

COMMITTEE OF THE WHOLE
Council of the County of Maui

Meeting Agenda

Date: October 15, 2002 (1:30 p.m.) [Council Chamber, 8th Floor, Kalana O Maui Bldg., 200 South High Street, Wailuku, Maui, Hawai'i]

website: <http://www.co.maui.hi.us/committees/COW/>

e-mail: cow.committee@co.maui.hi.us

COMMITTEE MEMBERS

Dain P. Kane, Chair

G. Riki Hokama, Vice-Chair

Alan M. Arakawa

Robert Carroll

Jo Anne Johnson

Danny A. Mateo

Michael J. Molina

Wayne K. Nishiki

Charmaine Tavares

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Richelle Kawasaki or Pauline Martins) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Moloka'i), 1-800-272-0098 (toll-free from Lana'i), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

COW-30

RULES OF THE COUNCIL

DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 01-59, from the Council Chair, transmitting Resolution No. 01-4, entitled "ADOPTING THE RULES OF THE COUNCIL". The resolution adopted the Rules of the Council.
2. Correspondence dated July 11, 2002, from Councilmember Carroll, proposing an amendment to the Rules of the Council which, at the end of each Council term, would automatically file all items on committee agendas except for land use applications and community plans in the process of being reviewed.

STATUS:

The Committee may consider whether to recommend any legislative action, including the possible amendment of Resolution No. 01-4. The Committee may also consider other related action, including the possible filing of County Communication No. 01-59.

MORE →

**COW-11(3) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(WORKERS' COMPENSATION CASE OF DONALD K. KAULIA, CASE
NOS. 7-99-03887, 7-00-00274, 7-01-01583, 7-01-02800 AND 7-02-00441)**

DESCRIPTION: The Committee is in receipt of correspondence dated October 1, 2002, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF DONALD K. KAULIA VS. COUNTY OF MAUI, CASE NOS. 7-99-03887, 7-00-00274, 7-01-01583, 7-01-02800, AND 7-02-00441". The cases allege work-related injuries. The purpose of the proposed resolution is to authorize settlement of the cases.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence from the Department of the Corporation Counsel.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), HRS, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

**COW-11(4) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(DAMAGE CLAIM OF HEIDRUN DAHLHAUS, CLAIM NO. 2002-069/1781309-196)**

DESCRIPTION: The Committee is in receipt of correspondence dated September 12, 2002, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "APPROVING A PROPOSED SETTLEMENT OF CLAIM NO. 2002-069/1781309-196, CLAIM OF HEIDRUN DAHLHAUS" and transmitting a copy of the claim. The claim alleges damages related to an automobile accident. The purpose of the proposed resolution is to authorize settlement of the claim for \$18,000.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence from the Department of the Corporation Counsel.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), HRS, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

**COW-11(7) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS
(DAMAGE CLAIM OF BRETT SMITH, CLAIM NO. 2001-006/1773775-0187)**

DESCRIPTION: The Committee is in receipt of correspondence dated September 10, 2002, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "APPROVING A PROPOSED SETTLEMENT OF CLAIM NO. 2001-006/1773775-0187, CLAIM OF BRETT SMITH" and transmitted a copy of the claim. The claim alleges damages related to an automobile accident. The purpose of the proposed resolution is to authorize settlement of the claim for \$10,000.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action, including the possible filing of the above-referenced correspondence from the Department of the Corporation Counsel.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), HRS, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.