

**MINUTES OF THE SPECIAL MEETING OF THE MAUI POLICE COMMISSION
MONDAY, MARCH 9, 2009 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

PRESENT Doreen Gomes, Chair
Keone Ball, Vice-Chair
Tina Gomes, Member
David Jorgensen, Member
Leil Koch, Member
John Ornellas, Member
Kirk Tanaka, Member
Kim Sloper, Deputy Corporation Counsel

ALSO PRESENT Mr. Greg Takahashi, Business Manager
Robert Hill, Lieutenant, Traffic Section
Melissa Tanji, Reporter, The Maui News

EXCUSED Verna Boonstra, Member (Mainland)
Sean Connolly, Member (Philippines)

**CALL/
QUORUM** Chair Gomes called the meeting to order at 10:00 a.m. A quorum was ascertained with seven Commissioners present to conduct business.

OPENING PRAYER The opening prayer was offered by Commissioner John Ornellas.

PRESENTATION **By the Public of Oral or Written Testimony on Agenda Items of the Commission:**

There was no one present from the public who wished to give testimony.

APPROVAL OF AGENDA Chair Gomes recommended a switch in the order on items 5) and 6) of the agenda because part of the Discussion of Proposed Process for Selection of Police Chief will need to be held in Executive Session.

In Regular Session will be:

- a) The Announcement Ad
- b) The Application and Additional Background Data
- c) The Procedures

In Executive Session, and distributed at that time will be

- a) Questions for Applicants

A motion to accept the agenda as amended was made by Commissioner Tanaka. The motion was seconded by Vice-Chair Ball and carried unanimously.

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DISCUSSION ON DATE CHANGE OF MARCH COMMISSION MEETING

At the February meeting, it was suggested that the March meeting be moved to March 25, 2009 because Vice-Chair Ball, Commissioner Connolly and Commissioner Koch will be unavailable for the March 18th meeting.

Since enough Commissioners should be available to make quorum, it was decided the meeting will be as scheduled and held March 18, 2009 at 10:00 a.m.

DISCUSSION OF PROPOSED PROCESS FOR SELECTION OF POLICE CHIEF

a) The Announcement Ad

Deputy Corporation Counsel Sloper prepared the Announcement for Recruitment for Chief of Police. Counselor Sloper pointed out one typographical error which she will correct. Vice-Chair Ball suggested the office hours be amended to read 8:00 to 3:00 to coincide with the time of the application deadline. Commissioner Tina Gomes suggested the REQUIREMENTS be amended to read MINIMUM REQUIREMENTS.

Commission Jorgensen made a motion to accept the Announcement as prepared, after the corrections. The motion was seconded by Commissioner Koch and carried unanimously.

Commissioner Tina Gomes stated the Friday newspaper is the one that goes to the mainland, so it should appear in a Friday paper.

Commissioner Koch made a motion to advertise in both The Maui News and The Honolulu Advertiser for a total of three weeks beginning on Friday the 13th and thereafter running on Wednesday and Sundays. The motion was seconded by Vice-Chair Ball.

The ad will run in The Maui News on Friday, March 13th. It will run again on March 15th, 18th, 22nd, 25th, and 29th. It will also run in The Honolulu Advertiser on Sunday, March 22nd.

Commissioner Koch made a motion to run the ad one additional time in the beginning of April if the Chair believes it is warranted after reviewing the applications received. The motion was seconded by Commissioner Ornellas. The motion carried unanimously.

b) The Application and Additional Background Data

Vice-Chair Ball made a motion to delete one of the employment pages from the application. The motion was seconded by Commissioner Tina Gomes and carried unanimously.

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Jeff King, News Director of Maui TV News entered to film the meeting. Mr. King left immediately after taking a picture.

Commissioner Tina Gomes made a motion to remove 2(f) Stocks, Bonds (list all stocks and bonds that you own). The motion was seconded by Vice-Chair Ball. The motion carried with Commissioner Koch voting nay.

Commissioner Jorgensen made a motion to delete 2(g) Deferred Annuities and Individual Retirement Accounts. The motion was seconded by Commissioner Tina Gomes and carried with Commissioner Koch voting nay.

Commissioner Jorgensen made a motion to amend 2(h) Partnerships (list all partnerships in which you have a financial interest; include name of partnership and address) to read: Business Entities. (List all partnerships, limited liability companies, corporations or other business entities in which you have a financial interest greater than \$25,000 or any managerial position; include name of business entity and address.) The motion was seconded by Commissioner Ornellas and carried unanimously.

Commissioner Koch made a motion to add item 2(k) Applicant will provide last two years of federal tax returns. The motion was seconded by Commissioner Ornellas and carried with Commissioner Tina Gomes voting nay.

Commissioner Koch made a motion to accept Personal Declarations Items 3(a) (b) and (c) as proposed. The motion was seconded by Vice-Chair Ball and carried unanimously.

Commissioner Jorgensen made a motion to amend Item 3(d) to begin with the words, "To the best of your knowledge" and to end it with "within the last ten years". The motion was seconded by Commissioner Tanaka. Commissioners Jorgensen, Tanaka, and Ornellas voted aye. Vice-Chair Ball, Commissioner Tina Gomes and Commissioner Koch voted nay. Chair Doreen Gomes voted aye and the motion carried.

Commissioner Jorgensen made a motion to amend Item 3(e) to begin with the words, "To the best of your knowledge". The motion was seconded by Commissioner Ornellas. Commissioners Jorgensen, Tanaka and Ornellas voted aye. Vice-Chair Ball, Commissioner Tina Gomes and Commissioner Koch voted nay. The motion carried with Chair Doreen Gomes voting aye.

A motion was made by Commissioner Jorgensen to amend the Certification by adding "to the best of my knowledge" at the end of the first sentence. The motion was seconded by Commissioner Ornellas and carried unanimously.

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Commissioner Tanaka made a motion to accept the Waiver of Liability and Release Form after the typographical error is corrected and the word "Xerox" is changed to photocopy on the second page. The motion was seconded by Commissioner Jorgensen and carried unanimously.

Commissioner Tanaka made a motion to accept the Fair Credit Reporting Act Disclosure and Authorization. The motion was seconded by Vice-Chair Ball and carried unanimously.

Commissioner Tina Gomes made a motion to amend 4) References to require one more professional reference so there are three professional and three personal references. The motion was seconded by Commissioner Koch and carried unanimously.

A motion to have the six reference letters sent directly to the Office of the Maui Police Commission, to be received by April 13th was made by Commissioner Tina Gomes and seconded by Commissioner Tanaka. The motion carried unanimously.

Commissioner Jorgensen made a motion to accept (5) Military Service and (6) Criminal and Traffic Record. The motion was seconded by Commissioner Tanaka and carried unanimously.

Vice-Chair Ball made a motion to accept (7) Organizations and Clubs and (8) Former addresses and (9) Honors. The motion was seconded by Commissioner Koch. Commissioner Jorgensen wished to amend the motion by stating (7) should be changed from "If you wish, you may list..." to "List". Vice-Chair Ball wished to incorporate that in his motion. The motion as amended was seconded by Commissioner Koch. The motion carried unanimously.

Commissioner Koch made a motion to change the first sentence of the Commission Requirements to read: "The Maui Police Commission is recruiting applicants for the position of Chief of Police and is responsible for selecting the person to fill the position". The motion was seconded by Commissioner Ornellas and carried unanimously.

Commissioner Koch made a motion to add "to the best of my knowledge" to the first sentence of the Certification. The motion was seconded by Commissioner Ornellas and carried unanimously.

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c.) The Procedures

The following timeline was worked out:

- 04/13 Applications due by 3:00 p.m. in the Police Commission office
- 05/04 Background checks completed
- 05/06 Meeting by all available commissioners to review applications (lunch and court reporter at this meeting)
- 05/13 Conduct interviews (lunch and court reporter at this meeting)
- 05/14 Conduct interviews, if necessary, and make selection of chief (court reporter possibly required)
- 05/15 Left open for last minute details
- 05/20 Announce selection of chief at regularly scheduled Police Commission meeting

The question arose as to who would do the credit reports. Deputy Corporation Counsel Sloper said the last time this process was done, the Police Commission Investigators did background checks and got the credit reports. Mr. Takahashi said he can run credit reports and they should be completed by May 4th. After discussion, there was no decision as to who would conduct the background checks.

Commissioner Jorgensen made a motion to change 2 a) Item (3) from Financial Disclosure/Credit Report to two separate items, to read Item (3) Additional Background Data and make Item (4) Credit Report. The motion was seconded by Commissioner Tanaka and carried unanimously.

Item 2(c) Remove the publication The Police Bulletin

Item 4. Change the date from 04/15/09 to 05/06/09

Item 4(c) Change to read: Individual interviews of applicants to be conducted in closed session.

Item 5. Change to read: The Commission shall meet individually with selected applicants for interviews.

Item 6. Change to read: The Commission shall meet in closed session to make its selection. Selection of the new chief shall be by a vote of at least five Commissioners. (13-101-16e)

In Note: Change to read: Agenda posting to be completed six (6) days prior to a scheduled meeting; and also change 03/25/09 to 03/18/09

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No Executive Session was held.

ADJOURNMENT

(1:05 p.m.) A motion to adjourn was made by Commissioner Tanaka. The motion was seconded by Vice-Chair Ball and carried unanimously.

SUBMITTED BY

Jeanne L. Berrigan, Secretary

APPROVED

Doreen N. Gomes, Chair