

**Orchidland Community Association
Board of Directors Meeting
Approved Minutes
January 21, 2020**

Call to Order: Vice President Doug Anderson presiding; this is the Board of Directors meeting of January 21, 2020 at the Neighborhood Place of Puna in Keaau, the time is 6:42pm.

Roll Call: VP Doug Anderson, Treasurer Tegen Greene, Secretary Frederic Wirick, RMC Vice Chair John Erickson, Hershel Hood and Paul Imaizumi via conference call.

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

Guests: Dave Guinn, Brennan Low, Betty and Hameed Saleh, Norman Kauahi, Lloyd Swierenga, Carrie Walters, Marti Morshige

Motion to approve the Agenda for the BOD meeting of January 21, 2020, 2019 as distributed. Seconded, call to vote, all in favor 6, approved unanimously.

Motion to approve the Minutes of the BOD meeting of December 17, 2019 as distributed. Seconded, call to vote, all in favor 6, approved unanimously.

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

Aloha and welcome to the January 21, 2020 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, primarily used as the business access road for the commercial district, continues to crack and break away in every rain storm. The worst potholes developing where lower Orchidland Drive adjoins Hwy 130. This has created a Public Safety Hazard and Risk. During the past months many large potholes have opened up, one had spanned inbound lane of traffic. OLCA maintenance crews have attempted cold patching between storms and gravel has been used while the road is flooded.

Due to this increased Public Safety Hazard and Risk during heavy rains and flooding, OLCA has requested that the County temporarily close this section of road in order to help prevent

vehicular/ pedestrian injury and/ or fatality. This short section of roadway receives heavy commercial traffic, including large delivery trucks and school bus traffic (loading and unloading of school children). In addition, the flooding in this section is made worse by the church's lower parking lot draining directly onto lower Orchidland Drive.

Letters were sent to commercial property owners on lower Orchidland Drive in 2017 and a complaint filed with the Hawaii County Works Department in 2018-19 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.

Unpaved road maintenance updates: a complete rotation of road maintenance on unpaved roads, totaling about 30 miles began in December 2019. This will include road side mowing, opening natural drainages; grading to a center lane where possible, adding materials (1 ½" to ½" base coarse) where needed on center lane.

To date areas that have been serviced include: upper unpaved Pohaku Drive; 40th Ave. down to 37th Ave. between Pohaku Drive and Orchidland Drive. The holidays and recent rains and flooding have slowed the road maintenance process.

The schedule over the next month includes: between Pohaku and Orchidland Drive to from 37th down to 35th Ave. Then between Orchidland and Auli'i Drive from 34th up to 41st Ave. Then between Auli'i and Ainaloa Drive from 37th to 34th Ave.

It should be noted that OLCA works with a limited road maintenance budget. If a fiscal year (July 1st to June 30th) is not interrupted by severe weather and flooding, OLCA has budgeted for 2 complete maintenance rotations of unpaved roads (about 30 miles). These maintenance rotations are intended to make the roads passable at the posted speed limit for unpaved roads in Orchidland Estates at 15 mph. OLCA does not have the funding to provide road materials (gravel and/ or 1 ½" base course) to cover all unpaved roads.

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:

1) Referencing the unpaved road maintenance report listed above. To initiate this maintenance rotation, the RMC agreed to pay the contractor on a weekly basis for time, equipment, operators and materials costs rather than a flat fee. This was due in part to the increased contractor costs including equipment use and repair related to maintenance of OLCA unpaved

roads. Many roads with exposed lava rock surfaces and/ or minimal road materials on the road surface (gravel, base course, etc.).

RMC discussion: the RMC reviewed Hokori Construction's recent invoices for cost and materials from last month services on upper Pohaku, 40th and 39th from Pohaku, Laniuma, to Orchidland Drive. The RMC had also traveled and inspected these sections of roads, following the recent heavy and extended rains. The RMC was satisfied with the overall maintenance service, these unpaved roads held up relatively well in the heavy rains but the overall costs for this service, for the full 30 miles of unpaved roads, would exceed the limited OLCA road maintenance budget.

In order to reduce per mile service costs to fit within the limited budget, the RMC agreed to go back to limited equipment use yet increase the amount of materials being distributed on the roadway. The RMC will contact Hokori Construction with the details to complete the unpaved road maintenance service rotation.

2) RMC Discussion regarding road side maintenance and upkeep, including the dumping of vehicles and other trash along OLCA road sides. Also, the increased costs to haul and dispose of this trash by OLCA.

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.

Update: on or about December 28, 2019 Secretary Wirick followed up with report of an arson of vehicle on Illima between 36th and 37th. This location was also the site of road side trash dumping: including: vehicle parts, discarded furniture and household items and numerous trash bags. Plus, two previously burnt out vehicles were pushed back just beyond the right of way. The HPD officers tagged the burnt vehicle on the roadway for removal. And wrote up a "criminal littering" incident report for the other trash and abandoned vehicles. They suggested that the Community Association coordinate a neighborhood trash-watch and possibly purchase and install motion cameras to aid the criminal littering investigation.

OLCA roadside crews were alerted to the road side mowing hazards and will remove the items before mowing. Apparently, this section of Orchidland along Illima drive is a common area for trash dumping.

Possible clean-up solutions, last year, OLCA president Steve Lyon and his wife participated in Community clean-up in this area. Also, apparently Matson shipping offers an annual grant to assist with Community clean-up operations. And OLCA roadside crews, clean up excessive trash before mowing the area, and have for the past 4-years. Also, it has been suggested with abandoned vehicles to contact the EPA directly, apparently there might be clean up funds available for abandoned vehicles.

Old Business:

The letter approved by the RMC and BOD to be sent (via mail and/ or email) to business, church, County, State and Federal agencies and representatives, and reporters, regarding the Public Safety Hazard and Risk at lower Orchidland Drive and Hwy 130 is almost ready for distribution.

Long and short the letter demands an immediate solution to this growing Public Safety Hazard and Risk including: the installation of a traffic-light at this dangerous intersection of Hwy 130 at Orchidland Drive (a traffic-light that had been promised by the County and State for over 40 years). And assistance with the reconstruction of the deteriorating “business access road” of lower Orchidland Drive from Hwy 130 to 34th Ave.

Discussion: over the past month OLCA Vice President Doug Anderson, Secretary Frederic Wirick and legal assistant Carrie Walters have been investigating building and special use permits issued by the County and ultimately approved by the County’s Windward Planning Commission. The newest construction was granted based on a State Hwy traffic study conducted over 10 years ago, that (falsely) claimed once the traffic-light at this intersection of Hwy 130 and Pohaku/ Shower was constructed (over two miles away) it would allow for breaks in the traffic flow to allow motor vehicles existing Orchidland Drive to safely enter Hwy 130.

To make matters worse and even more dangerous, the current traffic flow during rush hour (3pm to 7pm) in the outbound lane on Hwy 130 from Keaau to Pahoia is now a constant without interruption, due to the State imposed “contra-flow” or “funnel effect” on Hwy 130 from the Pohaku/ Shower traffic light to Kaloli Drive. It is now almost impossible to enter Hwy 130 from Orchidland Drive, and has become the most dangerous intersection on Hwy 130.

The OLCA investigative group has also located a few violations including one commercial structure without a building and special use permit. This commercial warehouse has utilized lower Orchidland Drive for deliveries for over 10-years, including heavy delivery trucks and 40’

shipping containers. Worth noting, a permitted commercial structure across the Orchidland Drive on 34th Ave from this “unpermitted warehouse” was unable to proceed because part of their “special use permit” included improvements to lower Orchidland Drive including the installation of traffic-light at Hwy 130. Whereas, the new construction at the corner of Orchidland Drive and Hwy 130, has no road improvements and/ or traffic-light installation included in their special use permit – this new construction for commercial use seems to have been fast-tracked.

Finally, the Mormon church’s first driveway entrance, immediately off of Hwy 130, was never supposed to have been built 40 years ago. The construction of this first driveway was rejected by the County and State. This is the same driveway leading to the Mormon church’s main parking lot that has flooded lower Orchidland in heavy rains for 40 years. And this location at lower Orchidland Drive at the intersection of Hwy 130 over the past months has experienced the worst potholes, some extending over the entire inbound lane of lower Orchidland Drive. A formal complaint has been filed with County Planning. Note OLCA filed a formal complaint regarding this issue with County Public Works in 2018 and 2019.

This OLCA investigation of lower Orchidland Drive and this dangerous intersection on Hwy 130 has uncovered numerous inconsistencies regarding County and State recommendations. Ultimately it appears that the County Windward Planning Commission can and does override public safety issues and concerns when it comes to promoting business on lower Orchidland Drive. This letter to the businesses, church, County, State representatives and reporters should open some eyes, and get some funding “fast-tracked” to create a safer intersection (traffic-light installation) and a reconstructed “business access” roadway for Puna District residents that access this “commercial district” in Orchidland Estates on a daily basis.

Proposed OLCA 2020 Paving Plan (preliminary proposal):

Initial 2020 Paving Plan proposals include:

- Tear out of chip seal intersections and replacement with and asphalt intersections and the addition 20’ asphalt aprons. These Main Access chip sealed road intersections include: Pohaku Drive from 35th to 37th Ave, Laniuma Drive from 35th to 36th Ave, Orchidland Drive from 34th to 37th Ave, Auli’i Drive from 34th to 36th Ave, and Illima Drive at 36th 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 40th Ave (the elbow, the primary bypass roads)

Long term plans include:

Asphalt paving of upper Auli’i Drive, 40th to 41st Ave.

Tear out and replacement of chip seal roads with asphalt paving including: Orchidland Drive from 34th to 37th Ave, Pohaku Drive from 35th to 37th Ave, Laniuma Drive from 35th to 36th Ave, ,

Auli'i from 34th to 36th Ave, and Illima Drive from 35th to 36th Ave. Also, sections of 35th Ave from Pohaku Circle to Laniuma Drive.

-- Permanent repairs and installations with asphalt or concrete on 40th 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.

More discussion, flooding and road damage updates:

The OLCA RMC was invited to attend an upper Puna Community Task force meeting on Thursday, January 16th at the Keaau Community Center from 6pm to 8pm hosted by County Council District 5 representative Matt Kleinfelder. This meeting was scheduled to address flooding, infrastructure and other issues and concerns in upper Puna District communities.

Social and Community Lot Committee Report:

The OLCA First Saturday Harvest Share and Farmers Market was held on January 4, 2020. This monthly market at the OLCA Hui Hoaloha located near the intersection of Orchidland Drive and 36th 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 month, February 1, 2020 from 10am to 2pm for the OLCA 1st Saturday Market. For more information on upcoming events please visit 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 updates and report:

As noted in previous Minutes, the OLCA Community Lot Development Committee was reactivated and formally approved by the OLCA Board in November 2019. In December 2019, the new chairperson Norman (Kainoa) Kauahi, vice-chair Lloyd Swierenga and secretary Frederic Wirick were elected and approved by the OLCA Board. In addition, members of the OLCA Road Maintenance Committee and some OLCA Board members volunteered to assist where possible.

The primary goal of this OLCA committee is fundraising and development of the OLCA Community lot. In December 2019, it was suggested and approved by the OLCA Board that a separate 501c3 be formed to move this fundraising and development process forward. A 501c3 can apply for County, State and Federal grants as well as accept tax deductible donations.

The model that OLCA (501c4) chose to follow was that of the Hawaii Island Portuguese Chamber of Commerce (501c6). HIPCC formed a separate 501c3 to fundraise, develop, construct and maintain their proposed HIPCC Cultural Center.

In December 2019, the suggested and OLCA Board approved name of this new 501c3 is “OLCA Agri-Cultural Center.” This would integrate both the State agricultural designation and zoning for Orchidland Estates and most of Puna District as well as the diversified Cultural aspects of the Hawaii Island. And give the greater Community of Puna an Agri-Cultural hub located midway between Keaau and Pahoia towns. In December 2019 the OLCA Board also approved Community lot funds to pay for the 501c3 application process and filing for this IRS tax-deductible status.

Since November 2019 revised OLCA Community Center site plans have been presented at OLCA Community gatherings as well as committee and Board meetings. This month, January 2020 the formal 501c3 OLCA Agri-Cultural Center application is in process.

New Business:

Motion to approve a long-term lease from Orchidland Community Association (501c4) to the OLCA Agri-Cultural Center (501c3) for the improvements and construction on the OLCA Community 2-acre lot located at 16-1674 36th Ave.

Seconded

Discussion: proposed site plans include pavilions, restrooms, community garden, off-street parking, covered mailboxes and more. These facilities would be available to OLCA for meetings and social events. The OLCA Agri-Cultural Center (501c3) would be responsible for fundraising, submitting site plans, site development, construction and maintenance costs. Also, the OLCA Agri-Cultural Center would be responsible for general liability and other related insurance costs.
More discussion, call to vote, all in favor 5, 1 opposed – motion approved.

Motion to approve the OLCA Agri-Cultural Center Directors and Officers (D&O) insurance for fiscal year 2020-21.

Second

Discussion: with the establishment of the OLCA Agri-Cultural Center comes the necessity for a separate Board of Directors. Initially, the OLCA Community Lot Development committee has agreed to serve as the OLCA Agri-Cultural Center Board of Directors, with Articles of Incorporation and Bylaws to be created by the 501c3 attorney.

As with the OLCA Board (501c4) it is necessary to have insurance for the OLCA Agri-Cultural Center Board (501c3). Based on the HIPCC Cultural Center’s Board, D&O insurance should be about \$600 per year. Initially, these funds would come from the OLCA Community lot development account. Next year the insurance funds would come from directly from the OLCA Agri-Cultural Center’s account.

More discussion, call to vote, all in favor 5, 1 opposed – motion approved.

Special Announcement:

As per the OLCA Bylaws, this is a formal announcement for the election of three OLCA interim Board members at next month’s Board meeting scheduled for February 18, 2020. Betty Saleh, David Guinn and Brennan Low have offered to step up and fill the OLCA Board positions of departing Board members Donald Stoner, Steve Baca and Paul Imaizumi.

Betty Saleh and David Guinn are guests at tonight's OLCA Board meeting. And now would be a good time for a brief introduction if they would like to speak.

Betty Saleh:

David Guinn:

Brennan Low:

That concludes the OLCA BOD and Committee reports, New Business, Old Business and Announcements.

Guest input and suggestions:

Marti Morishige asked when road maintenance would be completed on 35th Ave near the intersection with Pohaku Drive. Secretary Wirick responded that OLCA road crews would be completed with maintenance on that section or road in about 2 days.

That concludes the OLCA BOD meeting for January 21, 2020, motion to adjourn, call to vote, 6in favor -- the time is 7:42pm.

Submitted by:

Frederic Wirick, Secretary

Date