

Orchidland Community Association, Inc.
Approved Minutes of the Board of Directors Meeting
April 19, 2011

Call to Order: The meeting was called to order at 5:36 p.m. by Jerry Gardner.

Members Present: Jerry Gardner, President; Derek Shimizu, Vice President; Ralph Boyea, Secretary; Fred McConnell, Treasurer; Dennis McCartin, Road Chair; Jim Kirkpatrick and Marti Morishige. Adrian Dalton and Gary Dalton, Jr., Road Managers, were also present.

Guests: Yen Chin, Wayne Carey, Roger Hawney, Paul Campbell and Armon Collman.

Oath of Office: Secretary Boyea administered the oath of office to interim Director Jim Kirkpatrick.

Auli`i Development: Jerry said that Gerald and Wendy Yamada have filed for a special use permit to put a supermarket at the corner of Auli`i and Highway 130. The state highway plan calls for Auli`i to be right in, right out only, which will limit access. Yen Chin, President of Friends of Puna's Future, said that although FoPF has taken no official position on the development, they noted that it falls outside the parameters of both the Orchidland Design Plan and the Puna Community Development Plan. Furthermore, the application clearly states that they anticipate commercial development filling in along the highway from Orchidland Dr. to Auli`i. "This application sets a precedent for unacceptable development." He urged the Board to be prepared to file for a contested case hearing. He also expressed concern about the monetary impact on Orchidland's roads, particularly Auli`i. Yen added that they submitted a traffic analysis from 2004, which should be updated.

Paul Campbell, also representing FoPF, said a purpose of the PCDP is to prevent strip mall-type sprawl along Highway 130. "We are vulnerable until the PCDP is implemented."

Wayne Carey said that Ainaloa residents will use our side roads to access the store, putting a greater strain on our roads.

Ralph said OLCA received a notice of the special use application from the Planning Commission. It includes a copy of the 2005 decision on the same request, which was denied. The developer agreed to Orchidland's conditions at that time. The deadline for written comments from the Board is May 9.

Jerry said there is a 20-acre commercial site in HPP at Kaloli and 25th. He will call for a special Board meeting after the membership meeting and urged interested members of the community to attend the membership meeting to discuss the issue.

Phone/Email Issues: Ralph received 33 calls, 25 relating to fees and billing. He was unable to reach 4 callers who left no message. One call was about roads, 1 was a complaint about construction noise early in the morning and late at night at Orchidland Trade Center, and 1 concerned children attending Kea`au Middle School in 2008 being exposed to asbestos during construction at that time. The last call was a request for information about subdividing.

Approval of Minutes: Ralph Boyea moved to approve the minutes of March 15, 2011, as circulated. Derek Shimizu seconded, and the motion passed unanimously.

Website: Fred said he encountered difficulties transferring the domain name orchidland.org. Another domain name, orchidlandstates.org, is operating while the other is being forwarded. Both connect to the same site, which should be finished this Friday. Our new server charged \$247 for three years of hosting.

April 30 Meeting Agenda: Jerry said he will announce that we now have a lease with Carl Okuyama for an office space.

Agenda items include financial report, budget approval, road report, road fees, and the Auli'i development proposal. The agenda was approved unanimously.

Road Fees: Jerry asked whether the Board wants to propose combining the paving fees with the MRMA by raising the MRMA to \$150 and eliminating special paving assessments.

Yen said that more than one billing actually enhances our income, because people often pay their MRMA's with the paving bill.

Wayne said our Bylaws do not require members to pay for road improvement.

Ralph stated that under the original March 1998 paving plan, paving was to be paid for by road maintenance fees. Special assessments were suggested as a way to complete the paving rotation more quickly.

Marti said that she was on the Board in 1998, and there was a consensus at that time that road maintenance included paving.

Roger said that the 1992 judgment granted OLCA authority to collect and enforce fees for road maintenance; there has never been a court judgment giving the Association authority to collect for anything else. He asked why throw a big wrench in the works when we are almost finished with the paving plan, and maintenance on existing paving is road maintenance.

Marti Morishige moved to propose raising the MRMA to \$100. Fred McConnell seconded.

Ralph suggested that a large increase in the MRMA will be needed to repair the chipsealed roads, which are deteriorating. He offered a friendly amendment of \$150.

Marti accepted the friendly amendment; Fred did not. Marti withdrew the motion.

Marti Morishige moved to propose to raise the MRMA to \$150, \$60 to go to chipseal repairs, as needed. Ralph Boyea seconded. The motion failed by a vote of 2 for, 4 opposed.

Dennis said the increase would have to be maintained for approximately 6 years to repair all the chipsealed roads.

Ralph asked the Road Managers to estimate the cost of correcting drainage problems on 40th Ave. Gary said the road would have to be filled to precise civil engineering standards. Adrian estimated the cost from \$100,000 to \$250,000.

Marti said that the County should take responsibility for that road, not OLCA.

Jerry suggested leaving the MRMA at \$85 and asking for a paving assessment of \$75. An increase in the MRMA can be proposed at the November membership meeting.

Officers Reports

President: Jerry reported that he and Ralph met with Carl and completed the contract for office space. It states that OLCA may use the space for ten years and will pay any increase in the electricity bill. At this time the space will be used only to store OLCA’s records; once Carl’s special use permit is granted, we may renegotiate using the space as an office. The house’s kitchen may be shared, with OLCA paying its fair share of the water bill.

Ralph Boyea moved to sign the lease for free office space in the Sure Save, LTD, building on Orchidland Drive, starting May 1, 2011. Dennis McCartin seconded. The motion passed unanimously.

Secretary: Ralph received a letter from Faye Hanohano, stating that fuel tax bill HB 1626 has passed to the Senate. Senator David Ige can be contacted at 808-586-6230. We received a number of letters asking about the amount of fees owed, and some asking for provisions for payment. Some owners thanked us for the friendly reminder, accompanied by their payments.

One letter stated that an owner will pay no more paving fees, because since Auli`i was paved, his house has been broken into several times.

We also received several foreclosure notices, and a letter asking why we have not responded to letters sent. Ralph said we did respond; he will send a certified letter.

The Planning Department notified the Association of a junk yard violation at 39th and Pohaku Dr., which was assessed a fine of \$500, plus \$100 per day beginning on April 9. Ralph has reviewed our special use permit documents. He asked the Board to authorize him to make copies of those documents which are missing from the OLCA files.

Ralph Boyea moved that the Board authorize up to \$100 for copies of special use permits in Orchidland Estates. Fred McConnell seconded, and the motion passed unanimously.

Treasurer: Fred emailed the month’s financial information to the Directors. As of March 31, the fund totals were:

General Fund	\$ 21,421.79
RMC	\$ 14,098.86
Emergency Relief	\$ 15,071.96
Administrative fund	\$ 6,230.79
Paving	\$ 188,218.50
Community Lot Development	\$ 3,951.24
Capital Fund	\$ 15,661.02
Legal Fund	\$ 87,471.15

The legal fund certificate of deposit for \$76,465 matures on April 20, 2011. It will be automatically renewed at the current interest rate unless it is redeemed within 10 days. Fred said the CD has generated approximately \$90 per month interest. By community vote, this interest will go to the Community Lot Development fund.

Marti Morishige moved to roll over the legal fund certificate of deposit for one year. Ralph Boyea seconded, and the motion passed unanimously.

Fred separated the accounts receivable [*monies currently owed to OLCA*] into categories, as follows:

Transfer fees	\$ 127.55
Legal	\$ 33,840.00
Administrative fees, misc.	\$ 920.00
Bounced checks	\$ 165.00
Community Lot Development	\$ 399.50
Paving Fees	\$301,127.51
MRMA's	\$263,388.85

We have collected \$55,000 more than budgeted in MRMA's this fiscal year. Approximately \$28,000-\$30,000, or 8.5%, came in as a result of the collections letter.

Road Report: Dennis reported that the new mower has been purchased.

Dennis McCartin moved to approve \$500 for the road crew to begin mowing main roads. Derek Shimizu seconded; the motion passed unanimously.

Gary asked whether the Board wants him to sweep the main roads, or just mow within 500 feet of the paved intersections. The Board agreed to sweep the entire road. Derek asked Gary to calculate the average cost per mile for mowing.

Dennis McCartin moved to approve \$1200 for a load of gravel and grader work on Pohaku Drive above 39th Avenue. Derek Shimizu seconded, and the motion passed unanimously.

The RMC also discussed delaying paving on Ilima to use the current paving funds to prep the next unpaved sections to make them more passable. It was too late for the Board to discuss this issue.

Adjournment: The meeting adjourned at 8:10 p.m.

Respectfully submitted by:

Kirstie Goin, Recording Secretary

Ralph Boyea, Corporate Secretary

Motions Log 4-19-11

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