



Leilani Community Association

NEWSLETTER

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A MESSAGE FROM THE PRESIDENT

by Al Dettweiler

Aloha and Happy New Year

In the last Leilani Newsletter the board reminded all community members to submit their request to become a member of the Leilani Board of Directors. December 31, 2010 was the deadline for submitting YOUR request. As of now there are only 7 members that applied for membership to our board. There are 6 incumbents and one new member Greg Armstrong. I was hoping that there would be more community members that would like to serve on our board so that I may step down after 15 years. When I first was appointed to the board in 1993 I thought that a few years for Leilani would be my share of doing good will for our subdivision. I have now been serving on this board for 15 years. Please, if you can, next year volunteer to be a member, we all could use some time off.

The board is still waiting for Verizon to get approval from the County Planning Commission to erect their cell phone tower in the back of the community centers ball field on Kupono St. side. I have spoken to Mr. Sung numerous times checking on the progress. At the last phone conversation he informed me that Verizon is committed to installing the cell tower and expects that the tower will be install no later then June 2011.

In the interest of safety, we installed speed bumps in front of the community center to slowdown motorist when passing the playground area. These bumps have created some problems for residents on Moku St. since they are too harsh and require you to come to a complete stop before proceeding. At the last board meeting it was decided to remove the speed bumps and install speed humps which would

still require that you slowdown but does not require you to come to a complete stop. We hope this will resolve the problem for the residents of Moku St. and still provide a margin of safety for our children.

In our last news letter I said that the Board was installing adult exercise equipment along the walking track. I am proud to say that this equipment has been installed. Thanks to Mark Hauanio; Michael Hauanio, and Rich Willing. We now see many seniors walking the trail and using the new equipment. We now set a new standard for all the communities in Hawaii.

Many members of our community have been waiting to have bus service to Leilani. We are happy to announce that we now have service to Leilani 3 times a day going to Hilo. The bus travels down Leilani Ave. from highway 130 to Pohoiki Rd. The first bus in the morning is 9:25 am and arrives Hilo at 10:55 am. Next bus is 2:20 pm and arrived at 3:40 pm Hilo. Last bus leaves at 7:30 and arrives 9:00 pm. The return trip is as follows: Mooheau Bus Terminal 7:30 am, arrives Leilani at 9:25 am. The next bus lives Hilo at 12:15 pm and arrives Leilani at 2:10 pm and the last bus from Hilo is 5:05 pm and arrives Leilani 7:30 pm.

For your convenience, the Board has installed a mail drop box at the corner of the community building for after hours and when the office is closed.

GENERAL MEMBERSHIP MEETING

Leilani Community Association will hold the General Membership Meeting on **Saturday, March 19, 2011**, at 2:00 p.m. at the Rec Center, 13-3441 Moku Street. All members are encouraged to participate in the meeting, meet your neighbors and your new Board of Directors for 2011.

LEILANI RESIDENTS/ LAND OWNERS

Wymond Wilds Secretary

The following is a reprint of Section 6 & 7 of Leilani's Charter of Incorporation. This is in regards to the Board of Directors.

SIXTH: There shall be a board of directors of the corporation of not less than three (3) directors nor more than such number as may from time to time be fixed by the By-Laws. The members of the board of directors shall be elected and shall hold office and may be removed as may be prescribed by the By-laws. Members of the board need not be members of the corporation. All of the powers and authority of the corporation shall be vested in and be exercised by the board of directors except as limited by law, the Charter or the By-Laws, and in furtherance and not in limitation of said general powers, the board of directors shall have power to acquire and dispose of property, to appoint officers, agents or employees of the corporation as in its judgment the best interests of the corporation may require and to confer upon and to delegate to them by power of attorney or otherwise such power and authority as it shall determine to fix the salaries or compensation of any and all of the agents and employees of the corporation, and in its discretion require security of any of them for the faithful performance of any of their duties; to make rules and regulations not inconsistent with law or the Charter or By-Laws; to create such committees of the board of directors and to designate as members of such committees such persons as it shall determine and to confer upon such committees such powers and authority as may by resolution be set forth for the carrying on or exercising of the powers of the corporation; to remove or suspend any officer and generally to do any and every lawful act necessary or proper to carry into effect the powers I purposes and objects of the corporation.

The names of the initial directors of the corporation, which directors shall hold office until their successors shall be duly elected or appointed

SEVENTH: The board of directors annually shall appoint a President, one or more Vice Presidents, a Secretary and a Treasurer, and from time to time, such other officers as the conduct of the affairs of the corporation may require. One person may hold

more than one office, except no person shall hold the offices of President and Secretary.

The names of the initial officers of the corporation, who shall hold office until their successors shall be duly elected or appointment.

Please visit www.leilaniestates.org to view a full set of the Charter of Incorporation and other Leilani documents.

Please step forward to volunteer, assist, help to continue to keep Leilani Estates one of the best sub-divisions on the Island of Hawaii.

CERT

by Russ Schultz

Leilanis' Community Emergency Response Team - CERT- is recruiting new members. Leilani CERT is a group of trained volunteers committed to providing an immediate emergency response in the event of a natural or man-made disaster. The team is trained to provide first responder assistance until professional services personnel arrive and then to assist those police, fire, or medical responders as needed.

The Leilani team is organized, supported, and deployable by Hawaii Civil Defense. Our team can also self activate. Initial CERT training and certification is provided by the Hilo fire department. Additional training has been provided by FEMA, Hawaii Civil Defense, Red Cross, and the Hawaii Department of Health. Training includes: Disaster Preparedness; Fire Safety, Disaster Medical Operations, light Search and Rescue, CERT and Professional Responder organization, decision making, and command structure, Disaster Psychology, and Terrorism related events..

We depend on the broad professional backgrounds and experience that our team members bring to CERT to help us provide the best response possible to the wide range of emergencies that our community may experience.

CERT training and certification requires four Saturdays of training and is offered twice a year. The training will next be offered in Hilo in February 2011.

Contact us by email at; leilanicert@live.com. Or call the Leilani Association office at 808-965-9555

From the Desk of the Treasurer

by Al Dettweiler

With the new year it looks like we will make in on the plus side of the ledger. The Association collected \$140,000 for the year 2010. The operating expenses for the year was \$135,235 that means that we have \$4,765 above expenses. We should have collected \$168,158 if all of the lot owners paid their property assessments. This represents 83% of the lots paid this year. If Leilani was able to collect 95% of 2010 assessments, we would not have to increase the lot assessments for this year.

As you know from past newsletters that the board has taken action on seriously delinquent lot owners and even started foreclosure action on a few members. We will continue to take the necessary steps to collect all back debts. We also have started a process to file claims to small claims court for those living on this Island. We regret we have to take this action but we must make sure all members pay their fair share.

Due to this short fall of income in 2010, the Board voted to increase the assessments to \$90.00 per lot for the year 2011. Your new billing will reflect the new increase for 2011. Also we are improving our billing system and also working on direct pay to the internet. We hope we will be able to process the payments by April 1st.

The board approved 4 exercise units for the walking trail and they have been installed. The total cost was about \$7,000. The funds for this equipment was from our recreation development fund. The funds for recreation are received from interest, lien fees, delinquent dues and transfer fees. The association does not use any assessment fee for the recreation fund. We would like to be able to install 4 more units this year if we have enough funds to support this project.

ENVIRONMENTAL REPORT

by Mark Hauanio

Invasive trees and plants are throughout Leilani that were never here before and killing the native plants. Also making the appearance of the forest look bad especially for real estate. The board is bringing inmates into Leilani (with the proper training and supervision) to eradicate the Miconia and hopefully the other invasive plants.

NEIGHBORHOOD WATCH

by Rich Willing

Leilani Estates continues to be one of the safest subdivisions in Hawaii to live in thanks to our many dedicated Watch patrol volunteers who drive our streets and report suspicious vehicles and activities that they see every day.

With the New Year we will continue to organize the monthly community garage sale the first Saturday of each month, continue to hold our monthly meetings the last Tuesday of each month, continue to send out an electronic newsletter each month, and again will host our semi-annual community potluck/BBQ in February that EVERYONE should attend.

We are always recruiting Patrol members and need everyone that lives in Leilani to be a volunteer member or our Watch Patrol to help us keep our community safe. An hour a week (days) or an hour a month (nites) is all it takes to help us out, so please talk to a Patrol neighbor, come to our monthly meeting, or contact us at : leilani/watch@live.com to join.

Have a Happy and prosperous New Year!

RECREATION - COMMUNITY PARK

by Mark Hauanio

There has been some additions to the community park with 4 new fitness apparatuses installed throughout the paved walkway. In the open pavilion, Richard Willing painted a court like tennis court; which is called Pickle Ball. The equipment will be available contacting the office (business hours or with person in charge).

Thanks to Scott Gebbie and his brother for helping out with the concrete work; also Howard Konanui, Richard Willing, and Russ Schultz with the installation.

Comments are requested from Leilani residents on the fitness apparatuses and this may lead to purchasing other apparatuses.

Any question or comments can be directed to Mark Hauanio 960-5250 mornings and till 7:00 pm.

Many of our roadways are filled with trash, why??? It appears some people do not care and you see it throughout the island roadways. Lower Puna is by far the worst. People who care should start doing something about it, get involved. Keep our roadways and island clean.

SYNOPSIS OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The following is a brief synopsis of the above Covenants, as they pertain to all and any improvements. The complete text, as recorded in the Bureau of Conveyances, State of Hawaii, in Liber 6446, was issued to all property owners at time of purchase.

1. **ARCHITECTURAL COMMITTEE:** Before any building, garage, wall, fence or any other improvement is constructed or maintained upon the lots or any alteration made thereto, a **duplicate set of plans** and specifications relating to said construction work shall be submitted to the Architectural Committee. (Addressed as above). One set must be the County approved plans, which will be returned (see also item 16).
 1. **ARCHITECTURAL COMMITTEE. Certificate of Extension Of the Architectural Committee Of The Leilani Community Association. Liber/Page 23129/783 Recorded May 1, 1989).**
 2. **SINGLE FAMILY RESIDENCE:** All lots shall be used for only single family residence, with only one such residence being permitted on any such lot.
 3. **GARAGE:** Every residence shall have a minimum of a 2-car garage or a 2-car carport, which shall be considered as part of the residence.
 4. **MINIMUM SIZE:** No residence shall be constructed which contains less than 800 square feet of livable ground floor space, exclusive of porches, lanais and garage.
 5. **HEIGHT:** No improvement shall be constructed that will exceed 18 ft. in height from the highest point of land within the perimeter of the structure.
5. HEIGHT. Residences and other structures built on lots must be built so that the highest point in elevation of the structure must be 18 ft. or lower from the highest point of land in elevation on that lot. (No. 92-115 Finds of Fact, Conclusion of Law, Order Granting motion for Partial Summary Judgement; Judgement Recorded June 10, 1993).
 6. **TEMPORARY OR SEPARATE IMPROVEMENTS:** No trailer, mobile home, tent, shack, garage or other outbuilding shall be constructed prior to or during construction of a residence.
 7. **NUISANCE:** No noxious or offensive activity shall be carried on upon any of said lots, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
 8. **MATERIALS:** All materials used in the construction of any improvement upon any portion of the lots shall be new materials only except that used decorative or structural materials may be used to enhance the appearance of the improvement.
 9. **FOUNDATIONS:** No conventional sub-floor framing shall be exposed from any side of any residence. All sub-floor framing shall be concealed in a manner acceptable to the Architectural Committee.
 10. **DRIVEWAYS:** Driveways shall be a minimum of 12 feet wide at the street and shall be paved during or prior to completion of a residence.
 10. **DRIVEWAYS. Driveway is area between a lot owner's home and the boundary line adjacent to the roadway, the term "paved" allows the use of any smooth surface. (Civil No. 6865 Findings Of Fact, Conclusions Of Law and Judgement Recorded September 28, 1982).**
 11. **ROOFS:** Cedar shakes, cedar shingles, clay tiles, composite materials or metals, shall be among some of the approved roofing materials.
 12. **ANIMALS:** Only dogs, cats or other household pets may be kept on any of said lots, provided that they are not kept, bred or maintained for any commercial purpose and are otherwise kept in accordance with the zoning ordinances, rules and regulations otherwise applicable.
 13. **SIGNS:** No signs of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent; or signs used by a builder to advertise th property during the construction and sales period.
 14. **RUBBISH AND TRASH:** None of the lots shall be used or maintained as a dumping ground for discarded old vehicles, rubbish, trash, garbage or other waste. No such material shall be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean sanitary condition.
 15. **ALL CONVEYANCES SUBJECT HERETO:** All deeds, mortgages, agreements of sale, leases, or other conveyances made or delivered by any legal or equitable owner of any lot or interest therein shall be subject to the same covenants, conditions and restrictions as in this Declaration set forth whether expressly contained in such conveyances or not.
 16. **BUILDING PERMIT:** No work shall be commenced on the construction of any improvement until such building permit has been obtained from the Building Department of the County of Hawaii as required by law or ordinance.
 17. **COMMUNITY ASSOCIATION:** Each owner shall be a member in good standing of the LEILANI COMMUNITY ASSOCIATION, a Hawaii nonprofit corporation, and shall pay all assessments levied and billed according to law. Unpaid assessments shall constitute a lien against subject property, which may be enforced by suit for money judgement or may be foreclosed by the Association in the same manner as a real estate mortgage may be foreclosed.
- COVENANTS RUNNING WITH THE LAND.** The covenants, conditions and restrictions shall run with the land, and are of record with the Bureau of Conveyances of the State of Hawai.

ADDRESS SERVICE REQUESTED

Pahoa, Hawaii 96778

P.O. Box 361

Leilani Community Association

