

MINUTES OF THE
MAUI COUNTY CHARTER COMMISSION

DATE: May 14, 1964

PLACE: Board of Supervisors Chambers, Wailuku, Maui

CALL TO ORDER: 7:55 P.M.

PRESIDING: Masaru Yokouchi, Chairman

MEMBERS PRESENT: Masaru Yokouchi, Chairman
William F. Crockett, Vice-Chairman
Emil Balthazar
Thomas Yagi
Richard Caldito
Harry Kobayashi
Shiro Hokama
Keith Tester
Charles C. Young, Research Assistant

MEMBERS EXCUSED: C. H. Burnett, Jr.
Nadao Honda
Cornwell Friel

OTHERS PRESENT: Kase Higa, County Attorney
Mr. Tomic Romson, Administrator, CMMH
Mr. Wallace Yanagi, Asst. Admin., CMMH
Mr. Richard Kibe, Admin. Asst. to the Chairman
Supervisor Goro Hokama
Supervisor Soon Oak Lee
Mrs. Jay Van Zwalenburg
Mr. Robert Johnson, Honolulu Advertiser
Mr. Jack Stephens, Maui News Reporter

ROLL CALL:

There were 8 members present and 3 excused at the regular meeting of the Maui County Charter Commission on Thursday, May 14, 1964.

MINUTES:

The Commission Secretary, Mrs. Harriette Miyamoto, was sick. Mrs. Lei Cockett, Board Secretary, substituted for her.

COMMUNICATIONS:

Letter from Dr. James F. Fleming - re Comments and suggestions on the proposed charter for Maui County.

DEFERRED MATTERS:

Should the Planning Commission be an Advisory Commission?

Mr. Yokouchi: I talked with Mr. Ohata regarding this matter and he has no objections about an advisory commission as set-up. Presently in the draft, the Mayor may appoint an advisory planning commission to advise the planning director. Mr. Ohata feels that this can work out. If there is no further question on this we'll leave it as it is.

MEDICAL CARE FOR PENSIONERS, INDIGENTS, MEDICALLY INDIGENT, AND BURIALS

Mr. Yokouchi: Presently, the program is handled by the Chairman's Office by the Administrative Assistant. We have here tonight Mr. Romson, Wally Yanagi and Richard Kibe to tell us just what this program is.

Mr. Yanagi: Whatever Mr. Romson and myself may say tonight reflects our collective thinking and does not in any way reflect the thinking of the Board of Trustees. Please let the record show this. In the statutes, Chapter 6-Section 4, Revised Laws of Hawaii 1955, it states that any person receiving a pension from the county or government and is solely dependent upon his pension for support is entitled to free medical care and hospitalization at any county hospital. So any county or state pensioner is entitled to free medical services. In the County of Maui, the county physicians give free medical care to these pensioners and Maui Community

Hospitals are stuck with expenses. We would like to have the County of Maui pay these bills as we feel it is the obligation of the County of Maui. The City and County is paying for this.

- Mr. Tester: Wasn't one of the major questions how and who determines whether or not they qualify and what is the measurements?
- Mr. Romson: The law is very specific. It says that he must be solely dependent on his pension for support, and this shall be determined by an investigation made by an established agency.
- Mr. Tester: If he doesn't have social security he is not solely dependent?
- Mr. Kibe: That's right.
- Mr. Tester: How do you determine this?
- Mr. Kibe: We contact them when they first make an application for aid. We follow up by calling them; we ask them if they have any income such as stock income, rental income, etc. that's the extent we go to.
- Mr. Balthazar: Can you tell us last year's cost in round figures?
- Mr. Yanagi: The average cost is about \$12,000 a year. The County of Hawaii pays the county hospital for county pensioners that go there.
- Mr. Tester: Here is one case where the county pays the bills.
- Mr. Yanagi: This function actually belongs in the Department of Social Services; the State should be responsible for indigent care.
- Mr. Romson: I think we should qualify what is an indigent and a medically indigent.
- Mr. Yanagi: An indigent is usually a welfare person; a medically indigent person can be anyone by definition; they may be people who have enough money to live on but not enough money for medical care.

- Mr. Crockett: Are there any federal monies?
- Mr. Yanagi: Not in the county; on the state level only.
- Mr. Higa: We should decide right now where this function should be put. Should it remain in the Chairman's Office or in some other department? I would suggest that eventually this be transferred to the Department of Social Services. We have to decide who is to handle this. As far as medical indigents and burials, these should be handled by the Finance Department. This function was originally handled by the Medical Social Services Department, but that was wiped out. Until this year the law used to say the determination of a pensioner had to be by a qualified Social Agency. This year's amendment to the law just eliminates this section.
- Mr. Kibe: On Hawaii there is a social worker who handles this work.
- Mr. Yokouchi: Actually then, it is the hospital who takes care of that.
- Mr. Young: Years ago, this hospital had a social worker too who did this work. Mrs. Kealoha Lake used to be the worker at the hospital.
- Mr. Balthazar: I thoroughly like having a social worker at the hospital; that is the proper person to do this work. I think we should have a social worker attached to the hospital.
- Mr. Romson: If it is under the hospital's jurisdiction we are going to be both the judge and jury. When it is in the Chairman's Office, they determine and say "take care of it", or whether or not we determine and we take care of it. Fortunately, the pension program is slowing down.
- Mr. Balthazar: Can the Pension Board take over the indigent burial and medical indigents?
- Mr. Kibe: No. Not for routine processing.
- Mr. Balthazar: The Department of Social Services at times have taken too stringent a view in determining whether or not someone is eligible. I would much rather leave it in your hands now; this is looking at it from the standpoint of the pensioner right now. Kase, I would suggest that we leave it as it is now and later on recommend where it is going.

Mr. Higa: I think we should recommend strongly to the Legislature in our report that both these functions, indigent burials and medical care for the indigents, be handled by the Department of Social Services.

Mr. Balthazar: I move that the medical care of indigents and pensioners medical program be left in the Finance Department and a recommendation be made to the Legislature that this be transferred to the Department of Social Services.

Mr. Tester: Second the motion.

MOTION CARRIED.

HIRING OF COUNTY PHYSICIANS

Mr. Yokouchi: The question we are faced with right now is how are they handled?

Mr. Kibe: Right now we have four county physicians. Dr. Stevens on Molokai; Dr. Howell in Hana; Dr. Wong and Dr. Kashiwa. Dr. Stevens and Dr. Howell have contracts with the Chairman's Office. Dr. Kashiwa and Dr. Wong have contracts with the hospital. The hospital also employs Dr. Howell as staff physician for Hana.

Mr. Higa: These doctors were obtained by contract with the Board of Supervisors and the Chairman signs the contracts. Their duties include taking care of prisoners, industrial accidents (workmen's compensation), physical examinations for civil service employees who have qualified under an examination. They used to do autopsies free, however, now they are being paid.

Mr. Balthazar: Do they provide coroner's services in police cases?

Mr. Higa: Yes. Originally the hospital had nothing to do with these physicians, but about five or six years ago the Trustees were asked to take over. Dr. Stevens contract is still under the county.

Mr. Balthazar: What about the doctor in Hana?

Mr. Yanagi: The doctor in Hana has always had two contracts. One as staff physician to advise and take care of the Hana Medical Center there and one as county physician.

- Mr. Romson: Molokai may create a problem as we do not have any contact with Molokai at all.
- Mr. Caldito: Doesn't Molokai have a dispensary?
- Mr. Romson: Yes; Ualapue Dispensary is under the county and not under the Community Hospitals.
- Mr. Crockett: Do you have a county doctor in every district?
- Mr. Romson: No; we have one in Molokai; one in Hana; and Kashiwa and Wong here.
- Mr. Higa: They should be under the Finance Department too. After you make a contract with them, do you have any contact with them?
- Mr. Romson: Not unless problems occur then they call the county.
- Mr. Balthazar: Now that you have a Hana Medical Center, don't you believe it should be under the Maui Community Hospitals?
- Mr. Romson: Yes, I agree with you?
- Mr. Balthazar: I would like to see all medical services combined under one jurisdiction.
- Mr. Yanagi: We'd like to see the county pay the physicians, that's our biggest problem.
- Mr. Balthazar: Don't you get funds from the county?
- Mr. Romson: We get a subsidy and everything is thrown into the subsidy. Our maintenance cost is also a big problem.
- Mr. Yokouchi: Who pays the county physicians now?
- Mr. Romson: We pay Dr. Kashiwa and Dr. Wong and Dr. Howell as staff physician.
- Mr. Yagi: Maybe you should explain the figures as to what the physicians are being paid.
- Mr. Yanagi: We pay Dr. Wong \$420.00 plus \$50.00 car allowance a month; Dr. Kashiwa - \$300.00 plus \$25.00 car allowance; Dr. Howell - \$300.00 a month. Dr. Howell also has a contract with the State.

- Mr. Crockett: Maybe we should have the whole thing in the Finance Department.
- Mr. Higa: I think that should be it.
- Mr. Yokouchi: I think Dr. Howell's contract as far as being staff doctor should be handled by the hospital. The other functions - Dr. Kashiwa and Wong should be in the Finance Department.
- Mr. Crockett: I move that we have the county physicians of the hospitals hired by the Board of Trustees of the Maui Community Hospitals.
- Mr. Caldito: Second.
- Mr. Yagi: The Finance Director, whoever he may be, will be appointed by the Mayor. The Mayor tells the Finance Director to hire a certain person and the Finance Director will hire him.
- Mr. Yokouchi: If we are going to worry about things like that, we will be worrying about all the department heads right down the line.
- Mr. Yagi: It is so simple as far as the hospital is concerned. The Medical Staff acts as advisers to the Board. Under the present set up the Board of Trustees are responsible for anything that happens up there; the Board of Trustees can be sued, not the county.
- Mr. Crockett: I don't think that if the man were not a qualified professional he would not be appointed.
- Mr. Yokouchi: Since the funds will come from the County of Maui, the logical person will be the Finance Director to have the control.
- Mr. Romson: I think we should explain here the procedure used in permitting a physician to practice in the hospital. First of all he files an application with the hospital medical staff who has a Credentials Committee. The Credentials Committee then studies it; after the Credentials Committee approves the application they refer it to the Board of Trustees of the hospital who then approves or disapproves the application. The responsibility of practicing in the hospital is under the Board of Trustees.

- Mr. Balthazar: If he is denied the privilege of practicing after all these steps it is useless.
- Mr. Higa: If you turn over the Pensioners Program and Burial of Indigents to the Finance Director, then it would be only logical to have the hiring of doctors go there also.
- Mr. Caldito: Of course if we go right down the line, we can site the Chief of Police, etc. and other department heads which would be hired by the Mayor; I'm sure the Mayor would not hire anyone who is not qualified. However, the only logical place for this matter would be under the Finance Director.
- Mr. Higa: These doctors would be performing other functions suchas autopsies, etc.
- Mr. Romson: The doctors also have their own clinics, but we are not interested in these.
- Mr. Yokouchi: I mcve that the function of the hiring of county physicians be turned over to the Director of Finance.
- Mr. Caldito: Second the motion.
- MOTION DEFEATED.
- Mr. Balthazar: I think it should be subject to the Credentials Committee.
- Mr. Caldito: We should set up qualifications, suchas the Chief of Police.
- Mr. Yagi: I make this motion: That this matter be referred to the Board of Trustees for determination.
- Mr. Yokouchi: I don't think that it is for them to determine. We should weigh the reasoning for this.
- Mr. Yagi: The Board of Trustees would be more qualified as they have three doctors on the committee; then the Board of Trustees may recommend to the Commission.
- Mr. Balthazar: I second Mr. Yagi's motion.
- Mr. Yokouchi: Mr. Romson, do you think your Board can have a special meeting some time next week to decide this matter?

Mr. Romson: I'm sure we can.

Mr. Yokouchi: All right, the Board of Trustees will have one week to determine this matter. They will call a special meeting. Matter deferred.

Mr. Crockett: Suppose the county who is shelling out the money decides that this program be abandoned; but the doctors decide that the program should be kept up. Who is going to decide that these contracts will no longer be kept?

Mr. Yagi: If the County says no finances, we abandon it. It won't be easy, but the doctors won't work for love.

FEASIBILITY OF SEPARATION OF THE ADMINISTRATION AND ENGINEERING SECTIONS OF THE DEPARTMENT OF PUBLIC WORKS

Mr. Yokouchi: The next matter on the agenda is the qualifications of the manager of the Public Works. One qualification is that he be a registered engineer.

Mr. Yagi: The County Engineer's Department could be a division of the department of public works and should not in any sense have the county engineer run the department simply because we cannot find an administrator and an engineer at the same time. Under the present charter the Parks Department will come under the public works; the Garages, Garbage and Road Divisions. This is not a question of an engineer doing this type of work; sixty percent of work is administrative and not engineering. I feel strongly that the engineering department be part of Public Works Department and have an administrator take care of the entire Public Works. When we questioned the County Engineer as to who is his boss, he said the Chairman of the County and Chairman of the Public Works Committee under the Board of Supervisors. He has to answer to two bosses. The administrator of the Public Works will be responsible to the Chairman only.

Mr. Balthazar: Are major projects of the county let out on contract?

Mr. Yagi: Yes it is.

Mr. Yagi: I move that the head of the Department of Public Works be called the Director of the Department of Public Works and he need not be a registered engineer but should have the same qualifications as the Manager of the Board of Water Supply.

Mr. Tester: Second the motion.

MOTION CARRIED.

QUALIFICATIONS FOR COUNTY ATTORNEY

Mr. Higa: In the qualifications for the County Attorney, we have specified five years in experience. This was taken from the City and County Charter; however, I notice in Hawaii's Charter there is no number of years mentioned for qualifications for the County Attorney. Perhaps five years would be a little restrictive. Kauai came up with one year and maybe that would be more practical.

Mr. Tester: Why don't we just say "licensed attorney"; leave "years" blank - that a practice requirement not be specified.

Mr. Crockett: I think that would be okay.

Mr. Tester: I so move.

Mr. Caldito: Second.

MOTION CARRIED.

RE-EXAMINATION AND REVISION OF CHARTER AND CODE OF ORDINANCES

Mr. Crockett: Mr. Chairman, I think we have done a very good job with this charter; however, there are bound to be bugs in the charter we draft and I think it would be better if a group such as ours hash out revisions periodically. I'd like to make a motion that every ten or fifteen years the Mayor appoint a charter commission, confirmed by the Council, to re-examine the existing charter as we have done and go through the same procedures.

Mr. Higa: The City and County has fifteen years; after adoption of the charter every fifteen years the charter must be re-examined.

Mr. Caldito: I think we should also include in Mr. Crockett's motion that it be mandatory that the charter be re-examined every ten years thereafter.

Mr. Caldito: I second Mr. Crockett's motion.

Mr. Yokouchi: The motion is that the Mayor appoint a charter commission, with the approval of the Council, to review and re-examine the existing charter every ten years.

MOTION CARRIED.

Mr. Crockett: Kase, don't you think that the Code of Ordinances should be revised every ten years also? They should be revised every ten years.

Mr. Higa: All right.

Mr. Crockett: I make that into a motion.

Mr. Caldito: Second.

MOTION CARRIED.

The matter of 'Vacancy in Office' (Article III, Section 3-4) will be discussed at the next charter meeting.

The next meeting will be on Thursday, May 21st at 7:30 P.M.

ADJOURNMENT:

The meeting adjourned at 9:30 P.M.

Respectfully submitted,


LEINAALA M. COCKETT
Secretary - Pro-tem.