

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

Newsletter – August 2010

Aloha VCARMC members;

The VCARMC Annual General Meeting will be at Cooper Center in Volcano Village at 4:00 p.m. on Saturday, October 23, 2010. The Board of Directors will meet immediately after the general meeting. We are making important decisions about our roads, please attend.

The VCARMC Board of Directors has a new secretary, Sharon Moraes. After serving for ten years, Michael McKenney is resigning as President of the Board at the end of 2010. He will continue to serve on the Board. We will need to elect a new President.

The annual road maintenance assessment for the year 2010 is due September 30, 2010. The VCARMC has a current balance of \$9,700 in funds.

In 2010, the VCARMC contracted with Triple K Trucking & Equipment Rental for \$14,000 to oil seal all the roads in the VCA subdivision, in order to reinforce the roads and to protect them from the wet weather. As part of their services, Triple K will continue to patch potholes and do roadside poisoning of grass and weeds overgrowing road shoulders for no additional charge.

The Board's plans for future major road maintenance work are to install speed humps, and to chip seal Roads B and D, the roads which are now in poorest condition.

All of our roads now have Hawaiian names. Two roads already had official Hawaiian names, Road B is "Kekoanui" and Road D is "Kalaninauli". The new official names are "Olomea" for Road A, "Liko Lehua" for Road C and "Kawailehua" for Road E. Be sure to check the road name listed in your addresses, documents and accounts. We plan to install road name signs at all intersections soon.

The actual ownership of the VCA subdivision roads is not clear. Marine Finance Development, Inc. built the VCA roads in 1968, and went bankrupt decades ago. The VCA subdivision's 40-50 foot wide road easements, including the 14-16 foot wide roads, are on separate land parcels. These road easement land parcels are not owned by either the VCA subdivision lot owners or the VCARMC. When the VCARMC was incorporated in 1996, the Articles of Incorporation and Bylaws gave the VCARMC authority to maintain and regulate use of the VCA subdivision roads.

Saturday, August 21, 2010, the roads of the VCA subdivision will be part of the route for the inaugural Rain Forest Run through Volcano Village. The 3 races will begin at Cooper Center at 7:00 am, runners should reach the VCA subdivision by about 7:15 am, then be clear of the subdivision by 9:00 am. The VCARMC will have no role in actually sponsoring or conducting the Run. The Run's organizers will be entirely responsible for providing traffic control, safety, security and cleanup. The organization sponsoring this new Run is the Volcano Art Center. They will have all Run participants sign a liability waiver, and have liability insurance for the Run which specifically names the VCARMC as insured.

In late September, 2009, the VCARMC was asked whether it had any objections to using the VCA subdivision roads for the proposed Rain Forest Run. The issue was raised and discussed at length during the annual VCARMC General Meeting on October 17, 2009. Resident owner's concerns about privacy and potential encroaching development were raised. Most of the Board and other members attending the meeting thought that the liability risks were minimal, that the Run was an appropriate activity for our roads, worth supporting for its own sake and because it would support the larger Volcano community. They thought that the imposition on the privacy of the VCA subdivisions' residents would be relatively small and brief. The members attending the General Meeting voted overwhelmingly to cooperate with the Run's organizers, and had no objections to allowing part of the Run to be conducted on the VCA subdivision roads. The agreement by the VCARMC to cooperate with the Run's organizers is tentative, for 2010 only. The VCARMC will not support the Run in future years if any problems develop in 2010.

There is a continuing problem with residents and visitors speeding on some of our subdivision's roads, creating a safety hazard. The posted speed limit is 15 mph. For years, the Board has considered installing speed bumps or speed humps on some of our roads to deter speeding. Speed bumps are typically 3-6 inches high, with a travel length of 1-3 feet, and generally result in vehicles slowing to about 5 mph, but cause significant driver discomfort. Speed humps are typically 3-3.5 inches high, with a travel length of 12-14 feet, and generally result in vehicles slowing to about 20 mph. Speed humps are more expensive than speed bumps (~\$1,000/hump), because they require more construction material, but they

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disrupt travel less. After extensive discussions at VCARMC Board and General meetings, the Board of Directors has voted to install 3 speed humps each on Road B and on Laukapu Road. Signs and yellow striping on the bumps would call motorists' attention to their presence. However, the Board has also concluded that the installation of speed humps is a significant expense, and could potentially impact all VCA subdivision owners, particularly residents. Installing speed humps does carry some liability risks, but the Board has concluded that the liability and safety risks are even greater from vehicles speeding on our narrow roads. Therefore, the Board has decided to submit the installation of speed humps to the VCARMC membership for approval. Included at the bottom of this newsletter is a ballot. VCARMC members are entitled to one vote for each lot they own. The VCARMC Board would like to have a 2/3 majority of the membership approve it. This will be an almost impossible threshold to meet, if even a small fraction of the total members do not actually return their ballots. The Board is very concerned that a low ballot return (less than 2/3 of the total membership) is quite likely. Therefore, the Board has decided that unless at least 1/3 of the total membership votes to oppose the installation of speed humps, this will constitute tacit approval for their installation. The deadline to receive the ballots by mail is the same day that annual assessments are due, September 30, 2010. Your ballot may be included with your assessment. The results of the vote will be discussed, and we will try to reach a final decision about speed humps at the Annual General Meeting on October 23, 2010.

All of these issues are on the agenda for discussion at the Annual General Meeting, hope you can attend.

NOTICE OF ASSESSMENT FOR 2011

The Board of Directors of the Volcano Cymbidium Acres Road Maintenance Corporation wishes to remind you of the annual road maintenance assessment for 2011.

Assessments, based on approximate road frontage, are as follows:

Half Acre Lots	\$ 100.00
One Acre Lots	\$ 200.00
Two and One Half Acre Lots	\$ 125.00
Five Acre Lots	\$ 250.00

***PAYMENT OF THIS ANNUAL ASSESSMENT IS DUE ON OR BEFORE
SEPTEMBER 30, 2010.***

Please make your check/money order payable to:

VCARMC
P.O. Box 574
Volcano, HI 96785

Please don't forget to include your completed ballot. (below)

Volcano Cymbidium Acres Road Maintenance Corporation

Should the VCARMC install speed humps to control vehicles speeding on the VCA subdivision roads?

YES, the VCARMC should install speed humps.

NO, the VCARMC should not install speed humps.

TMK(s)#: 1-9-019-026

Owner Name: Harold John Moraes

Sharon C. Moraes
Harold John Moraes