

*The AOA Koa Lagoon Owner’s website has a new look.....you can find many of the AOA documents, including newsletters, Bylaws, House Rules, and more.....go to [www.koalagoon.org](http://www.koalagoon.org) and check it out!*

**Insurance for Koa Lagoon**

The AOA has until June to collect individual insurance policies each year, per Hawaii State Law. As you renew your annual policy for 2019, would you please send a copy to Kerry Beasley at [beasley09@gmail.com](mailto:beasley09@gmail.com). While these were due to Kerry on June 1<sup>st</sup>, we are continuing to accept these through the month. Mahalo to those who have already submitted!

**Mediation of Disputes**

There is a process laid out in our AOA Koa Lagoon’s Second Restated and Amended Declaration of Condominium Property Regime governing document (page 14-15, section 17) that addresses the acceptable way to resolve owner disputes involving the interpretation of our association’s declaration, bylaws or house rules. This guidance parallel’s Hawaii State Law (HRS §514B-161) on Mediation and (162) arbitration. The mediation process handles disputes via trained mediators who possess subject matter expertise in various areas of the law (e.g. condominium law, construction or contract law). Hawaii mediators are familiar with the relevant case law and may make recommendations regarding the strength of each party’s position and the likelihood of either party prevailing in court or in an administrative hearing.

Because the AOA Koa Lagoon board has received 2 specific threats of litigation our attorney, Brian Jenkins, advised the board that, pursuant to the requirements of our insurance policy, we have a responsibility to report a threat to the policy within 90 days. We have been in dialogue with Philadelphia Insurance Underwriters, who handles threats of claims for AOA Koa Lagoon. Mr. Jenkins will also be offering the opportunity to participate in mediation to the concerned individuals as a way of constructively resolving this (and any future) issue.

**Landscaping**



The AOA board is moving forward with the previously discussed plan to address landscaping on our property. We have recently created a small planting bed adjacent to the south and east parking lots, and want to give a big THANK YOU to Brian & Marth Fowler for leading the charge! There is a lovely “bird of paradise” planting there which will grow and grace the street side of our property with aloha for many years to come. Thank you as well to Edward for working with the Fowlers in making this happen.

These Monkey Pods have been trimmed of dead wood and new plantings have been placed where the one Monkey Pod was removed.



**AOAO Goal:**  
*To protect, maintain and enhance the asset value of the real estate and to maintain and improve the quality of life at the Koa Lagoon.*

Areca were planted in the small space between the Property Manager's shed and the retaining wall adjacent to the canal. Additional effort to clean up that area in preparation for a new shed has occurred and we have successfully stabilize the southern retaining wall. The area is now free of discarded materials....thank you Edward!

**Our Temporary Barbeque Area.....going on 18 years....**

The AOA Board has asked our attorney to review our by-laws and historical documents with respect to a permanent barbeque area. At the time Koa Lagoon was built the BBQ area was placed on county of Maui property. April 3, 2001 the AOA Koa Lagoon received a letter from the county regarding our oleander hedge and barbeque facility giving us until June 1, 2001 to remove these items which were considered to be obstructions that block public access. In response the AOA moved the barbeque area to the lawn area to the north of the pool. According to attorney Jenkins this move **changed the use** of the common area (changed lawn to barbeque) and according to our by-laws any change in use of a common area must be voted on and approved by the general ownership. Our AOA documentation does not show a vote at the 2002 Owner's meeting that would change the use of the lawn to a permanent BBQ area. We will need to place this item on the February 2020 Owner's Meeting Agenda and vote on this permanent change so that the BBQ area may remain and become a permanent feature of our property at last.

**Questions? Concerns?**

We would love to hear from you! If you are on island and have compliments or concerns to share with the board, an accompanying picture is "worth a thousand words". Mahalo!

E-mail us at: [board@koalagoon.org](mailto:board@koalagoon.org)

*or*

Board President, Marie Bader, welcomes your calls at (907) 350-1436

*Valerie Oliver, Secretary AOA Koa Lagoon*