

COUNCIL OF THE COUNTY OF MAUI  
**PLANNING COMMITTEE**

April 6, 2001

**Committee  
Report No.**

01-71

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

Chair and Members:

Your Planning Committee, having met on March 15, 2001, makes reference to County Communication No. 99-246, from Councilmember Riki Hokama, transmitting copies of letters from a citizen on Lanai requesting that the matter of planning commission voting procedures be discussed. Among other things, the letters allege that at a November 18, 1998, meeting of the Lanai Planning Commission, an official vote of the Commission was reversed following a recess where lobbying of the Commissioners was permitted, but further public input was not.

Your Committee notes that County Communication No. 99-246 was referred to the prior Council's Planning Committee at the Council meeting of October 1, 1999.

At its meeting of November 30, 2000, the Planning Committee recommended that County Communication No. 99-246 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. 99-246 to your Planning Committee (County Communication No. 01-23).

By memorandum dated March 12, 2001, the Chair of your Committee transmitted copies of the following background documents pertaining to this matter.

1. Memorandum dated May 26, 1999, from a Deputy Corporation Counsel to the Planning Director, finding that although there were some "awkward moments" during the Commission's deliberations, the decision-making process was "orderly and civil".

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2.     November 18, 1998, Minutes of the Lanai Planning Commission.
3.     Resolution No. 98-147, which was the subject of discussion at the above meeting.

At its meeting of March 15, 2001, your Committee met with the Deputy Planning Director and a Deputy Corporation Counsel.

Your Committee reviewed page 35A, of the November 18, 1998, Minutes of the Lanai Planning Commission. Your Committee found that during the subject meeting, a motion was properly made and seconded. The Chair of the Commission then asked for discussion on the motion and, finding none, called for aye and nay votes. Apparently, votes were cast in a divided manner. Instead of announcing the results of its vote, the Commission engaged in further discussion and questioning. This scenario occurred twice, and on the third vote, the motion was unanimously adopted.

Your Committee noted that planning commissioners are volunteer board members, some recently appointed, who should be assisted by the Department of Planning and the Department of the Corporation Counsel in proper parliamentary procedure, especially in the important area of handling and announcing votes. Parliamentary assistance is made even more essential by the fact that the County has three planning commissions, and voting procedures should be consistent between all three.

Your Committee requested that letters be sent to the Department of Planning and the Department of the Corporation Counsel, requesting that they conduct training sessions in parliamentary procedure for all planning commissions. The training sessions should be an ongoing service to the commissions, especially when new planning commissioners are appointed.

Your Planning Committee **RECOMMENDS** that County Communication No. 99-246 be FILED.

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Adoption of this report is respectfully requested.

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