

**ASSOCIATION OF APARTMENT OWNERS OF  
KAI MAKANI  
INAUGURAL MEETING  
Monday, September 17, 2007**

**DIRECTORS PRESENT:** Richard Marcus, President.

**DIRECTORS ABSENT:** Brian Thorsen, Vice President/Treasurer/Secretary.

**OTHERS PRESENT:** Mark Michelson, AOA Site Manager;  
Hawaiiana Management Company – Debra Adams, Management  
Executive; Bill Dix, Management Executive, Sheri Paet, Tally  
Clerk/Recording Secretary, Greg Latimer, Coldwell Banker and  
Adam Durante, Armstrong Builders.

**OWNERS PRESENT:** Registered with Hawaiiana Management Company.

**ESTABLISHMENT OF QUORUM:**

The Bylaws of Kai Makani specify that a quorum exists when there is present at any meeting, in person or by proxy, a majority of apartment owners. The term “majority of apartment owners” means the owners of the apartments to which belong more than 50% of the common interest as established by the Declaration. *Owners comprising 78.88% of the common interest are present in person or represented by proxy, thus constituting a quorum.*

**CALL TO ORDER:**

Management Executive Bill Dix called the Inaugural Meeting of the Association of Apartment Owners of Kai Makani to order on Monday, September 17, 2007 at 6:00 P.M. HST at the Southpointe at Waiakoa – Recreation Center, 480 Kenolio Rd., Kihei, Maui, Hawaii.

**CERTIFICATION OF MAILING:**

Mr. Dix certified that a notice of this Inaugural Meeting was sent to all owners of record on August 31, 2007. A copy of this notice will be made a part of the Inaugural Meeting file.

**INTRODUCTIONS:**

Management Executive Bill Dix welcomed everyone to the meeting and introduced Board members and the management team.

**PARLIAMENTARY AUTHORITY:**

Roberts Rules of Order Newly Revised will be the governing authority for this meeting in any instances not covered by the Association Bylaws or Hawaii Revised Statute 514B.

**ELECTION OF DIRECTORS:**

Section 2 of Article 4 of the project Bylaws specifies that the affairs of the Association shall be conducted and managed by a Board of Directors. The Board of Directors shall initially be constituted of five (5) persons. This number may be changed from time to time by vote of the

Association provided that the number of directors shall at no time be less than five (5). Each Director shall be an owner, the fiduciary or officers of corporate fiduciaries. The partners in a general partnership, the general partner of a limited partnership and the members of a limited liability company shall be deemed to be owners of an apartment for this purpose. '

There are five (5) vacancies to be filled on the Board of Directors. The term of office of the two (2) members of the Board receiving the greatest number of votes shall be fixed at three (3) years; the term of office of the member of the Board receiving the third and fourth greatest numbers of votes shall be fixed at two (2) years; and the term of office of the member of the Board receiving the next greatest number of votes shall be fixed at one (1) year. After the expiration of the term of office of each of the initial members, each successor member of the Board shall be elected to serve for a term of two (2) years. Election of Directors shall be by cumulative voting and by secret ballot.

The following eligible individuals have stated their desire to run for the Board:

1. Amanda Taulere
2. Marc Antosch
3. Gwendolene Clark
4. Richard Marcus
5. Paul Dunn

Mr. Dix called for nominations from the floor.

1. Lisa Bickerstaff
2. Dan Bardenhagen
3. Jim Herfurth

All candidates provided a brief synopsis of their background.

#### **INSPECTIONS OF ELECTION:**

Joy Brann, Unit#E201, volunteered to serve as the Inspector of the Election. Hawaiiana personnel tallied the votes.

*The meeting was recessed at 6:33p.m. for voting purposes.*

*The meeting was reconvened at 6:46 p.m.*

**NEW BUSINESS:**

**Resolution on Assessments:**

**Motion:**      *Resolved, by the owners of Kai Makani, that the amount by which members' assessment in 2007 exceed the total expenses of the Association for the purpose of managing, operating, maintaining and replacing the common elements of the Association, shall be applied against 2008 Operating Expenses.  
(Crowley, 29/Elam, 12)*

**CARRIED** unanimously.

**RESULTS OF ELECTION:**

The newly elected Directors are:

1. Paul Dunn (three-year term)
2. Dan Bardenhagen (three-year term)
3. Richard Marcus (two-year term)
4. Jim Herfurth (two-year term)
5. Marc Antosch (one-year term)

**ADJOURNMENT:**

The meeting was adjourned by unanimous consent at 6:57p.m.

Respectfully submitted,

*Sheri Paet*

Sheri Paet  
Recording Secretary