

**Orchidland Community Association
Semi-Annual Membership
Approved Minutes
November 24, 2018**

-- **Call to Order:** President Steve (Mongo) Lyon presiding; this is the OLCA Semi Annual Membership meeting of November 24, 2018 at the OLCA Hui Hoaloha (community gathering place) located at Orchidland Drive and 36th Ave, the time is 2:18pm.

-- **Roll Call:** Steve Lyon, Doug Anderson, Tegen Greene, Frederic Wirick, Sky Platt, John Erickson, Jeremai Cann.

Out on medical leave: Don Stoner and James E Higgins III.

Paul Imaizumi is out on extended leave while he is caring for his wife, Faith. Our thoughts and prayers are with Faith, Paul and their family.

-- **Establish Quorum**, at least 4 Board members and 15 members in good standing – quorum established.

-- **(Secretary Wirick) Motion to approve the Agenda for the OLCA Semi Annual Membership meeting of November 24, 2018 as distributed.**

Seconded, called to vote, all in favor, unanimous.

-- **Introduction/ President's welcome announcement to members and general public:**

Aloha and welcome to the November 2018 Semi-Annual Membership meeting for fiscal year 2018-19. OLCA members and the general public are welcome to attend but are asked to please not interrupt the proceedings and agenda. Members will be given the opportunity to speak at the end of meeting. Please fill out the questionnaire sheet provided at check-in.

One final notice, this is a public meeting and it is being video recorded.

-- **Semi-Annual Reports and Updates:**

The OLCA October 2018 Newsletter was sent out to all members of OLCA, about 2200 Orchidland Estates property owners total. Extra copies of the October Newsletter are available at the check-in table. The October Newsletter covers most of what will be addressed at this meeting.

-- Treasurer's report by Tegen Greene: Reference below from the OLCA October 2018 Newsletter:

INTEGRATED FINANCIAL REPORT

Total collected funds from July 1, 2018 to September 30, 2018 = Approximately \$299,013

Total expenditures from July 1, 2018 to September 30, 2018 = Approximately \$75,274

Roads = \$55,444

Insurance = \$8,869

Administration = \$10,961

OLCA Monthly Financials can be viewed online at [www. Orchidland.org](http://www.Orchidland.org)

Following the OLCA 2018 October Newsletter we, the BOD, received a specific request for details of the OLCA "Administration" expenses from July 1 through September 30, 2018:

-- **Please note, July 1st starts the new fiscal year, annual OLCA MRMA billing and more begins in July.**

Itemized expenses from July 1 through September 30, 2018 as follows:

-- Bookkeeper = \$4389

-- Postage, printing and billing = \$2654

-- Subpoena requests, charge of CPA = \$2250 (expense to be reimbursed by Plaintiff)

-- OLCA property tax for Community lot = \$169

-- USPS PO Box (annual fee) = \$124

-- OLCA website and video recording = \$214

-- Hawaii John rental = \$344

-- OLCA storage unit = \$668

-- Bank Service charges = \$151

-- **Total Administration expenses = \$10,963**

For the latest OLCA Financial information visit www.Orchidland.org , plus hard copies are available upon request from the check-in table. Mahalo

-- **Secretary's report by Frederic (Ric) Wirick and/ or legal assistant Carrie Walters / legal update from October Newsletter:**

Some of our members are confused by there being "two Boards". We need to make it clear that the "Arthurs Group" cannot be Board members as they gave up that right by not paying their Fiscal Year 2017-18 MRMAs. Normally we are not allowed to publicly disclose members who have or have not paid their MRMAs, however the Arthurs Group have all publicly disclosed that fact themselves on numerous occasions, so we are no longer under any obligation to keep that information privileged.

Please read your OLCA Bylaws, they are very clear. They are located online at www.Orchidland.org : **Article VII, Section 2, requires anyone desiring to be on the Board must be a member of OLCA.** *Article III, Section 1, states to be a member you must own a lot AND be current on your Mandatory Road Maintenance Assessment. So, according to your Bylaws, EACH AND EVERY ONE OF THE ARTHURS GROUP are disqualified from representing you as a Board member.*

Unfortunately, the Bylaws have not deterred this small group from continuing to claim to be the Board. As you are aware, they have even been sending out counterfeit “Newsletters” riddled with intentional misinformation. In order to keep our membership properly informed, we are forced to correct the most important falsehoods the Arthurs Group has misrepresented.

The Arthurs Group has accused us of squandering OLCA assets by using “the statutes of limitation to no longer collect MRMAs in arrears”. The reality is that the “Statutes of Limitations” is the LAW! We cannot legally collect any debt in which no attempt had been made to collect it for a period of six or more years. Your all volunteer Board spent an extraordinary amount of time identifying each penny we cannot legally collect due to the failure of the **prior** Boards, bookkeepers, and CPA. This totaled a whopping \$600,000 in *your* assets which *were* squandered and sat on OLCA’s books as bad debt.

To assure that future Boards are not allowed to be so fiscally irresponsible in the future, we updated the Policies and Procedures to protect your assets in legally allowable fashion. Your Board has only two options to collect past due MRMA, 1) put a lien on the property, or 2) send the debt to a collection agency. At no time have we instituted the threat of foreclosure as the Arthurs Group has accused us of.

As for the August 28, 2018 hearing, once again the Arthurs Group has spun the facts to misinform you. At no time did we try to “prevent the Plaintiff from seeing this Audit Report.” We simply wanted Arthurs to agree that it would be released under a Protective Order to prevent her from publicizing half-truths, spin, and total misinformation. She would not agree to a Protective Order. We filed with the Court for the Protective Order -- and it was granted.

We sincerely hope this helps our membership better understand the current situation.

-- Road Maintenance Committee Report by John Erickson and/ or Sky Platt:

For some us on the OLCA Road Maintenance Committee (RMC) this marks our 4th consecutive year of volunteer community service. We are all “volunteer” Board of Directors (BOD) elected by the OLCA membership. The members of the RMC have construction and small business backgrounds. We know how to get the job done right for an affordable price and how to serve an entire Community with a limited annual budget. There are about 40 miles of private roads within Orchidland Estates: about 30 miles are unpaved, about 6.5 miles are asphalt pavement and 3.5 miles are chip-sealed roads. Unpaved roads are now serviced at least twice a year and paved and chip-sealed roads are serviced as needed. Road-sides and intersections are mowed on a regular basis and signage installed.

The recent Lane hurricane storm system brought historically heavy rains and flooding which caused extensive road damage in Orchidland Estates. One area in-particular, near 39th and 40th Ave. and Pohaku Drive, lies at the bottom of the main drainages from Volcano to the ocean. Some roads in this area were impassible after the storm – severely damaged and/ or washed out. Emergency road repair funds were approved by the OLCA RMC and BOD and emergency repairs were completed within days by Hokori Construction, OLCA’s contracted road crew. This road crew is now continuing with the first round of road maintenance, repairing and servicing all 30 miles of unpaved roads. Starting from top and the most badly damaged roads 41st and 40th Ave and working down to 34th Ave. A large amount of fill materials was washed away from the roadways. Emergency road repairs and extra costs to replace fill materials lost in flooding will likely be close to \$50,000.

Summary of the 2018-19 Road Maintenance schedule and work completed:

1) A full rotation of unpaved road maintenance about 30 miles: including all through streets, plus cross streets and dead-end road where maintenance is needed. Service to include: mowing of road sides, grading, adding materials where needed, compaction and opening of natural drainages. **The first full rotation of road maintenance is about 2/3’s completed, contractors began work up on 41st Ave and are working down to 34th Ave.**

2) Road-edge maintenance on paved roads, removing over grown vegetation, creating roadside drainage plus the opening natural drainages where needed.

3) Preparation and the asphalt paving of the unpaved section of upper Pohaku Drive. In addition, asphalt repairs of two sections of damaged pavement, Laniuma near 38th Ave and Auli’i near 38th. Plus, preventative crack sealing of asphalt pavement on Main Access Roads (MARs) where needed.

4) In addition, regular and ongoing maintenance including road side mowing, pothole filling and sign installation and maintenance as scheduled.

Fortunately, most OLCA members are appreciative of the road maintenance and improvements in Orchidland Estates since July 2015. Already this fiscal year, 2018-19, the majority of OLCA members have paid their MRMA’s. In addition, we, the elected OLCA BOD and RMC serve as volunteers, which saves Orchidland Estates residents and property owners hundreds of thousands of dollars a year – fees that could be wasted on an expensive property manager (reference Plaintiff’s lawsuit).

Update on the sale of the OLCA Kubota tractor and loader, this equipment was decommissioned a while back to greatly reduce OLCA’s liability risk.

RMC foreman, Sky Platt announced that the OLCA Kubota tractor will be put up for sale soon, the minimum bid is \$6000, it is located at Bacon Universal Co. on Railroad Road, across from Target. Sale should be completed by the end of December 2018.

For the latest updates on the RMC and road work completed, visit www.Orchidland.org reference RMC Minutes and/ or Board Minutes (RMC reports). Mahalo

-- OLCA Hui Hoaloha Report by Jeremai Cann and/or Secretary Wirick:

Our monthly OLCA Harvest Share and Farmers Market has been active for over 2 years.

Recently the monthly event was renamed the First Saturday OLCA Farmers Market and Swap Meet with new hours from 8 am to 1 pm. Additional vendors from Puna will be joining the market providing fruit, vegetables, baked goods, holiday gifts, coffee, live music and much more!

Special presentations and workshops on preparing local foods, plus local musicians. Our next event is scheduled for Saturday December 1st.

Check it out! Buy local! For more information visit www.Orchidland.org , click on the OLCA group Facebook page or call Edie if you have any questions at 808-464-5598. Mahalo

That concludes the OLCA reports moving onto Membership Questions, please fill out the questionnaire sheet to submit comments, suggestions and/or questions – the sheets are available at check-in table.

Membership Input:

Questions were asked about the ongoing lawsuit, since the lawsuit is still in process it could not be discussed in detail.

A question was asked about the complaint against Sharon McCartin and Armon Collman regarding their photographing and theft of members private information including signatures at the last April’s Semi-Annual meeting. With the lava flow in May and lasting for a few months, certain incident reports were put on hold.

One member asked about a formal honoring of the American flag before a community meeting. It will be taken up for discussion at a later date.

There was praise from those in attendance for the OLCA Board of Directors for the good work and accomplishments over the past years and their continued commitment to the Orchidland Community.

That completed the OLCA Semi-Annual Membership meeting for November 24. 2018, motion to adjourn, call to vote, unanimous, meeting adjourned at 3:48pm.

Submitted by:

Frederic Wirick, Secretary

Date