

COMMITTEE OF THE WHOLE

Council of the County of Maui

Meeting Agenda

March 15, 2010

1:30 p.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/COW

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COUNTY CLERK

VOTING MEMBERS

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Danny A. Mateo, Vice-Chair

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Sol P. Kaho'ohalahala

Bill Kauakea Medeiros

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 by 12 noon on the business day preceding 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(28) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: CHERYL CABEBE, ET AL. V. NEW SAND HILLS, LLC, ET AL.; CIVIL NO. 09-1-0245(1))

DESCRIPTION: The Committee is in receipt of correspondence dated March 4, 2010, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING SETTLEMENT OF CHERYL CABEBE, ET AL. V. NEW SAND HILLS, LLC, ET AL., CIVIL NO. 09-1-0245(1)" and transmitting a copy of the complaint. The complaint seeks damages for various alleged violations of State and Federal law related to the Plaintiffs' purchase of residential lots in the Sandhills Estates, within the Maui Lani Project District, and their inability to utilize the lots for residential purposes. The purpose of the proposed resolution is to authorize settlement of the case.

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.

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-2(12) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(BOARD OF VARIANCES AND APPEALS; BOARD OF WATER SUPPLY)**

DESCRIPTION: The Committee is in receipt of correspondence dated March 1, 2010 (received March 1, 2010), from the Mayor, requesting consideration of the following:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days (for terms expiring on March 31, 2013):
 - A. BOARD OF VARIANCES AND APPEALS
 1. Bernice Vadla (replacing Sandra Duvauchelle).
 - B. BOARD OF WATER SUPPLY
 1. Kevin Boteilho (replacing Scott Luck).

STATUS: The Council has until April 5, 2010, to nominate and approve the appointment of a person to fill the vacancy on the Board of Variances and Appeals; and until April 22, 2010, to nominate and approve the appointment of a person to fill the vacancy on the Board of Water Supply. The Committee may consider whether to nominate and approve either or both of the people whose names were submitted by the Mayor. The Committee may also consider other related action.

**COW-2(13) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(ANIMAL CONTROL BOARD; SUBDIVISION ENGINEERING STANDARDS COMMITTEE)**

DESCRIPTION: The Committee is in receipt of correspondence dated March 3, 2010 (received March 4, 2010), from the Mayor, requesting consideration of the following:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days (for terms expiring on the dates indicated):
 - A. ANIMAL CONTROL BOARD
 1. Dr. Brian Atwell, for a term expiring on March 31, 2012.
 - B. SUBDIVISION ENGINEERING STANDARDS COMMITTEE
 1. Paul Mikolay, for a term expiring on March 31, 2015.

STATUS: The Council must approve or disapprove the nominations by May 3, 2010, or the nominations will be deemed approved. The Committee may consider whether to recommend approval or disapproval of the nominations. The Committee may also consider other related action.