

MAUI COUNTY CHARTER COMMISSION

M I N U T E S

January 13, 1976

The meeting of the Charter Commission, Msgr. Charles A. Kekumano, Chairman presiding, convened at 3:30 PM at the Cameron Center, Conference Room Jan 13, 1976

All Commissioners present:

- 1. Mrs. Edwina Bright
  - 2. Hideo Abe
  - 3. Catalino Agliam, Lanai
  - 4. Mrs. Margaret Cameron
  - 5. Dr. Sanae Moikeha
  - 6. Ralph Murakami
  - 7. Stephen Petro, Molokai
  - 8. Lloyd Sodetani
  - 9. Joseph M. Souki
  - 10. Allan Sparks
- Paul Devens, Consultant,  
Attorney for the Commission
- Staff: Mrs. C. Marciel  
Adm. Assistant

Chairman Kekumano in calling the meeting to order stated that the Commission should be able to complete the second draft of the Charter today. Also, that he would release the "public publicity" to the press at the end of the week; so that the public would know "where we are at now" and "what we are probably coming up with". He said that during the week of January 26, we would go the public at the "public sessions" as a "second round" with a "good document", and "if there are any controversies or disagreements from the public we will discuss them at our next meeting on February 3rd". All commissioners agreed.

The following areas and dates were designated for the public sessions:

- LANAI ..... JANUARY 23
- MOLOKAI ..... JANUARY 26
- KAHULUI ..... JANUARY 26
- MAKAWAO ..... JANUARY 27
- KIHEI ..... JANUARY 27
- LAHAINA ..... JANUARY 28
- HANA ..... JANUARY 29
- WAILUKU ..... JANUARY 29

Chairman Kekumano stated that all Commissioners need not be at all the sessions at the same time; that they could choose whichever sessions they wanted and requested that he be informed as to their desires. All agreed. Mr. Chairman instructed commission secretary to distribute copies of the third draft of the charter to all public libraries and places of public sessions.

Issues discussed:

Page 2 - PROPOSAL A - Sec 3-1. COMPOSITION - ADOPTED UNANIMOUSLY

Page 4 - Sec 3-2 - Terms

There was much discussion pro and con on the subject of terms.

It was MOVED by Comm. MURAKAMI, SECONDED by Comm. ABE that Proposal B

*be* presented as an option. MOTION CARRIED.

AYES - 7	OPPOSED - 4
Agliam	Cameron
Bright	Petro
Abe	Moikeha
Murakami	Sparks.
Souki	
Sodetani	
Mr. Chairman	

Chairman recognized Comm. Sodetani - who in turn withdrew his AYE vote for Proposal B as an option.

Result:

AYES - 6            NOES - 5

Sec. 3-8 Pg 9 - Ofc of Council Services -  
 re-word to read....."in exercise of legislative power only".....  
 also....."shall be appointed by the Council and shall be exempt from  
 Civil Service". (Refer to Devens for proper wording. UNANIMOUS

Sec. 4-5 CODIFICATION OF ORDINANCES -

Add...."at least" after word "updated". UNANIMOUS

Article 7. MAYOR - Sec. 7-1 Election and Term of Office -

Comm. CAMERON MOVED for adoption of Proposal A, duly SECONDED by  
 Comm. Bright - MOTION CARRIED.

AYES - 10            NOES - 1  
 Agliam              Sparks

Abe  
 Bright  
 Cameron

Moikeha  
 Murakami  
 Petro  
 Sodetani  
 Souki

Mr. Chairman

Chap. 3 - Sec. 8-3.2 PROSECUTING ATTORNEY -

Comm. MOVED for re-consideration, duly SECONDED by Comm. Murakami  
 MOTION FAILED:

NOES - 6            AYES - 5  
 Agliam              Sodetani  
 Bright              Sparks  
 Cameron            Murakami  
 Abe                  Petro  
 Souki                Moikeha

Mr. Chairman

Page 37 - Sec 8-10.2. Director of Human Concerns

Change Line 2 from...."three years" to ...."five years". UNANIMOUS

Page 39 - Chap 11 - Sec. 8-11.3. Board of Water Supply -

Add - "3. The Board shall recommend to the Council the water and  
 sanitary sewage rates". UNANIMOUS

There was some discussion re Sec. 9-12. Audit of Accounts  
 Discussion centered around"mandatory outside audit" (Pg 52);  
 and that "agency" should include council services in the audit.

Article 10. CODE OF ETHICS.

Sec. 10-2.1. Add.....after ...."The mayor, councilmen"....  
 "appointed officers, employees,"

Sec. 10-2.a.:

First line.....delete "substantial" ....Add:..."other than his (primary)  
 residence".....(or place of residence". Refer to Devens.

Sec. 10-4. Penalties:

It was MOVED by Comm. Sodetani, SECONDED by Comm. Souki that Sec. 10-4-1. be amended to read -

. After the word "fined" .....delete....."not more than" -  
Add....."an amount not to exceed \$ \_\_\_\_\_ or"  
UNANIMOUS.

Commission recessed for dinner at 6:15 PM - Reconvened - 7:35 PM

Discussion:

Comm. Sodetani suggested that this Commission ask the Council if they (Council) has any proposals to add to this Charter. Chairman Kekumano said the Council has had ample time for further in-put since the first meetings. More discussions - that they Council, according to law may submit anything to the County Clerk after the submittal of a document by this Commission. \*

More discussion followed on the matter of ethics - some felt "employees" should not include those menial tasks - janitors, etc. It was the consensus that "employees" included ALL employees of any department and/or agency of the of the government.

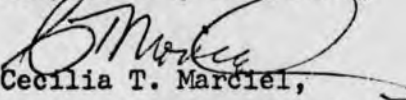
Mr. Chairman said the charter had to be in wide circulation 45 days before the elections. He reminded Commissioners of the public meetings and that the third draft of the charter would be available on time for hearings.

Chairman Kekumano designated TUESDAY, FEBRUARY 3, 1976 for next meeting.

There was nothing further - meeting adjourned 8:30 PM.

FOR THE COMMISSION:

Respectfully submitted,

  
Cecilia T. Marciel,  
Administrative Assistant

\*Commissioner Abe to Chairman - asked if this Commission is going to the public with "one document". Chairman Kekumano said yes.

Abe: Can we take in-put as official statements at the hearings?

Chairman: We have been available to the public at all times?

Abe: Is this the concept? Is this an in-put type of session?

Chairman: This is a public service.

Abe: Then we can make changes after the hearings.

Chairman: Yes we'll go with one document and if need be, we'll make them when we meet in February.

