

**Orchidland Community Association
Board of Directors Meeting
Approved Minutes
May 18, 2021**

Call to Order: President Doug Anderson presiding this is the OLCA Board of Directors meeting of May 18, 2021 via Zoom online conferencing the time is 6:45pm.

Board roll call via Zoom: President Doug Anderson, Vice President Tara Brandon, Secretary Ric Wirick, Treasurer Hershel Hood, Brian Murphy and Jeremai Cann

Special guest: Charles Heaukulani

Motion to approve the Agenda for the OLCA Board of Directors meeting of May 18, 2021 as distributed (via pdf).

Seconded

Call to vote, all in favor 6, Motion approved.

Motion to approve the Minutes for the OLCA Board of Directors meeting of April 20, 2021 as distributed (via pdf).

Seconded

Call to vote, all in favor 6, Motion approved.

President's announcement to board members and special guests:

Aloha and welcome to the May OLCA Board of Director's meeting for fiscal year 2020-21. Our Committee and Board meetings are now being held via Zoom online conferencing.

Special guests are welcome to attend but are asked to please not interrupt the proceedings and agenda. Special guests will be given the opportunity to speak at the end of meeting.

Summarized Monthly Reports and Motions (full reports as distributed):

Secretary report and Motions by Ric Wirick:

As noted in the March 2021 Newsletter, the OLCA Semi-Annual Membership meeting was held via Zoom online conferencing on Saturday May 1st beginning a 2pm. The Minutes have been distributed for review and approval. Since the minimum of four Board members were present for that meeting, those same four could approve the Minutes as distributed.

Motion to approve the Minutes of the Semi-Annual Membership meeting of May 1, 2021 as distributed.

Seconded

Call to vote, all in favor 5, 1 abstention, Motion approved.

The 2021-22 OLCA Ballots received and/ or post marked, plus proxies were counted by DPSI, the results were emailed as a pdf for review and will be posted online at www.Orchidland.org

OLCA Board member Brennan Low has indicated that he will be stepping down from the Board in May 2021. He will continue to assist us with us with technical assistance on the webpage and more, as his busy schedule permits. Brennan, Mahalo for your support and service.

At last month's Board meeting, it was announced that OLCA Board candidate, Charles Heaukulani has agreed to join the OLCA Board early as an interim Board member this month upon Brennan Low's departure.

Motion to elect Charles Heaukulani as an interim Board member until his up to 3-year, membership elected term begins on July 1, 2021.

Seconded

More discussion, call to vote, all in favor 6, Motion approved.

Beginning July 1, 2021 new bank signatories will be required for the signing of checks on the first and third Wednesday of the month. Doug Anderson was elected OLCA President and Tara Brandon was elected Vice President, this has been updated on the DCCA business registration.

Motion to approve both OLCA President Doug Anderson and OLCA Vice-President Tara Brandon as new authorized bank signatories/ account representatives at CU Hawaii Federal Credit Union for all OLCA accounts. In addition, the removal of former president Steve Lyon and previous vice president Donald Stoner from the CU Hawaii Federal Credit Union signatory listing for OLCA.

Seconded

Discussion: Doug Anderson was elected OLCA President and Tara Brandon was elected Vice President, this has been updated on the DCCA business registration. As bank signatories, this will allow business as usual, business requiring two signatures on every check processed for payment.

More discussion, call to vote, all in favor 7, Motion approved.

That completes Secretary's report and Motions.

Treasurer report by Hershel Hood, data provided by OLCA bookkeeper. Includes monthly financials for April 2021 as distributed via PDF.

A follow up request for information regarding a possible alternative Board of Directors insurance policy has led to no new information or progress on the part of the insurance agent. I have the feeling that this is a dead end and that after 6 months something should have been developed. I feel that this matter should be terminated. It appears that our current insurance policy is our only choice.

Motion #1. to approve annual payment for the OLCA BOD and general liability insurance policy during the fiscal year 2021- 2022.

Discussion

First Insurance Funding is the OLCA insurance provider. The change from our present monthly payment to the one-time annual payment will occur only when sufficient funds are available. OLCA pays approximately \$200.00 per month in finance charges to the Insurance company. In previous

years, the insurance bill was paid for the whole year in one payment. Approximately \$37,000.00 in funds will be needed.

Call Motion to vote: all in favor 7, Motion approved.

The 2020 OLCA tax returns are being processed by the OLCA CPA, Carbonaro CPAs and Management Group. The documents have been reviewed by the OLCA bookkeeper and approved. On Thursday the 13th of May payment was made to the CPA and our bookkeeper. CPA amount was \$1,544.50 and bookkeeper was \$850.79. The Treasurer, me, hand delivered payment and signed necessary documents to the CPA to ensure the return will be E- filed prior to the deadline of May 17th 2021. No payment, no file.

The financial audit for the tax year 2019 will be started after the completion of the 2020 tax returns. The audit will be conducted by Carbonaro CPAs.

An update on the cost to have the Audit done has been provided and as a result the costs have increased to approximately \$15,000.00. This impacts the amount of monies that can be used on road maintenance and repairs

The OLCA safe deposit box at Central Pacific Bank has still not been addressed by the bank. I have received a billing for the year of 2021 but I do not intend to pay it. The safe deposit box must be closed out, per our previous requests made in 2020 and our banking account there must be closed completely. No payment will be made and our deposit of \$200.00 must also be returned to us. Ric Wyrlic has been the one pursuing this situation. The treasurer will remain involved as required.

The following is a summary of the expenses paid during the month of April 2021.

1. Yamada & Sons - cold mix.	\$1,500.00
2 1/2 rock.	\$473.91
2. Puna Rock - materials.	\$17,962.96
3. AT& H - labor only.	\$7,613.35
4. Flying Disc Production Zoom meeting	\$62.55
5. DPSI Bookkeeper.	\$2,426.33
6. Credit card /news letter	\$120.99
7. First Insurance Funding	\$3,260.02
8. Watkins Paving.	\$32,588.98

The total amount paid in April 2021 is \$66,009.96.

Approximately \$60,000.000 has been spent on road repairs and maintenance during the month of April 2021. This means that approximately 80% of the available funds has now been spent.

I strongly recommend that a pause in spending money on road maintenance happen immediately. After a week or two when the outstanding invoices are turned in and financial reports are obtained from the bookkeeper, the situation will be better understood. We are not out of money! Must be careful with our remaining funds.

Year to date approximately \$198,000.00 has been spent on road maintenance and repairs, including materials.

Approximately \$48,000.00 has been spent on Administration expenses, this does NOT include Insurances.

The results of the voting made by the OLCA membership, from the recent newsletter, is still pending but will be made available at the upcoming BOD meeting.

Please see the separate PDF financials report provided by the OLCA Bookkeeper for further details.

One last note regarding the hiring of a Road Manager/ Office Manager/ Secretary and Board Assistant: I would hope that this will happen in the beginning of the upcoming fiscal year of 2021-2022. This would be a combined salaried position filled by one person. OLCA is financially able to afford this new expenditure. This position will enable the continued maintenance and repairs needed for our roads. The burden will be significantly reduced on our volunteers and create a central point of contact between the RMC and contractors.

Reference pdf job description for Road Manager/ Office Manager/ Secretary and Board Assistant.
Motion to approve the job description in order to hire a Road Manager/ Office Manager/ Secretary and Board Assistant (one person) as distributed.

Seconded

Discussion, call Motion to vote, all in favor 7, Motion approved

More discussion concerning salary:

Treasurer's suggestion: This could be a salaried position at 20-hours per week. Salaried payment of \$1200.00 per month \$300.00 per week based on a 20-hour work week.

More discussion:

- It was noted that this person could not be a current OLCA Board member.
- That this part-time position could be an hourly service, up to 20-hours per week. Hours of service to be recorded and line item invoice submitted to the Treasurer prior to the first and third Wednesday of each month.
- That this person should be hired as an independent contractor, and as such, responsible for liability insurance. It was suggested that a contract be drawn up for this part-time service and presented to the OLCA Board for approval next month.

Thank you for your support and patience. Treasurer Hershel Hood
That concludes the Treasurer's report.

RMC report by RMC Secretary Ric Wirick:

Please note, RMC Chair John Erickson is on medical leave.

RMC report by RMC Secretary Ric Wirick:

Updates on pothole filling:

AT& H continues monthly pothole filling on paved roads (asphalt and chip sealed).

With the rainy season over the past months and flooding/ ponding on lower Orchidland Drive -- potholes have developed quickly. During the worst conditions, 2 ½" gravel was used to fill the large potholes until the road dried out and potholes could be filled with cold patch.

Unpaved/ unimproved road maintenance updates: Last month, Ashley Tractor and Hauling, AT&H, addressed the emergency road repairs on 40th and 39th Ave between Pohaku and Laniuma Drive. As well as, the dead-end street of Napua. Some sections of these roads were impassable to cars due to the heavy and extended rains.

Fortunately, last month, fiscal-year-end funds became available for the repair of our 30-miles of unpaved/ unimproved roads – roads that had been flood damaged from the previous months of almost non-stop and heavy rain. And OLCA was able to hire a second road maintenance contractor, Bill Watkins Construction, Class C contractor -- to help service and maintain these damaged roads.

To date: Bill Watkins Construction, two-person crew of skilled operators – utilized equipment including a full-size grader and backhoe to open blocked natural drainages and recovered road side materials where possible. Also, to date, they have distributed over sixty (15-ton) truckloads of 1 ½ “ base course or 1 ½” drain rock where needed -- working from 34th Ave up to 40th Ave.

Road side mowing, tree removal updates, sign theft and abandoned vehicles:

Last month, AT&H completed tractor mowing of the Main Access Roads of 40th Ave from Pohaku to Auli'i Drive. As well as, Pohaku Drive, 35th from Pohaku Circle to Laniuma, Laniuma, Orchidland, Auli'i and Illima Drives. Also intersections on these Main Access Roads were mowed and hand weed trimmed for better traffic visibility.

This month, AT&H completed tractor mowing on Aves, cross streets and dead-end roads where possible. Note, some of these intersections still need to be hand trimmed and STOP signs and posts replaced where needed.

Theft, two more STOP signs and posts were stolen this month from the intersection of 35th Ave and Auli'i Drive. This theft was reported to the HPD and documented. OLCA's stock of STOP signs and posts were depleted after last month's major theft of six STOP signs and posts on Orchidland Drive. AT&H has ordered additional sign posts and has been directed to replace the stolen signs and posts as soon as possible.

Abandoned Vehicles, AV's, continue to be discarded on OLCA's roads and right of ways, to date all new AV's have been reported and tagged by the HPD for removal. The County disposal and their sub-contractors/ towing companies are taking about 2-4 weeks to get the reported AV's hauled away.

The RMC is still working with the HPD to remove AV's near the intersection of 39th Ave and Pohaku Drive. Additional updates:

Last month Backyard Monkeys (tree removal service) was contracted to remove overhanging branches and limbs from OLCA roads/ right of ways. Unfortunately, their service was less than adequate. This month, AT&H was directed to follow-up at two locations: the removal of a dead standing tree in the right of way on Keahaulani, and a potential hazard, a partially cut back banyan tree limb left by Backyard Monkeys -- the large limb had created a potential right of way hazard for larger vehicles on 37th Ave between Pohaku and Laniuma Drive.

New and Old Business:

Last month, OLCA Board member Brian Murphy recommended that we update OLCA's Policy and Procedure concerning Right Of Way (ROW). In short, if a property owner has planted, placed rocks, etc. in the ROW -- the property owner would be notified via letter to move the items and if not, the property owner will be charged for the removal process. If OLCA's bill for removal is not paid, a mechanics lien will be placed on the property.

Motion to approve the legal review of the revised 2021 Right Of Way (ROW) Policy and Procedures and the drafting of related violation letters by attorney Peter Steinberg.

Seconded

More discussion, call Motion to vote, all in favor 6, Motion approved.

The revised 2021 OLCA Right of Way Policy and Procedures and related letters should be available for RMC and BOD review and approval next month.

Discussion of possible asphalt paving projects: last month, the RMC and BOD determined that it was best to remain with the 1998 Paving Plan but to utilize the following clause if and when needed... What was overlooked was that a 2020 Paving Plan was proposed to the OLCA Membership in the March 2020 Newsletter and Ballot and was approved by Membership vote.

For historical reference, a copy of the 1998 Paving Plan has been included as a pdf attachment. It can also be found online at www.Orchidland.org under Policy and Procedures. As stated, it is considered a "living document", referencing page 2, third paragraph:

"...This Plan should be considered a living document. By that it is meant that it should not be considered as a rigid document to be followed regardless of the circumstances. Identified improvements in execution, changing circumstances, establishment of a Financial Improvement District and other political developments may lead to the desirability of making well thought out changes to the Plan..."

Last month's RMC and BOD oversight was not referencing the OLCA Membership approved 2020 Paving Plan.

Moving forward, it has been suggested to get bids to asphalt pave the last remaining section of upper Pohaku Drive (about 780'). Both upper Pohaku and Ilima are on the 1998 Paving Plan. Upper Pohaku is a shorter section of road than upper Ilima Drive between 36th and 37th Ave to asphalt pave. Plus, upper Pohaku Drive experiences more traffic, requires more annual maintenance and higher annual costs to maintain than upper Ilima Drive.

Also, last month Lance Olivera, owner of Civil Construction/ licensed contractor -- contacted VP Tara Brandon on the OLCA phone. I recently met with Lance on 35th Ave and Pohaku Drive. He has offered to asphalt pave 500' of 35th Ave from the Pohaku Drive to his driveway. He would ask that OLCA cover the material costs (base course and asphalt pavement/ cost estimated around \$20K) and he would supply the equipment and labor.

The RMC determined that this offer was outside the scope of the "paving plan" but would ask Lance Olivera to bid on the upcoming asphalt paving of upper Pohaku Drive.

The scope of work and call for bids will go out shortly.

Possible and/or additional asphalt paving federal funding:

Some months back, after 37th Ave was reopened when the Ainaloa Blvd roundabout at Hwy 130 was completed -- RMC and BOD members were encouraged to reach out to County and State reps for possible federal funding for the paving of 37th Ave from Ainaloa to Pohaku Drive. Since in 1992, the County designated 37th Ave as an "emergency bypass" road if and when Hwy 130 was temporarily closed (for example temporarily closed for the investigation of vehicle fatality).

RMC member Brian Murphy has been researching some possible federal incentives and funding for the improvement rural roads.

More discussion: more information should be available in June/ July.

Additional Old Business regarding the small business MRMA:

The following Motion is on the 2012-22 Ballot:

Motion to increase the Mandatory Road Maintenance Assessment (MRMA) for small businesses that require additional traffic to and from their locations within Orchidland Estates. This small business MRMA will be double the standard resident MRMA.

Discussion: additional traffic on OLCA private roads requires additional road service and maintenance. This increase, double the standard MRMA fee will help offset these costs.

If and when this Motion passes, we will need assistance identifying these small businesses and updating OLCA's book and record keeper (DPSI). Board and RMC member, Brian Murphy has offered to assist with the business license search for Orchidland Estates.

Tabled Old Business:

Motion tabled: to approve the asphalt pavement repair, crack sealing on Auli'i Drive from 36th to 40th where needed. Clean, and seal cracks where needed.

Waiting for additional bids.

Motion tabled: to approve the asphalt pavement repair on Laniuma Drive between 38th and 39th Ave. Repair dozer track damage in the inbound lane, closer to 38th Ave. Clean, tack coat, asphalt fill and compact over existing roadway to match up with existing roadway or slightly higher by an inch or less.

Waiting for additional bids.

Additional RMC updates:

Abandoned Vehicles (AVs) on OLCA roads and/ or in the right-of-way:

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.

That completes the RMC reports and updates.

Additional RMC input:

Regarding the removal of overgrown vegetation from the paved roads and opening blocked natural drainages along main access roads. A few months back, RMC Chair John Erickson made contact with a contractor, Justin Manuel here in Orchidland Estates, regarding this road edge maintenance service. Justin has a skid-steer and will give us a bid for this work on Auli'i Drive.

More discussion: due to reduced available funding, no new road or road side maintenance will be approved this month.

Closing announcement: we are coming to the end of fiscal-year 2020-21, ending June 30, 2021. The volunteer work load on some OLCA Board members over the past six-years has been substantial. It has been proposed that OLCA hire a road and office manager beginning July 1, 2021 – the beginning of fiscal-year 2021-22. Note, a road manager position had existed in OLCA up until 2013. And a paid recording secretary position up until July 2015.

More discussion: Treasurer Hershel Hood will provide the initial draft of a job description for review and suggestions by OLCA Officers via email. A full “job description” will presented to the OLCA Board for approval at the Tuesday, May 18th Board meeting.

RMC financial updates by Treasurer Hershel Hood:

Spending on road maintenance for April 2021 totaled around \$60,000 for equipment, operators and materials. Funds are running low as we near the end of fiscal-year 2020-21 (June 30th). It was suggested to cease road maintenance service until all invoices have been received.

Treasurer Hershel also reminded those Board members that have offered to assist with the online search of small businesses licensed in Orchidland Estates for the new/ additional billing to please compile the list as soon as possible. Some suggested sites online: business tax licensing, General Excise Tax (GET), etc.

Special guest input:

Piggery question/ email from David Guinn: see attachment. It was recommended that RMC members contact County Planning for more information.

Farmers Market Committee (FMC) Report: no communication from the FMC and no announcements on the OLCA Facebook group page. The OLCA Market has been closed since December 2020.

CLDC reports and updates by Secretary Wirick:

OLCA is the acronym for Orchidland Community Association. So yes, we are the same group of individuals but wearing two hats with common goals. The CLDC represents our community nonprofit (501c4) and ACC representing a 501c3 non-profit able to receive tax deductible donations for the Community Center (Agri-Cultural Center).

The CLDC and OLCA Board approved a Motion to hire a civil engineer to complete the following requirements for the OLCA Community Center site plan and building plan applications:

Topographic Survey: \$600.00

Civil Construction Drawings (Site Plan, Grading Plan and Utility Plan): \$3,750.00

Drainage Plan: \$500

Septic design: \$1,100

The Topographic Survey and Drainage Plan has been completed, submitted and approved by the County Public Works Dept. Now the civil engineer is in process of drafting the formal site plan (civil construction drawings) for submission and approval.

Over the past months, I have requested but did not receive manufacturer drawings for the proposed pavilions. This past month I heard that the manufacturing cost and shipping has more than doubled

over the past year (likely another direct result of the global shutdown connected with Covid 19 pandemic). And it doesn't look like the pricing will roll-back anytime soon.

At last month's OLCA Agri-Cultural Center Board meeting, these pavilion cost increases were discussed as well as a possible option to move forward with a traditional long house structure made from native wood and materials. The second pavilion: housing the office, restrooms, storage, kitchen, etc. would remain as is.

Charles Heaukulani, the newly elected OLCA Agri-Cultural Center Board member and upcoming OLCA Board member, has offered to show us examples of these traditional structures, long houses, and introduce us to the local designers and builders in the near future.

The CLDC oversees the management of the OLCA Community lot, similar to the way the RMC oversees the management of the OLCA roads. Since August 2020 the CLDC has encouraged the OLCA Farmers Market Committee (FMC) to get the proper County and State permits in place and to follow the protocol for a sanctioned Farmers Market in order to operate as an essential business during the Covid-19 pandemic. To date, this has not occurred. And the monthly market remains closed.

OLCA Agri-Cultural Center (ACC/ 501c3) Board report and updates by Secretary Wirick:

Doug Anderson serves as Vice President and chair of the ACC Board, Ric Wirick Secretary and Directors: Sky Platt, Brian Murphy, Tara Brandon and newly elected director, Charles Heaukulani. As noted in the CLDC report, due to the increased cost, double or triple, since the Covid-19 pandemic began, the ACC is now considering a lesser priced more traditional long-house structure for the social meeting place pavilion, as suggested by new board member, Charles Heaukulani. The remaining site plan will remain as is.

That completes the OLCA reports and motions.

Additional Board input:

That concludes the OLCA BOD meeting for May 18, 2021, motion to adjourn, call to vote, all in favor 6, the time is 7:56pm.

Submitted by:

Frederic Wirick, Secretary

Date