

COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

March 16, 2001

**Committee  
Report No.**

01-51  
As Amended

NOTE: The recommendation contained in this committee report was amended by the Council at its meeting on March 16, 2001, by deleting the bracketed material and underscoring the new material. This committee report was then adopted as amended.

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on February 13, 2001 and February 27, 2001, makes reference to County Communication No. 99-33, from the Council Chair, relating to the matter of nominations to boards and commissions.

Your Committee notes that County Communication No. 99-33 was referred to the prior Council's Governmental Relations and Finance Committee at the Council meeting of January 11, 1999.

At its meeting of November 14, 2000, the Committee recommended that County Communication No. 99-33 be referred to the Council Chair for the term beginning January 2, 2001, for a recommendation as to referral or other disposition.

At its meeting of January 12, 2001, the Council referred County Communication No. 99-33 to your Committee of the Whole (County Communication No. 01-19).

Your Committee notes that Section 14-3 of the Charter of the County of Maui requires that no later than March 1, 2001, the Mayor shall submit the names of 11 nominees to the Charter Commission for approval by the Council. The Charter Commission may propose amendments to the Charter or draft a

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new Charter which shall be submitted to the County Clerk within 16 months of the appointment of the Commission.

By memorandum dated January 31, 2001, the Council Chair transmitted a letter dated January 30, 2001, from the Mayor, submitting 11 nominees to the Charter Commission as follows:

1. Donn Takahashi
2. Vince Bagoyo, Jr.
3. Terryl Vencl
4. William (Bill) Fuhrmann
5. G. Stephen Holaday
6. Stephen Petro
7. Karolyn Mossman
8. Robert (Sean) McLaughlin
9. Gwen Hiraga
10. Carole Ameral
11. Erlinda Rosario

The Mayor also transmitted personal data sheets for the nominees.

At its meeting of February 13, 2001, your Committee met with an Executive Assistant from the Office of the Mayor and the Corporation Counsel.

Your Committee noted that the Charter established the structure and organization of the government of the County of Maui. Your Committee further noted that the Charter is a constitutional document that defines the responsibilities of the County government.

There being no public testimony, your Committee proceeded to conduct interviews with Mr. Takahashi, Mr. Bagoyo, Ms. Vencl, Mr. Fuhrmann, Mr. Holaday, Mr. Petro, Mr. McLaughlin, Ms. Hiraga and Ms. Ameral.

Your Committee noted that Ms. Mossman was unavailable due to pre-arranged out-of-state travel. Your Committee also noted that Ms. Rosario attended your Committee's meeting, but had to leave early due to another appointment.

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Your Committee discussed the selection process for the nominees. The Executive Assistant indicated that notice is published in the newspaper asking for applicants. He indicated that the Administration looks at the applicant's willingness to serve on the Charter Commission as well as their ability to commit their time to the service.

Your Committee inquired as to what procedure should be followed if your Committee should recommend disapproval of a Charter Commission nominee.

Your Committee received a personal data sheet for G. Stephen Holaday.

Your Committee agreed to defer action on the matter pending interviews with Ms. Mossman and Ms. Rosario and further discussion.

By memorandum dated February 16, 2001, your Committee requested a written opinion as to the Council's procedures if a nominee is disapproved, the parameters for lines of questioning for nominees, and whether the breadth of questions posed to the nominees could be so broad that it would violate the Sunshine law.

By memorandum dated February 22, 2001, the Department of the Corporation Counsel informed your Committee that it should expediently notify the Mayor of the disapproval of any Charter Commission nominee. The Mayor would then expediently submit the name of another nominee for the Council to consider. This process would be repeated until the seats on the Charter Commission were filled. The Department of the Corporation Counsel also informed your Committee that the Chair of the Committee should control the lines of questioning by keeping the breadth of the questions relevant.

At its meeting of February 27, 2001, your Committee met with an Executive Assistant from the Office of the Mayor and a Deputy Corporation Counsel.

There being no public testimony, your Committee proceeded to conduct interviews with Ms. Rosario and Ms. Mossman.

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Your Committee discussed the selection process for the Charter Commission with the Executive Assistant. Some of the members of your Committee expressed concern over various nominees' backgrounds.

Your Committee voted to recommend approval of all of the nominees to the Charter Commission.

Your Committee of the Whole RECOMMENDS the following:

1. That the following nominees to the Charter Commission be APPROVED:
  - a. Donn Takahashi
  - b. [Vince Bagoyo, Jr.
  - c.] Terryl Vencl
  - [d. William (Bill) Fuhrmann]
  - [e.]c. G. Stephen Holaday
  - [f.]d. Stephen Petro
  - [g.]e. Karolyn Mossman
  - [h.]f. Robert (Sean) McLaughlin
  - [i.]g. Gwen Hiraga
  - [j.]h. Carole Ameral
  - [k.]l. Erlinda Rosario[; and]
  
2. That the following nominees to the Charter Commission be REFERRED back to the Committee of the Whole:
  - a. Vince Bagoyo, Jr.
  - b. William (Bill) Fuhrmann; and
  
3. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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**DAIN P. KANE** Chair

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**PATRICK S. KAWANO** Member

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**G. RIKI HOKAMA** Vice-Chair

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**MICHAEL J. MOLINA** Member

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**ALAN M. ARAKAWA** Member

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**WAYNE K. NISHIKI** Member

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**ROBERT CARROLL** Member

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**CHARMAINE TAVARES** Member

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**JO ANNE JOHNSON** Member