecchio increase of \$1.00 per hour to \$26.50, and Deb Feese increase of \$.65 per hour to \$17.00.

ADJOURNMENT

There being no further business the meeting was adjourned at 4:00 p.m.

**PINEAPPLE HILL LAND OWNERS' CORPORATION
ANNUAL MEETING
JANUARY 12, 2021**

MINUTES

DIRECTORS PRESENT: Allen Prestegard, Bill Faia, Alan Crawley, Walter Straub, Dave Bergmann

DIRECTORS ABSENT: None

OTHERS PRESENT: Gary Mano, Soleil Management

CALL TO ORDER

Allen Prestegard called the meeting of the Pineapple Hill Land Owners' Corporation to order at 9:00 a.m. on a telephone conference call.

ESTABLISHMENT OF QUORUM

A quorum was established with 76 lots, 61.2% represented.

APPROVAL OF MINUTES

The Chair called for additions or corrections to the Minutes of the January 7, 2020 Annual Meeting. Tony Ruggeri made a Motion to approve the Minutes, second by Sally Munoz. The Minutes were approved as submitted.

FINANCIALS

Gary Mano reviewed the financial position of the Association.

LANDSCAPING --- HAIKU LANDSCAPE

Alika Hopkins of Haiku Landscape reported on landscaping projects that were completed last year and irrigation water usage.

UPDATES

Pavilion/Pool Bathrooms have been completed.

Allen Prestegard announced Alan Crawley and Dave Bergmann as new Board Members.

ELECTION OF DIRECTORS

The seat of Allen Prestegard and Walter Straub expire at today's meeting. Allen Prestegard and Walter Straub have agreed to stand for reelection. Allen Prestegard and Walter Straub were elected to a two-year term.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Tax Rollover Resolution

WHEREAS, the Pineapple Hill Homeowners Association, duly organized and existing under the laws of the State of Hawaii, and

WHEREAS, the members desire to act in full accordance with the rulings and regulations of the Internal Revenue Service;

NOW THEREFORE, the members hereby adopt the following resolution by and on behalf of the Pineapple Hill Land Owners' Corporation.

RESOLVED, that any revenue in excess of expenses for the fiscal year ending December 31, 2021 be "rolled forward" and applied to the Operating Expenses of the fiscal year ending December 31, 2022 in accordance with IRS Revenue Ruling 70-604.

MOTION to adopt the Rollover Resolution made by Lynda Allen, second by Betty Sakamoto. Unanimous.

Pavilion

The Board will take under advisement the request that the Pavilion be more accessible to Owners (e.g., use as a game room with a pool table).

Electric Scooters

The Board will look into the question of why electric bikes are allowed in the community, but not electric scooters.

ADJOURNMENT

The meeting was adjourned at 9:18 a.m.

Financial Statements
Budget & Reserve Summary

PINEAPPLE HILL LAND OWNERS' CORPORATION
BALANCE SHEET
02/28/21

ASSETS

Cash			
Petty Cash	400		
BOH Petty Cash	9,538		
BOH Operating Account - Current	18,220		
BOH Operating Account - Prepaid Maintenance Fees	79,727		
BOH Construction Deposits	21,670		
Total Cash			129,555
Receivables			
A/R - Owners	3,860		
Allowance for doubtful accounts	-		
A/R - Other	-		
Due to/from SMH	2,615		
Total Receivables			6,475
Prepaid Expenses			
Prepaid Insurance	18,277		
Prepaid Insurance	5,039		
Prepaid Federal Income Tax	-		
Other Prepaid Expenses	56,218		
Total Prepaid Expenses			79,533
Total Current Assets			215,563
Property, Plant, & Equipment			
Property, Plant, & Equipment	23,000		
Less: Accumulated Depreciation	(23,000)		
Total Property, Plant, & Equipment			-
Other Assets			
Central Pacific Bank - Reserve Fund	540,316		
Bank of Hawaii - Reserve Fund	219,124		
Total Other Assets			759,440
TOTAL ASSETS			\$ 975,003
LIABILITIES AND ASSOCIATION EQUITY			
Current Liabilities			
Federal/State Income Tax	-		
Accounts Payable	11,315		
Accrued Audit Fees	3,788		
Accrued Expenses	-		
Prepaid Maintenance Fees	79,727		
Construction Deposits	21,228		
Total Current Liabilities			116,059
Deferred Revenue			
Deferred Revenue - Fines	-		
Total Deferred Revenue			-
Association Equity			
Appropriated - Reserve Fund		690,166	
Retained Earnings	347,307		
Transfers To / From Reserve Fund	(205,711)		
Current P/L	27,183		
		168,778	
Total Association Equity			858,944
TOTAL LIABILITIES AND ASSOCIATION EQUITY			\$ 975,003

PINEAPPLE HILL AT KAPALUA OWNERS' ASSOCIATION

	2020 Full Year Budget
REVENUE	
Maintenance Fees	1,339,200
Other Maintenance Fees	10,000
Other Income	
TOTAL REVENUE	1,349,200
EXPENSES	
Salaries, Taxes and Insurance	213,700
Contract & Professional Services	27,500
Utilities	94,700
Landscaping	676,500
Refuse	90,000
Repairs & Maintenance	22,000
Comprehensive Insurance	15,624
K.R.A. Dues	59,000
Office - Admin. and Functions	27,000
Depreciation	2,000
EXPENSES BEFORE CAPITAL EXPENDITURES	1,228,024
Capital Expenditures	
TOTAL EXPENSES	
RESERVES	121,176

PINEAPPLE HILL AT KAPALUA OWNERS' ASSOCIATION

	2021 Full Year Budget		YTD 9 Month 2020 Actual	YTD 9 Month 2020 Budget
REVENUE				
Maintenance Fees	1,339,200		1,004,400	1,004,400
Other Maintenance Fees	10,000		8,676	7,490
Other Income			5,369	
TOTAL REVENUE	1,349,200		1,018,445	1,011,890
EXPENSES				
Salaries, Taxes and Insurance	218,420		154,967	160,284
Contract & Professional Services	28,000		21,510	20,628
Utilities	74,800		47,442	71,019
Landscaping	682,100		503,704	506,250
Refuse	95,000		69,733	67,500
Repairs & Maintenance	30,800		34,451	17,784
Comprehensive Insurance	16,624		12,395	11,643
K.R.A. Dues	45,000		39,635	44,253
Office - Admin. and Functions	6,900		23,950	25,600
Depreciation	0		1,150	1,503
Misc. Expense			5,000	
EXPENSES BEFORE CAPITAL EXPENDITURES	1,197,644		913,937	926,464
Capital Expenditures			62,996	
TOTAL EXPENSES			1,150,479	926,464
RESERVES	151,356		35,728	90,882

Area of Study	Useful Life	Estimated remaining Life	Asset Age	2016 Current replacement cost	2015 Current replacement cost	2012 Replacement Cost	Comments
<u>ROOFING</u>							
Concrete Tile (Pool & Tennis Court)	40	13	27			39,596.00	
Concrete Tile (Office & Residence)	40	13	27			69,564.00	
Copper Gutter & Downspouts (Pool) 246'	40	13	27	\$8,500.00		7,380.00	
Copper Gutter & Downspouts (Office) 247'	40	13	27	\$8,500.00		7,410.00	
		0					
		0					
<u>Painting</u>							
Exterior Stucco (Pool & Tennis area)	6	-20	26			27,000.00	
Exterior Stucco (Office & Residence)	6	-20	26			12,480.00	
Interior Pool & Tennis Buildings	6	-20	26			19,760.00	
Interior Residence Building	6	-5	11			4,800.00	
Interior Office Building	6	-5	11			200.00	
Trellis Structures - Pavilion	6	0	6			8,008.00	
		0					
		0					rfp to Kay 7/21/15
<u>Asphalt & Concrete Surfaces</u>							
Asphalt Overlay - Phase 1	20	14	6			454,407.00	
Asphalt Overlay - Phase 2	20	7	13			208,000.00	
Seal, Stripe & Repairs - Phase 1 & 2	6	5	1			82,732.00	2014 - 74,805.00 with tiles
Road Tile Repairs - Phase 1 Only	1	-4	5			2,000.00	
		0					
		0					
<u>Fencing</u>							
6' Chain Link Fence (along Highway) 1,502'	30	17	13	\$46,000.00		35,748.00	
4' Aluminum Fence (Pool Area) 668'	25	-2	27	\$27,000.00		40,080.00	
		0					
		0					rfp to Ohana 7/21/15
<u>Pool</u>							
Pool Tile	12	1	11			299,000.00	
Deck & Walkway (Pool and Tennis Area)	25	14	11			incl. above	
Pool Heat pumps (3)	15	4	11			16,500.00	
Pool Sand Filters (2)	15	4	11	\$4,200.00		3,500.00	
Pool Pump Motors (2)	10	4	6			3,800.00	

Area of Study	Useful Life	Estimated remaining Life	Asset Age	2016 Current replacement cost	2015 Current replacement cost	2012 Replacement Cost	Comments
Pool (Cont.)		0					
Safety Vacuum Release System	15	10	5			3,200.00	
Chaise Lounges (15)	15	6	9			4,800.00	
Tables (7 - 48")	15	6	9			2,400.00	
Tables (6 - 20")	15	6	9	\$26,000.00		1,200.00	
Chairs (28)	15	6	9			3,612.00	
Umbrellas (6)	8	-1	9			5,200.00	
Restrooms (Pool Area)	20	-4	24			3,400.00	plus labor
		0					
Common Interior		0					
Carpeting - Office / 204 s.f.	10	-2	12			1,200.00	
Carpeting - Residence s.f.	12	0	12			3,700.00	
Flooring - Clubhouse s.f.		0					
Water Heater (Clubhouse 36 gal.)	12	-15	27			360.00	
Water Heater (Restrooms 120 gal.)	12	-15	27			1,200.00	
Water Heater (office 40 gal.)	12	-15	27			350.00	
Water Heater (Residence 80 gal.)	12	6	6			850.00	
Tile - Office / 396 s.f.		0					
Interior Furnishings - Clubhouse		0					
Wicker Sofa (2)	14	13	1			4,800.00	
Wicker Chairs (10)	14	13	1			3,000.00	
Wicker Glass end Tables (5)	14	13	1			1,500.00	
Wicker Glass Coffee Tables (2)	14	13	1			438.00	
Wicker Glass Tables (2)	14	13	1			1,138.00	
Interior Furnishings - Residence		0					
32" Television	10	-2	12			1,200.00	
Sofa		0			2000.00	2,000.00	
Chairs	14	2	12		800.00	350.00	

Area of Study	Useful Life	Estimated remaining Life	Asset Age	2016 Current replacement cost	2015 Current replacement cost	2012 Replacement Cost	Comments
<u>Interior Furnishings - Residence (Cont.)</u>							
Pole Lamp (2) <i>Rusted</i>	0	0			500.00		rusted
Glass Coffee Table	14	-13	27		500.00	500.00	
Dining Room Set (6 pc.)		0			1500.00	1,100.00	
<u>Bedroom Furniture - Master</u>							
King Size Bed (Complete)	14	-13	27			3,600.00	
Six Drawer Dresser/Mirror	14	-13	27			1,400.00	
Four Drawer Night Stands (2)	14	-13	27			1,000.00	
Table Lamps (2)		0			350.00	350.00	
<u>Bedroom Furniture (Guest)</u>							
Queen Size Bed (Complete)	14	-13	27			2,200.00	
Nine Drawer Dresser/Mirror	14	-13	27			1,400.00	
Two Drawer Night Stands (2)	14	-13	27			1,000.00	
Table Lamps (2)		0			350.00	350.00	
<u>Appliances in Clubhouse</u>							
Ice Machine	15	8	7			2,400.00	
Electric Oven	15	14	1			1,800.00	Oven installed on 3/2/15
Electric Cooktop						1,400.00	
Refrigerator	15	6	9			1,400.00	
Dishwasher	15	-12	27	\$1,000.00		850.00	
		0					
<u>Appliances in Residence</u>							
Washer	10	10				800.00	new
Dryer	10	10				800.00	newer
Electric Stove	15	15				1,800.00	new
Refrigerator	8	6	2			1,850.00	new
Dishwasher	8	6	2	\$1,000.00		850.00	new
		0					

Area of Study	Useful Life	Estimated remaining Life	Asset Age	2016 Current replacement cost	2015 Current replacement cost	2012 Replacement Cost	Comments
<u>Tennis Courts</u>		0					
Court Resurfacing	25	22	3			100,000.00	redone in 2012
Wind Screens	15	6	9			5,200.00	
Fencing (744')	20	-7	27	\$23,000.00		25,000.00	
		0					
<u>Landscape Irrigation</u>		0					
Phase 1 Rainbird Clocks (40 Station)	15	4	11			5,000.00	
Phase 2 Rainbird Clocks (40 Station)	15	0	15			11,000.00	
		0					
<u>Lighting</u>		0					25000.00 to install/Adam
Highway Pole Lights (2)	25	12	13			6,063.00	
Street Lighting Phase 1 (21)	25	-1	26			64,764.00	
Street Lighting Phase 2 (8)	25	12	13			24,252.00	
Pole Lights (Parking, Pool & BBQ Area) (19)	25	-1	26			44,034.00	
Pagoda Walkway Lights (18)	15	5	10			3,140.00	
Walkway Lights Phase 2 (20)	15	2	13			12,406.00	
Trellis Lighting (3)	15	10	5			500.00	
		0					
<u>Mechanical Equipment</u>		0					
A/C - Office	12	12				5,700.00	
A/C Residence	12	12				6,700.00	
		0					
<u>Security Systems</u>		0					
Main, Highway & Construction Entry Gates	20	-6	26			4,800.00	
Main, Highway & Construction Entry Gate Operators	10	0	10			5,667.00	
Main Gate Entry Phone	5	-21	26			1,100.00	
Highway Gate Entry Phone	5	4	1			5,600.00	new in 2014
Construction Gate Keypad (2)	5	0	5			530.00	
Security Cameras & Monitor System	6	6				48,000.00	new in 2013
		0					





ASSOCIATION RULES OF PINEAPPLE HILL AT KAPALUA

These Rules are intended to promote harmonious living, to protect all owners, residents, guests and invitees from annoyance and nuisance caused by improper use of Pineapple Hill at Kapalua (hereinafter referred to as the “Residential Property”), and to protect the value, reputation and desirability of the Property. The cooperation of all owners, residents, guests and invitees is required to achieve this goal.

These Rules may be amended by the Board of Directors of the Pineapple Hill at Kapalua Association (the Board of Directors being referred to hereinafter as the “Board” and the Pineapple Hill at Kapalua Association being referred to hereinafter as the “Association”) as provided in the Bylaws of the Association. Certain sections in these Rules have been taken either in whole or in part from the Bylaws of the Association.

The full authority and responsibility of enforcing these Rules may be delegated by the Board to the Managing Agent and/or Resident Manager. All persons on the premises, whether as owners, residents, guests or invitees, shall be bound by these Rules and standards of reasonable conduct.

Violation of these Association Rules will empower the Board, the Managing Agent, the Resident Manager and their agents to:

1. Enter the Lot in which, or as to which, such violation or breach exists and to summarily abate and remove, at the expense of the defaulting Lot Owner, any structure, thing or condition that may exist therein contrary to the intent and meaning of the provisions hereof, and the Board shall not thereby be deemed guilty in any manner of trespass; and/or
2. Enjoin, abate or remedy by appropriate legal proceedings, either by law or in equity, the continuance of any such breach, and all costs thereof, including attorney’s fees, shall be borne by the defaulting Lot Owner.

I. DEFINITIONS

- A. “Owner” or “Lot Owner” means a person owning a Lot or as co-tenant of a Lot an undivided interest in the common areas; provided that to such extent and for such purposes, including exercise of voting rights, as shall be provided by agreement of sale or lease registered under HRS Chapter 501 and/or recorded under HRS Chapter 502, a vendee under an agreement of sale or lessee or sub-lessee of a Lot or interest therein shall be deemed to be the Owner of such Lot.

- B. "Resident" means any person, including an Owner, lawfully occupying a residence for any period of time, including, but not limited to, any person occupying a residence pursuant to the terms of a written or oral sublease.
- C. "Guest" means any person on the premises pursuant to the invitation of a Resident.
- D. "Invitee" means any tradesman, including contractors and sub-contractors, authorized to be on the premises by a Resident.
- E. "Person" means an individual, firm, corporation, partnership or other legal entity.
- F. "Adult" means any Resident over 18 years of age.
- G. "Property" or "Premises" means the entire Pineapple Hill at Kapalua project, consisting of Lots and Common Areas.
- H. "Common Areas" is defined in Section C.6 of the Declaration and means Lot 100 and includes among other items, roadways, pavements, walkways (except within a Lot), all landscaping (except within a Lot not part of an easement in favor of the Association), manager's house, tennis courts, swimming pool, recreation areas, maintenance area, trash areas, as well as common utility facilities.

II. USE

- A. Lots and houses built on Lots shall be used only for residential purposes and shall not be used for any commercial purposes, including but not limited to, practicing a gainful occupation, profession or trade, or for any other non-residential purposes.
- B. No Lot Owner shall enter into any rental pool with other Lot Owners nor enter into any Time-Sharing plans (as defined in Chapter 514E, Hawaii Revised Statutes, as may be amended from time to time).
- C. Rental of Residences
 1. Lot Owners shall have the right to rent or lease their residences subject to the limitations set forth in the Declaration, in the Bylaws of Pineapple Hill at Kapalua, and in any other applicable laws and ordinances. For each rental or lease, the allowable period of occupancy is a minimum of seven (7) consecutive days. Only one rental period shall commence in any calendar month.
 2. A Lot Owner who offers its residence for rent or who intends to offer its residence for rent in the future shall register with the Association office, designating its Lot as a Rental Property.

3. As a requirement of the registration of their homes as Rental Properties, Lot Owners shall provide the name and contact information of at least one person residing on Maui who will be the agent/representative of the Owner, authorized to act on any issues arising out of the rental of the property, including, but not limited to, handling all complaints, concerns, and needs of the property's rental guests.
4. Any Owner who rents their property for less than 180 days must obtain an appropriate County permit allowing such rental use.
5. At least one week prior to a scheduled occupancy of a rental property, the Lot Owner of the property shall provide the Association office with a completed Notice of Occupancy of Rental Property form. Upon receipt of the form, the Association office will arrange to have the gate entry system activated to allow access for the identified occupant upon arrival. For security reasons, in order for the gate entry system to remain activated during the stay, the identified occupant must register at the office by the end of the first business day following their arrival. Office hours are 7:30 a.m. to 4:30 p.m. Monday through Friday.
6. Office registration by an identified occupant will include names of all persons in the identified occupant's group, the location and length of their stay, the identified occupant's status (owner/non-paying guest/renter), information about the identified occupant's vehicle(s), and the identified occupant's contact information while on Maui.
7. The Lot Owner must update its Rental Property registration with the Association before the Association Annual Meeting each year and notify the Association in writing when it ceases to operate its residence as a Rental Property. The Association will remove the Lot from its registered list of Rental Properties one year after the last known use of the residence as a Rental Property.
8. Non-compliance with the Rental Property procedures, or with any other rules, laws, or ordinances, or with the provisions of the Declaration or Bylaws of Pineapple Hill at Kapalua, to the extent that all or any portion of them are applicable to Rental Properties, will result in the imposition of fines against the Lot Owner that can range from \$100 to \$3,000 per day.

This schedule of fines below shall apply to any violation of a) the rule against rentals of less than 180 days unless the Lot Owner has obtained an appropriate County permit that allows such rentals, and b) the rule prohibiting the commencement of more than one rental per month.

- i. First violation: Warning letter by certified mail, return receipt required
- ii. \$1,000 per day for each violation within any monthly period
- iii. \$2,000 per day for each violation during any subsequent period
- iv. \$3,000 per day for violations during any subsequent period (after the \$2,000 fines were imposed)

9. If the Lot Owner violates the once a month rental limit a second time within six (6) months of a first violation, the Association, in addition to assessing the appropriate fine, shall deactivate all access devices assigned to the Owner. An Owner may reactivate its own access device by appearing personally at the Association office and signing a statement a) acknowledging the Association Rules and b) agreeing that if the Owner violates the same rule again within three (3) months of the reactivation of Owner's device the Owner shall relinquish all access devices assigned to the Owner. If there is another violation during this same reactivation period, the Owner shall relinquish all access devices in its possession; Owner's access to the property shall be limited to checking in with the office. Reactivation of any other access devices will only be possible when three (3) consecutive months have elapsed since the deactivation due to a rule violation and the Owner has not violated the once a month rental limit.

III. OCCUPANCY

- A. No more than one (1) family or more than two (2) persons not of the same family (excluding live-in household employees and temporary guests) shall occupy a residence. The term "family" shall mean one or more persons, all related by blood, adoption or marriage. Notwithstanding the foregoing, in no event may the number of occupants in any one residence exceed the maximum number of occupants permitted by any applicable regulations of the Hawaii Board of Health or any other governmental agency.
- B. Lot Owners shall be responsible for the conduct of all persons residing in or visiting their residences. If the Lot Owner is unable to control the conduct of such Persons and/or their Guests so as to conform with the intent and meaning of the provisions of the Declaration, the Bylaws, or these Association Rules, such Owner shall, upon the written request of the Board, Managing Agent or Resident Manager, immediately initiate all such action as may lawfully be taken, including, but not limited to, the initiation of legal action to remove such persons from the premises without compensation for lost rentals or other damages resulting therefrom.

IV. PETS

- A. No livestock, poultry, rabbits or other animals whatsoever shall be allowed or kept in any part of the Property, except dogs, cats, birds and other common household pets of such kind as shall be determined by the Board to be allowed on the Property.
- B. No pets shall be allowed in Common Areas including roads, recreational or landscaped areas of the Property. Pets must always be kept on a leash while being walked.
- C. A Resident with a pet shall be responsible for any and all actions of such pet, including, but not limited to, cleaning up after the pet and for any damage caused by the pet. The Lot Owner shall be responsible for any such damage if not paid for by a tenant in the case of a rental property.

- D. Any pet which causes a nuisance or a disturbance shall, upon written notice by the Board or the Managing Agent, be immediately and permanently removed from the Property by the person keeping such pet and/or the Managing Agent, the Resident Manager, or their agent. Any cost involved in boarding the pet shall be paid by the person keeping such pet.
- E. No visiting pets are permitted.

V. **GENERAL RULES**

- A. The Resident Manager shall not be required to provide access to residences for delivery service, tradesmen or other invitees. A key may be left with security if a signed authorization form has been filed with the Association office.
- B. All refuse or debris must be placed in garbage bags and kept in covered containers in the trash enclosure for the residence and taken to the dumpster at the service entrance to the Property. In no event shall such containers be maintained so as to be visible from neighboring Lots, roads or Common Areas. Large boxes, moving, packing, crating refuse and construction material must be taken to the dumpster. Trash and/or trash bags must be out of view from the street at all times. The Board may arrange for pick up service from each residence on a schedule to be determined by the Board.
- C. No Owner or occupant of a residence shall post any "For Sale" signs or any other realty sign, advertisement, sign, bill poster, or any other sign on or about the Property, including any magnetic signs on vehicles which are clearly visible from the outside. The Board shall establish rules for Open House procedures to include provisions for temporary signs, Open House hours, conduct of real estate brokers and Invitees and any other requirements the Board feels necessary to promote the harmonious environment of the Property, but not to encumber the efforts of those Owners attempting to market their property. Rules and regulations established by the Board shall include any provisions as allowed under the Declaration of Covenants, Conditions & Restrictions of this Property, the KRA Covenants and those established by the Developer.
- D. No solicitation or canvassing will be allowed within the Property without written permission from the Board, except for newspaper delivery personnel.
- E. Maintenance fees and other assessments are due on the 1st of each month. A late charge of \$100.00 shall be assessed on all maintenance fees not received by the 10th of each month. In addition, interest shall be charged on the outstanding balance until paid at the rate specified in the Bylaws. The Managing Agent is instructed by the Board to refer all delinquencies of ninety (90) or more days to the Association's attorney for appropriate action. In such cases, the delinquent Owners are responsible for the payment of attorney's fees and costs as well as the late charges and interest.
- F. All Owners and occupants shall exercise extreme care about causing or permitting noises that may disturb other Owners or occupants.

- G. No Owner or occupant, except as otherwise permitted by this Declaration, shall install or cause to be installed any wiring or other device for electrical or telephone installations, television, antenna, machines, or other equipment or appurtenances on the exterior of the house or protruding through the walls, windows, or roof thereof.
- H. Nothing shall be allowed, done, or kept in any house or Common Areas which will cause any increase in the ordinary premium rates or the cancellation or invalidation of any insurance maintained by or for the Board with respect thereto, nor shall any noxious or offensive activity or nuisance be made or suffered thereon.
- I. No Owner or occupant shall keep on his Lot any campers, recreational vehicles, commercial vehicles, vehicles with signs or insignia painted on or visible from the outside, boats, and other similar vehicles, except in an enclosed garage facility for that purpose. In addition, no commercial vehicles of any nature are permitted to park in the Property overnight.
- J. No motorcycles, motor scooters, mopeds, motorized bicycles or any form of the foregoing shall be permitted anywhere on the Property at any time.
- K. There shall be no camping on any Lot.
- L. No outside clotheslines or other outside clothes drying or airing facilities shall be maintained upon any Lot.
- M. Renovations
 - 1. When an Owner plans any significant type of renovations, including, but not limited to, interior, exterior, pool/spa and landscaping a Plan must be submitted to the Resident Manager to forward to the Design Review Committee (DRC) for review/approval. All Plans shall include a start and completion date for renovation projects. The renovation completion date can be extended for any period of time during which the Owner is actually and necessarily delayed in completing the renovation if said delay is caused by fire, earthquake, Acts of God, the elements, war or civil disturbances, strikes or other labor disturbances, or economic controls making it impossible to obtain the necessary labor or material, or other matters or conditions beyond the control of the Owner and/or Contractor. The Resident Manager must be advised of any changes in Plans or completion date and the change will be submitted to the DRC for review/approval. The sum of One Hundred Dollars (\$100.00) per day shall automatically be assessed against the Owner and/or Contractor by the Association for each day the renovation continues beyond the completion date given in the submitted Plan or any extension period given in this paragraph.
 - 2. Fines of \$1,000 to \$10,000 may be levied by the Board for not getting DRC approval on required projects, for not completing the renovation as approved, or for damaging Common Areas.

VI. RECREATIONAL FACILITIES

A. General Rules

1. Use of all recreational facilities shall be limited to Residents and their Guests. Residents must notify their Guests that there are no attendants provided by the Association and that persons using the swimming pool and tennis courts do so at their own risks.
2. The recreational facilities may be used during such hours as shall from time to time be determined and posted by the Board.
3. There shall be no running, jumping, shouting, ball playing or any loud or boisterous behavior of any kind in the recreational areas. Persons engaged in these activities or any other form of conduct deemed unacceptable by Security or the Resident Manager shall be required to leave the facility. Lot Owners shall be responsible for the conduct of and adherence to the rules by their Guests.
4. Pets are not allowed in the recreational areas at any time.
5. No radios, stereos or other audio equipment or devices shall be allowed in the recreation area unless used with earphones or similar sound restricting device.

B. Party Pavilion

1. The facility shall be under the immediate supervision of the Resident Manager and/or Managing Agent. Hours of use shall be 8:00 a.m. to 10:00 p.m.
2. The facility shall not be used for profit making purposes or commercial activity.
3. Private parties, meetings and other similar functions shall be allowed. Reservations may be made with the Association office. The Pavilion may be used on Holidays, with preference to all community events. Reservations will not be accepted more than two (2) months prior to the requested date. A \$500 deposit will be required for any event held where more than twenty (20) people are expected to attend. If the Pavilion is returned in the same condition as before the event, the deposit will be immediately returned or voided.
4. Owners are responsible for any damage to the facility and for compliance with all rules and regulations. If necessary, the Association will bill Owners for any damage to the facility or extra cleaning required after its use. Only Owners may make reservations for private parties, meetings or other functions. An Owner must be present at all functions.
5. No furniture is to be removed from the Pavilion building.

6. Decoration of the Pavilion and/or pool area shall be subject to approval by the Resident Manager prior to the date of the function. The party sponsor must remove decorations and clean the Pavilion and/or pool area by 11:00 a.m. the day following the event.

C. Swimming Pool

1. Swimming pool hours shall be from 8:00 a.m. to 9:00 p.m. and there shall be no swimming while the pool is being cleaned.
2. Children under the age of fourteen (14) shall not be permitted in the swimming pool or swimming pool area unless accompanied by a responsible adult Resident.
3. Bathers must shower before entering the swimming pool.
4. No floatation gear or toys are permitted in the swimming pool or swimming pool area. Masks, snorkels and goggles are permitted, but swim fins are not permitted. Flotation gear does not include safety devices such as water wings or life preserver vests or rings worn by persons who cannot swim or are not strong swimmers.
5. All persons using the swimming pool, including children, shall wear bathing suits. No children wearing diapers shall be allowed in the swimming pool. Hairpins, bobby pins and curlers can clog and mar the pool and must be removed before swimming.
6. The safety equipment of the swimming pool area shall not be used for any purpose other than for its intended use.
7. Pool furniture shall not be removed from the swimming pool area. Standing or walking on pool furniture is prohibited.
8. Glassware and other breakable items are prohibited in the pool area. However, non-breakable containers are permitted four (4) or more feet from the swimming pool.
9. No one shall interfere in any manner with the swimming pool apparatus or plumbing devices.
10. No person with a bandage or open wound of any type may use the swimming pool.
11. No lifeguard will be on duty. Persons using the swimming pool do so at their own risk.
12. All suntan oil and creams must be removed from the body and swimming attire before entering the swimming pool.
13. No "horseplay" is allowed in the swimming pool area.

14. The swimming pool and recreation areas are intended for the use of Residents/Owners and Guests will be permitted only to the extent that Residents are not inconvenienced.
15. Residents and Guests shall keep the area clean and free of litter.

D. Tennis Courts

1. Hours of play shall be from 8:00 a.m. to dark.
2. Use of the courts will be on a first-come, first-serve basis.
3. Only non-marring tennis shoes will be permitted on the tennis courts.
4. The tennis courts may be used for playing tennis only.
5. Children under the age of fourteen (14) may not use the tennis courts unless accompanied by a responsible adult Resident.
6. All persons using the tennis courts do so at their own risk.

E. Parking and Miscellaneous Vehicles

1. Vehicles must be parked in marked stalls, if parked on roads or other Common Areas.
2. Vehicles which are parked in violation of parking regulations will be towed away at the vehicle owner's expense.
3. The use of skates and/or skateboards and playing on the roadways is prohibited. Surfboards and bicycles must be stored out of view from any other Lot, road or Common Areas.
4. The speed limit on all roads shall not exceed ten (10) MPH. Non-motorized bicyclists shall always follow standard traffic rules.

END OF DOCUMENT



**Specific Rules for
Housecleaning Services at Pineapple Hill**

- Working hours are from **7:30 am until 5:00 pm**, Monday – Friday, and are strictly enforced. No one is allowed through the gate before 7:30 am and must be out of the gate by 5:00 pm. If a special occasion arises when these hours need to be adjusted, contact the office (669.4800). It will be evaluated on a must-need basis and ability to come early or stay later, may or may not be approved.
 - There will be no operation of outdoor machinery of any kind before **8:00am** on any day.
 - There is no tailgating behind cars into Pineapple Hill. This will be strictly enforced. You must wait and swipe the card you are given, for our records.
 - Please inform the office of all hired individuals coming into Pineapple Hill **if** you want the office to let them through the gate. Otherwise, it is up to the primary housecleaner to let them in. Hired individuals must know the address and Owners name to be allowed through the gates. (Under **no** circumstances will they be allowed to tailgate through the gate.)
 - There will be no entering Pineapple Hill through the exit gates. If there are problems with the gates please call the office (669.4800) or dial 000 (3 zeros) on the gate keypad.
 - The speed limit within Pineapple Hill is 10 mph and will be enforced. **Please slow down.**
 - At no time will garbage, green waste or any other items **from outside** Pineapple Hill, be placed into or by the dumpsters or bins at Pineapple Hill. Please, place items in the correct bins. No plastic bags are allowed in the green waste dumpster, empty them first and then throw away in the regular dumpsters. Please break down cardboard and place in the cardboard recycling bin. **There are cameras at the gates and refuge area – We are watching.**
 - Parking will be in designated stalls or whenever possible in appropriate driveways. If you need to park on the street please park as far over without parking on the grass. Absolutely no parking in vacant lots.
 - Radio or any sound devices are not to be used except with headphones, ear buds or something similar. Please inform your hired personnel
 - No Pets are allowed to be brought into Pineapple Hill. Even if they are kept inside the bed or the cab of truck or automobile.
 - Profane language will not be tolerated.
 - Motorcycles, mopeds, skateboards, skates and rollerblades are not allowed at Pineapple Hill.
 - If needed there is a Portable Toilet located in the refuge area for your use. Please do not use the Pool Pavilion bathrooms.
- ☆ **All Contractors, sub-contractors and service personnel are the responsibility of the home owner, who will be notified in case of any problems mentioned above or at the discretion of the Pineapple Hill HOA Board or Resident Manager.**



**Specific Rules for
Landscaping Crews at Pineapple Hill**

As consideration for the right to access Pineapple Hill the persons or company listed here agree to be bound by the following:

- Working hours are from **7:30 am until 5:00 pm**, Monday – Friday, and are strictly enforced. No one is allowed through the gate before 7:30 am and must be **out of the gate by 5:00 pm**. If a special occasion arises when these hours need to be adjusted, contact the office (669.4800). It will be evaluated on a must-need basis and ability to come early or stay later may or may not be approved.
- There is **no** working at Pineapple Hill on Saturday and Sunday or identified National Holidays.
- There will be no operation of machinery of any kind before **8:00am** on any day.
- There is no tailgating behind cars into Pineapple Hill. This will be strictly enforced. You **must** swipe your card before entering, for our records.
- Landscapers who pull a trailer must take special care driving through Pineapple Hill. Any damage to Pineapple Hill property or landscaping will be the landscaper's responsibility to fix or replace.
- There will be no entering Pineapple Hill through the exit gates. If there are problems with the gates please call the office (669.4800) or dial 000 (3 zeros) on the gate keypad.
- The speed limit within Pineapple Hill is 10 mph and will be enforced. ***Please slow down.***
- At no time will garbage, green waste or any other items from outside Pineapple Hill, be placed into or by the dumpsters or bins at Pineapple Hill. **There are cameras at the gates and refuge area, we are watching.**
- All trees, plants, palm or other cut material must be hauled to the refuse area. Nothing can be left in the landscape easements, common areas or in the gulch between Phase 1 and 2.
- Please, place items in the correct bins. No plastic bags are allowed in the green waste dumpster, empty them first and then throw away in the regular dumpsters.
- Parking will be in designated stalls or whenever possible in appropriate driveways. If you need to park on the street please park as far over **without** parking on the grass. Absolutely no parking in vacant lots.
- Radio or any sound devices are not to be used except with headphones, ear buds or something similar.
- No Pets are allowed to be brought into Pineapple Hill, even if they are kept inside the bed or the cab of truck or automobile.
- Profane language will not be tolerated.
- Motorcycles, mopeds, skateboards, skates and rollerblades are not allowed on property.
- There is a Portable Toilet located in the refuge area for your use. Please do not use the Pool Pavilion bathrooms.

☆ **All Contractors, sub-contractors and service personnel are the responsibility of the home owner, who will be notified in case of any problems mentioned above or at the discretion of the Pineapple Hill HOA Board or Resident Manager.**



**Specific Rules for
Home Management/Maintenance Companies at Pineapple Hill**

- Working hours are from **7:30 am until 5:00 pm**, Monday – Friday, and are strictly enforced. No one is allowed through the gate before 7:30 am and must be out of the gate by 5:00 pm. If a special occasion arises when these hours need to be adjusted, contact the office (669.4800). It will be evaluated on a must-need basis and ability to come early or stay later, may or may not be approved.
 - There will be no operation of outdoor machinery of any kind before **8:00am** on any day.
 - Please inform the office of all hired contractors coming into Pineapple Hill **if you want the office to let them through the gate**. Otherwise, it is up to the Home Manager to let them in. (Under **no** circumstances will they be allowed to tailgate through the gate.)
 - There is no tailgating behind cars into Pineapple Hill. This will be strictly enforced. You must wait and swipe the card you are given, for our records.
 - There will be no entering Pineapple Hill through the exit gates. If there are problems with the gates please call the office (669.4800) or dial 000 (3 zeros) on the gate keypad.
 - The speed limit within Pineapple Hill is 10 mph and will be enforced. **Please slow down.**
 - At no time will garbage, green waste or any other items **from outside** Pineapple Hill, be placed into or by the dumpsters or bins at Pineapple Hill. Please, place items in the correct bins. No plastic bags are allowed in the green waste dumpster, empty them first and then throw away in the regular dumpsters. Please break down cardboard and place in the cardboard recycling bin. **There are cameras at the gates and refuge area – We are watching.**
 - Parking will be in designated stalls or whenever possible in appropriate driveways. If you need to park on the street please park as far over without parking on the grass. Absolutely no parking in vacant lots.
 - Radio or any sound devices are not to be used except with headphones, ear buds or something similar. Please inform your contractors.
 - No Pets are allowed to be brought into Pineapple Hill. Even if they are kept inside the bed or the cab of truck or automobile.
 - Profane language will not be tolerated.
 - Motorcycles, mopeds, skateboards, skates and rollerblades are not allowed on property.
 - If needed there is a Portable Toilet located in the refuge area for your use. Please do not use the Pool Pavilion bathrooms.
- ☆ **All Contractors, sub-contractors and service personnel are the responsibility of the home owner, who will be notified in case of any problems mentioned above or at the discretion of the Pineapple Hill HOA Board or Resident Manager.**

Design Review Deposit and Fine Guidelines

Interior Only Renovations/Repairs: \$50,000 or less

No Deposit

- *Send the office a list of the changes and/or repairs including any color and material changes.*
- *Any demolition will require a separate dumpster*
- *Any stone work*
- *Any changes in exterior doors or windows*
- *Contractor who will be doing the work (for gate access)*
- *Start and finish dates*

Interior Only Renovations/Repairs: Over \$50,000

\$1500.00 Deposit

- *Send the office a list of the changes and/or repairs including any color and material changes*
- *Any demolition will require a separate dumpster*
- *Also list what will be replaced including cabinets/appliances/fixtures*
- *Any stone or cement work*
- *Any changes in exterior doors or windows*
- *Contractor who will be doing the work (for gate access)*
- *Start and finish dates*

Exterior Renovations and Repairs: \$50,000 or less

DRC will set deposit-if any

- *Send the office a list of the changes and/or repairs including any color and material changes.*
- *Any demolition will require a separate dumpster*
- *Any stone work*
- *Any changes in exterior doors or windows*
- *Repainting or changes in paint color*
- *Any landscaping changes, especially planting of trees*
- *Contractor who will be doing the work (for gate access)*
- *Start and finish dates*

Exterior Renovations and Repairs: \$50,000 to \$249,999

\$1500.00 Deposit

- *Send the office a list of the changes and/or repairs including any color and material changes.*
- *Any demolition will require a separate dumpster*
- *Any stone work*
- *Repainting or changes in paint color*
- *Any landscaping changes, especially planting of trees*
- *Contractor who will be doing the work (for gate access)*
- *Start and finish dates*

Exterior Renovations, Repairs and Remodels: Over \$250,000

\$5000.00 Deposit

- *Send the office a list of the changes and/or repairs including any color and material changes.*
- *Any demolition will require a separate dumpster*
- *3 copies of any architectural drawings.*
- *Any stone work*
- *Repainting or changes in paint color*
- *Any landscaping changes, especially planting of trees*
- *Contractor who will be doing the work (for gate access)*
- *Start and finish dates*
-

Fines of \$1,000 to \$10,000 may be levied for not getting DRC approval on required projects, or for not completing project as approved.

PINEAPPLE HILL CONSTRUCTION RULES

Pre-Construction Conference

Prior to commencing construction, the Contractor must meet with a representative of the Pineapple Hill at Kapalua Owners' Association to review construction procedures and rules and to coordinate activities in Pineapple Hill.

Notice to Contractors

Each Owner shall provide the Design Review Committee and the Pineapple Hill at Kapalua Owners' Association with names of the Contractor, and any other person or entity that will be performing construction work on the lot (herein collectively referred to as "Contractor"). Each Owner shall be responsible for the conduct of his Contractors, and for seeing that his Contractors are aware of the provisions in these Design and Construction Rules and in the CC&Rs, the KRA Covenants, and any Design Review Committee Rules and Association Rules. Upon request, a representative of the Pineapple Hill at Kapalua Owners' Association will meet with the Contractors at a mutually convenient time to review the pertinent and applicable provisions and procedures.

Licensed Contractor

All buildings and structures within the Project shall be constructed by Contractors properly licensed by the State of Hawaii. Each Contractor shall provide proof of licensing, sufficient liability insurance, workers compensation insurance in accordance with the laws of the State of Hawaii.

Work Hours

The maximum hours allowed for construction personnel to work on the jobsite will be from 7:30 a.m. to 5:00 p.m., Monday through Friday. Workman must be off the property by 5:00 p.m. each day. No construction work will be performed on Saturdays, Sundays and the following National holidays: New Years Day, Martin Luther King Jr. Day, Presidents' Day, Memorial day, Independence Day, Labor day, Columbus Day, Thanksgiving Day, and Christmas Day. No machinery can be operated before 8:00 a.m. on any day. Contractors, Sub-contractors and their employees are not permitted in the Project during non-working hours.

Noise Control

All construction noise shall be minimized by the Owner and his Contractor by regulating work hours, prohibiting loud radios, stereos or tape recorders, using muffled pneumatic and internal combustion equipment, and complying with all applicable governmental regulations.

Vehicles

Loud vehicles and speeding are not permitted within Pineapple Hill. All construction vehicles must park on the job site lot. There shall be no on-street parking of any construction related

vehicles unless approved by Pineapple Hill at Kapalua Owners' Association. Only designated alternate off-site parking provided in an area specified by Kapalua Land Company, Ltd. will be used by contractor and workman if parking on the construction site is not sufficient. All construction personnel working in Phase 2 must enter the property using the construction gate entrance off of Honoapiilani Highway.

Signs

During construction, a 2' by 3' sign identifying the Contractor and Architect shall be erected within the Lot, no closer than ten (10) feet from the edge of the roadway fronting the lot. All required permits shall be posted on the rear of such sign before construction may begin or materials delivered. No other signs may be erected or posted on the lot, unless approved by the Pineapple Hill at Kapalua Owners' Association.

Construction Trailers, Portable Field Office, Etc.

Any Owner or Contractor who desires to bring a construction trailer or field office to Pineapple Hill shall first apply for and obtain written approval from the Pineapple Hill at Kapalua Owners' Association. The Pineapple Hill at Kapalua Owners' Association will work with the Owner or Contractor to determine the best possible location therefore. Such temporary structures shall be located only in the location approved by the Pineapple Hill at Kapalua Owners' Association and shall be promptly removed upon completion of construction. No such structure shall be used as living quarters.

Portable Toilet

A portable toilet in full operating condition must be maintained on the Lot at all times during construction, and serviced in accordance with applicable Department of Health rules and regulations. It must be placed at least twenty-five (25) feet from any roadway in an inconspicuous location with the door facing away from the road.

Commercial Dumpster

A commercial dumpster shall be placed on each Lot during construction, and emptied as necessary. All trash and debris shall be placed in the dumpster at the end of each day. No trash shall be strewn about the Lot or piled openly. Windblown debris shall be removed immediately from other lots and common areas.

Trash and Debris

All reasonable efforts shall be made to maintain the Lot in a clean, tidy and orderly manner at all times. Trash and debris shall be loaded onto trucks carefully to prevent same from spilling out or blowing off in transportation. The Owner will be responsible for seeing that his Contractor complied with Section 291C-131 "Spilled Loads on Highways," Hawaii Revised Statutes and any similar ordinance that may be adopted by the County of Maui.

Temporary Utilities

Temporary utilities shall be installed in a neat and safe manner. The temporary power pole, if any, must be installed vertically, and secure. The use of common water and electric sources is prohibited.

Driveways and Parking

Before construction begins, owner/contractor must install a protective sleeve around the main irrigation line that parallels the street where the entry driveway will be located. Contractor shall immediately build a minimum 20' X 20' stabilized construction entrance, clear and gravel a driveway and a parking area for workers on the property. All mud and gravel tracked off the lot on tires or washed off by rain shall be removed immediately.

Inlet Protection

All storm drain inlets on the property and those offsite that may receive runoff from the site shall be protected with an inlet protection device.

Dirt Piles

Stockpiles shall not be located in drainage ways or other areas of concentrated flow. During periods of wet weather stockpiles shall be stabilized. Stockpiles shall be covered in plastic when not in use. Sediment trapping devices such as fences, traps, basins or barriers shall be used around the base of all stockpiles.

Erosion and Dust Control

Each Owner and its Contractor shall take all adequate and reasonable precautions during the construction of improvements (including but not limited to, perimeter dust fences and watering) to control dust and erosion. Drainage Control Features are to be completed early in construction. All streets must be kept clear of mud and debris. The Committee may require specific measures to be followed by each Owner or its Contractor on a case-by-case basis. Dust control must comply with Hawaii Administrative Rules, Chapter 11-60 "Air Pollution Control".

Surface drainage shall not drain onto adjacent lots except as established by natural or existing drainage patterns.

Material

All construction material must be kept within the Lot. Materials shall be stored in a neat and orderly manner. Temporary storage structures are not permitted.

Blasting

The time and location for blasting by a Contractor must be approved by the Design Review Committee. The Contractor must submit a request for blasting approval at least one week prior to intended time of blasting.

Use of Other Lots

The use of other Lots for access or storage of material, without the written approval of the Owner of the Lot, is strictly prohibited. The Owner shall provide the Design Review Committee and the Pineapple Hill at Kapalua Owners' Association with a copy of the written approval prior to use of any additional Lot. Once construction is completed it is the responsibility of the Contractor to restore the storage lot to its original condition prior to use.

Periodic Inspections

All construction shall be subject to periodic inspections by the Design Review Committee to determine if construction of the buildings and any ancillary structures are in compliance and conformity with the Working Drawings approved by the Design Review Committee. Three (3) field inspections will be conducted on every residence under construction. The first required inspection shall occur at the time the foundation is completed. The Contractor shall notify the Design Review Committee upon completion of the foundation and the inspection shall be conducted to ensure conformance with the approved drawings as to the location of the structure on the individual home site. The second inspection shall occur upon notification by the Contractor of the substantial completion of the exterior of the residence. The third inspection shall be conducted after the completion of the home and installation of landscaping and irrigation system.

Damage to Other Lots or Common Elements

If the Owner, his Contractor, any subcontractor, or any person or entity directly or indirectly involved with the construction of his Residence, directly or indirectly damages or injures any portion of the Common Elements or any other Lot in the Project, including any improvements thereon, the Owner shall be responsible for repairing such damage or injury if his Contractor, subcontractor, or any other person fails to make such repairs.

Miscellaneous and General Practices

All Owners shall be responsible for the conduct and behavior of their agents, representatives, Contractors, and subcontractors at Pineapple Hill. The following practices are prohibited at Pineapple Hill.

- (a) Mechanical repairs to any vehicle or equipment, including changing oil on the site itself.
- (b) Allowing concrete suppliers and Contractors to clean their trucks, tools or equipment.
- (c) No firearms of any type, alcoholic beverages or illegal drugs shall be allowed on the Project.
- (d) Using disposal methods or units other than those approved by the Pineapple Hill at Kapalua Owners' Association.

- (e) Careless disposal of cigarettes and other flammable material. At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.
- (f) Use or transit over the golf course.
- (g) During construction, no pets shall be allowed on the Project or allowed to roam at will throughout Pineapple Hill. In the event of any violation herein, the Pineapple Hill at Kapalua Owners' Association, or Declarant or any Owner shall have the right to impound the pets, or to refuse to permit such Contractor or Subcontractor to continue work on Pineapple Hill property, or to take such other action as may be permitted by law, the Design and Construction Rules, or the Declaration.
- (h) Any illegal activity.

Enforcement

A representative of the Pineapple Hill at Kapalua Owners' Association may levy fines against the Contractor for violation of the Construction Rules and the governing documents of the Pineapple Hill at Kapalua Owners' Association. A violation will be considered a separate offence for each and every day the violation is permitted to remain uncorrected. Fines will be deducted from the refundable construction deposit. Violations shall be as follows:

First Offense	Written warning to owner
Second Offense	\$100.00 assessment to owner
Third Notice	\$500.00 assessment to owner
Fourth Notice	\$1,000.00 assessment to owner and contractor removed from approved list

Acknowledgement

The undersigned contractor acknowledges receipt of the Pineapple Hill Construction Rules and fully understands that he is solely responsible for compliance with the rules by his employees, sub-contractors, material supplier and delivery people.

Contractor:

Company: _____

By: _____

Title: _____

Date: _____

Pineapple Hill at Kapalua Owners' Association

By: _____

Title: _____

Date: _____

PINEAPPLE HILL AT KAPALUA
SCHEDULE OF VIOLATIONS AND PENALTIES

<u>Violation</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>	<u>Additional Offenses</u>
Construction Vehicles parked on street	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Playing radios or loud music on construction site	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Profane language by work crews	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Speeding (in excess of 15mph)	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Improper disposal of trash	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Working, or on site, before or after hours 7:30am to 5pm, Monday thru Friday	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Working when property is closed to construction weekends & Holidays	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Operating loud equipment before 8am	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Trespassing on adjacent properties	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list
Use of alcohol or controlled substances on work site	Written warning to Owner & Contractor	\$100 Assessment to owner	\$500 Assessment to owner	\$1,000 Assessment to owner, Contractor removed from approved list

Pineapple Hill At Kapalua Owners' Association

Notice of Violation

Date _____ Time _____

Lot _____ Address _____

Owner's Name _____

Contractor's Name _____

Violation _____

____ Warning

____ Fine # _____ Amount _____

____ Hand delivered To _____

____ Posted _____

____ Photo Record

By _____

Sign _____

Homeowners Association is not incorporated

AOAO does not provide Form RR105C