



MAKAHA VALLEY TOWERS

NEWSLETTER

Living and Working Together

April 2010

ANNUAL ASSOCIATION MEETING

One new member, Susan Gorgorian, was elected, and Fred Weick and Ted Pond were re-elected, to the Board of Directors at the Annual Association Meeting held on Saturday, the 20th of February.

Your MVT Board of Directors:

Fred Weick – President
Ted Pond – Vice President
Sue Chapman – Secretary
Mick Rasmussen – Treasurer
A.J. Berndt
Mike D'Angelo
Michael Targgart
Susan Gorgorian
Lynn Hawkins

MVT 2010 BOARD YEAR COMMITTEES

Budget and Investment - Chairperson Mick Rasmussen - Oversee investments of Association funds and prepare annual operating and reserve budgets for approval by the Board, along with a schedule of future reserve expenditures.

Building, Equipment and Grounds Chairperson - A.J. Berndt - Evaluate condition of MVT physical plant (buildings, walkways, etc.) Analyze performance of MVT operating systems (air conditioning, elevators, etc.) and of stand-alone equipment (motor

vehicles, e.g.) and make recommendations regarding additional or replacement operating systems or equipment and grounds (landscaping, roadways and curbs, etc.) and submit recommendations for any additions, alterations or repairs that may be necessary or desirable.

Governing Documents Chairperson - Lynn Hawkins – Monitor Association related legislation and determine impact of any amendments to the MVT. Monitor new federal, state or local laws, regulations or court decisions and update MVT documents as necessary.

Energy-Costs Reduction Committee Chairperson - Ted Pond– Research and analyze programs and systems that could reduce MVT energy costs, and make recommendations that if effectuated will likely result in a reduction of overall operating costs for the MVT complex.

YOUR BOARD LISTENS!

After feedback from owners at the Annual Meeting, the Board of Directors at their March 19th Board meeting approved to extend the swimming pool hours to 8:00 PM daily. The pool will be monitored by Security for safety reasons.

BOARD MEETING

The last meeting of the Board of Directors was Friday, March 19, 2010. The following topics were addressed:

HOUSE RULES AND BOARD POLICY

Please become familiar with our amended House Rule 4.05 Deposits (parking permits), House Rule 2.04 Hours (extended pool hours), and Board Policy 4-05 Secondary Vehicle parking. All document changes are attached.

HOUSE RULE REMINDERS

No Smoking

No Smoking signs have been posted for all the upper lobby trash ramp and adjacent areas. Please do not discard your cigarette butts in any common areas e.g. walkways, roadways, landscape areas, etc.

Trash Rooms

Please recycle your glass bottles, aluminum cans and plastic bottles by using the recycle bins located in the Upper Lobby Trash Rooms.

All large cartons and boxes must be flattened and placed in the lower lobbies.

Residents are responsible for the disposal of large items, such as furniture, appliances, or fixtures. All trash must be securely wrapped in paper or plastic bags. Do not dispose of raw garbage or force overstuffed trash bags down the trash chute.

Loud Vehicles

We have been receiving numerous complaints of loud vehicles on the property. If your vehicle emits unreasonably loud sounds you will receive a violation notice which may lead to a fine.

Loud sounds include but are not necessarily limited to those caused by improperly or non-muffled exhaust, unnecessary horn blowing and loud stereo/radio.

Birds

There have been numerous reports of birds, particularly pigeons, creating quite a mess on apartment lanais. Why, we ask? Because, according to the Hawaiian Humane Society,

birds are creatures of habit and will continue to roost and multiply within the same nest if they are fed, and that's the problem. Residents, guests and sometimes even visitors are feeding the birds!

The equation is simple: More food = more birds = more baby birds. Our caring nature is what makes us do it. We enjoy the nurturing feeling we get by feeding them, but food from an unnatural source may actually harm the birds. If you love birds then don't feed them unnatural food. In fact, pigeons, doves and sparrows need a wide variety of foods for a healthy diet. Feeding them food like rice, seeds or bread may contribute to vitamin deficiencies and they become sick which creates another health problem.

In addition, feeding causes over population and over population causes problems by spreading disease, creating odors, defacing property and harming the environment. There is plenty of food in the environment for birds. They won't starve in Hawaii, and they do not need people to feed them.

So for the benefit of all (birds and humans) do not feed the birds!

The fine if caught is \$100.00.

ELECTRICITY

The Public Utilities Commission (PUC) approved a 1%, rate increase, or \$12.7 million in revenues, which was implemented on February 20, 2010. The new 110-megawatt generating station, to be fueled by renewable biodiesel, represents a significant step towards reducing Hawaii's dependence on fossil fuels. A contract for biodiesel supply is pending with the PUC. In the meantime, the new generating unit will be used to help meet Oahu's energy needs during peak periods.

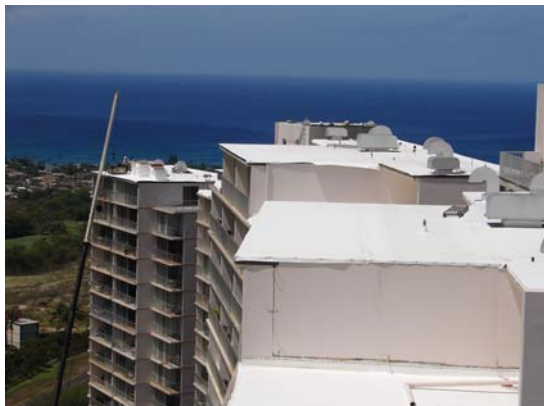
SOLAR ENERGY UPDATE

The Board of Directors is having an in house meeting with a solar energy firm in early April. Presently there are many changes taking place

in the solar energy field. We will continue to keep all informed of any progress.

RE-ROOFING PROJECT

The Re-roofing Project started on February 24th. The term of the contract is for 100 days, however the contractor, Certified Construction, Inc., is approximately 30 days ahead of schedule and anticipates (weather permitting) that they will be completed by April 30th.



LEAVING US AGAIN?

As many of you make preparations to leave again for an extended time, a few reminders are in order for you as well as for those who are here year-round.

- Turn off your five stop valves if leaving for more than a few days. There are two under the kitchen sink, two under the bathroom sink, and one for the toilet. Murphy is alive and well, and his law states that if you are to

have a water leak, it is likely to happen while you are not there to stop it.

- While you are down on your knees checking those valves, it's a good time to take note of any problems. If the valves are hard to turn, consider having them replaced by a licensed plumber. When the valves are replaced, it's wise to also replace the supply tubing from the valve up to the fixture at the same time.
- Replace the battery in your smoke alarm. This should be done annually.
- Arrange for a caretaker to check your apartment at least monthly, if not more often, while you are away. This could prevent major heartache by finding a problem, such as a water leak, shortly after it starts rather than allowing it to continue and cause more damage.
- What should a caretaker check? We suggest...
 - Turn on each of the five stop valves and run the water at the two faucets for a short time, and flush the toilet. Also run the water in the bathtub for a short time. This keeps water in the drain traps, and allows the seals to be kept moist. Check for any leaks, then turn the five stop valves back off.
 - Check the dressing room area for any signs of leaks from the air conditioner. Report any problems to our office. Board of Directors Policy 3-02 states that owners are liable for the costs of repairing any damages resulting from unreported air conditioning system malfunctions or leaks.
 - Check the bathroom and kitchen area ceilings for any signs of water leaks from apartments above.

FINALLY

The next meeting of the Board of Directors will be held on Friday, May 21, 2010 at 9:00 AM at the Makaha Resort Makua Room.

2.03 **Special Conditions.** The MVT AOA will not be responsible for the theft, loss, destruction or damage of any personal articles or materials left in any recreation or other common area. The AOA will not be liable for any personal injury not caused by MVT personnel or defective MVT facilities or equipment.

2.04 **Hours.** The hours of operation for the recreation areas stated below denote the opening times at which users are allowed to enter the areas and the closing times by which the areas must be vacated.

Barbecue Area – The barbecue area will be open every day from 10:00 a.m. until 9:00 p.m. except on Christmas Eve, when it will be open from 10:00 a.m. until 10:00 p.m., and on New Years Eve, when it will be open from 10:00 a.m. until 1:00 a.m. on New Years Day.

Residents' Work Space - Upon request to the security gate this space may be used every day from 9:00 a.m. until 5:00 p.m.

Ryder Room - This facility will be open every day from 9:00 a.m. until 9:00 p.m.

Swimming Pool - The pool area will be open every day from 8:00 a.m. until 8:00 p.m. Revised 19 March 2010

2.05 **Attire.** Other than while in the swimming pool, no special attire beyond regular “street wear” is required in the recreation areas. Street clothes or gym shorts are not allowed in the pool. Only garments designed as swimwear are acceptable attire while in the pool although white tee shirts may be worn over a swimsuit. Infants and persons who may be incontinent must wear clean waterproof diapers or other leakproof protective clothing while in the pool.

2.06 **Conduct.** Participants at any activity in the recreation areas shall not engage in overly rowdy, unruly or excessively crude behavior. In the swimming pool area especially, offensive behavior will not be tolerated. This includes but is not necessarily limited to the use of foul language or lewd gestures, running, scuffling with or pushing or splashing water on others, and jumping or diving into the pool.

2.07 **Sound Levels.** Unless prior arrangement is made with the Manager’s Office, the playing of musical instruments or unmuted audio devices is prohibited in the recreation areas. Unless such arrangement is made, no radios, music players of any type, or television may be used in the areas unless equipped with earphones that only the possessor of the device can hear.

The sound of any musical instrument or audio device permitted at an activity by prior arrangement with the Manager’s Office shall be kept at a reasonable level so that the disturbance of others not participating in the activity will be minimized. Debates, conversations or discussions, and singing shall likewise generally be kept at a level that will minimize disturbance.

In the case of a motorcycle, moped, or bicycle, a “small-vehicle” decal will be issued to be placed on the front fender or steering post of the vehicle. Each apartment shall be permitted to keep no more than two such vehicles on the property.

Each set of *primary-vehicle decals* issued to a registered vehicle shall be assigned to a specific apartment, and permit the vehicle to which the decals are affixed to be parked in any open parking stall on the property. A *primary-vehicle placard* may be issued in lieu of permanently affixed decals and assigned to a specific apartment for an owner/residents’ rental vehicle from a license commercial rental agency or a loaner vehicle while owner’s vehicle is in a repair shop. A *secondary-vehicle placard* may be issued and assigned to a specific apartment for an owner/resident’s second registered vehicle (and for a third such vehicle if space permits). See also HR 4.07. Revised 22 January 2010

Parking permits shall not be transferred between different vehicles or different owners of the same vehicle. If a vehicle for which a primary or secondary permit has been issued is sold, and the new owner of the vehicle is an owner/resident who wishes to keep the vehicle on the property, re-registration of the vehicle at the Manager’s Office is required. Revised 25 January 2008

4.04 **Removal of Vehicles.** Any vehicle found on the property that has not been properly registered or has an invalid parking permit or pass, or is otherwise improperly on the property will be removed from the property at the vehicle owner’s risk and expense. Revised 25 January 2008

4.05 **Deposits.** A deposit shall be required when a vehicle is registered and a parking permit is issued. The deposit shall be refunded by mail when the parking permit (whether in the form of decals or a placard) is returned to the Manager’s Office. When the owner or user of a vehicle for which a permit was issued is no longer an owner or legally authorized user of the vehicle, or is no longer an owner/resident of an apartment at MVT, and the permit is not returned, the deposit shall be forfeited and retained by MVT.

As referenced in House Rule 4.03, decals/placards are issued to a specific vehicle. Therefore upon a vehicle’s final departure, decals/placards must be returned to the MVT Management Office or the deposit will be forfeited.

In addition, if an expired secondary parking permit is not returned to the MVT office within 30 days of expiration, the deposit will be forfeited and retained by MVT. Revised 19 March 2010

4.06 **Visitor/Contractor Passes.** Depending on the purpose for which permission to come onto the property is sought, an unregistered vehicle may be issued a visitor pass or a contractor pass (contracted work, delivery, service) upon verification of

those items required for registration listed in HR 4.03. Any pass for a vehicle under this rule must be returned to the Security gate upon each departure of the vehicle.

A vehicle with a drop off pass is permitted to enter onto MVT for the sole purpose of dropping a person or property off within an allotted 15 minute period. If a vehicle with a drop off pass is located parked in a non-visitor stall or is over the 15 minute limit or parked in a loading zone and over the 15 minute limit the vehicle is subject to be towed at the owners expense. The drop off pass must be returned to the security gate upon exiting and will be the responsibility of the resident to ensure that the pass is returned.

Revised 25 September 2009

A vehicle with a visitor pass is permitted to park only in designated visitor parking. Visitor parking hours are 6:00 a.m. to 12:00 midnight. Prior arrangement must be made by 5:00 p.m. with the Manager's Office for any overnight parking, and any such parking on a continuous basis is not allowed. Visitors will not be permitted to park on the property when insufficient parking stalls are available to accommodate resident-vehicle parking.

A contractor pass, issued to delivery/service vehicles, shall only be effective from 8:00 a.m. to 5:00 p.m. on Monday through Saturday and 12:00 noon to 5:00 p.m. on Sunday. The pass must be returned by 5:00 p.m. on the day the pass is issued; and no further work will be permitted by a contractor or any employee or agent of the contractor on that date.

Revised 25 January 2008

- 4.07 **Owner/Resident Parking.** Each apartment shall be assigned only one primary parking permit. A tenant of an apartment to whom the owner has not authorized the use of the primary parking permit assigned to that apartment may be issued a secondary parking permit upon application at the Manager's Office and payment of the required fee. A vehicle for which such a permit has been issued shall not be parked in Parking Lot 1, regardless of who owns the vehicle.

Revised 25 January 2008

- 4.08 **Loading Zones.** Parking is permitted along the yellow curbs near the elevator entrances for the sole purpose of active loading and unloading of passengers or goods. Except for vehicles involved in moving-in or-out situations, parking in the loading zones is limited to fifteen minutes. After loading or unloading, a vehicle must be relocated to a proper parking area. Contractors must park in a parking stall, not along the roadway. Parking is not permitted in the red curb area immediately in front of the walkways into each building.

- 4.09 **Automotive Repairs.** Minor automotive service procedures, which does not include oil changes, are permitted at the mountainside end of parking lot 8. Otherwise, automotive repairs and servicing are not permitted on the property. Inoperative vehicles will be allowed to remain or be towed onto the property for no longer than seventy-two hours, after which such vehicles will be removed from

the property at the owners' risk and expense. Vehicles found to be in need of repair because of leaking automotive fluids will not be allowed to remain on the property.

- 4.10 **Storage of Vehicles.** Owners or tenants who leave their vehicles on the property during an absence exceeding two weeks must inform the Manager's Office prior to departure and store the vehicle in parking lot 8. Even if someone uses or operates the vehicle during such an absence, the vehicle must be returned and parked in parking lot 8. Vehicles that are left unused in other parking areas will be towed to parking lot 8 at the owners' risk and expense. Contact the Manager's office for applicable BP 4.06 and form F.

Revised 18 December 2009

- 4.11 **Covers.** All vehicle covers, including those for motorcycles, mopeds and bicycles, shall be manufactured for the specific vehicle to be covered. Such covers shall be maintained in a neat, clean condition. Tattered and torn covers are not allowed and will be removed from the vehicle by MVT personnel.

Revised 2 June 2008

- 4.12 **Open-bed Trucks.** No "pickup" or other open-bed truck shall be operated on the property without compliance with the following restrictions: (a) The vehicle will not be operated with anyone standing in the load-carrying area. (b) It will not be operated with anyone seated in such area unless (1) no seating is available in the vehicle cab, (2) the vehicle side racks are securely attached and the tailboard or gate securely closed, and (3) anyone in such area is seated on the floor and not attempting to control unlash cargo. (c) It will not be operated with anyone no more than twelve years old in such area unless (1) a life-threatening emergency exists with respect to that passenger, or (2) the vehicle is on its way to be part of an event that lawfully permits the passenger to occupy such area.

- 4.13 **Vehicle Noise.** No one operating or in physical control of a vehicle on the property shall permit the vehicle to emit or project any noise or sounds that are unreasonably loud, to the extent that the rightful enjoyment and comfort of anyone on the property is unreasonably disturbed. Such sounds include but are not necessarily limited to those caused by improperly-or non-muffled exhaust on motor vehicles, unnecessary horn blowing and auto-theft alarms. The volume of audio devices must be set so that the sound does not extend beyond the vehicle.

- 4.14 **Car Wash.** The car wash is for the exclusive use of residents and guests. Vehicles with visitor parking passes shall not use the car wash facilities. Operating hours are posted at the car wash. Water is to be turned off when not in use. Waxing is not allowed in the car wash area. The playing of vehicle audio devices in the car wash area is not permitted.

The car wash area is not to be used for washing cooking pots or pans, or for washing vehicle engines. Cleaning vehicle engines using a degreasing product is not permitted anywhere on the property.

The electrical outlets in the car wash area are for vehicle vacuuming only, and are not to be used for charging vehicle, power tools or other batteries.

- 4.15 **Motorcycle Wash.** Motorcycles, mopeds and bicycles may be washed only in the motorcycle wash area. The provisions of HR 4.14 shall also apply to the motorcycle wash area.
- 4.16 **Barricade.** When the outer entrance or exit is barricaded to allow all vehicles entering into MVT to be checked by security, only security personnel are authorized to remove the barricade to allow any vehicle to gain access into MVT.

Revised 2 June 2008

be added to the locker. A rented storage locker reverts back to the Association upon nonrenewal of a lease or upon the lessee no longer being an owner or renter.

The rental term for a locker shall be for one year, with the fee to be determined by the Board. The fee shall be payable in advance.

Revised 18 December 2009

The assignment of storage lockers is on a first-come first-served basis, with owners having priority over renters. An owner or renter is only allowed one locker, no matter how many apartments one owner or renter may own or rent. Exchange of lockers and associated leases is allowed between lessees upon mutual agreement and approval of the General Manager. Otherwise, a locker lease is non-transferable.

4-04 APARTMENT KEY RETENTION

With the owner's consent, as evidenced by a properly signed Release and Indemnification Agreement, keys to individual apartments may be retained in the Manager's Office for emergency use, as may be occasioned by plumbing failures or fire, and maintenance of common elements such as air conditioning components. *See Form D-1.*

Only an apartment owner can submit a duplicate key to the office for retention. The key will be accepted after the owner signs the Release and Indemnification Agreement. A non-owner occupying the apartment must also sign the Agreement. Retention of an apartment key by the office does not relieve an owner or tenant from the responsibility of reporting problems with common elements that may occur within the apartment.

Retained keys will be kept in a secure place. Only a limited number of persons who have undergone criminal background checks will have direct or indirect access to the keys. Direct access to the keys will be limited to management and office staff who will issue keys as may be required to requisite maintenance personnel.

An owner who changes an apartment lock must inform the office staff immediately and submit a new duplicate key. An owner requesting return of a duplicate key must sign a key-return form. *See Form D2.*

4-05 SECONDARY AND THIRD VEHICLE PARKING

This policy establishes fees for owners or resident tenants parking more than one vehicle within the MVT premises; and also applies to a resident tenant who wants to park a vehicle on the premises, but for which the apartment owner has not assigned the primary parking permit.

In order to obtain a secondary parking permit for a particular vehicle, the vehicle owner(s) must submit pertinent ownership and insurance documentation for the vehicle to the General Manager. The owner(s) shall also agree that if a shortage of parking spaces occurs for vehicles with primary parking permits, a secondary parking permit for the

vehicle may be revoked upon thirty days, or shorter if necessary, written notice. *See Form E.* Upon payment of the below fees as applicable, the General Manager shall then issue a permit to park the vehicle in one of the designated parking spaces.

Whenever a secondary parking permit is issued, a refundable deposit of \$50.00 shall be charged. When the permit expires or is revoked, the vehicle owner(s) shall return the permit, at which time the deposit for same will be refunded. If the vehicle is found on the MVT premises with an expired permit, or beyond a properly notified removal period, the vehicle may be removed from the premises and the deposit forfeited.

Revised 18 December 2009

In addition to the refundable deposit, the following nonrefundable parking charges apply: \$2.00 per day or \$40.00 per month for cars, vans, and trucks; and \$10.00 per month for motorcycles. Reasonable exceptions to the nonrefundability of the parking charges may be allowed under certain circumstances (if the vehicle is sold, for example).

Revised 18 December 2009

If sufficient parking spaces are available, the General Manager may issue a third-vehicle parking decal to an owner or resident upon the owner or resident submitting the appropriate documentation and agreement and paying the deposit and fees as stated above for obtaining a secondary parking permit.

If a resident requests renewal of an expired secondary parking permit, all parking fees from the date of expiration will apply and must be paid prior to renewal.

Revised 19 March 2010

4-06 VEHICLE STORAGE

The owner of a vehicle that is to be stored on MVT property must sign a waiver relieving the Association of any liability for the vehicle and agree to reimburse the Association for any expenses that might be incurred in moving or protecting the vehicle. *See Form F.* A vehicle that is to be or has been stored by an owner or resident on MVT property must not be operated on the property without the owner submitting proof of insurance, safety check and registration.

Any vehicle without a primary parking decal that is to be stored must pay parking fees as stated in Board Policy 4-05 in advance for the time that the vehicle is to be stored. If the storage period exceeds the parking fees payment, the owner will be advised that unless sufficient payment is made within thirty days, the vehicle will be considered abandoned and towed off the property at the owner's expense.

4-07 COMMON AREAS SURVEILLANCE

Video surveillance cameras are installed at various locations on the MVT premises and the views from the cameras are videotaped to deter and assist in the prosecution of criminal acts. Any videotape recording of the view from a camera will be used solely for whatever assistance it may offer in catching a person or persons who may have

committed criminal acts or caused harm or damage to MVT property or other property or persons lawfully on the premises.

If a complaint is filed with the police department concerning any incident on the property, a copy of any relevant part of a surveillance videotape shall be given upon request to the police. No copy of any part of a surveillance videotape will be given to any other person except pursuant to court order. The videotapes will be kept for thirty days. If no complaint is received of any alleged criminal activity, damage or loss during that time, the videotapes may be erased or reused.

As the views from the cameras are not observed at all time and the picture quality may vary or be nonexistent, the Association assumes no responsibility for notifying police or other emergency services for incidents that may occur within the viewing area of any particular camera.

The Association, its officers, directors, employees and agents make no warranty whatsoever, express or implied, that the video surveillance system will prevent a criminal act from occurring or will result in the identification or apprehension of a perpetrator. The Association will not be liable to any person under any circumstances whatsoever in the event that the system fails to provide identification of an alleged perpetrator, because of but not necessarily limited to poor video quality, malfunctioning equipment, or good-faith tape erasure or reuse.

4-08 ENTERPHONE

Guests or visitors must be cleared by a resident of the apartment to be visited before entry will be permitted. In order to receive a visitor, the resident must have a functional telephone unit connected to the apartment's phone jack, whether a contract has been entered into with a commercial telephone service or not. Enterphone devices may be obtained from the MVT office upon payment of the current deposit charge.

The enterphone service allow the officer at the security gate to ring an apartment through the telephone. The resident will hear two consecutive rings repeated several times.

If the phone is already in use, the resident will hear two consecutive interruptions, repeated several times. The resident can end the on-going conversation or push or dial number 3 to put the party on hold.

If the party is put on hold, the resident can then speak to the security officer; and then continue the previous conversation by again pushing or dialing number 3 to reconnect with the holding party.

The security officer will not receive a busy signal if the resident is already on the line. The officer simply will hear the phone continue to ring. At no time will the officer hear a resident's conversation with another party.