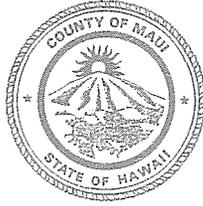


ALAN M. ARAKAWA  
MAYOR



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## OFFICE OF THE MAYOR

Ke'ena O Ka Meia  
COUNTY OF MAUI – Kalana O Maui

October 24, 2011

**JOSHUA STONE**, Chairperson  
And Members of the Charter Commission  
County of Maui  
200 S. High Street  
Wailuku, Hawaii 96793

Dear Chair Stone and Members of the Commission:

Please consider the following questions in your deliberations:

1. What agency and national standards is the department using to guide them in the accreditation process and are other fire departments using the same agency and national standards?
2. What is the accreditation status of the department and what specific impacts, if any, will the merger have on the department's accreditation status?
3. What specific staff and budgetary impacts will the merger have on the Maui Fire Department?
4. Are there any specific policies, or procedures Ocean Safety is not following which may be causing the department to have concerns.

Please contact my Executive Assistant, Mike Molina at 270-8211 should you have any questions and or concerns.

Sincerely,

  
ALAN M. ARAKAWA  
Mayor, County of Maui

102411 - Public Written Testimony from Alan Arakawa, Mayor  
pg 1-1

October 24, 2011

Joshua A. Stone, Chair

Maui County Charter Commission

Department of the Corporation Counsel

Wailuku, HI 96793

Dear Chair Stone and Members of the Committee:

**SUBJECT: WRITTEN TESTIMONY FOR CHARTER COMMISSION MEETING,  
OCTOBER 24, 2011**

The purpose of my testimony is to re-confirm my capacity when testifying to this commission and to request consideration from the commission concerning charter language design and level of detail. Any of my testimony and submittals to this charter commission is solely representative of me as an individual citizen and firefighter by trade. It should not be presumed that I am here to represent the opinions or positions of county government or any individual or group of county employees. In contrast, I am here for the following reasons: to request that through the actions of this body, that proposed charter language be of a practicable and effectual nature; and based on that premise, that such charter language, not only guarantee, but facilitate the right of the public, which includes firefighters, a voice in all matters concerning responsible county government in general, the quality of fire department services, the well being of the public, and the well being of firefighters.

With charter language, the devil lives in the details. Thus, I believe it is only through precise and strong charter language that the intended purpose for the existence of county government entities and departments, including the services they provide, will ever be responsibly achieved. The powers, duties, and functions spelled out in the charter, must be such, that in content, context, and meaning they are of a practicable nature that enables the

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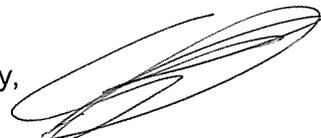
10/24/11 - Public Written Testimony from Greg Jenkins  
pgs 1-2

entity or department to be effectual in exercising any power, duty, and function. Additionally, the powers, duties, and functions should be relevant to the premise and intent of each article and section of the charter. In other words, if the charter requires something to be done, then, it must be possible to be achieved by just and responsible means. If not, any particular goal and objective of the charter will be ineffective and potentially harmful. If requested, examples of this problem can be provided that are applicable to existing charter language. At times, it is from corporation counsel's legal opinions regarding charter language that weaknesses and flaws in charter language are exposed.

I appreciate the matrix and its use as a tool of expediency to move the commission's agenda forward. However, in understanding that the matrix is in many cases a summary of proposal language from that originally submitted, I request that when the commission chooses to act on or construct specific language for charter proposals, that it carefully review the original submitted proposal language provided through testimony. Only then can the true identity and intent of proposed charter language be responsibly deliberated and acted upon.

Should you have any questions please contact me at 271-8722. I look forward to attending and answering any questions regarding this matter at the Charter Commission meeting scheduled for October 24, 2011.

Respectfully,



GREGORY E. JENKINS

Molokai Resident and Firefighter

PO Box 1010

Kaunakakai, Hi 96748

## Archie Kalepa - OSO's to Fire Department?

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**From:** downs monty <wmdowns2000@yahoo.com>  
**To:** "archie.kalepa@co.maui.hi.us" <archie.kalepa@co.maui.hi.us>  
**Date:** 10/22/2011 12:04 AM  
**Subject:** OSO's to Fire Department?

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Aloha Archie:

Thank you for asking me to make a few comments about Kauai's experience with having Lifeguards merge into the Fire Department. (On Kauai we call our men and women WSO's; on Maui you call them OSO's. For the sake of simplicity allow me to simply refer to you all as Lifeguards).

To briefly mention a couple of my credentials: I have worked in the Wilcox Hospital ER since 1972. (There was no such thing as ER doctors until 1977. I was initially a GP, and switched to ER full time in 1977.)

After too many years of witnessing the family devastation of drowning cases (on Kauai we have more drowning deaths than we have MVA deaths), in 1990 I became active in trying to impact what I call our ocean safety challenge, and I have been very active and vocal in this area ever since then. I am currently President of the Kauai Lifeguard Association, whose Mission it is to seek out and implement measures that can prevent drownings on Kauai.

Until the year 2000 our Lifeguards were in Parks and Recs., and I think it's fair to say that they were "buried" in Parks and Recs. Getting a new piece of equipment was like pulling teeth, since we were in budget competition with baseball diamonds, Park restrooms, lawn mowing equipment -- You name it.

Moving to Fire has been HUGE in this regard, since with the move came the recognition that Lifeguarding is what it is -- namely a very critical part of Kauai's public safety presence. In 2000 we had 15 Lifeguards.

Now we have 45. In 2000 the Ocean Safety Supervisor had one beater truck. Now we have several trucks with light bars and of course radios.

We have Jetskis around the island. We have ATV's around the island. Each Tower has instant 911 communication, both transmitting and receiving. (And that being the case, we have had some remarkable instances where Lifeguards made critical saves on land -- in areas near their Towers and before Fire First Responders could get to the scene).

102411 - Public Written Testimony from Archie Kalepa  
 pgs 1-3

Each Tower has an Automatic External Defibrillator. The list goes on.

I can't give you the full nuts and bolts of how this somewhat magical upgrade has come about, but suffice it to say that when it's budget time and the Fire Chief testifies before Council and describes Kauai's ocean safety needs and challenges, he gets a much better response than when Lifeguards were struggling their way through the Parks and Recs budget just to get a new radio or a new pair of binoculars.

This increase that I've described isn't automatic. There are people involved, and we have been blessed to have Fire Chiefs and Councilors and Mayors and Ocean Safety Supervisors who have understood Kauai's Ocean Safety needs and have stood up for them.

Have there been any problems with the merger of Lifeguards into Fire? The answer is that early in the transition, yes, there were very significant "growing pains". A lot of the reason is that the move wasn't really set up and prepared for in advance of the move. Some political events took place in 2000 such that literally in the space of a week, the move was thrust upon the Lifeguards and the Fire Department. Some of the personnel in each department weren't ready for the changes. For example, some of the Lifeguards weren't prepared for the regimentation that Fire expects; and some of the Fire Fighters, particularly the ones assigned to help administer the Lifeguards, weren't prepared for their increased work, dealing with employees from a somewhat alien (to them) professional world.

Another big factor in the growing pains was that going into the merger the Lifeguards didn't have in hand the Operations Policies and Procedures and Protocols that Fire expects. Nor was clerical support -- dedicated to the Lifeguards -- made to be a part of the merger. This made for some grueling and sometimes testy challenges. So yes, there were some tough times.

These growing pains lasted for a couple of years, and they actually didn't get resolved until some personnel changes took place, both in the Lifeguard hierarchy and in the Battalion Chief hierarchy. I am very pleased to report that although I won't go so far as to say that there are never any difficulties of one kind or another, the merger is now working like a well-oiled machine. And who is the beneficiary? THE PUBLIC!

Our Local people and our visitors, all those who enjoy our Visitor Industry's

#1 asset, namely our beautiful beaches. Our beautiful guarded beaches.

Archie, these are a few comments that I hope will help your County's deliberations regarding a possible Lifeguard-into-Fire merger. Given the growing pains I briefly mentioned to you, I am very pleased that Maui County is carefully working it's way through these deliberations, and not just plowing into the merger as we did over here. I think that with this measured approach you will be able to avoid most of the growing pains that we experienced.

Given what has happened here on Kauai, I furthermore have to say that I really hope that Maui County will decide to join Kauai, and more recently the Big Island, in a Lifeguard-into-Fire merger. The public's safety is the key issue, far outweighing all others I believe.

I look forward to seeing you, Archie, over at the State Capitol early next year as we try and nurse the extension (or maybe even the elimination) of Act 170's Sunset through the Leg, as well as our HB 1420 (creating Lifeguards' own HGEA Bargaining Unit). Also, this quite-sheltered ER doctor is always fascinated to hear bits and pieces about your amazing adventures in conditions that would finish me off in a heartbeat.

With Best Wishes to you and to Maui County in these important deliberations, I am

Sincerely Yours,

Monty Downs, M.D.