

**Volcano Cymbidium Acres Road Maintenance Corporation
(VCARMC)**

**Annual General Meeting
Saturday, October 23, 2010
4:00 P. M.**

Board Members Present: Mike McKenney, Nat Baker, Ron McIntosh, Steve Geiger, Robin Coonen, Mary Lee Knapstad, Diane Ware, and Sharon Moraes

Treasurer's Report: As of today's date, October 23, 2010, we have taken in \$14,100 in assessments. This is 72%, an average figure for this time of year. Reminder notices will go out next week. We generally have an 83% - 85% compliance rate. Presently, there is \$23,286.36 in our checking account. To avoid a non profit tax, we need to spend money on road maintenance.

Triple K Trucking: They have fog sealed all roads, which will help keep them in better condition. We will continue to do business with them. In addition to road resurfacing, they fill pot holes and do roadside poisoning. It is time to do roadside poisoning again. A form is now available for owners that do not want poisoning in front of their places; provided they maintain the area themselves.

Bea Arnapole reiterated her request to President Mike McKenney for a copy of Triple K's license and insurance. Mike replied that some time ago he asked Kyle Pua of Triple K if they are licensed and insured. Via email, Kyle replied yes. Mike Reminded Bea that he sent her a copy of Kyle's email. Bea insists on seeing copies of their license and insurance. Nat remarked on the good working relationship we have with Triple K and that it should be properly acknowledged. Linda Clinton said proof of licensure insurance is standard in any service agreement. Phil Gagorik said if Triple K is not licensed or insured, we shouldn't be doing business with them. Mike will work on getting those copies.

Speed Humps: The Board of Directors' proposal to selectively install speed humps for neighborhood safety was voted down. The vote was approximately 50/50 for and against. The lack of a two thirds majority resulted in failure to pass. Some of those that voted for voiced their displeasure and disappointment. Robin Coonen believes that by voting down speed humps, we are proactively doing nothing to make our roads safer, and that consequently, we are now in more of a position of liability than ever before. She wants B & B owners to tell their guests to slow down. Suzanna Valerie asked those who voted against to state some of their reasons and got no answers as to why. Ron McIntosh believes speed humps are the only thing that will slow people down. Sharon Moraes feels certain there will eventually be an accident at the corner of Laukapu Road and Kawailehua Road, as her son was nearly in a head on collision there.

Suggestions for alternative ways to get drivers to slow down were discussed as follows:

- Put more speed limit signs within the subdivision in addition to the current two signs at the entrances of Laukapu Road and Olomea Road
- Add gravel along shoulders
- Paint center lines at corners. People are not staying in their lanes when they come around corners
- Put up "Slow" signs
- Put up a "Blind Hill" sign on Laukapu Road between Liko Lehua Road and Kalanina`uli Road
- Install digital blinking light signs that tell your speed

It was moved and seconded to:

- Erect two speed limit signs on each road at the midway point, facing in both directions
- Paint center line stripes on each corner
- Erect road name signs

President McKenney said perhaps the speed hump proposal will be resurrected next year, depending on how the speed limit signs and corner center lines do at reducing speeding. He also wants it understood that the Board members are not willing to take on any type of policing. It's up to the individual to do so.

Susan Gagorik suggested consulting the County Department of Public Works regarding the compatibility of speed humps with our substandard roads. President McKenney feels they may actually "beef up" the roads. Phil Gagorik disagrees, having seen speed humps break down in the National Park.

Ron McInstosh believes chip sealing is not a wise use of corporation funds. Chip sealing has to be done repeatedly. He suggested the corporation take out a private bond and pave the roads for greater longevity. Treasurer Baker and President McKenny feel it's too expensive and too risky to get ourselves into debt. Ron withdrew his idea.

Gloria King noted that the "Laukapu Road" sign at Wright Road is very faded. Perhaps, the move to install new road name signs could include the Laukapu Road sign too.

Rainforest Run: At the October 2009 Annual VCARMC General Meeting, park ranger and running race director Sharon Pfaff, presented her proposal for a race to be run through Cymbidium Acres. Ms. Pfaff informed meeting attendees that she has race liability insurance which would include Cymbidium Acres. After some discussion, it was agreed that the race be allowed to take place on a trial basis. If opposition was encountered, we would likely not allow the race to continue in

Cymbidium Acres. The race took place in August of this year and incurred responses from members both for and against the race. It was noted that the Annual VCARMC General Meeting is usually not very well attended and therefore, not an accurate reflection of community opinion. Two representatives from race sponsor Volcano Art Center, Tanya and Kathleen, attended today's meeting to gather input. They said Pahala is also a candidate for hosting the race.

Some people said they enjoyed having the runners come through the neighborhood and would welcome the race in the future. Also, it's good for local businesses, B & B's as well as restaurants. Others spoke of difficulties with access. Concerns were raised about the race getting bigger. People are worried about privacy and peace and quiet. It was recommended to the Art Center representatives to include other Volcano Village roads in the race, rather than have Cymbidium Acres bare the majority of the action.

The strongest opposition came from Phil Gagorik, who plans to sue VCARMC if the race happens in Cymbidium Acres again. Citing the bylaws, he says no where in them is there anything saying the Board has authority to make decisions on anything besides road maintenance. A running race does not come under the category of road maintenance. President McKenney cited another section of the bylaws stating the corporation has authority to determine use of the roads. He said that in this way the bylaws are unclear.

Even if the corporation does have the authority sanction a race, it's appropriate to gather sufficient neighborhood opinion. President McKenney and Treasurer Baker expressed interest in having resident owners vote on the issue. It was recommended that the Volcano Art Center contact Cymbidium Acres owners directly, since it's their project and not VCARMC's. President McKenney wants the Volcano Art Center to come up with a race plan that involves other roads in addition to Cymbidium Acres, and then get back to us.

Treasurer Baker wants to work with the Volcano Art Center to organize a mailer to resident owners. Phil Gagorik believes VCARMC should have no involvement in a running race decision and that it should be worked out solely between the Volcano Art Center sponsors and Cymbidium Acres owners. He does not want the run to set a precedent for other activities to take place in Cymbidium Acres. He recalled his legal fight with Fire Mountain Farm & Retreat in previous years and says he does not want to use his resources on more legal action.

Other Business: Bea Arnapole wants the treasurer's report to include a breakdown of VCARMC's expenses rather than merely stating how much is taken in and how much is spent. President McKenney noted that in past reports, Treasurer Baker has done this and that it can be done again.

President McKenney spoke about his resignation, effective as of January 2011. He has been President for ten years; seven years past the term limit as stated in the

bylaws. Board member Diane Ware added that most Board members have also served well beyond the three year limit, and that new members are encouraged to join the Board. Bea Arnapole noted that proper elections are not held. Outgoing President McKenney talked about ways he feels he has improved the corporation as president. One way has been to implement an email system of communication between Board members. It has proved to be easier and more effective in getting things done. Bea stated that the Board should not be communicating by email and that they should conduct all their business during quarterly meetings. President McKenney voiced his displeasure at this, and the meeting effectively ended.

Linda Clinton suggested an outside company be hired to manage VCARMC's affairs, as it can get difficult for property owners to deal with.

Treasurer Baker recommended the meeting adjourn and that we let things cool off and be in touch by email about pending concerns. The VCARMC Annual General Meeting was officially adjourned.

Respectfully submitted,
Mary Lee Knapstad, VCARMC Board Member and Former Secretary
Sharon Moraes, Secretary

Sharon Moraes