

MINUTES OF THE  
MAUI COUNTY CHARTER COMMISSION

DATE: March 6, 1964

PLACE: Board Committee Room, Wailuku, Maui, Hawaii

CALL TO ORDER: 7:40 P.M.

PRESIDING: Masaru Yokouchi, Chairman

MEMBERS PRESENT: Masaru Yokouchi, Chairman  
Emil Balthazar  
C. H. Burnett, Jr.  
William F. Crockett  
Cornwell Friel  
Shiro Hokama  
Harry Kobayashi  
Thomas Yagi  
Charles C. Young, Research Assistant

MEMBERS EXCUSED: Richard Caldito  
Nadao Honda  
Keith Tester

OTHERS PRESENT: Kase Higa, County Attorney  
Mrs. Ann Gillin  
Mrs. Jay Van Zwalenburg  
Mr. Nathan Ambrose  
Robert Johnson, Advertiser Reporter  
Jack Stephens, Maui News Reporter

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ROLL CALL:

There were 8 members present and 3 excused at the regular meeting of the Maui County Charter Commission on March 6, 1964.

COMMUNICATION:

1. Letter dated February 28, 1964 from Mr. J. Walter Cameron, Chairman of the Kula Sanatorium Managing Committee, re consolidation of the Board of Trustees of the Maui Community Hospitals and the Managing Committee of Kula Sanatorium.

DISCUSSION ON BOARD OF APPEALS:

- Mr. Yagi: Moved that the term of office of the members of the Board of Appeals shall be staggered for five years; not more than three members from the same political party shall serve on this board; and the chairman of the board shall be appointed by the mayor. Seconded by Mr. Burnett and carried. ( 1 no--Friel)
- Mr. Young: Section 8-13.2(b) states: "Issue orders to employees and officers of the County of Maui, directing compliance with its decisions". How can we have a strong mayor with such a provision?
- Mr. Balthazar: I don't think this Board was meant as an investigating committee. It should stand when an aggrieved person in the county has been failed to be properly taken care of.

Mr. Crockett: Obviously in any government you have certain people with discretionary powers. This is not intended to restrict the discretionary powers of any officer in the county. Most of the powers in the charter are going to be discretionary.

Mr. Kobayashi: When you elect officials, you should be able to place the blame on them. That is why we have the provisions for recall.

We have a strong mayor type of government. The mayor is responsible. The various departments are responsible to the mayor. The mayor can be dismissed from office; therefore, he should take the blame.

Mr. Yokouchi: The person who is supposed to interpret the ordinances is the county attorney. This Board of Appeals cannot interpret the ordinances by themselves. They cannot supersede the county attorney's office. Otherwise, the whole purpose is defeated.

Mr. Friel: If the county attorney and other department heads don't have authority, who else has? We elect these people to carry out business for us, so I don't see why we should have another agency to take away the prerogative from them.

Mr. Burnett: It wouldn't be taking power from them if we make the council the appeals board.

Mr. Crockett: Under the charter, the council has no power of interfering with administration.

Mr. Balthazar: Moved that Section 8-13.2(b) be amended to read "Recommend to the mayor that he issue orders to employees and officers of the county of Maui, directing compliance with its decisions".  
Seconded by Mr. Yagi and carried.

Mr. Burnett: I am perfectly willing to have such a board of appeals, but I am afraid of the manner in which it is worded. We have already accepted this in principle so we should leave this to Bill and Kase to draw it up--simplify the language that expresses the idea.

(The matter of redrafting the provisions contained in the Board of Appeals was left to Mr. Higa and Mr. Crockett.)

#### PUBLIC HEARINGS:

The following schedule of public hearings was agreed upon:

Friday, March 20 Molokai (Location Undecided) 7:30 P.M.

Monday, March 23 Makawao (Makawao School) 7:00 P.M.

Wednesday, March 25 Lanai (Lanai High & Elementary School Cafetorium) 7:30 P.M.

Monday, March 30 Lahaina (Kam III School Cafetorium) 7:00 P.M.

Wednesday, April 1 Wailuku (Iao School Cafetorium) 7:00 P.M.

Sunday, April 5 Hana (Helene Hall) 2:00 P.M.

ADJOURNMENT:

The meeting was adjourned at 10:15 P.M.

Respectfully submitted,

*Harriette E. Miyamoto*

HARRIETTE E. MIYAMOTO  
Secretary