

**Orchidland Community Association, Inc.**  
**Unapproved Minutes of the General Membership Meeting**  
**April 29, 2006**

**Call to Order:** The meeting was called to order at 10:00 a.m. by Bea Bueno, Parliamentarian.

**Board Members Present:** Steven Starnes, President; Jerry Gardner, Treasurer; Glenn Pressel, Neighborhood Watch Chair; Bob Ely, Carol Noel and Sherri Carden.

**Association Members Present:** Floyd Lundquist, Per and Doreen Friberg, Patrick Griffin, Dave Seawater, Ted Coombs, Craig Long, Sharon Emery, Arthur Smith, Bo Rodehn, Evangeline Beltran, Edwin Carey, Mary Monroe, Dean Monroe, Stan Dinsmore, Dale Dinsmore, Patricia Jaworski, Dale Long, Ashley deLoach, Donna Spencer, David Viddous, Roger Hartley, Susan Gregg, Daniel Williams, Arnold Westphal, Clarion Bidal, Charles Vary, Michele Lamkin, Gene Lamkin, Denise Luker, Mike Kamm, Sharon Stallinger, Wallace and Valerie Badon, Jose Archuleta, Scott Newcomb, Lisa Newcomb, David Aasve, Sunray Rosin, Ericka Rosin, Logan Robique, Tom McGovern, Darrell Howard, Jim Kuznetsov, Kirstie Goin, Michael Dziatko, Hitesvara Saravan, William Weaver, Constance and Sam Shim, John and Monday Schacht, John Henry, Richard Killmer, R.L. DeVeer, Jessie Molina, Martha Morishige, Tegen Greene, Eric Bollen, Grant Smaf, Ralph Brydges, James Bunten, Dale Sims, Mya PawU, Melia Goodenow, John Ross, Connie Cappos, Larry Lehman, Rowan Barden, Robert Kobayashi, James Moulds, Michael Upham, Karen Doom, and Nancy Hammack.

**Also Present:** [These people spoke but did not sign in on the membership lists.] Susie Garfield, Roger Hawney, Oceana Conway.

**Opening Remarks:** President Steve Starnes opened the meeting with a request that members hold their questions until after the presentations are completed and limit their speeches to three minutes. He introduced the Board of Directors and disclosed that Bob Ely and Carol Noel are husband and wife. Bob was asked to join the Board because of the tremendous amount of work he has been doing for the community and will be included on the next ballot.

**Approval of Minutes:** Jose Archuleta moved to approve the minutes of the annual meeting of April 30, 2005, as read. Arthur Smith seconded; the motion passed unanimously.

**President's Message:** Steve stated that the Tribune-Herald article concerning OLCA's roads collections policies contained a number of failings and incorrect statements. He said that the Board attempted to contact Ms. Spencer personally, adding that most of the people who have never paid their road fees are not destitute. He said that Orchidland is not setting a precedent in the use of foreclosure as a tool of last resort.

The Puna News article implied that OLCA is missing road fees. Steve said that in the 1970's a Treasurer did abscond with OLCA funds. Since that time the Board has instituted careful accounting standards requiring an annual audit review with a complete

audit every third year, invoices and purchase orders for each expenditure, and two officers' signatures on every check.

In the past year four increments were paved: Pohaku Dr. from 38<sup>th</sup> to 39<sup>th</sup> plus approximately 700 feet above 39<sup>th</sup>; 40<sup>th</sup> Ave. was paved from before Oliana approximately 2500 feet; Ilima was paved from the highway to 35<sup>th</sup>; and Laniuma was paved between 38<sup>th</sup> and 39<sup>th</sup>. The extra paving was made possible by the success of the collections program.

The lawsuit Kaipo vs. OLCA, involving some of the lot owners on Ilima St., was successfully negotiated and settled in mediation in January.

The contested case for a development on Auli`i was dropped, but the Planning Commission denied the application. The Verizon cell tower was contested and that application was also denied, mainly because it provided for the tower to be erected 63 feet from a neighbor's home. The Board recently contested an application by the Samoan church to develop a lot in the interior of the subdivision on 38<sup>th</sup>. The Board is working with the church to locate a site on a main road which is already or will soon be paved.

Carol Noel has spent many hours locating abandoned vehicles in the subdivision and reporting them to the police.

Bob Ely designed the new OLCA website. Lot owners can register their TMK's to receive electronic updates on community news.

A successful collections program was coordinated by Bob and Treasurer Jerry Gardner. Steve said that the ability to collect funds affects roads and OLCA's ability to qualify for a bank loan.

The Board has worked with the police on several issues and is working on a development plan for the subdivision.

Steve said that the Board currently has four vacancies, five after June 30. New members are badly needed, especially those with a long-term vision for the subdivision.

He said the advice of an attorney is sought whenever a legal question arises concerning collections or other issues.

Volunteers are needed for Neighborhood Watch, particularly to observe activities on their own streets and neighborhoods within the subdivision.

**Road Report:** [Steve gave the report in Don Robinson's absence.] The cost of asphalt has increased so that a 2000-foot increment now costs \$51,000-\$54,000, plus \$5000-\$7000 for the preparation for paving.

Traffic has increased significantly on all main access roads and on side roads.

The heavy rains in March and April have resulted in flood damage on the roads which the road crew is working to repair. Materials especially wash off the unpaved hills on Orchidland and Auli`i.

Two new pieces of equipment need to be purchased, a smaller, newer grader and a dump truck to replace the old one, which is probably not worth repairing. Steve said that purchasing newer equipment will save money and time spent on repairs.

**Paving Plan:** Carol said that our subdivision collects \$6,000 per mile a year in road fees; HPP collects \$8,000 per mile and Ainaloa collects \$11,000 per mile. Also, Ainaloa has no flood zones and HPP receives much less rain. She said that a truckload of basecourse

which cost \$248 in 2004 now costs \$371. The current paving fees allow for paving only .8-mile increments.

Steve said that the County's proposal to change the zoning along Orchidland Dr. and Ainaloa Blvd. to Medium Density Urban will further impact the roads in those areas. He presented two paving options for the upcoming two years:

\$75 per year for two years would allow for paving: Orchidland Dr. between 39<sup>th</sup> and 40<sup>th</sup>; Auli`i between 38<sup>th</sup> and 39<sup>th</sup>; Pohaku Dr. between 39<sup>th</sup> and 40<sup>th</sup>; 40<sup>th</sup> Ave. between the current paving and Pohaku; Ilima St. between 35<sup>th</sup> and 36<sup>th</sup>; and Laniuma St. between 39<sup>th</sup> and 40<sup>th</sup>.

\$100 per year for two years would allow for paving: Orchidland Dr. between 39<sup>th</sup> and 41<sup>st</sup>; Auli`i between 38<sup>th</sup> and 40<sup>th</sup>; Pohaku Dr. between 39<sup>th</sup> and 40<sup>th</sup>; 40<sup>th</sup> Ave. from the current paving to Pohaku Dr.; Ilima St. between 35<sup>th</sup> and 37<sup>th</sup>; and Laniuma between 39<sup>th</sup> and 40<sup>th</sup>.

Wayne Carey said Orchidland has larger lots, which accounts for the lesser amount of road fees collected. Also, he regretted that the Road Manager was not at the meeting to answer questions. Steve said that members can address concerns at Road Committee meetings the first Wednesday of every month. He also said that Paradise Park is encouraging development in Orchidland so that it does not go into HPP.

Eric Bollen challenged the assumption that paving is a good thing. He said paving on 40<sup>th</sup> Ave. has allowed cars to increase their speeds from 20 miles per hour to 40, 50, and sometimes 60 miles per hour, with no speed limit signs or lane markings on the roads. He cautioned that the rush to pave could lose the vision of Orchidland as a peaceful, rural environment.

Connie Cappos said that a lot of money from back fees have been collected and could be used to repair flood areas. She said she walks on Auli`i and it is not as bad as represented. She said the paving plan is not allowing for sidewalks or other measures to ensure a sense of community.

Gaila Vidunas said "Pave it and they will come." Increased traffic and problems are directly correlated to paved areas. She suggested that money be used to buy needed equipment and to fix the bottom of the roads that are already paved.

Susan Gregg objected to completing the paving of 40<sup>th</sup> and Pohaku Dr. because it is already being used as a shortcut to Mt. View. She said completing the paving can only create more problems.

John Ross cautioned the Board about liability issues concerning speed bumps.

Art Smith said that he remembered in the 1970's when the roads were mowed. "The roads are absolutely necessary to allow all of us to have fulfillment of our dreams," he said, adding that for safety, speed limit signs are needed.

Carol Noel said that people who speed will speed on gravel or paved roads, and that not paving will not stop development.

Dave Seawater said that he remembers when the roads were riverbeds. He urged the community to work together to make them safe for everybody. He asked the Board to include a no-increase clause in the paving options.

Melia Goodenow said that there should be a halt in paving to reassess what the community really wants. She said our rural lifestyle is important, and that the materials on Auli'i are not being washed away as quickly as has been stated.

The Parliamentarian said that the time for discussion has ended. Ted Coombs, John Ross, Tegen Greene, and Wayne Carey urged that the floor remain open for discussion. The Board conceded, and discussion continued.

Marti Morishige said that she is a realtor and that many people are coming here for the rural lifestyle. She suggested including an option of \$50 to be used exclusively to improve the paved roads we already have, including the chipseal, and to provide for drainage.

Tegen Greene said that since basecourse was put on 42<sup>nd</sup> for the first time in 14 years, the road is greatly improved. She advocated well-maintained gravel roads instead of paving, with the proper equipment and crew to maintain them.

Nancy Hammack and Susie Garfield thanked the Directors for their hard work.

Ted Coombs suggested that the Board put out a questionnaire to the community discussing options for how much money should be collected and how it should be spent. He said he would like for Oliana to have a gravel base. Steve repeated that Road Committee and Board meetings are open to the public, and said the paving options will be placed on a ballot for a vote of the membership. The \$75 increment would raise the annual fees total (MRMA + paving) to \$140; the \$100 option plus the existing \$65 road maintenance fee would total \$165.

Daniel Williams said the money residents spend maintaining vehicles could be saved by a small increase in the paving fees. Commercial developments should pay their fair share.

Steve explained that the commercial road fees do allow assessment of adequate fees to account for commercial traffic.

Susie Garfield asked for an open chat room on the Orchidland website to allow more say in what is done. She said that where gravel is laid properly, it has endurance and a rural feeling. She suggested that each street's lot owners could vote whether they want paving or gravel.

Roger Hawney said that everyone should be allowed to vote, whether their fees are paid or not. Steve said that OLCA's membership policy is standard for community associations.

Gaila said that her 1990's vehicles still have their original shocks; whether the roads tear up vehicles depends on how you drive.

Pat Griffin said that the paving issue was settled "ten years ago when the members voted to approve the current paving plan."

Connie asked that a gravel option be included on the ballot. Steve explained that gravel and cinder come under road maintenance fees, not paving fees. If the membership wants to raise the MRMA, they may entertain a motion to that effect under New Business.

**Wayne Carey moved to include a \$0 option and a \$50 per year option on the paving ballot, as well as the options of \$75 per year for two years and \$100 per year for two years as presented by the Board. Daniel Williams seconded.**

**Kirstie Goin moved to amend the motion to change the \$0 option to \$50 a year to be used exclusively to improve the existing pavement, including the chipseal. Wayne Carey seconded the amendment.**

**The amendment passed by a vote of 25 for, 19 against.**

**The motion as amended passed by a vote of 55 for, 0 opposed.**

**Collections:** Bob said that in December, the Association was owed approximately \$300,000 in delinquent fees. The Board reinstated a 10 percent interest rate, increased the lien fee from \$100 to \$200, and authorized foreclosure actions against owners who have not paid any fees in 10 to 14 years and owe over \$1000 per lot. He explained that the General Membership had amended the Bylaws to allow foreclosure in 2002.

Roughly 400 letters (requests to contact OLCA, warnings, explanations, notifications, re-billings, etc.) have been sent out, followed by a similar number of phone calls. He said that when they can be reached directly, 90 percent of the owners pay. He has received commitments on over \$200,000; 93 percent of all owners are now paid in full.

Wayne asked the meaning of foreclosure. Bob said that if the property is actually sold, the taxes and road fees owed are paid from the proceedings; remaining monies go to the original owner, who would be evicted by the new owner. Wayne said that extreme emotions are aroused when you start talking about taking people's homes.

Wayne said that years ago an attorney told the Board that depending on how a deed was written, some owners who were here before the Association became a legal entity may be grandfathered in. Bob responded that such questions have been put before OLCA's attorney. "The summary judgment in 1992 effectively gave Orchidland one covenant, code and restriction—the ability to collect road fees—without which in a few years the community would have no more roads."

Donna Spencer said that she received a letter from Bob that stating that she had "30 days to respond and pay her dues; otherwise, a legal process would begin whereas the court would award OLCA delinquent fees, court costs and attorney fees." She said she has been here since the '70's and her house and lot are all she owns in the world. She has grand mal epilepsy and has no monies to pay her fees, but has sent money orders whenever she could. She added that the Bylaws [Article I (c)] state that the Association is supposed to help residents in times of need and distress and "the Board's action was therefore counter to the Bylaws."

Jerry Gardner responded that he was "seriously misquoted" in the Hilo *Tribune*; Donna said she was, too. He said, "If nobody talks to us, we can't resolve anything. Once I got a hold of Donna and talked to her, we resolved this in five minutes. We said, 'Fine, we'll just leave the lien in place, we're not going to foreclose on somebody who can't afford to pay, we're not going to throw you people off their property, we'll just let it go.' But up until that point we didn't know what was going on. Fourteen years' worth of bills going out and nothing happening, no information coming back. And this was resolved a week or ten days before the *Tribune* article came out. We never got a phone call or request for information, or any kind of serious reporting before this article appeared." He said most of the people who have not paid their fees "have a lot of money." He said that Donna requested a letter saying that we will keep the lien in place and not foreclose on her property, and reassess the situation every year.

Donna said she has not received that letter. "If I can't get it in writing, how do I know that?" Jerry said that the letter has not yet been sent; "we are a volunteer organization and short on manpower." The Board assured Ms. Spencer that she would receive the letter soon.

Steve said that we really don't want to take anybody's property, but we going to have to develop policies and procedures to establish that a person is really disabled or destitute, because a lot of people just don't want to pay. He added that it is a long process and a complex issue.

Connie Cappos said that we help our community; we all have to work together.

Roger Hawney asked who OLCA's attorney is. Bob said that the attorney asked that his name not be revealed because OLCA has to pay for phone calls he receives; only Board officers may call the attorney. Wayne Carey loudly insisted that his name be revealed; numerous other members agreed.

Bob responded that the attorney is Stuart Oda. Hawney said that Oda guided HPP through their lawsuit, so "he should be on top of this." He said that the 1992 summary judgment which allows OLCA to charge road fees states "foreclosure proceedings against delinquent property owners and their lots shall not be permitted." [The judgment cited by Hawney is actually the 1983 Paradise Park judgment of the Hawaii Supreme Court, since overturned. The 1992 summary judgment indicates that OLCA *"is entitled to enforce the property owners' duty to contribute to road maintenance fees by filing a claim for equitable liens against property owners and their lots within the said subdivision with the Land Court of the State of Hawaii or the Bureau of Conveyances, as the case may be, for lot owners who become delinquent in paying their assessments,"* and continues, *"Plaintiff (OLCA) shall be permitted such other remedies as may be provided by law."*]

Connie Cappos questioned how Carol Noel and Bob Ely both qualify to serve on the Board. Bob said he and Carol own 4 lots. Connie asked if he owns one separate from Carol; he said no. Steven said he researched this, and there is nothing in the Bylaws or subsequent Board motions prohibiting a husband and wife who own multiple lots from both serving on the Board. Bea said that the Bylaws provide for "one vote per lot."

Wayne Carey asked what other attorneys OLCA employs. Steve said OLCA occasionally consults with Lissa Andrews, the attorney appointed by our insurance company.

[During this discussion, intense feelings were often directed towards the Board, primarily around the issues of paving and foreclosures for nonpayment of road fees.]

Sherri Carden said, "I would just like to say that I spend my time on the Board for the benefit of the entire community, and it's so hard when I hear insults, because there are so many things I would rather do with my time, and I am committed to do this for the community. I would so appreciate that if you can't join the Board, to not just throw up your hands and say 'It's not my fault'... I cannot believe the way that you people behave. I'm appalled that we can't treat each other like we're brothers and sisters. Yes, we live in a community, and we are doing our best. As Jerry has told you, if we don't have road fees, if we don't have maintenance fees, none of our properties will be of any value. ... So I ask each and every one of you to look into your hearts and really come from a place of compassion, and think before you jump up here and accuse us of being anything less. I invite you to come to Board meetings and road meetings, and participate from the

highest level possible, because that's why I serve on the Board and I will not listen to any more insults from any of you."

**Bylaws Amendment:** Steve introduced the amendment, which would change the wording of the Bylaws [Article IV] from: *"There will be an annual billing of the MRMA. Interest may be charged on all past due accounts, with the rate determined by the Board."* to: *"Billing of the MRMA may be made annually or semi-annually at the discretion of the Board of Directors. Interest may be charged on all past due accounts, with the rate determined by the Board."*

The purpose of the amendment is to reflect the fact that the road maintenance fees are billed in June and the paving fees, which are in fact a MRMA, are billed in October. This was the first reading of the amendment; it will be read at a second membership meeting and voted on by the entire membership. Steve said a special meeting may be called for the second reading.

Susie Garfield said that a chat room on the website would keep members in touch continuously and allow them to express their views. Steve said the website provides current information to the membership, and has an email option for comments from members.

Dale Sims said that he started the OLCA website, and a chat room requires many hours spent policing it. The Board would have to pay someone, because maintaining a chat room is a lot of work, and this would take money away from the roads. Susie said that Yahoo has a public domain and it would not cost anything. Bea Bueno suggested that Susie start and maintain a chat room.

**Treasurer's Report and Budget Proposal:** Jerry explained that the budget proposal is for road maintenance only and does not include the paving funds. He presented the 2006-2007 budget proposal and the current budget and year-to-date expenditures.

He said everything is more expensive, which affects how much work we can do. Fuel costs had a big increase. Last year's budget projected \$8000 for liability insurance, but it actually costs \$30,000 per year. Because of this year's paving, \$5000 for labor and \$7000 for materials were shifted from the main roads budget to the side roads.

**Mya PawU moved to approve the 2006-2007 budget as presented. Dale Sims seconded; the motion passed by a vote of 55 for, 0 against.**

**Neighborhood Watch:** Glenn Pressel said, "There is a lot of anger here today. Please get involved; don't just hold it up for a year and dump it on us. We're not here to be against anybody; we're here to work to make our community a good community." He said he is just starting to coordinate OLCA's Neighborhood Watch. All the Neighborhood Watches have formed a larger community called the Puna Watch, which has monthly meetings. "The thing I have been struck by is that Neighborhood Watches really do make a difference. In Ainaloa their crime rate went down over 65 percent when they installed their Neighborhood Watch program." He added, "This is a wonderful opportunity for us as a community to get involved."

He said that speeding is definitely an issue. ATV's are illegal and "unfortunately really wrack our roads"; dumping trash is also a huge problem. "I don't know how many

people have seen the impromptu trash dump that has started. We need help, eyes and ears to stop that." Threatening dogs, drug houses, abandoned cars, stealing and loud neighbors are continuing problems.

"The idea of Neighborhood Watch is not to be policemen, not to go after people and apprehend, threaten or even to talk to them; it is to gather information." Sherwin Taka, our Community Policing Officer, says that "one of the most important things Neighborhood Watches do is keep logs. When the police see repeat offenders, they take action." Glenn said, "Involvement is rewarding; we really can make a difference."

He added that there is also funding available to put up bus shelters for school children.

The Neighborhood Watch will meet once a month; members will watch for and report suspicious activities. He asked volunteers to fill out the volunteer forms.

Oceana Conway said that seven pig carcasses have been dumped on Laniuma and 35<sup>th</sup> in the last four months, and asked what residents can do. Glenn responded that the County department which limes the carcasses is specifically prohibited from removing them, but the State Health Department will come out. He said people need to be on the alert to figure out who is dumping the dead animals.

Dale Dinsmore said that during spring break, kids on ATV's made so much noise that they disturbed an ill neighbor. Glenn suggested getting a description of the ATV and rider and if possible which property it is coming from, and logging the information. Carol said ATV's come from Ainaloa "because we have had no Neighborhood Watch." Officer Taka told her to get a clear description and the direction it is headed and call police dispatch. The police can give tickets, take them to court, and even confiscate their bikes.

**Ballots:** Steve said that ballots for Board candidates were not included in the March newsletter, but will be in the newsletter sent with the June billing. The Board will send the newsletter in late May or as early in June as possible.

Roger Hawney said that 20-25 percent of the property owners are not allowed to vote. Steve said that actually 93 percent are now paid in full, so only 7 percent are not members, and that our Bylaws accurately reflect those of other community associations—"we are not doing anything atypical." Bea said the Bylaws specify that a member in good standing is afforded all the rights of membership, and what determines good standing is paying your fees.

Hawney said, "No one signed away his right to vote on anything." Steve said the summary judgment of 1992 gives OLCA the right to collect fees, but he would not enter into a legal debate during the meeting.

**Planning and Community Development:** Bob said that the Board is down to seven members, six by the end of the fiscal year. The Board meets once a month, with a second monthly meeting for the Road Maintenance Committee. They answer the phone, maintain the website and answer emails, put out three newsletters a year, handle finances, car disposal, contested cases, administrative work, planning and development issues and lawsuits, as well as overseeing road maintenance and paving projects.

He said the Board tries to look after the community in terms of the outside world. There is pressure from the County, developers, and from commercial enterprises resulting from the rapid growth in Puna; the Board has felt it necessary to assume a leadership role

with respect to planning and community development. He said that contested cases take a tremendous amount of time.

**Resolutions:** The Board asked for the General Membership's endorsement of a number of resolutions it has passed in the past year:

**Cell Towers:** Verizon proposed erecting a cell tower on private property near a cluster of houses and 63 feet from one. The neighbors objected and asked for the Board's support. Following a contested case hearing (which Verizon won), the Planning Commission finally denied the application. At the March meeting of the Board of Directors, Verizon and Cingular proposed a joint project on a commercial site on the highway, on property owned by Church on a Sure Foundation. Steven said this site has 80-foot electric poles, so it is already visually-impacted.

Dean Monroe argued that any lot, residential or commercial, would be required to apply for a special use permit before installing a cell tower; since the new proposal is for the tower to be located on a newly-purchased lot which is currently residential, it is no different from the Monroe's proposal.

**Tegen Greene moved to approve the Board of Director's motion: "OLCA will restrict cell towers and all other non-agricultural commercial activity to commercially-developed lots, until those resources have been exhausted and there are no other alternatives." Dale Sims seconded; the motion passed by a vote of 45 for, 8 against.**

**Samoan Church:** The church's proposal provides for a commercial church development deep in the interior of the subdivision on an undeveloped side road. Again nearby residents asked the Board to intervene, and at present the church has put its application on hold while it works with a Board member to secure a more appropriate site.

**Susie Garfield moved to support the statement that the membership does not consider it appropriate to locate a high-traffic project in the interior of the community on unpaved side roads. Gene Lamkin seconded; the motion passed by a vote of 53 for, 0 against.**

Wayne Carey thanked the Board for their efforts on the contested cases. He asked whether the Association can require the developers to bring the access roads up to County standards and turn them over to the County. Bob said he doesn't know, but OLCA can ask the Planning Commission to impose conditions on any permit they approve.

**Interim Amendments:** Bob said the Board is not opposed to all development, but wants to have some control over it. The Planning Commission is scheduled to vote soon on proposed interim amendments to the County General Plan which would change the zoning on two areas, one along Orchidland Dr. and 35<sup>th</sup> Ave. and another on Ainaloa Blvd. on the Orchidland side, to "Medium Density Urban," making it much easier for developers to receive special use permits in those areas. Bob has written to the Commission asking them to reduce the size of these commercial areas to have less impact on unpaved side roads and on residences already existing in the area.

Gaila said that Councilman Safarik wants to put "bubbles of development" at the bottom of Orchidland because "we are not in his district and can't vote for him."

Wayne said the goal of the County is to reduce traffic on the roads by "putting commercial development where the people are." He said the Association needs to tell the County in no uncertain terms that before it approves more development in Orchidland, we want the County to take full responsibility for traffic lights and bringing the roadways up to County standards.

**Dale Sims moved to draft a letter to the Planning Commission opposing the General Plan interim amendments and further commercial development in Orchidland. Wayne Carey seconded; the motion passed by a vote of 37 for, 1 opposed.**

**Vision and Values Statement:** Steve explained that the Board adopted the OLCA Vision and Values Statement in response to a suggestion from a County planner.

**Gaila Vidunas moved to adopt the OLCA Vision and Values Statement: "Orchidland Estates Subdivision's vision is to maintain Orchidland Estates as a peaceful, desirable, rural and agricultural community. We value the integrity of our rural, agricultural environment. We recognize the designation of Orchidland Drive from Highway 130 to halfway between 34<sup>th</sup> and 35<sup>th</sup> Avenues as the only appropriate and approved commercial enclave. Unpaved side roads should have no high traffic impact developments (churches, schools, etc.)." Hitesvara Saravan seconded, and the motion passed unanimously.**

#### **New Business**

**Waterline Opportunity:** Steven explained that Vern Woods is planning to bring another waterline up Orchidland Dr. to his commercial development at the corner of 34<sup>th</sup> Ave., since Orchidland-Gulsons, LLC., has not turned their waterline over to the County. Vern will allow residents and other businesses to connect into the waterline. The Board is hoping to bring County water to the Community Lot.

**Website:** Bob said the website, [www.orchidland.org](http://www.orchidland.org), has current information of concern to lot owners. It is updated regularly, including changes in time or location of meetings.

**Bylaws' Provisions for Directors:** Connie Cappos asked that the Bylaws be upheld as written and allow only one person per lot to serve on the Board. Steven said he will get an attorney's opinion on the issue. Carol said each Director takes an oath to represent the majority of lot owners.

**Communication:** Susie asked the Board to get someone who can communicate well to speak on the phone to lot owners. She said although she appreciates the work Bob has done, "he can have a strong-arm attitude" on the telephone which is deleterious to the Association.

**Coquis:** Gaila said that a new State law takes effect July 1 shutting down nurseries with coqui frogs. She said supersoakers with a range of up to 45 feet can be used to treat the frogs. If you do not have citric acid, a 25-percent bleach to water solution can be used.

**Bylaws Amendment:** Dean Monroe proposed an amendment to the Bylaws limiting Board membership to one family member regardless of number of Orchidland lots owned. Jose Archuleta seconded; the motion was defeated by a vote of 11 for, 16

against. Jerry said there are problems with trying to define "family."

**Development:** Wayne asked the Board to require developers to provide an environmental impact statement for all proposed developments.

**Community Lot:** Tegen asked the Board to finish the fence around the Community Lot.

**County Council Candidate:** Paula Helfrich gave a short presentation.

**Adjournment:** The meeting was adjourned at 2:12 p.m.

Respectfully submitted by:

Kirstie Goin, Recording Secretary

Barbara Arthurs, Corporate Secretary

**Motions Log Annual Meeting 4-29-06**

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