

**Orchidland Community Association  
Board of Directors Meeting  
Approved Minutes  
December 17, 2019**

**Call to Order:** Vice President Doug Anderson presiding; this is the Board of Directors meeting of December 17, 2019 at the Neighborhood Place of Puna in Keaau, the time is 6:41pm.

**Roll Call:** Doug Anderson, Tegen Greene, Frederic Wirick, John Erickson, Jeremai Cann and Paul Imaizumi by conference call.

Out on medical and/ or excused leave: Steve Lyon, Sky Platt, Steve Baca and Don Stoner.

Guests: Hershel Hood, Sharon McCartin, Norman (Kainoa) Kauahi, Lloyd Sweirenga, Carrie Walters.

**Motion to approve the Agenda for the BOD meeting of December 17, 2019 as distributed. Seconded, called to vote, 6 in favor, unanimously approved.**

**Motion to approve the Minutes of the BOD meeting of November 19, 2019 as distributed. Seconded, called to vote, 6 in favor, unanimously approved.**

**Motion to approve the Semi-Annual Membership Minutes of November 30, 2019 as distributed. Seconded, called to vote, 6 in favor, unanimously approved.**

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

Aloha and welcome to the December 2019 Board of Director's meeting for fiscal year 2019-20. 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 this past month were delayed because of the constant rain. Gravel was added a few times to fill the massive pothole that opened up at the intersection with Hwy 130, the pothole stretched across almost the entire inbound lane. This was the worst damage sustained over the past four-years. And almost forced a road closure due to the serious liability risk to OLCA. 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.

**Special update**, the Mormon church began drainage improvements to their upper parking lot and in the right-of-way. Completion date should be very soon.

Letters were sent 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.

Other potholes are filled once a month as part of ongoing road maintenance.

**Asphalt repair and paving updates:**

Asphalt paving was completed on upper Laniuma Drive from 39<sup>th</sup> to 40<sup>th</sup> Ave. With the 2015 Orchidland Voice/ Arthurs lawsuit ended and all OLCA funds unfrozen -- the RMC is now back to original plan to pave upper Laniuma Drive, then upper Illima Drive and finally, upper Pohaku Drive. Once these 3-sections of roads are completed, the 1999 Paving Plan will be complete.

**Unpaved road maintenance updates:** Upper unpaved Pohaku Drive was graded, crowned and compacted.

**Road side mowing:** road side mowing, opening natural drainages and intersection vegetation clearing has begun ahead of the road maintenance crews and on Main Access Roads.

**New Business:**

**Warning to the County, State and commercial businesses and church regarding lower Orchidland Drive near the intersection with Hwy 130:**

Weeks of rain these past months caused continuous road flooding and ponding on Orchidland Drive near the intersection with Hwy 130. This flooding coupled with excessive commercial traffic caused this section of deteriorating roadway to break-up, forming a large pothole that covered most of the inbound lane where Orchidland Drive meets Hwy 130.

The rainy weather, flooding, deteriorating road surface, large potholes and inability to patch roadway (because it was under water) almost led to an emergency road closure. Commercial businesses and the church in this area were warned of possible road closure for years, with a formal OLCA certified letter sent in 2017.

In a 2017-18 traffic survey, the RMC determined that there were over 10,000 vehicles a week accessing commercial businesses and church on this section of lower Orchidland Drive, which totaled over 90% of the traffic utilizing this section of roadway. Essentially, this short-section of lower Orchidland Drive serves as a “commercial business access road.”

The first church (the LDS Keaau-Pahoa stake-house) and business (a Wiki Wiki convenience store) permitted by the County and State were directed to install an asphalt-paved road from Hwy 130 to their locations. Since then County and State have not required road improvements and/ or reconstruction of this “commercial business access road”. In fact, the County and State continue to approve new business construction on this section of lower Orchidland Drive, which has created an increased public safety hazard by the increase of commercial traffic on a deteriorating “commercial business access road”.

In addition, this location on lower Orchidland Drive is a primary school bus load and unload zone for students between Keaau and Pahoa towns.

The increased “commercial business traffic” has created a real and growing public safety risk, plus the lack of a traffic-light at the hazardous intersection of Hwy 130 and Orchidland Drive has led to weekly vehicle accidents with serious injuries and/ or fatalities. How many Puna residents have to be injured and/ or be killed before a traffic-light is installed?

OLCA has patiently requested assistance for the past 4-years. OLCA is now demanding cooperative assistance from the County, State and commercial businesses and church on lower Orchidland Drive to rectify this Public Safety issue once and for all.

**Referencing the above statements, the RMC approved the following motion and recommends the Motion for BOD approval:**

**Motion** to draft and send letters and emails to all business owners and church on lower Orchidland Drive, and to send letters via emails to County, State and Federal agencies and representatives, and reporters. In regards to the growing Public Safety Hazard and Risk at the dangerous intersection at Hwy 130 and Orchidland Drive.

The OLCA Board of Directors request:

- 1) Installation of a traffic light.
- 2) The re-construction of lower Orchidland Drive which primarily serves as a business access road.
- 3) To temporarily close this hazardous and deteriorating section of roadway during periods of extended rains and flooding in order to prevent traffic accidents and vehicular/ pedestrian injuries and/ or fatalities.

**Seconded**

**More Discussion:** this section of lower Orchidland Drive has become a major Public Safety Hazard, and general warnings of the Public Safety risk should also be shared via social media, regular media and other means of public communication.

**Call motion to vote, 6 in favor, unanimously approved**

### **OLCA RMC Business**

#### **Initial 2020 Paving Plan proposals include:**

- Tear out of chip seal intersections and replacement with asphalt intersections and the addition 20' asphalt aprons. These Main Access chip sealed road intersections include: Pohaku Drive from 35<sup>th</sup> to 37<sup>th</sup> Ave, Laniuma Drive from 35<sup>th</sup> to 36<sup>th</sup> Ave, Orchidland Drive from 34<sup>th</sup> to 37<sup>th</sup> Ave, Auli'i Drive from 34<sup>th</sup> to 36<sup>th</sup> Ave, and Illima Drive at 36<sup>th</sup> Ave.
- Installation of 25 speed limit signs and posts along Main Access Roads.
- Installation of 25 mph "Speed Humps" where needed to slow traffic and deter cut-through traffic. Installation to begin on Pohaku Drive and 40<sup>th</sup> Ave (the elbow, the primary bypass roads)

#### **Long term plans include:**

Asphalt paving of upper Auli'i Drive, 40<sup>th</sup> to 41<sup>st</sup> Ave.

Tear out and replacement of chip seal roads with asphalt paving including: Orchidland Drive from 34<sup>th</sup> to 37<sup>th</sup> Ave, Pohaku Drive from 35<sup>th</sup> to 37<sup>th</sup> Ave, Laniuma Drive from 35<sup>th</sup> to 36<sup>th</sup> Ave, Auli'i from 34<sup>th</sup> to 36<sup>th</sup> Ave, and Illima Drive from 35<sup>th</sup> to 36<sup>th</sup> Ave. Also, sections of 35<sup>th</sup> Ave from Pohaku Circle to Laniuma Drive.

- Permanent repairs and installations with asphalt or concrete on 40<sup>th</sup> Ave from Laniuma to Pohaku Drive, to help reduce wash-outs in this area during heavy rains.
- Center striping of asphalt roads.
- This is a preliminary list and it will be revised over the next months, in preparation for the OLCA March 2020 Newsletter and membership approval.

There was some discussion about looking into possible funding through the USDA to improve our roads. It was noted that Hawaiian Shores Community Association had recently posted signs outside their community site at the Stables, indicating that the USDA was supporting their upcoming paving project.

#### **Guest input and suggestions regarding the RMC:**

Sharon McCartin, representing Orchidland Neighborhood Watch (ONW) asked to install 10 Neighborhood Watch signs in Orchidland Estates. The OLCA Road Maintenance Committee (RMC) requested that she provide them with a map of the location of these signs and posts as well as placement and installation procedure of these signs and posts. Ms. McCartin had asked to place the Neighborhood Watch signs on existing OLCA road signs posts but that request was denied by the OLCA RMC/ BOD.

OLCA Vice president Doug Anderson reminded Ms. McCartin that due to liability risks associated with Neighborhood Watch (including but not limited to fatal shootings on the U.S. mainland) that Orchidland Neighborhood Watch and a was NOT covered under OLCA's general liability insurance policy. And if ONW was operating from within Orchidand Estates it would require proof on an insurance policy.

**OLCA BOD New Business:**

As per the OLCA Bylaws, it was announced at last month's BOD meeting that there would be an election of an OLCA interim Board member, Hershel Hood, at this month's Board meeting.

**Motion** to elect Hershel Hood to the OLCA Board of Directors as an interim Board member for fiscal year 2019-20.

**Second**

**Discussion:** Hershel Hood had offered to step up and volunteer his service as an interim OLCA Board member. He and his wife have recently relocated to Orchidland Estates after having lost their home in Lanipuna Gardens during the 2018 lava flow.

Hershel has also shown interest in assisting the BOD and RMC where he can.

**More discussion:**

**Call motion to vote, all in favor, 6, unanimously approved.**

Welcome Hershel Hood to the OLCA Board of Directors for fiscal-year 2019-20.

**Social and Community Lot Committee Report:**

The OLCA First Saturday Harvest Share and Farmers Market was held on December 7, 2019. This monthly market at the OLCA Hui Hoaloha located near the intersection of Orchidland Drive and 36<sup>th</sup> Ave. The new time for this monthly event is from 10am to 2pm, with an informal Community talk-story from 1pm to 2pm. This past monthly OLCA Harvest Share and Market was well attended and a number of vendors participated.

Join OLCA next year, January 4, 2020 from 10am to 2pm for the OLCA 1<sup>st</sup> Saturday Market. 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 Merlin Forman or Sharon Walker at the monthly events or by calling 808-464-5598.

**OLCA Community Lot Development Committee report:**

**Updates from November 30, 2019 OLCA Semi-Annual Membership meeting**

The OLCA Community Lot Development Committee had an information table with the revised Community Center site plan on display including related photos of both the proposed pavilion and covered Post Office boxes. The photos were of existing structures including a canoe club's pavilion on Bayfront Hilo and the Ainaloa Community covered PO boxes.

Note, many OLCA members in attendance were supportive and some OLCA members in offered their volunteer services to help move this Community project forward.

**OLCA Community Lot Development Committee New Business report from December 10, 2019 following the RMC meeting:**

**A motion to appoint directors of the OLCA Community Lot Development Committee  
Seconded**

**Discussion:** This committee currently consists of the RMC members: John Erickson, Doug Anderson and Frederic Wirick, in addition Lloyd Sweirenga, Carrie Walters and OLCA member Norman (Kainoa) Kauahi.

In order to move forward with additional meetings and committee business, the OLCA Community Lot Development Committee nominated and elected an OLCA Committee Chairperson, Vice-Chairperson and Secretary.

**Norman (Kainoa) Kauahi was elected as the OLCA Community Lot Development Committee chairperson.** Norman has experience of working with residential cooperatives, community markets, agriculture, traditional Hawaiian cultural activities and more.

**Lloyd Swierenga was elected as the OLCA Community Lot Development Committee vice-chairperson.** Lloyd has experience of working with OLCA as the parliamentarian since July 2015, assisting with Community activities, and was a former executive director of a large non-profit, and more.

**Frederic (Ric) Wirick was elected as the OLCA Community Lot Development Committee secretary.** Ric has served as OLCA's Secretary for the BOD and RMC since July 2015 and served on the original OLCA Community Lot Development Committee and more.

**OLCA BOD New Business continued:**

**The OLCA Community Lot Development Committee has approved the following motion and recommends it for OLCA Board approval. First, an overview of the recommended motion:**

It has been suggested that it would be in the best interest of OLCA to create a 501c3 for the Community Lot Development in order to raise funds for the final site and building plans, construction and maintenance of the proposed Orchidland Community Center. One of the initial suggestions came from OLCA's book and record keeper Ken Ah Lo.

Ken Ah Lo shared this example. For years he has served as an active Board member of the Hawaii Island Portuguese Chamber of Commerce (501c6). Some years back HIPCC formed a 501c3 to assist with fundraising for their HIPCC Cultural Center site plans, construction and future maintenance of their Center in Hilo. The 501c3, non-profit status with IRS allows them to collect tax-deductible donations and grants and now with funding -- they are moving forward with HIPCC Cultural Center.

The suggested name for OLCA's 501c3 would be the OLCA Agri-Cultural Center. OLCA's community center would provide both local Agriculture and local Cultural presentations and events to serve the greater Puna District. In addition, this site would serve as a weekly Harvest Share and Community Farmers Market, featuring locally grown produce and locally made foods and crafts.

Historically, it should be noted that from 2016 to 2018 OLCA held a monthly Community Harvest Share, potluck and talk story – with monthly presentations on local agriculture at the OLCA Community lot, Community gathering place, “Hui Hoaloha”. From 2018 to present this has been the site of the OLCA 1<sup>st</sup> Saturday Harvest Share and Market, often with monthly presentations on local agricultural topics. This OLCA monthly event has been open to the greater Puna District.

The OLCA Agri-Cultural Center would also would continue to serve as the location for the OLCA Semi-Annual Membership meetings and in the future, possibly the monthly BOD, RMC and other committee meetings as well.

The new 501c3 designation would allow the OLCA Agri-Cultural Center to apply for grants from the County, State and Federal government. With an initial emphasis on USDA Rural Development grants. In addition, the 501c3 status promotes tax-deductible donations from foundations, other non-profit organizations, businesses the general public and more.

This OLCA 501c3 could also serve as an umbrella for OLCA for instance: USDA Rural Development offers grants to assist with improvements of the “rural infrastructure” – this could include some of the costs for the proposed covered USPS Post Office Boxes. And even grants for some road improvements, for example, improving Orchidland Drive from Hwy 130 to the site of the new OLCA Agri-Cultural Center on 36<sup>th</sup> Ave.

#### **New BOD Business:**

**Motion to approve the name of the proposed OLCA Community Center as the OLCA Agri-Cultural Center.**

**Seconded**

**More Discussion**

**Call to vote, 6 in favor, unanimously approved.**

**Motion to approve OLCA funds for the formal application and filing of the OLCA Agri-Cultural Center by an 501c3 attorney. These funds are to come from the OLCA Community Lot Development fund.**

**Second**

**Discussion:** Since the Arthurs lawsuit against OLCA has ended in Summary Judgement, Plaintiff Arthurs ordered to pay costs and all OLCA funds unfrozen – OLCA is now looking to move forward with improvements and development at the OLCA Community lot that had been put on hold for over 4-years. Fundraising is necessary in order to move forward.

The new 501c3 designation would allow the OLCA Agri-Cultural Center to apply for grants from the County, State and Federal government. With an initial emphasis on USDA Rural Development grants. In addition, the 501c3 status promotes tax-deductible donations from foundations, other non-profit organizations, businesses the general public and more.

The cost of the attorney to complete the 501c3 EZ application and necessary documents is up to \$4000 including filing fees. Once the 501c3 application and documents are completed the estimated approval time is approximately one month. This application and documents could be completed by the first of the new year 2020.

**Call motion to vote, 6 in favor, unanimously approved.**

**That concludes BOD and Committee reports and New Business.**

**That concludes the OLCA BOD meeting for December 17, 2019, motion to adjourn, call to vote, 6 in favor -- the time is 7:28 pm.**

**Submitted by:**

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**Frederic Wirick, Secretary**

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**Date**