

CHARTER COMMISSION
MEETING MINUTES
NOVEMBER 21, 1991
COUNCIL COMMITTEE ROOM

Present

Dolores Fabrao
Annette Mondoy
Robert Nakasone (Chair)
Victor Reyes
Allan Sparks
Jamie Woodburn
Lloyd Yonenaka

Excused

Sherrilee Dodson (Vice Chair)
James Cockett
Anne Takabuki
Deborah Wright

I. CALL TO ORDER

Chair Nakasone noted a quorum present and called the meeting to order at 4:16 p.m.

II. APPROVAL OF MINUTES

Approval of the minutes of the November 14, 1991 meeting were deferred to the next meeting.

III. PUBLIC TESTIMONY

None.

IV. COMMUNICATIONS

The following communications were formally accepted by the Commission:

- 91-31 1990 Ordinance No. 1945, Bill No. 78
RE: Chapter 2.42 Salary Commission
Report submitted by R. Nakasone
- 91-32 1987 Special Charter Commission Report
on Water - Summary Report submitted by
R. Nakasone

V. COMMITTEE REPORTS

A. COMMITTEE A (Allan Sparks, Chair)

1. Minutes of Committee A November 14, 1991 meeting were submitted as Communication 91-35.
2. Chair Sparks gave a brief verbal update and noted that he would attempt to have redistricting maps ready for the 12/2/91 Lanai meeting.

VI. COMMUNICATION 91-0 - MAUI COUNTY CHARTER OVERVIEW

Mayor Linda Crockett Lingle noted to Commissioners that her opinion on the current Charter should carry considerable weight since she is the only mayor to serve under the Charter in both a legislative and administrative capacity.

Although the Mayor felt the current Charter was well written and works as it is intended, she felt there were two areas which could be clarified:

1. The length of time the Council has to approve a mayoral appointment is not specified in the current Charter.

VI. COMMUNICATION 91-0 (Continued)

The Mayor felt it was essential for consistency to be maintained throughout and suggested that 60 days be the amount of time allotted for Council confirmation. If the appointment is not confirmed, another hold-over period of 60 days should apply, a new name submitted and a response within 60 days expected.

2. Chapter 5, Article 8, Section 8-5.4 Board of Variances and Appeals item 1. should be amended to delete the words any general plan, and building ordinances.
(See Communication 91-33 for proposed new wording.)
By amending the language as suggested, it would take the responsibility for variances to the general plans and building ordinances away from a group of appointed citizens and place it again in the pervue of the legislative body where it belongs.

In response to minutes of past Commission meetings, the Mayor felt that to go to a City Manager form of government would be a step backwards for Maui. She felt the public needs to have a person to hold responsible and accountable and that this is possible with an elected mayor.

In response to Commissioner questions regarding limiting the terms of office for Council members, the Mayor felt there were no net savings in having elections every four years instead of every two, and that the voters would limit the terms by not reelecting them. She noted that it would be easier for the politicians to run every four years, but also noted that they become more responsive to the public in the second year knowing elections are coming up.

Mayor Lingle also noted that it was essential to limit the term of office for the mayor to two consecutive terms. However, she felt that to be able to offer only two years to cabinet people would be extremely tough and therefore recommended leaving the term of office at four years.

Because the Mayor has been in office less than a year, she was not comfortable in recommending any department revisions/splits or combinations at this time.

Mayor Lingle reminded Commissioners that the system is not really the problem, but having good people and sufficient personnel makes the difference in how the system operates.

Mayor Lingle also noted that she likes the "give and take" with the Council. She explained supplemental budget procedures to the Commissioners and noted that her certification of excess revenue "forces them (the council) to work together".

CHARTER COMMISSION MEETING MINUTES
NOVEMBER 21, 1991
Page Three

VII. UNFINISHED BUSINESS
None.

VIII. NEXT MEETING DATE

- A. December 2, 1991 Public Meeting at Lanai School Cafeteria
- B. December 5, 1991 Committee C Meeting (2:00 p.m.)
- C. December 5, 1991 Committee B Meeting (4:00 p.m.)
- D. December 9, 1991 Public Meeting at Mitchell Pauole Center
on Molokai

IX. ADJOURNMENT

There being no further business, the meeting was
adjourned at 5:53 p.m.

APPROVED:



Robert Nakasone, Chairman

_____ Date