

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

August 25, 2009

**Committee**  
**Report No. \_\_\_\_\_**

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 August 6, 2009, makes reference to County Communication No. 09-15, from Michael J. Molina, Chair of your Committee, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated July 21, 2009 (received July 22, 2009) and July 29, 2009 (received July 29, 2009), the Mayor transmitted listings of nominees to the various boards, committees, and commissions, along with their personal history forms. The nominees are as follows:

1. Nominees to boards, committees, and commissions that require Council approval or disapproval within 60 days:
  - A. BOARD OF VARIANCES AND APPEALS
    1. Ray Shimabuku (replacing John Torchiana), for a term expiring on March 31, 2014.
  - B. CIVIL SERVICE COMMISSION
    1. Arnold Wunder (replacing Ellen Pelissero), for a term expiring on March 31, 2011.
  - C. COMMISSION ON CHILDREN AND YOUTH
    1. Sunny Cabello (replacing Lydia Lee), for a term expiring on March 31, 2011.
  - D. COST OF GOVERNMENT COMMISSION
    1. Ivan Lay (replacing Gina Marie Flammer), for a term expiring on March 31, 2010.

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E. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Gene Zarro, for a term expiring on March 31, 2014.

F. SALARY COMMISSION

1. Agnes Terao-Guiala (replacing Douglas Levin), for a term expiring on March 31, 2010.

Your Committee notes that specific appointment procedures are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41, Maui County Code. Your Committee further notes the following general appointment procedures for the various boards, committees, and commissions.

1. For most of the boards, committees, and commissions, the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominee within 60 days thereafter. If the Council fails to approve or disapprove the Mayor's nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action. This procedure applies to the following boards, committees, and commissions:
  - A. Board of Variances and Appeals (Maui County Code, Chapter 19.520; Maui County Charter, Sections 8-8.7);
  - B. Civil Service Commission (Maui County Charter, Section 8-9.4; Hawaii Revised Statutes, Sections 76-71 and 76-47);
  - C. Commission on Children and Youth (Maui County Code, Section 2.39.010);
  - D. Cost of Government Commission (Maui County Charter, Chapter 15);

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- E. Maui County Grants Review Committee (Maui County Code, Sections 2.40.160 and 3.36.020);
- F. Salary Commission (Maui County Code, Section 2.40.210 and Chapter 2.42; and Maui County Charter, Sections 8-18.1).

Your Committee further notes that the deadline for the Council to approve or disapprove the nominees to the Board of Variances and Appeals, the Commission on Children and Youth, the Cost of Government Commission, and the Salary Commission is September 20, 2009. The deadline for the Council to approve or disapprove the nominees to the Civil Service Commission and the Maui County Grants Review Committee is September 27, 2009.

Your Committee expressed its appreciation to all of the nominees for their willingness to devote their time and expertise to the various boards and commissions. Your Committee also expressed appreciation for outgoing members of the various boards and commissions for their hard work.

Your Committee voted 6-0 to recommend approval of Ray Shimabuku to the Board of Variances and Appeals, Sunny Cabello to the Commission on Children and Youth, Ivan Lay to the Cost of Government Commission, and Agnes Terao-Guiala to the Salary Commission. Committee Chair Molina, Vice-Chair Mateo, and members Baisa, Nishiki, Pontanilla, and Victorino voted "aye". Members Johnson, Medeiros and Kaho'ohalahala were excused.

Your Committee voted 7-0 to recommend approval of Arnold Wunder to the Civil Service Commission and Gene Zarro to the Grants Review Committee. Committee Chair Molina, Vice-Chair Mateo, and members Baisa, Kaho'ohalahala, Nishiki, Pontanilla, and Victorino voted "aye". Members Johnson and Medeiros were excused.

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Your Committee of the Whole RECOMMENDS the following:

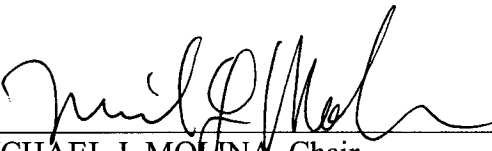
1. That the following nominees to County boards, committees, and commissions be APPROVED:
  - A. BOARD OF VARIANCES AND APPEALS
    1. Ray Shimabuku (replacing John Torchiana), for a term expiring on March 31, 2014.
  - B. CIVIL SERVICE COMMISSION
    1. Arnold Wunder (replacing Ellen Pelissero), for a term expiring on March 31, 2011.
  - C. COMMISSION ON CHILDREN AND YOUTH
    1. Sunny Cabello (replacing Lydia Lee), for a term expiring on March 31, 2011.
  - D. COST OF GOVERNMENT COMMISSION
    1. Ivan Lay (replacing Gina Marie Flammer), for a term expiring on March 31, 2010.
  - E. MAUI COUNTY GRANTS REVIEW COMMITTEE
    1. Gene Zarro, for a term expiring on March 31, 2014.
  - F. SALARY COMMISSION
    1. Agnes Terao-Guiala (replacing Douglas Levin), for a term expiring on March 31, 2010.
2. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

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This report is submitted in accordance with Rule 7 of the Rules of the Council.

  
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MICHAEL J. MOLINA, Chair

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