

**ECONOMIC DEVELOPMENT, AGRICULTURE,
AND RECREATION COMMITTEE**

Council of the County of Maui

MINUTES

March 4, 2010

Council Chamber

CONVENE: 1:35 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Jo Anne Johnson, Chair
Councilmember Sol P. Kaho`ohalahala, Vice-Chair (In 1:39 p.m.)
Councilmember Gladys C. Baisa
Councilmember Michael J. Molina
Councilmember Joseph Pontanilla

STAFF: Scott Jensen, Legislative Analyst
Scott Kaneshina, Legislative Analyst
Tammy Frias, Committee Secretary

ADMIN.: Zachary Helm, Deputy Director, Department of Parks and Recreation (Item No. 25)
David Sakoda, County Arborist, Department of Parks and Recreation (Item No. 25)
Jeffrey T. Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: **Item No. 25:** Richard Kempf, Maui County Arborist Committee

Item No. 15: Warren McCord, Maui Outdoor Circle
Additional attendees (6)

PRESS: Chris Hamilton, *The Maui News*
Akaku--Maui County Community Television, Inc.

CHAIR JOHNSON: . . .(*gavel*) . . . Good afternoon. The Economic Development, Agriculture, and Recreation Committee meeting of March 4th, 2010 will come to order. I'd like to recognize the Members that are in attendance at this afternoon's meeting. Temporarily excused is Vice-Chair Sol P. Kaho`ohalahala. We have Member Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR JOHNSON: Good afternoon. We have Member Michael J. Molina.

COUNCILMEMBER MOLINA: Good morning, uh, good afternoon, Madam Chair. Sorry.

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CHAIR JOHNSON: I know I feel the same way. It's getting confusing. We don't know whether we're coming or going. And last but not least we have Member Joseph Pontanilla.

COUNCILMEMBER PONTANILLA: Good afternoon.

CHAIR JOHNSON: Thank you very much. And so Member Kaho`ohalahala should be joining us shortly. From the Administration, we have with us, Corporation Counsel Mr. Ueoka. Thank you for your attendance. From the Arborist Committee or head of, I guess you're the lead arborist for Maui County, that is Mr. David Sakoda. And then Deputy Parks Director, Zach Helm. Thank you for your attendance. From Staff we have our two Scotts -- Scott Kaneshina and Scott Jensen and also Tammy Frias. So thank you.

Members, this afternoon before I begin the meeting, I would just ask you to turn off all of your noise making devices such as cell phones or pagers and just put them to the silent mode or to vibrate. Also, as you know, and many of the Members in the audience may not know, we have to be through with this meeting on a timely basis today because we have another meeting that we have recessed until three o'clock this afternoon. So, I'm sorry, you know, to give you that kind of time constraints because ordinarily when the Committee meets we'd be able to do whatever we have to do, but just keeping that in mind that we're going to be getting work done this afternoon. Anyway, I thank you for your attendance.

Members, we have on our agenda the first item this afternoon is EAR-25, which is amending the list of exceptional trees, and we are in receipt of County Communication No. 10-9, from the Director of Parks and Recreation, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE NO. 2041 (1991), PERTAINING TO EXCEPTIONAL TREES IN THE COUNTY OF MAUI". And the purpose of the proposed bill is to add and delete trees from the original list of exceptional trees adopted in 1991. The second item on our agenda today is EAR-15, and that is the prohibition of aerial advertising. And this is County Communication No. 09-162, sent forward by myself and it's transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 20, MAUI COUNTY CODE, TO PROHIBIT AERIAL ADVERTISING". And the purpose of the proposed bill is to prohibit aerial advertising and thereby preserve the visual beauty of coastal and scenic areas, as well as minimize traffic-safety hazards for motorists and pedestrians throughout Maui County. So, those are the two items we have, Members, and with that I have so far two individuals signed up to testify, one on EAR-25 and one on EAR-15. And so you will be given three minutes to give your testimony plus an additional minute to conclude, and then if you would stay at the podium to answer any questions that might be forthcoming from the Members. So, without further ado, if there's no objections, the Chair will then begin public testimony with Mr. Richard Kempf, if he could come forward.

...BEGIN PUBLIC TESTIMONY...

MR. KEMPF: My name is Richard Kempf and I am an arborist. I am a member of the Arborist Advisory Committee. David is an ex-officio member and we have been working with the

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proposed revisions and changes to the list for two or three years now. I think what's significant is that we've cleaned the list up quite a lot. Any of the trees that existed that for one reason or another died or something like that they've been removed. But the most significant thing about it is that we're adding quite a number of trees. One of the...there are seven trees total that are on the list from the Fleming Arboretum and that's the Arboretum in Ulupalakua of Martha Vockrodt. I'm sure you all know her and her work that she's done over the last few years. These trees are significant because they represent the incredible part of Hawaiian heritage. There are really no other trees on the exceptional tree list for the other County's that encompass the breath of the Hawaiian native species compared to what we have now with the addition of Martha's trees. And the other significant thing about the revised list is we're taking the number of trees in Maui County from approximately 20 to approximately a hundred. And most of those include a group of trees on Baldwin Avenue...the Baldwin Avenue Shower trees. So this is like a major expansion of our exceptional tree list. The exceptional tree list is a win-win situation. It does not cost the County anything other than the time you're spending here discussing it. For the owners of the trees, it puts a feather in their cap. It tells them we care about the environment, we can about what Maui County and this place looks like and what it feels like it. So I see this as something that is long overdue, and I hope you will consider the passage of this and give it your speedy approval.

CHAIR JOHNSON: Thank you very much.

MR. KEMPF: Sure.

CHAIR JOHNSON: Members, are there any questions for the testifier? Seeing none, thank you.

MR. KEMPF: Thank you.

CHAIR JOHNSON: You'd stay in the audience. There may be at some point questions that you may need answers too. The Chair would, prior to the next testifier coming forward, I'd like to recognize Vice-Chair Kaho`ohalahala. Welcome.

VICE-CHAIR KAHO`OHALAHALA: Thank you, Chair.

CHAIR JOHNSON: Thank you. Our next testifier and this would be on EAR-15 is Warren McCord.

MR. McCORD: Chairman Johnson, Members of the Council, good afternoon.

COUNCIL MEMBERS: Good afternoon.

MR. McCORD: Actually, this is a two-prong little speech because we'll certainly support 25 as well as 15. On 15, I would just like to point out that it is timely for the Council at this time to consider this because the individual who flew back and forth in Kihei no longer does so and is not likely to resume. And so, therefore, we should be able conclude this and eliminate the opportunity for

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other people to come in and take up the banner and fly back and forth along Kihei and Kaanapali, Kapalua. Maui County is the only County in the State that does not have this ordinance, and it would behoove us to join the other Counties and make this a Statewide ban. We all remember the very interesting scramble. The Honolulu Council had to go through when the Outdoor Circle on Oahu found out that an individual group wanted to fly from Molokai to take their message to Waikiki. It was an inappropriate message and they scrambled very quickly to prevent airplanes flying from one County to another. But it's time for us to go ahead and fill that void with this measure and not have aerial advertising Statewide. Thank you very much.

CHAIR JOHNSON: Thank you very much. Are there any questions for Mr. McCord? Seeing none, thank you very much, Warren. I appreciate your support. Are there any other individuals in the audience who have not testified who wish to testify? Seeing none, the Chair would then with no objections conclude public testimony at this point.

COUNCIL MEMBERS: No objections.

CHAIR JOHNSON: Okay, thank you very much.

...END OF PUBLIC TESTIMONY...

ITEM NO. 25: AMENDING LIST OF EXCEPTIONAL TREES (C.C. No. 10-9)

CHAIR JOHNSON: Administration, the first item on our agenda is, of course, EAR-25 so Mr. Helm if you want to introduce the measure and then, if Mr. Sakoda wishes to offer information that's fine.

MR. HELM: First of all, good afternoon, Chair Johnson and Council Members. The measure that we will be discussing is the exceptional trees, which is EAR-25. And we would encourage the Council to pass this bill and I'd like to, at this time, thank the Arborist Advisory Committee for working very hard and diligently with our Arborist, Mr. David Sakoda, in our Department in doing a very exceptional job. And I'll leave it at that and we'll be more than happy to answer any of your questions at this time. And we have David Sakoda here as our Arborist to answer any questions that you may have. Thank you.

CHAIR JOHNSON: Yes, I'll give you an opportunity, Mr. Sakoda, to offer anything further if you have anything. You don't have to.

MR. SAKODA: ...*(inaudible)*...

CHAIR JOHNSON: All right, thank you very much. Members, are there any questions? You have this expanded list before you. I guess myself as Chair I would just ask one question and that is for Mr. Sakoda, what are the total number of trees being added on to the existing list because I know

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it had been mentioned in the testimony...just for the general public to know or if you know that answer?

MR. SAKODA: Well, the additions are from M18 through M27 but they, like Baldwin Avenue shower trees there are a number of them that would be...well, there are 12 numbered items but the total number of trees far exceed that.

CHAIR JOHNSON: Okay.

MR. SAKODA: I think 96 because there are several . . .

CHAIR JOHNSON: Okay, 96 trees total then?

MR. SAKODA: Nodded yes.

CHAIR JOHNSON: Member Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. I don't have a whole lot of questions but I would like to ask Mr. Sakoda if he could define for us this term -- exceptional tree, and everybody would know what we're talking about.

MR. SAKODA: An exceptional tree is, there is a State ordinance that established the exceptional tree program and this ordinance tiers to that but an exceptional tree is one that is, has unique species not found too frequently, a rarity in species, size, cultural heritage or historic nature.

COUNCILMEMBER BAISA: Thank you very much. You know on this list when you look, you know, there's so many of these trees that I think we all know and all love and I'm delighted that we have a law to protect them.

CHAIR JOHNSON: Thank you. And the Chair would just add that underneath 12.24A.020 under Definitions under the County Code, exceptional trees and I'll just read it, it means *a tree or a stand or grove of trees with historic or cultural value or which by reason of age, rarity, location, size, aesthetic quality or endemic status has been designated by ordinance as worthy of preservation. Exceptional trees may be designated generally by history or individually by location or class or as otherwise provided by law.* So that's actually what comes right out of the County Code. So, Members, are there any further questions?

COUNCILMEMBER MOLINA: Recommendation?

COUNCILMEMBER BAISA: Recommendation?

CHAIR JOHNSON: Member Kaho`ohalahala, do you want me to make the recommendation first?

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VICE-CHAIR KAHO`OHALAHALA: Just one question. In the communication of the December 24, 2009, on Page 2, you have the Loulu grove from Molokai. This is being removed?

MR. SAKODA: That is correct.

VICE-CHAIR KAHO`OHALAHALA: And the reason for that?

MR. SAKODA: The reason is that it was pointed out by that location is not within Maui County. So this is a list of Maui County exceptional trees so that's the only reason. And it's still an exceptional grove but it's technically not in Maui County cause it's part of Kalawao, Kalaupapa.

VICE-CHAIR KAHO`OHALAHALA: Okay.

MR. SAKODA: So it falls under the State jurisdiction.

VICE-CHAIR KAHO`OHALAHALA: State jurisdiction. So are you saying that in all of the outlying islands that are dotted along the north coast of Molokai are all part of the Kalawao District or what attaches . . .

MR. SAKODA: I can't say that specific island is in that district...the specific island that has the Loulu grove.

VICE-CHAIR KAHO`OHALAHALA: Is within Kalawao?

MR. SAKODA: Yes.

VICE-CHAIR KAHO`OHALAHALA: So we can adopt it anyway? I mean we're talking significance here is a very rare, rare tree that's a . . .

MR. SAKODA: It's a native stand that's there and that was brought up when we first discussed this couple of years ago and that's why it is being removed because technically it's not in the County of Maui.

VICE-CHAIR KAHO`OHALAHALA: Does Kalawao oppose this, oppose its designation?

MR. SAKODA: Kalawao, no, it doesn't.

VICE-CHAIR KAHO`OHALAHALA: Okay.

CHAIR JOHNSON: You can make an amendment, that's fine, Vice-Chair, if you choose. Are there any further questions?

COUNCILMEMBER BAISA: No.

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CHAIR JOHNSON: Seeing none. The Chair's recommendation will be to recommend passage of the proposed bill on first reading and to file County Communication No. 10-9.

VICE-CHAIR KAHO`OHALAHALA: So move, Madam Chair.

COUNCILMEMBER BAISA: Second.

CHAIR JOHNSON: Okay. And it's been moved by Vice-Chair Kaho`ohalahala, seconded by Member Baisa. Is there any discussion or are there any other amendments?

COUNCILMEMBER PONTANILLA: I have a question, Chair?

CHAIR JOHNSON: You have a question. Member Pontanilla?

COUNCILMEMBER PONTANILLA: Maybe for Parks and Mr. Sakoda. Does the State or the Federal government recognize exceptional trees?

MR. SAKODA: Yes.

COUNCILMEMBER PONTANILLA: They do?

MR. SAKODA: Yes.

COUNCILMEMBER PONTANILLA: And the tree that's located on Huelo Island, could that be recognized either the Federal or the State as exceptional tree?

MR. SAKODA: Yes.

COUNCILMEMBER PONTANILLA: And how do we provide that information? Can we provide them information regards to that?

MR. SAKODA: I guess I can defer this to Corp. Counsel that I would think that you would communicate with the agency that manages that district, and I believe that's the Department of Health.

CHAIR JOHNSON: Mr. Ueoka?

MR. UEOKA: We'll work to try and contact whoever the responsible agency is and maybe make a recommendation that the grove of trees be added to the exceptional tree list via the State or the Federal government if possible.

COUNCILMEMBER PONTANILLA: Okay. Thank you. Thank you, Chairman.

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CHAIR JOHNSON: Are there any further amendments to this particular measure? Seeing none, the Chair will call for the question. All those in favor please signify by saying “aye”?

COUNCIL MEMBERS: “Aye”.

CHAIR JOHNSON: Any opposed? Okay, then it's unanimous then. So this item is passed. Thank you. Thank you, Members, and thank you so much, Administration.

VOTE: **AYES:** **Councilmembers Baisa, Molina, Pontanilla,**
 Vice-Chair Kaho`ohalahala, and Chair Johnson.

NOES: **None.**

EXC.: **None.**

ABSENT: **None.**

ABSTAIN: **None.**

MOTION CARRIED

ACTION: **Recommending FIRST READING of revised bill, and FILING of communication.**

ITEM NO. 15: PROHIBITING AERIAL ADVERTISING (C.C. No. 09-162)

CHAIR JOHNSON: The final item on our agenda is EAR-15, and basically I'm just going to leave this to Mr. Ueoka if he has any issues or discussion about this particular measure. I know that a while ago I brought this forward at the urging of the Outdoor Circle, and I want to thank them for their input because as was noted by Mr. McCord, we are the only remaining County that has not adopted this legislation. I also did meet with the former owner of T-Shirt Factory and he urged me at that time that he just wanted a little bit more time. He really enjoyed doing his little flying more than the advertising. And because he has sold that business at that point in time I just, you know, there didn't seem to be a big huge push so I just simply held this in abeyance but carried it forward. So, that is why it's before you. Mr. Ueoka, you have any comments?

MR. UEOKA: Thank you, Chair. The proposed bill for an ordinance is nearly identical to the City and County of Honolulu's ordinance. I believe it's okay the way it's written.

CHAIR JOHNSON: All right, thanks. Members, are there any questions? Member Baisa?

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COUNCILMEMBER BAISA: Thank you, Chair. I don't have a question but I'm very excited that we're going to do this today. You know there's certain things that we don't particularly I think need in the ambiance of Maui. Looking up at the sky I kind of enjoy looking at the blue sky. I mean, it's beautiful and I very much support this so, this legislation. And I'd like to thank the Outdoor Circle for their lead. You know, it's people like them that take the time and the interest and give so much in trying to keep Maui beautiful. So I'm in full support of it.

CHAIR JOHNSON: Thank you very much. Vice-Chair Kaho`ohalahala?

VICE-CHAIR KAHO`OHALAHALA: Thank you, Chair. I have other questions and I realize that this is specifically trying to hit aerial but there are other kinds of modes of transportation that lend itself to aerial. For example, I know in the West Maui area oftentimes you have kites that are huge and kites that have the potential for being aerial displays because a kite has, in some instances, different logos on it. Bu they're not airplanes and the bill before us does not address other modes of transportation other than it is describing an aircraft that is self-propelled. But in this case, you're using a water craft that is propelling itself to allow for air kinds of potential banners. So I'm just wondering, Corporation Counsel, how this would fit in. Is this the appropriate place to look at those additional kinds of potential opportunities, perhaps, to consider?

MR. UEOKA: Within the prohibitions or the prohibited in 20.01.010 it says, or buoyant airborne object, I'm not sure if that, I think that would fit under the kites and parasailing type of object. And I guess there are also the exceptions in Section B, which states that nothing in this chapter prohibits the display of an identifying mark, trade name, trade insignia, et cetera of an aircraft or self-propelled or buoyant airborne object if the displayed item is under the ownership or registration of the aircraft's or airborne object's owner. So I think if they would have a big logo on top, I think that's an exception to this rule.

VICE-CHAIR KAHO`OHALAHALA: Okay. But then you're saying that a logo would be acceptable but if an advertisement or something else was used then that would not be?

MR. UEOKA: That would be my understanding of the way this is written right now.

VICE-CHAIR KAHO`OHALAHALA: Okay. I just wanted clarification because I didn't see buoyant as airborne as being tied to that but now you're clarifying there's a definition section too?

MR. UEOKA: No, there's not.

VICE-CHAIR KAHO`OHALAHALA: Maybe we should consider being more clear on what entails, includes.

CHAIR JOHNSON: We could, but right now at this point because we didn't have that modification before us.

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VICE-CHAIR KAHO`OHALAHALA: Okay.

CHAIR JOHNSON: Maybe it's a desire by the time.

VICE-CHAIR KAHO`OHALAHALA: I don't want to prevent us from moving forward. The only question I have is that if it's unclear to me and it's unclear to anyone else, then that would be a challenge for us in trying to enforce it.

CHAIR JOHNSON: And perhaps through the introduction of a separate item for the clarifying even like a balloon for example. To me, a hot air balloon it's a buoyant object, dirigible whatever, you know, can come up with. Perhaps the Outdoor Circle could work with us to come up with additional clarifications. But right now, we model this specifically on something that had already been tested that had already held up. Yes.

VICE-CHAIR KAHO`OHALAHALA: One more question. Para-gliding, the ability to string along other kinds of . . . is that another, well, it's self-propelled so how do you consider a para-glider?

MR. UEOKA: Again, a para-glider would not be allowed to display in any manner or for any purpose whatsoever and sign or advertising device. And there's an explanation what sign or advertising device is and I believe your interpretation is correct. A para-glider would likely fall under the self-propelled category.

VICE-CHAIR KAHO`OHALAHALA: Okay. Good. You've got it all covered then?

CHAIR JOHNSON: Yep.

VICE-CHAIR KAHO`OHALAHALA: Except for a few definitions.

CHAIR JOHNSON: Yeah. Is there anything further, Mr. Kaho`ohalahala?

VICE-CHAIR KAHO`OHALAHALA: No, that's fine. Thank you, Chair.

CHAIR JOHNSON: Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Good afternoon, Mr. Ueoka. Question in terms of, again, maybe I might be a little nit-picky but in terms of this would cover political advertising as well as aerial advertising? And I bring this up, Madam Chair, because many, many years ago I had a relative that was on this Council and he advertised through the air. I don't recall if he used a banner but he used a lot of audio advertising through the air. Is that addressed also because I can see somebody in the future maybe going up with one of those t-shirt factory type of airplanes and advertising if not via banner but at least by voice to buy this product

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or come see this or that. I mean, is that addressed in here anywhere? I mean, I can see that as potential being annoying to the public.

CHAIR JOHNSON: I can answer that for you and it's not because we did not, we looked specifically at the visual impact and that was basically what we were saying because there were some situations where obviously if you were enjoying the beach and it's a beautiful day and you don't want to be getting buzz bound by some banner coming over. And I mean, I just accepted that as well part of the ambiance or whatever. But to my understanding we did not address that particular item at all.

COUNCILMEMBER MOLINA: Okay. I just bring it up for consideration, Madam Chair, if that's something that we would like to consider to insert in this as well or maybe that come out as a separate agenda item.

CHAIR JOHNSON: I would prefer to deal with it separately only because I would want to get the input from the Outdoor Circle because we haven't really specifically addressed that.

COUNCILMEMBER MOLINA: Okay, something for future considerations. So in the event that somebody starts to go up in a plane or a helicopter and starts blurting out their product. I can see definitely extending instructions through the air in the event of a tsunami or some kind of a disaster. But when it comes to advertising, it's one thing to see it and another to hear it as well. So, I just put that on but I don't know Mr. Ueoka has any additional comments, any comments to make on this?

MR. UEOKA: No.

COUNCILMEMBER MOLINA: Okay. Food for thought, anyway. Thank you, Madam Chair.

CHAIR JOHNSON: Member Baisa?

COUNCILMEMBER BAISA: Thank you. Just a comment. I think Mr. Ueoka is too young to remember your colorful relative.

CHAIR JOHNSON: And I wasn't here at the time so I can't comment. But same thing like perhaps other things that are not covered within this section such as leaflets, the dropping of leaflets. Maybe we have littering laws that cover that but I would defer in a separate venue to our Outdoor Circle. Yes, Member Kaho`ohalahala?

VICE-CHAIR KAHO`OHALAHALA: Just a quick question for Corporation Counsel. Then what is being suggested here is it appropriate to be included in this section do you think?

MR. UEOKA: I think with the amendment and definitions I think you could include the audio advertising also from the air.

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VICE-CHAIR KAHO`OHALAHALA: So this would be the appropriate place?

MR. UEOKA: I think we could fit it in.

VICE-CHAIR KAHO`OHALAHALA: Okay, thank you. Thank you, Chair.

CHAIR JOHNSON: Okay, thank you. Is there any further discussion? Seeing none. I just want to thank the members of the Outdoor Circle, and of course, that includes the, you know, I'll ask because we don't have a motion on the floor yet, do we?

VICE-CHAIR KAHO`OHALAHALA: No.

CHAIR JOHNSON: Okay. So at this point, let me get the motion on the floor? The Chair would entertain a motion to move forward a bill for an ordinance amending Title 20, Maui County Code, to prohibit aerial advertising and the inclusion of the filing of this communication.

VICE-CHAIR KAHO`OHALAHALA: So moved, Madam Chair.

COUNCILMEMBER BAISA: Second.

CHAIR JOHNSON: It's been moved by Vice-Chair Kaho`ohalahala and seconded by Member Baisa. Are there any further discussion other than the Chair's comments? Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. I just wanted to throw in my kudos in support of this. You know with so many other ways to advertise now, you know, print, media, radio, internet now, it's time has come in terms of totaling banning aerial advertising, so I can simply say finally. So I'm in full support of this measure, Madam Chair. Thank you.

CHAIR JOHNSON: Okay. And I'll just offer this comment after we take the vote. But anyway or is it appropriate for me to add that now, the comment? Okay. Just for your information, under HRS Chapter 58-5 there's offer of State assistance DLNR and University of Hawaii to assist the Counties and respect their committees to carry out this chapter. And this particular chapter empowers the County's to protect exceptional trees. But we, you know at this point and time, it's just a bit of information for you. But we also ask within both of these items if there are any changes or nonsubstantive alterations due to technical omissions if that's alright to include that in this.

COUNCIL MEMBERS: No objections.

CHAIR JOHNSON: Okay. All right. That's fine. But in any event, we do have some resources to perhaps address the other grove that is located over on Huelo Island on Molokai, which is not on right now but you know the Chair wants to thank the Outdoor Circle though for their persistence, perseverance and patience. Because sometimes these things don't happen right away and I

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believe last term I did not have a Committee chairmanship so I didn't move this forward. But I'm pleased to do so now and I thank you for your support and your attendance at this meeting. And I hope that you'll also be there at the first reading and the second reading in order to get this passed at the Council level. So, without further ado, the Chair will call for the question. All those in favor please signify by saying "aye"?

COUNCIL MEMBERS: "Aye".

CHAIR JOHNSON: Any nays? No nays. So this is unanimously passed forward and thank you very much.

**VOTE: AYES: Councilmembers Baisa, Molina, Pontanilla,
Vice-Chair Kaho`ohalahala, and Chair Johnson.**

NOES: None.

EXC.: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: Recommending FIRST READING of revised bill, and FILING of communication.

CHAIR JOHNSON: And the Chair will also take into consideration the other items, which have been mentioned. And I'll work with Staff and perhaps try and seek comment from the Outdoor Circle as to how that might be approached.

COUNCILMEMBER BAISA: Chair, just before you conclude I wanted to just mention one more thing. You know, there's a legend that people talk about at old Maui High School about one of our famous graduates who during her campaign for Presidency had them drop leaflets and flowers over the campus. So that is a possibility for somebody who is creative. So we might want to think about that while we're looking at other legislation.

CHAIR JOHNSON: Thank you very much. The Chair will take that consideration. Members, I thank you for your attendance at this meeting. I thank the members of the audience and the Outdoor Circle for their attendance at today's meeting. I also thank Staff for getting this ready and I know that we're going to go into Budget so do we have one more meeting scheduled? No, this is it. So then it will be the count down to many sleepless nights for our budget. But I just want to thank the Members. We were able to get some things done. I know that at the last meeting I was

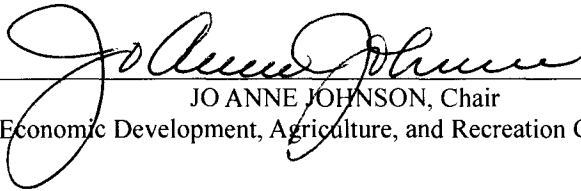
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hoping by canceling it we could move perhaps one of the other committees that had a need for the opening into that but unfortunately that did not work out with our schedules. But I just want to thank all the Members of my committee for their attendance because I know this has really been a very challenging year and a challenging time. And I think following this, as Member Molina has many things in his Committee, this will be our last term really serving on the County Council in our capacity. So we have a lot to do and I think that you've all been very cooperative and the Chair very much appreciates it because well, we have a lot on our plate. Much is being asked of us throughout not only this County but also through the State and so I'm very appreciative of your time and your efforts. So with that being said, thank you for your attendance and this meeting is adjourned. . . .(gavel). . .

ADJOURN: 2:09 p.m.

APPROVED:



JO ANNE JOHNSON, Chair
Economic Development, Agriculture, and Recreation Committee

ear:min:100304

Transcribed by: Jo-Ann Sato