

**Orchidland Community Association  
Board of Directors Meeting  
Approved Minutes  
March 19, 2019**

**Call to Order:** President Steve (Mongo) Lyon presiding; this is the Board of Directors meeting of March 19, 2019 at the Neighborhood Place of Puna in Keaau, the time is 6:35pm.

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

Out on medical leave: Don Stoner and James 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.

**Motion to approve the Agenda for the BOD meeting of March 19, 2019 as distributed.  
Seconded, called to vote, 7 in favor, unanimously approved.**

**Motion to approve the Minutes of the BOD meeting of February 19, 2019 as distributed.  
Seconded, called to vote, 7 in favor, unanimously approved.**

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

Aloha and welcome to the March 2019 Board of Director's 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. Guests will be given the opportunity to speak at the end of meeting. Sign-in and suggestion forms will also be provided at the meeting; these forms will be reviewed and addressed by the BOD at the next scheduled meeting.

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

**Monthly Reports:**

**Treasurer Tegen Greene, monthly financial report, as distributed.**

**RMC report summarized by RMC Vice Chair John Erickson (full report as distributed):**

**Updates on pothole filling:** As anticipated lower Orchidland Drive, the commercial district, continues to crack and break away in every rain storm. Repairs are being made at least twice a month if not more. The worst potholes are located on lower Orchidland Drive between Hwy 130 and the entrance to Blanes Drive-in. This short section of roadway receives heavy commercial traffic, including large delivery trucks and school bus traffic, plus the two parking lots from the Mormon church drain onto lower Orchidland Drive, causing ponding during heavy rains.

Letters were sent earlier this year to commercial property owners on lower Orchidland Drive and a complaint filed with the County Works Department concerning the road flooding and

ponding issue. We anticipate a workable solution in the future, in order to avoid the closure of this section of roadway.

**Additional RMC updates:**

Hokori Construction was scheduled to begin the asphalt road repairs on Laniuma near 38<sup>th</sup> Ave and Auli'i near 38<sup>th</sup> Ave. They will also properly repair the recent dozer damage on 40<sup>th</sup> Ave., bringing it back to original condition. Owners responsible for hiring the excavation contractors will be contacted regarding the cost of these repairs. Hokori Construction will also begin preparation for the asphalt paving of upper Pohaku Drive -- completing that portion of the Paving Plan. A few speed humps were also approved for this new section of asphalt pavement.

**Update on Hwy 130 and the dangerous intersection at Orchidland Drive:**

We addressed this issue extensively at last month's RMC and BOD meetings -- and details are included in last month's Minutes. OLCA anticipates that we will gain support for a traffic light and road reconstruction on this section of lower Orchidland Drive. We just need to get the State, County and commercial owners to step up and take responsibly for this section. Since the schools in Puna District use this location to pick up and drop off of students, they might join us in this campaign. As well as the Mormon church, who would be asked by DOT to close their parking lot closest to the intersection, if a roundabout were to be installed.

**Closing notice:** President Lyon had presented a letter to the RMC/ BOD to address road engineering requests from the Mormon church located near the intersection of Hwy 130 and Orchidland Drive. Response to this letter has been delayed because the OLCA BOD had filed a complaint with Hawaii County Public Works Dept. concerning drainage and flooding issues from the Mormon churches two parking lots onto lower Orchidland Drive. A response to the Church letter will be drafted following the report and recommendations from the County Works Dept.

**New Business:**

**Motion** to approve the Neighborhood Place of Puna, a non-profit 501c3, located in Keaau, to receive OLCA 2019-20 Ballots and complete the Membership ballot vote count. NPP will receive a donation of \$600 for their assistance, those funds go towards their Puna District community services and outreach.

**Seconded**

**Discussion:** It was recommended by the Court that OLCA hire a third-party to handle all aspects of the 2018-19 OLCA Ballot Count. It is suggested that we stay the course for the 2019-20 OLCA Ballot Count to approve the OLCA annual budget and fee schedule (MRMA).

NPP was chosen because they are located in Puna District and serve the entire District with community services, including "helping parents raise safe and healthy children." They have provided services to Puna District for over a decade, and maintain a food pantry, working

closely with the Hilo Food Basket, providing families with needed food daily. In addition, NPP had also assisted OLCA with vote counts in the past and their recommended donation was less expensive than other services.

**More discussion, motion called to vote, 7 in favor, unanimously approved.**

**New BOD Business/ Legal Update:**

It has been nearly four years since the inception of the Barbara Arthurs lawsuit, however now we can finally report some incredibly good news.

As we had reported earlier, on April 11, 2018, the Court ordered OLCA's frozen accounts to be unfrozen. However, Barbara Arthurs then sent a letter to certain financial institutions claiming she was OLCA's President (even though she had not paid her MRMA and therefore was ineligible to be on the Board). This caused at least one of our financial institutions to continue to keep the funds frozen. On March 7, 2019, the Court reaffirmed that your funds are to be released to the current authorized signers on the account, i.e., the "Lyon Board".

On January 14, 2019, OLCA filed a motion to terminate Nancy Cabral as the Special Master because she was actively helping Barbara Arthurs, inserting herself into Corporate business without specific direction from the Court, and preventing OLCA from accessing its own funds. On March 7, 2019, the Court suspended Nancy Cabral as the Special Master!

At the hearings held on March 7 & 8, 2019, the Court stated that "as a matter of law, all claims against the individual defendants have been dismissed", as Barbara Arthurs clearly could not produce sufficient evidence to sustain her claims against the Board members. The trial, which was scheduled for March 25, 2019, has been taken off the Court's calendar, pending the hearing described below.

OLCA is now left with adjudicating the only two remaining important issues, Dissolution and Receivership. A hearing to settle these last issues is scheduled for 9:30 am on May 2, 2019, in Judge Nakamura's courtroom. The last two hearings were quite entertaining and we expect the next one to be equally so. We encourage our members to attend the May 2<sup>nd</sup> hearing in a show of support for your Association.

Finally, it has been a long hard row to hoe for your Board members in fighting for YOUR rights to self-governance, protecting YOUR monies, and OLCA's future. Special kudos need to be acknowledged to OLCA Secretary, Ric Wirick. Without his hundreds of hours of hard work, stellar record keeping, and personal sacrifice our Community Association would have been unable to not only survive, but prevail, in this frivolous and malicious lawsuit.

**Social and Community Lot Committee Report:**

On March 2nd the OLCA First Saturday Market and Swap meet was held at the Hui Hoaloha located near the intersection of Orchidland Drive and 36<sup>th</sup> Ave. This monthly event was a great success with more vendors and participants.

The next OLCA Market is scheduled the first Saturday April 6, 2019 -- 8am to 1pm.

For more information on upcoming events please visit [www.Orchidland.org](http://www.Orchidland.org) , in addition, on the website there is a direct link to the OLCA group Facebook page.  
For vendor information please contact either Committee co-chairs Edie Valentine or Merlin Forman at the monthly events or by calling 808-464-5598.

**Final announcement:**

The OLCA Semi-Annual Membership meeting is scheduled for Saturday, April 27, 2019.  
Membership potluck and social event 12 noon to 2pm.  
Meeting from 2pm to 4pm.  
Location: OLCA Community gathering place/ Hui Hoaloha near the intersection of Orchidland Drive and 36<sup>th</sup> Ave.  
For more information 808-464-5598

The OLCA April 2019 Newsletter will be mailed on or before March 27, 2019 – at least 30 days before the April 2019 Membership meeting in accordance to the OLCA Bylaws.

**That concludes the OLCA BOD meeting for March 19, 2019, motion to adjourn, call to vote, 7 in favor -- the time is 7:12pm.**

**Submitted by:**

\_\_\_\_\_  
**Frederic Wirick, Secretary**

\_\_\_\_\_  
**Date**