

**Orchidland Community Association
Board of Directors Meeting
Approved Minutes
February 18, 2020**

Call to Order: President Steve Lyon presiding; this is the Board of Directors meeting of February 18, 2020 at the Neighborhood Place of Puna in Keaau, the time is 6:45pm.

Roll Call: President Steve Lyon, Vice President Doug Anderson, Treasurer Tegen Greene, Secretary Frederic Wirick, Road Chair Sky Platt, Vice-RMC Chair John Erickson, Jeremai Cann and Hershel Hood.

Out on medical and/ or excused leave: Steve Baca, Don Stoner and Paul Imaizumi.

Guests: David Guinn, Brennan Low, Lloyd Swerienga and Carrie Walters.

Motion to approve the Agenda for the BOD meeting of February 18, 2020 as distributed. Seconded, call to vote, 8 in favor, unanimously approved.

Motion to approve the Minutes of the BOD meeting of January 21, 2020 as distributed. Seconded, call to vote, 8 in favor, unanimously approved.

President's welcome announcement to members and general public:

Aloha and welcome to the February 18, 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.

New Business of Interim OLCA BOD elections.

As per OLCA Bylaws there was a special announcement at last month's OLCA Board meeting held on January 21, 2020 -- for the election of three OLCA interim Board members at this, the next OLCA Board meeting of February 18, 2020:

Those members in good standing include: Betty Saleh, David Guinn and Brennan Low. They have offered to step up and fill the OLCA Board positions of departing Board members Donald Stoner, Steve Baca and Paul Imaizumi.

Simultaneously and upon the election of the new OLCA interim Board members, the OLCA Board accepts the resignations of the three departing OLCA Board members Donald Stoner, Steve Baca and Paul Imaizumi. The OLCA Board and Orchidland Community greatly appreciated the years of their volunteer service. Don Stoner serviced with the OLCA Board from July 2015, Steve Baca from July 2017, and Paul Imaizumi from July 2016. Mahalo to these departing BOD for stepping up to assist with the management of OLCA and for your community service.

OLCA interim Board of Directors (BOD) elections:

Motion to nominate and elect Betty Saleh as an OLCA interim Board member to serve to the end of the 2019-20 fiscal year ending June 30, 2020.

Seconded

Called to vote, 8 in favor, unanimously elected.

Motion to nominate and elect David Guinn as an OLCA interim Board member to serve to the end of the 2019-20 fiscal year ending June 30, 2020.

Seconded

Called to vote, 8 in favor, unanimously elected.

Motion to nominate and elect Brennan Low as an OLCA interim Board member to serve to the end of the 2019-20 fiscal year ending June 30, 2020.

Seconded

Called to vote, 8 in favor, unanimously elected.

Congratulations and welcome to the newly elected interim OLCA Board members. We appreciate the fact that you have also considered running as candidates for extended OLCA BOD terms (up to 3-years) -- candidate statements and ballots to be mailed with OLCA March 2020 Newsletter.

In addition, we are looking forward to integrating some of your new ideas and suggestions, and look forward to your participation in OLCA management and as an active community volunteer.

Both David Guinn and Brennan Low, present at the meeting joined the OLCA Board at the table for the remaining business while Jeremai Cann had to depart the meeting early. Nine-total OLCA Board members in attendance.

(Following the BOD meeting, OLCA parliamentarian Lloyd Swierenga met with the interim Board members in attendance including Hershel Hood and provided each with the OLCA Board notebook which included: OLCA Articles of Incorporation, OLCA Bylaws and more. In addition, he gave them a briefing of Board protocol, including Roberts Rules of Order and more.)

Monthly Reports:

Treasurer Tegen Greene, monthly financial report, as distributed.

Announcement: due to the fact that we have many motions to discuss and approve this evening we will leave it up to Board members to review the entire Agenda including monthly

reports. This Agenda/ Minutes will be posted online for the entire OLCA membership to review at a later date. Now moving onto Motions beginning in the middle of page 5 with New Business.

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 and 2019 concerning the road flooding and ponding issue. Letters and/ or emails will be sent to business owners plus County, State, Federal officials and politicians regarding this increased Public Safety Hazard. 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 included road side mowing, opening natural drainages; grading to a center lane where possible, adding materials (1 ½" to 2 ½" base coarse) where needed on center lane.

To date areas that have been serviced include: upper unpaved Pohaku Drive; between Pohaku and Orchidland drive from 40th Ave. down to 35th Ave; between Orchidland and Auli'i drive from 41st to 34th Ave.

The schedule over the next weeks includes: unpaved roads between Auli'i, Illima and Ainaloa from 37th to 34th. That will complete the full maintenance service.

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 (1 ½" and/ or 2 ½" base course) to cover all unpaved roads.

Road side mowing: road side mowing continues along unpaved roads ahead of scheduled road maintenance.

Abandoned Vehicles (AVs) on OLCA roads 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.

Over the past month 2 burnt out AVs were reported and hauled from 35th Ave between Orchidland and Auli'i drive.

3 AVs were reported and 2 hauled from 39th between Pohaku and Laniuma drive.

1 AV was reported and hauled on 39th between Orchidland and Auli'i.

1 AV was reported on 36th between Auli'i and Ilima.

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.

Additional updates regarding AVs and trash dumping: last year, OLCA president Steve Lyon and his wife participated in a Community clean-up on Ilima drive (the worst area for trash dumping). Also, Matson shipping now offers an annual grant to assist with Community clean-up operations. Plus, for the past 4-years OLCA roadside mowing crews, have removed excessive trash before mowing road sides.

Last month it was suggested by a new interim OLCA Board candidates that OLCA initiate a special committee to address this AV and trash issue. Making it easier and more efficient for residents to report AV and trash dumping to the HPD for hauling and disposal. Also, it has been

suggested with abandoned vehicles to contact the EPA directly, apparently there might be clean up funds available for abandoned vehicles.

OLCA 2020 Paving Plan:

- Tear out of chip seal intersections and replacement with asphalt intersections plus the addition of 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:

- The installation of 20' asphalt aprons at all intersections with paved Main Access Roads.
- Asphalt paving of upper Auli'i Drive from 40th to 41st Ave.
- Possible tear out and replacement of chip seal roads with asphalt paving or resealing of the chip sealed roads 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 (A.C.) on 40th Ave from Laniuma to Pohaku Drive, to help reduce wash-outs in this area during heavy rains.
- Center striping of asphalt roads.

The order in which the OLCA 2020 Paving Plan will be completed will be determined by the OLCA RMC and BOD approval.

That completes the RMC report for this month.

New Business, the RMC has approved the following 5 motions and recommends their approval by the BOD.

1) Motion to approve the OLCA 2020 Paving Plan

Seconded

Discussion: the proposed OLCA 2020 Paving Plan has been reviewed and revised by the RMC and reported to the BOD since November 2019. The final OLCA 2020 Paving Plan will be included in the OLCA March 2020 Newsletter for membership approval. This 2020 Paving Plan will be instigated upon the completion of the 1998-99 Paving Plan, this includes the asphalt paving of upper Illima and Pohaku Drives -- completion anticipated in fiscal year 2020-21.

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

2) Motion to approve the OLCA MRMA (Mandatory Road Maintenance Assessment) fee of \$200 for fiscal year 2020-21.

Seconded

Discussion: The OLCA RMC and BOD has suggested to keep the annual MRMA at \$200 to encourage more participation by Orchidland residents. More participation, more payments of the MRMA by more Orchidland property owners will allow for more road maintenance and road improvements to be completed in fiscal-year 2020-21.

More discussion, Treasurer Greene asked to have the motion amended to include: "... of which at least \$50 will go towards asphalt paving."

Amended motion approved 7 in favor and 2 opposed.

2a) Amended motion:

Motion to approve the OLCA MRMA (Mandatory Road Maintenance Assessment) fee of \$200 for fiscal year 2020-21, of which at least \$50 will go towards asphalt paving.

Seconded

Call to vote, motion approved 7 in favor and 2 opposed.

3) Motion to approve additional funding, up to \$70,000, to complete the unpaved road maintenance and paved road maintenance in fiscal year 2019-20 ending June 30, 2020.

Seconded

Discussion: unpaved road maintenance to include grading, adding materials where needed, opening natural drainages and road side mowing. Paved road maintenance to include: pothole filling, removing overgrown vegetation from the pavement, creating road side drainage, opening natural drainages, crack sealing and road side mowing.

More discussion, Tegen Greene suggested that we proceed as possible while working within the OLCA 2019-20 budget limitations.

Call to vote, 9 in favor, unanimous approval.

Prior to hearing this motion there was a brief executive session called to review and discuss the letter in question.

4) Motion to approve the OLCA letter as distributed regarding the Public Safety Hazard and Risk at lower Orchidland Drive and Hwy 130. The letter will be to be sent (via mail and/ or email) to the businesses and the church on lower Orchidland Drive as well as County, State and Federal agencies and representatives, reporters and more.

Seconded

Discussion: this letter is the result of months of investigation by members of the OLCA Board as well as OLCA's legal assistant Carrie Walters. For reference and record -- the final revised letter will be included in the Minutes of this meeting.

More discussion, Brennan Low suggested that the motion be amended to remove the words “as distributed” because the final letter will have some revisions.

Seconded

Amended motion called to vote.

9 in favor, motion approved.

4a) Amended: Motion to approve the OLCA letter regarding the Public Safety Hazard and Risk at lower Orchidland Drive and Hwy 130. The letter will be to be sent (via mail and/ or email) to the businesses and the church on lower Orchidland Drive as well as County, State and Federal agencies and representatives, reporters and more.

Seconded

Discussion: this letter is the result of months of investigation by members of the OLCA Board as well as OLCA’s legal assistant Carrie Walters. For reference and record -- the final revised letter will be posted online.

Call to vote, 9 in favor, unanimously approved.

5) Motion to approve a new subcommittee of the RMC to address the trash and vehicle dumping (criminal littering and Abandoned Vehicles, AVs) in Orchidland Estates.

Seconded

Discussion: newly elected interim BOD will head up this committee, Betty Saleh suggested and will lead this committee to be assisted by both Brennan Low and David Guinn. Other members will be added as needed. Rather than formal monthly meetings, this committee will communicate informally via phone conference, email, etc. and will provide updates to Secretary Wirick to share with the RMC and BOD.

More discussion, call to vote, 9 in favor, unanimously approved.

Additional New Business:

6) Motion to approve the date of the OLCA April 2020 Semi-Annual Membership meeting as Saturday April 25, 2020.

Seconded

Discussion: as per OLCA Bylaws the Semi-Annual Membership meetings are held in November and April of each year. As has been done for the past 3-years, Semi-Annual Membership meetings are held at the OLCA Community Gathering Place/ Hui Hoaloha. This is also the future location of the OLCA Agri-Cultural Center.

OLCA Semi-Annual Membership potluck and talk story scheduled from 12 noon to 2pm.

OLCA Semi-Annual Membership meeting from 2pm to 4pm.

More discussion, call to vote, 9 in favor, unanimously approved.

7) Motion to approve the OLCA March 2020 Newsletter to be mailed no later than March 25, 2020.

Seconded

Discussion: per OLCA Bylaws the Newsletters are to be sent out at least 30-days prior to a Semi-Annual Membership meeting. The OLCA March Newsletter includes semi-annual reports as well as ballots including motions and elections for membership approval.

A questionnaire has also been proposed for this March Newsletter to include the option of a paperless Newsletter, to be sent by email instead of standard mail. Other options including the possibly online voting were discussed.

More discussion, call to vote, 9 in favor, unanimously approved.

8) Motion to approve the Neighborhood Place of Puna to collect, count and record the OLCA ballot count for fiscal year 2020-21.

Seconded

Discussion: in 2018 it was recommended that OLCA have a third-party collect, count and record the annual OLCA Membership ballots. Neighborhood Place of Puna has performed this service since 2018. Their suggested donation for the service is \$600.

NPP is a 501c3, family service-oriented non-profit serving the community, serving the Puna District since 2000. Among their many services offered they operate a daily food pantry for families in need.

More discussion: Brennan Low suggested the possibility of online voting next year to help reduce the cost of processing the ballots.

Call to vote, 8 in favor, 1 abstention, motion approved.

9) Motion to approve the monthly rental over the next 6-months for the Neighborhood Place of Puna meeting room for the OLCA Road Maintenance Committee (RMC) and Board of Directors (BOD) monthly meetings.

Seconded

Discussion: OLCA has been renting the NPP meeting room since 2017. It has served as a convenient, centrally located, affordable location for OLCA monthly RMC and BOD meetings. The rental cost is \$30 per month, \$15 for each monthly meeting. Rental fee from January to June 2020 is \$180.

More discussion, call to vote, 9 in favor, unanimously approved.

10) Motion to approve a click and pay button on the OLCA website to pay the annual OLCA MRMA (Mandatory Road Maintenance Assessment) fee as well as donations online on or before June 2020 and for fiscal-year 2020-21.

Seconded

Discussion: in 2019 the OLCA BOD approved payment of the OLCA MRMA by credit card, the service will be through PayPal payments processing or the like. The cost to upgrade the OLCA website to include the “payment button” is less than \$100 with the payment services providing the button code. The processing cost will be absorbed by OLCA in order to increase the payments received.

More discussion: Brennan stated that he had experience with this type of payment system and would assist in the set-up, Secretary Wirick also agreed to help coordinate its implementation.

Call motion to vote, 9 in favor, unanimously approved.

That concludes the motions for this OLCA BOD meeting.

Due to time constraints, Board members please take the time review the following report and it will be posted online at a later date.

Now moving to page the bottom of page 9 and Guest input and suggestions.

Social and Community Lot Committee Report:

The OLCA First Saturday Harvest Share and Farmers Market was held on February 1, 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, March 7, 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.

Report presented by Secretary Wirick:

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 the committee where possible.

The primary goal of this OLCA committee was/ 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. It was agreed by the OLCA

Board that the elected OLCA Community Lot Development committee officers would serve as the OLCA Agri-Cultural Board of Directors/ Officers. The OLCA Board also approved Community lot funds to pay for the 501c3 application process and filing for this IRS tax-deductible status. 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, coordinate, develop, construct and maintain their proposed HIPCC Cultural Center.

In December 2019, it was also suggested and OLCA Board approved the name for this new 501c3 as the "OLCA Agri-Cultural Center." This name was chosen in-part because OLCA had over the past 4-years, held a monthly agricultural event at the Community Lot called the OLCA Harvest Share/ Farmers Market which often featured an educational speaker on agriculture or a cultural event (for instance Taiko drummers). In addition, this name would integrate both the State agricultural designation and zoning for Orchidland Estates (and most of Puna District) as well as acknowledge the diversified Cultural aspects of the Hawaii Island. Plus, the OLCA Agri-Cultural Center would give the greater Community of Puna an Agri-Cultural hub located midway between Keaau and Pahoia towns.

Since November 2019 a revised OLCA Community Center site plans have been presented at OLCA Community gatherings as well as committee and Board meetings. The revised plans include: two pavilions, two traditional imu (under oven for traditional cooking), restrooms, parking – off Orchidland Drive, covered mailboxes with off-street parking.

In January 2020, the formal 501c3 OLCA Agri-Cultural Center application process began. The OLCA Board approved a long-term lease for the OLCA Agri-Cultural Center (501c3) which will include the site improvements, construction and maintenance on the OLCA Community 2-acre lot located at 16-1674 36th Ave.

This included but was not limited to:

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 fundraise, submit site plans, oversee site development, construction and maintenance costs. Also, the OLCA Agri-Cultural Center would eventually be responsible for general liability and other related insurance costs in addition to OLCA's standard insurance costs.

In January 2020 the OLCA Board also approved the initial cost of the OLCA Agri-Cultural Center Directors and Officers insurance for 2020-21. 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.

Recent updates, February 2020: the OLCA Agri-Cultural Center's formal documents with the State of Hawaii have been filed and approved. The application with the IRS for 501c3 status has been filed and should be approved within the next month.

That concludes the OLCA Community Lot Development Committee report and updates for February 2020.

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

Guest input and suggestions: no additional input.

That concludes the OLCA BOD meeting for February 18, 2020, motion to adjourn, call to vote, 6in favor -- the time is 8:04pm.

Submitted by:

Frederic Wirick, Secretary

Date