

COMMITTEE OF THE WHOLE
Council of the County of Maui

Meeting Agenda

September 17, 2009
9:00 a.m.
Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/COW
e-mail: cow.committee@mauicounty.us

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VOTING MEMBERS

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Wayne K. Nishiki

Joseph Pontanilla

Michael P. Victorino

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 (Kirstin Hamman or Camille Sakamoto) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 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-1(14) LITIGATION MATTERS (STATUS: ENVIRONMENTAL PROTECTION AGENCY (EPA) PERMIT NO. HI50710003, LAHAINA WASTEWATER RECLAMATION FACILITY)

DESCRIPTION: The Committee is in receipt of the following:
1. Correspondence dated August 10, 2009, from the Department of the Corporation Counsel, requesting the opportunity to discuss potential legal liabilities or litigation arising out of EPA Permit No. HI50710003 for the Lahaina Wastewater Reclamation Facility.
2. Correspondence dated August 17, 2009, from the Council Chair, transmitting correspondence dated August 6, 2009, from the Director of Environmental Management, relating to the underground injection well permit renewal for the Lahaina Wastewater Reclamation Facility.

STATUS: The Committee may receive a status report from the Department of the Corporation Counsel and the Department of Environmental Management.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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.

MORE →

COW-1(15) LITIGATION MATTERS (STATUS: PUKO'A O KAMA ALLIANCE, ET AL. V. COUNTY OF MAUI, ET AL.; CIVIL NO. 09-1-0288(1))

DESCRIPTION: The Committee is in receipt of correspondence dated August 10, 2009, from the Department of the Corporation Counsel requesting an opportunity to discuss Puko'a O Kama Alliance, et al. v. County of Maui, et al., Civil No. 09-1-0288(1), and transmitting a copy of the Amended Complaint from Puko'a O Kama Alliance and the Proposed Complaint in Intervention from Keaka, LLC, and Makena Resort Services, LLC. The Amended Complaint and the Proposed Complaint in Intervention allege that underground injection well effluent from the Kihei sewage treatment plant contains high amounts of nutrients and other substances that diminish the water quality of nearshore waters and the quality of nearby beaches.

STATUS: The Committee may receive a status report from the Department of the Corporation Counsel.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, 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.

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NEW TESTIMONY REGISTRATION PROCEDURE

Testifiers must sign in
at the registration table
in the 8th floor lobby of
the Council Chamber.