

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

April 20, 2001

**Committee
Report No.**

01-74

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 April 2, 2001 and April 4, 2001, makes reference to the following:

1. County Communication No. 01-92, from the Council Chair, relating to the matter of nominations to boards and commissions; and
2. Miscellaneous Communication dated March 20, 2001, from the County Clerk, referring Charter Commission nominees, Vince Bagoyo, Jr., and William (Bill) Fuhrmann, back to your Committee.

Your Committee notes that it previously reported on this matter through Committee Report No. 01-51, As Amended.

By memorandum dated March 14, 2001, the Council Chair transmitted two letters in opposition to the nomination of Bill Fuhrmann to the Charter Commission as well as five letters commenting on the Citizens Advisory Committee (CAC) process in Hana.

By memorandum dated March 20, 2001, your Committee requested that the Department of the Corporation Counsel clarify Hawaii Revised Statutes, Section 50-7, regarding the formation of the Charter Commission.

By memorandum dated March 27, 2001, the Department of the Corporation Counsel indicated that the Charter Commission must seek the Council's approval to hire its own staff, the approval must be by ordinance, the approval must be accompanied by an appropriation, the funding source should be the general fund, and Council approval is not required if all staff members are County employees.

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At its meeting of April 2, 2001 on Lana`i, your Committee met with an Executive Assistant to the Mayor and a Deputy Corporation Counsel.

Your Committee heard public testimony from four individuals in support of and one person in opposition to the nomination of Vince Bagoyo, Jr., to the Charter Commission.

Your Committee notes that although it had not requested the presence of Mr. Bagoyo, he was present in the audience and responded to questions from your Committee regarding his ability to be unbiased. Mr. Bagoyo indicated that he feels he is able to think independently.

Your Committee voted to recommend approval of Mr. Bagoyo's nomination to the Charter Commission.

By memorandum dated April 3, 2001, the Council Chair transmitted two letters in support of the nomination of Bill Fuhrmann to the Charter Commission.

At its meeting of April 4, 2001 in Hana, your Committee met with an Executive Assistant to the Mayor and a Deputy Corporation Counsel.

Your Committee heard public testimony from two individuals in support of the nomination of William (Bill) Fuhrmann to the Charter Commission.

Your Committee notes that although it had not requested the presence of Mr. Fuhrmann, he was present in the audience and responded to questions from your Committee regarding his qualifications. Mr. Fuhrmann spoke about his experiences with the CAC, noting he may have come across too strong on some occasions.

Mr. Fuhrmann submitted a copy of a letter and two petitions with 468 signatures in support of his nomination to the Charter Commission.

After a brief discussion, your Committee voted to recommend approval of Mr. Fuhrmann's nomination to the Charter Commission and filing of the miscellaneous communication.

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Your Committee of the Whole RECOMMENDS the following:

1. That the following nominees to the Charter Commission be APPROVED:
 - a. Vince Bagoyo, Jr.
 - b. William (Bill) Fuhrmann;
2. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui; and
3. That the Miscellaneous Communication be FILED.

Adoption of this report is respectfully requested.

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DAIN P. KANE **Chair**

PATRICK S. KAWANO **Member**

G. RIKI HOKAMA **Vice-Chair**

MICHAEL J. MOLINA **Member**

ALAN M. ARAKAWA **Member**

WAYNE K. NISHIKI **Member**

ROBERT CARROLL **Member**

CHARMAINE TAVARES **Member**

JO ANNE JOHNSON **Member**