

**Orchidland Community Association  
Board of Directors Meeting  
Approved Minutes  
January 19, 2021**

**Call to Order:** Vice President Doug Anderson presiding this is the OLCA Board of Directors meeting of January 19, 2021 via Zoom online conferencing the time is 6:35pm.

**Board roll call via Zoom:** Doug Anderson, Ric Wirick, Hershel Hood, John Erickson, Tegen Greene, Jeremai Cann, Brennan Low, Brian Murphy and Tara Brandon.

**Excused absence:** Sky Platt and Steve (Mongo) Lyon

**Special guests:** Chris Coles-Morales and Catherine Spina

**1) Motion to approve the Agenda for the OLCA Board of Directors meeting of January 19, 2021 as distributed (via pdf).**

**Seconded**

**Call Motion to vote, all in favor 9, motion approved.**

**2) Motion to approve the Minutes for the OLCA Board of Directors meeting of December 15, 2020 as distributed (via pdf).**

**Seconded**

**Call Motion to vote, all in favor 9, motion approved.**

**Vice President's announcement to board members and special guests:**

Aloha and welcome to the January OLCA Board of Director's meeting for fiscal year 2020-21. Our Committee and Board meetings are now being held via Zoom online conferencing due to concerns of the Covid-19 pandemic and the onset of the flu season.

Special guests are welcome by Zoom invitation to attend but are asked to please not interrupt the proceedings and agenda. Special guests will be given the opportunity to speak at the end of meeting.

**Summarized Monthly Reports and Motions (full reports as distributed):**

**Secretary report by Ric Wirick:**

**Motion:** the OLCA Board approved moving the monthly OLCA meetings to Zoom due to the onset of the flu season, the Covid-19 pandemic and social gathering restrictions. These Zoom meetings have been working out well and suggest that we continue with the monthly Zoom format until this Covid-19 pandemic and social meeting restrictions are limited. Mostly likely to at least the end of this fiscal-year ending June 30, 2021.

**Seconded**

**More discussion, general agreement among Board members.**

**Call to vote, all in favor 8 and 1 opposed.**

**Treasurer's report by Hershel Hood, including monthly financials for January 2021 as distributed via pdf.**

1. I have accepted the responsibility of investigating an alternative to our present D&O liability insurance. With the assistance of secretary Ric Wirick and bookkeeper Ken Ah Lo, an application to obtain an alternative cost quote is in process. Presently, our monthly payments are approximately \$5000.00.

2. The mailings, by our bookkeeper, of a reminder to individuals of association past dues owed has been completed. Included with the reminder is a notice indicating that the statute of limitations, for past dues owed, is 6 years. This means that a maximum amount of \$1000.00 can be required for payment over that time frame. It is up to the individual to request this specific payment amount. A new land sale does not alleviate the new buyer from paying any and all past due association fees. This means that all fees, regardless of how long ago they occurred, must be paid in full by the land seller. The 6-year rule will come into full effect at the beginning of the fiscal year, July 1,2021. This has been requested by our financial Auditor/ CPA.

3. **A Motion** to approve payment for incidental charges from our bookkeeper, DPSI. At the discretion of the Treasurer and the Secretary, payments can be made up to the amount of \$350.00 as needed.

**Seconded**

**Discussion:** Incidental charges from our bookkeeper occur very seldom. Some examples of incidental charges would be postage, envelopes, paper and printing. Special projects would also be included. Since I am new at Treasurer, I would like to clarify and simplify this payment process.

**More Discussion, call to vote, all in favor 9, motion approved**

4. **Motion** to approve the payment and review process described below for immediate usage.

**Seconded**

**Discussion:** This is the process that RMC Chair, John Erickson and I have developed that we follow in order to pay for services provided by our contractors.

1. A request for service is made and explained by John, to our contractor.

2. The contractor provides a cost estimate.

3. The estimate is presented to the Road Committee for discussion and approval.

3.5 The estimate is presented to the Board of Directors for discussion and approval.

4. Approval is given by John, to the contractor, to begin work.

5. After completion of the work, the contractor provides the Treasurer, me, with the invoice.

6. The Treasurer reviews and sends a copy of the invoice to John for his review. John does his inspections and confirms his approval or rejection of the work done.

7. Upon approval, the Treasurer creates a purchase order for the bookkeeper to create a check for payment to the contractor.

8. The third Wednesday of the month I go to the bookkeeper and sign checks. The Secretary also signs checks.

9. I deliver the checks to the Road Maintenance Chair, John. John provides checks and has any discussion necessary with the contractor.

**More discussion, call to vote, all in favor 9, motion approved.**

That completes the Treasurer's report and recommended Motions.

**RMC report by RMC Chair John Erickson:**

**Announcement:** all RMC and special guests have received a pdf copy of the OLCA color coded road map for reference. Any questions or comments?

This road map was created by Steve (Mongo) Lyon. There was a question regarding availability of the “big” map Mongo created via pdf or the like. In addition, Google maps was identified as another reference source.

**Updates on pothole filling:**

AT& H completed a full-rotation of pothole filling on paved roads (asphalt and chip sealed).

With the rain storms over the past month and flooding/ ponding on lower Orchidland Drive -- potholes have developed quickly. During the worst conditions, 2 ½” gravel was used to fill the large potholes until the road dried out and potholes could be filled with cold patch. With the rain, flooding and ponding -- water has seeped through the cracks in the road and has soaked the road base. The OLCA road contractor has confirmed that “hot patching” would not hold up with this wet, unstable base – and OLCA has postponed the scheduled “hot patching” of sections of lower Orchidland Drive.

**Planning ahead for fiscal year 2021-22, pothole repair and maintenance costs for lower Orchidland Drive:**

Last month the OLCA Board approved the RMC’s proposal to revise the OLCA commercial MRMA (Mandatory Road Maintenance Assessment) fee schedule, see approved Motion and discussion below:

**Motion** to approve the Commercial MRMA fee schedule for businesses and the church on lower Orchidland Drive for fiscal-year 2020-21 as \$2000.

**Discussion:** the commercial business and church traffic on lower Orchidland Drive, plus flooding issues and a deteriorating roadway have led to annual repair and maintenance costs of over \$10,000 per year. Since there are currently five separate commercial property owners (including the church) on lower Orchidland Drive from Hwy 130 to 34<sup>th</sup>. If we simply divide \$10,000 in repair costs by 5 = \$2000.

Every year, the RMC would look at the previous year’s repair and maintenance costs for this section of lower Orchidland Drive, divide it by 5, and recommend a commercial MRMA. Once the OLCA commercial MRMA fee schedule is approved by the RMC, it will be taken to the OLCA Board for approval -- and finally taken to the OLCA membership for approval in March Newsletter and Ballot.

**Unpaved road maintenance updates:** due to the heavy rain storms over the past months, pothole filling has begun. AT&H is addressing these pothole repairs on unpaved roads. The estimated cost is about \$1000 per mile, which includes materials (1 ½” to 2 ½” base course) equipment and labor. Objective, fill potholes and/ or wash outs in the center lane to maintain the posted 15-mph speed limit. Unpaved roads addressed to date: from 40<sup>th</sup> to 36<sup>th</sup> Ave. between Pohaku and Orchidland Drive.

Two months ago, the concrete barriers on 37<sup>th</sup> Ave between Ilima Ave and Ainaloa Blvd were removed and placed in the right of way by OLCA contractors, Hokori Construction. This allowed OLCA traffic to access Ainaloa Blvd via 37<sup>th</sup> Ave since the construction of the new roundabout at Hwy 130 was completed. This also serves as an emergency bypass route, if and when Hwy 130 at Ainaloa Blvd was temporarily closed due to a traffic accident or the like.

The concrete barriers in the right-of-way are scheduled to be removed in the near future. This was approved by the RMC and BOD over the past months.

Since 37<sup>th</sup> Ave near Ilima Drive has been reopened -- traffic flow has been monitored and has not been an issue. Worth noting, in 1992 -- 37<sup>th</sup> Ave was designated by the County as an emergency bypass route. This re-opening of 37<sup>th</sup> Ave might be an opportunity for OLCA to readdress this proposed emergency bypass route with County and State.

**More comments regarding unpaved road maintenance:**

RMC Chair John Erickson will be following up on some questions regarding the maintenance of some dead end, side and cross streets. He indicated that the unpaved roads should perhaps be renamed unimproved roads.

**Announcements:**

**Abandoned Vehicles (AVs) on OLCA roads and/ or in the right-of-way:**

**Discussion:** Abandoned vehicles and the arson of abandoned vehicles in Orchidland Estates has been on rise over the past years. One major reason is that vehicle recycle centers stopped paying for metal recycling and now charge a fee. Technically, dumping vehicles is a criminal littering offense, up to \$1000 fine and 200 hours of community service.

If an abandoned vehicle (AV) is dumped on an Orchidland road or in the right of way, and it is reported to the HPD and they follow-up with an incident report. The AV should be towed or removed by the County within a week or two. If not, follow-up with the HPD on a weekly basis until the vehicle is removed.

The process is to call the HPD non-emergency number at 808-935-3311

Report an abandoned vehicle: provide the HPD with the date of incident, location, type vehicle and be sure to get an incident number and HPD officer contact name.

**That completes the RMC reports and updates.**

**RMC and Special guest input:**

Secretary Wirick indicated that as directed in last month's Minutes, he, on behalf of the RMC has made contact with some County and State officials regarding the emergency bypass routes through Orchidland Estates and the dangerous intersection at Orchidland Drive and Hwy 130.

Treasurer Hood described and showed the RMC the detailed manner in which he and RMC Chair Erickson have been monitoring the pothole filling on the unpaved roads.

OLCA Board member, Tara Brandon, updated the RMC on what has transpired with HPD and the illegal dumping and abandoned cars near Illima Drive and 37<sup>th</sup> Ave.

RMC Chair Erickson, provided Secretary Wirick with an application for a solid waste facility permit with the County. This would allow OLCA maintenance crews direct access to the Hilo land fill.

**Farmers Market Committee Report:** no communication from the FMC and no announcements on the OLCA Facebook group page. Both the December 2020 and January 2021 first Saturday OLCA Markets were cancelled.

**Community Lot Development Committee Report by Secretary Wirick:**

The CLDC oversees the management of the OLCA Community lot, similar to the way the RMC oversees the management of the OLCA roads. Since August 2020 the CLDC has encouraged the OLCA Farmers Market Committee (FMC) to get the proper County and State permits in place and to follow the protocol for a sanctioned Farmers Market in order to operate as an essential business during the Covid-19 pandemic. To date, this has not occurred.

Last month, the CLDC and BOD approved the following Motion but we have heard nothing from the Farmers Market Committee (FMC).

**Motion** to direct the OLCA Farmers Market Committee to follow the lead of the Hakaula Farmers Market and Food Share including: farmers market manager, the proper permits and to get set up to accept EBT payments for produce and prepared foods.

**Discussion:** In order to move forward with the OLCA Farmers Market in the future -- the CLDC would recommend that the FMC follow the lead of the Hakaula Farmers Market and Food Share.

To date, the CLDC has not heard from the OLCA Farmers Market Committee regarding upcoming markets. No announcement was made by the FMC regarding the first Saturday OLCA Farmers Market on January 2<sup>nd</sup>.

The CLDC has been in contact with a civil engineer to complete the "water drainage plan" to submit the Community Center site plan to Hawaii County Planning Dept. It now sounds like there will be addition fees for services attached to the site plan application and building permit.

The CLDC approved the following Motion and now recommends it for BOD approval:

**Motion** to approve an additional \$5,450 in order for the civil engineer to complete all items required for the County's application for plan approval and building permits for the OLCA Community Center.

**Seconded**

**Discussion:** some months back, the CLDC and OLCA Board approved \$500 for the "site drainage plan" to be prepared by a civil engineer. It is now apparent that more civil engineering services are required in order to properly submit the application for plan approval and building permits for the OLCA Community Center/ Agri-Cultural Center:

Topographic Survey: \$600.00

Civil Construction Drawings (Site Plan, Grading Plan and Utility Plan): \$3,750.00

Drainage Plan: \$500

Septic design: \$1,100

Since \$500 for the drainage plan was previously approved, an additional \$5,450 is required, the total combined cost for civil engineering services = \$5,950. These funds would come from the Community Lot (Development) fund of \$7,928. Note, we have checked into some other bids for this civil engineering – all were substantially higher priced, about double the cost.

**More discussion:** there was general agreement among the OLCA Board members that these civil engineering services are necessary in order to move the project forward.

**Call Motion to vote, all in favor 7, two abstentions, Tegen Greene and Jeremai Cann.**

**Motion approved**

**That concludes the CLDC updates and Motions.**

**OLCA Agri-Cultural Center (ACC/ 501c3) Board report and updates by Secretary Wirick:**

Doug Anderson serves as Vice President and chair of the ACC Board, Ric Wirick Secretary and Directors: Sky Platt, Brian Murphy and Tara Brandon

The OLCA ACC is now moving forward with applications for grant proposals and fundraising for the OLCA Board approved 40' x 120' pavilion, to be constructed at the OLCA community lot.

**That completes the OLCA reports and motions.**

**Additional Board business:**

Steve Lyon was going to turn-over the OLCA cell phone to RMC Chair John Erickson.

Brennan Low was going to assist Secretary Wirick with OLCA communications, website, etc.

**Special guest input:** Catherine Spina, a resident in Orchidland Estates, reported an excessive number of vehicles parked in the OLCA right-of-way on 39<sup>th</sup> Ave near the intersection of Pohaku Drive. And asked if OLCA could look into the problem. RMC Chair, John Erickson said he would follow-up on her report, contacting both the HPD and the property owner.

Chris Coles-Morales, former OLCA Board member, agreed that vehicles parked in the right-of-way are a problem and indicated that she had worked to help rectify the problem in her area. And also offered to assist Ms. Spina if needed.

In addition, there was some discussion about reaching out to County and State representatives, and possibly Federal agencies for more assistance. Regarding vehicles located in or near natural water drainages, like near the intersection of 39<sup>th</sup> Ave and Pohaku Drive.

**That concludes the OLCA BOD meeting for January 19, 2021, motion to adjourn, call to vote, all in favor 9, the time is 7:53pm.**

**Submitted by:**

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**Frederic Wirick, Secretary**

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**Date**