

SALARY COMMISSION
MINUTES
KALANA O MAUI, MAYOR'S LOUNGE
FRIDAY, MAY 21, 2004
8:30 a.m.

Present: Scott Matsuura, Chair Gladys Baisa Curtis Franks Anthony Lemmo Douglas Levin Michael Westfall Jason Williams	Absent: Helen Nielsen, Vice-Chair Janet Tomita
Staff: Diane Wakamatsu, Executive Assistant Traci Fujita Villarosa, Deputy Corporation Counsel Lynn Krieg, Director of Personnel Services	Guest: Michael Foley, Director of Planning

I. Call to Order

Called to order by Chair Scott Matsuura at 8:35 a.m.

II Orientation for New Members

Ms. Wakamatsu stated that required training for all newly appointed board and commission members will happen in June. Notices, by letter, will be sent to each appointee to select the day they can attend training. Current members may attend if interested. Training will be with Deputy Corporation Counsel J.D. Kim.

III. Public Testimony

Chair Matsuura noted that there was no public testimony.

IV. Approval of Minutes

Minutes from April 2, 2004 meeting were reviewed. Motion to accept minutes by Commissioner Baisa and seconded by Commissioner Williams was confirmed by a unanimous vote.

V. Unfinished Business

A. Non Salary Benefits

Ms. Villarosa gave a finalized opinion, on the scope of jurisdiction of the Salary Commission. The Salary Commission's jurisdiction is limited to cash emoluments which are forms of cash compensation, if there is no other State or County law that dictates what it is. However, County Ordinance has provisions on travel reimbursements, use of private vehicle, etc.

B. Proposed Salary Commission Rule Amendment

Ms. Villarosa drafted a proposal for a revision to the County Charter with regard to attendance at Commission meetings. Taken from the Liquor Commission rules, it states “no member shall be absent more than three unexcused or four total absences.” There was discussion as to the wording where the Commission “may” recommend, as opposed to “shall” recommend, with regard to an automatic request to the Mayor to replace a member that meets the absentee minimum. Chair Matsuura mentioned that the meetings have only been monthly in the past couple of years and that absenteeism was not as much of a problem.

Chair Matsuura approved changes to the final draft change with regard to salary definition. There was no vote, as it would need to be voted on for approval after the public hearing since changes could be made to it before or at the public hearing.

It was agreed that the public hearing would take place at the regularly scheduled meeting of August 13, 2004 to give Corporation Counsel enough time for formatting and to get the notice published, etc.

C. Executive Compensation Plan

1. Salaries of Elected and Appointed Officials

(Please see Item 2. Salary for Planning Director, Michael Foley)

2. Salary of Planning Director, Michael Foley

(Discussed before Item 1. Salaries of Elected and Appointed Officials)

Commissioner Levin excluded himself from discussion on this topic, due to a possible conflict of interest.

Mr. Foley discussed different points of his position. He explained that he is the only Planning Director in Hawaii that is a “planner” because he has the most experience with over 38 years as a planner; 22 years as a Director, and three relevant degrees in planning: architecture, urban geography, and community planning.

Mr. Foley was asked for a proposed amount for his request, to which he said \$18,000 (for an increase). Following the proposed stated amount, there was discussion as to the departmental budget flexibility, to which Mr. Foley replied that it would allow for his increase. It was mentioned that the Planning Department is understaffed, so he must be busier. Thus, it was mentioned that a comparative study of Planning Directors in other Counties may be important; however, it was further discussed that a comparative study may not be feasible since all Counties have different situational properties which relate to planning.

Ms. Krieg mentioned that the position Mr. Foley compared his salary to originated from DPW, and was transferred over to the Planning Department within the past 3-4 years. Ms. Krieg also stated that the position was initially recruited at a higher rate because it was an engineering and shortage based position, which created the current issue.

There was discussion after Mr. Foley was excused, as to how salaries are established. Commissioner Williams noted that if they keep giving increases to people, the same issue may keep on happening where superiors make less than their subordinates. However, the topic of budgets being able to support the increases that the Salary Commission sets ensued. It was mentioned by Ms. Villarosa that the Commission should think about the timing of their salary decisions to meet the budget process deadlines. There was an inquiry by Chair Matsuura as to previous increases set by the Salary Commission for the Directors, Deputy Directors, Mayor, and Managing Director, that increased the rates to above the "EM" positions. There was more discussion about how to address the current situation with Mr. Foley, since they address the issues on a case-by-case basis.

Commissioner Lemmo proposed doing a percentage matrix to justify the Salary Commission's decisions when increases are recommended or approved. This was followed by Ms. Krieg's comment that if there is a matrix to base salaries upon, factors already in place such as compensation rates/levels, employee classifications, subordinate employees on different "EM" levels, subordinate employees not on "EM" levels, etc., need to be considered. It was then mentioned by Chair Matsuura that previous increases were implemented before and the history can assist in the discussion of this development. Chair Matsuura proposed deferring the discussion until the next meeting when previous Salary Commission documents, materials, (e.g. Minutes) could be presented to further assist the Commissioners in their decision making.

It was inquired of how long it would take the Commission to get back to Mr. Foley. Chair Matsuura suggested that a letter be drafted to Mr. Foley stating that the Commission will be working on reviewing all Elected and Appointed officials under their jurisdiction.

It was suggested by Ms. Villarosa that the Commission could have the Directors do an industry evaluation as far as salaries and have them submit the information, instead of having one entity doing it (i.e., Personnel Services). However, Chair Matsuura noted that if they are given the ability to an industry evaluation, they may not necessarily be comparable to the County, so an unbiased opinion would be best.

Ms. Krieg reiterated on a plan from the Big Island's Salary Commission which shows problems they incurred while trying to set salaries. This plan was given to all commissioners for review. It was also stated that all

appointees accepted the job knowing what the salary was and how long the Mayor's term would be.

D. County Council Members Compensation/Hours

In response to a question, Ms. Wakamatsu stated that the salary of the Council Chair is \$48,000 and the Council Members are \$44,000. She added that the salaries for the three appointees of the Council (i.e., the Director of Council Services, the County Clerk and the Deputy County Clerk) are established by Council Resolution and not the Salary Commission because they are appointees of the Legislative Branch.

Commissioner Levin stated that there is no back-up to support how much the Council Members are currently making. He stated that a draft letter to the Council requesting information was done, and it was given out for review. Ms. Villarosa cautioned of the ramifications of requesting certain types of information (i.e. hours of work) from the Council Members. It was mentioned by Ms. Wakamatsu that the actual working hours for each Council Member may be difficult to track because they have flexibility in setting their own hours.

Chair Matsuura suggested doing a letter to all appointees under the Salary Commission's purview. Thus, it was requested that this item be deferred until the next meeting when a draft letter could be reviewed.

VI. Set Agenda for Next Meeting

- A. Approval of Minutes from March 12, 2004 and May 21, 2004 to be approved.
- B. Unfinished Business
 - 1. Executive Compensation Plan
 - 2. County Council Members Compensation/Hours

VII. Adjournment

Meeting was adjourned by Chair Matsuura at 10:13 a.m.

Submitted by:

Corynn Sakamura
Boards and Commissions Secretary

Approved on: _____