

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

April 26, 2012

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON THURSDAY, APRIL 26, 2012, BEGINNING AT 9:08 A.M., WITH CHAIR DENNIS A. MATEO PRESIDING.

CHAIR MATEO: Council of the County of Maui regular meeting of April 26, 2012 will come to order.

Mr. Clerk, may we have the roll call please.

ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, DONALD G. COUCH JR., G. RIKI HOKAMA, MICHAEL P. VICTORINO, MICHAEL B. WHITE, VICE-CHAIR JOSEPH PONTANILLA, AND CHAIR DENNIS A. MATEO.

EXCUSED: COUNCILMEMBER ELEANORA COCHRAN.

(Councilmember Cochran was not present when the roll was called; however, she arrived at 9:50 a.m.)

DEPUTY COUNTY CLERK LANCE TAGUCHI: Chairman, there are eight Members present and one mem, one Member excused. A quorum is present to conduct the business of the Council.

CHAIR MATEO: Thank you. Members, this morning the opening remarks will be provided to us by our colleague from Lanai.

Mr. Hokama.

OPENING REMARKS

The opening remarks were offered by Councilmember G. Riki Hokama.

CHAIR MATEO: Thank you. Will everyone please rise and join us in reciting the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR MATEO: Thank you very much, Mr. Hokama, for, for those words of wisdom this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, proceeding with testimony on ceremonial resolutions. We have received one request from an individual who wish to offer testimony on ceremonial resolutions. Shall we proceed?

CHAIR MATEO: Prior to the individual providing testimony. Just as a reminder. You will be allowed three minutes to provide testimony to the Council.

Call up the testifier.

DEPUTY COUNTY CLERK: Calling John Blumer-Buell.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. JOHN BLUMER-BUELL:

Aloha Councilmembers, Chair Mateo, and all of our good citizens here. There's a lot of great people here today. My name is John Blumer-Buell from Hana and I want to say mahalo to the Maui County Council for the resolution regarding Ernest and Freddie Tavares, born and raised in Kuau.

And I want to thank their younger brother, Bill Tavares, for inviting me over today and you know me and Bill from tax, taxes. But I, Bill knows that I have one of the 153 Freddie Tavares commemorative Stratocaster and I brought that over today.

You know, when I first learned of this story, and this came out of Bill and, and our work on Committee For More Equitable Taxation, became friends. And one of the things that came out of it was our love for music. And I did not know who Ernest and Freddie Tavares were then. A few days later, I found out from a musician and my friend said, "I know who Freddie Tavares is. He built the, he de, he designed the Fender Stratocaster", and from that a lot has grown.

And the thing that was so amazing to me about the story and that, so I'm so passionate about it is here's a couple kids that were raised in Kuau and they were very bright kids. They ended up to be, both of them, outstanding inventors holding patents, holding on, holding patents that have produced millions, if not billions of dollars in some cases. They were both outstanding and recognized musicians. They were both composers.

And I want to say a comment on what Mr. Hokama said, that is, you know, sometimes we underestimate people, you know, we, we, we see people. Who would've thought two kids from Kuau would shake the music world internationally, which they have. And it, it made me think of one line from Poet Bob Dylan and the line is, "each of us has our own special gift and you know that was meant to be true. And if you don't underestimate me, I won't underestimate you". And I've always kept that in mind cause there's so many humble people on this island that, that I just love and you find out so much about these quiet and humble people. They're what make these, this island great.

I want to just read a couple things regarding Freddie. Here's the Freddie Tavares Commemorative Aloha Telecaster; this is one of 153. And here's a couple things that his fellow employees said about him after he passed on. And this is just wonderful. This memo went out to Fender employees two days after he died. And it said, "Freddie started working with Leo Fender in 1953. On his first day, he drew two lines, twenty-five and one-half inches apart and about two inches wide. Over the next several months, those two lines would become the single most powerful force in modern music ... the Stratocaster. Freddie was a constant inexhaustible source of knowledge, humor and true human kindness. His legacy will live on, with the guitars he designed, the music they created, and the love that he shared so freely."

And the last thing I'd like to read is that, "The celebration of the 40th Annual Anniversary of the Stratocaster would not be complete without a tribute to Freddie Tavares, the man who helped shape its sleek, timeless design. Freddie was

Fender's first research and development designer. He began his career at Fender in 1953 and continued until his retirement in 1985. Virtually every guitar released by Fender during those years had Freddie's magic touch". Imagine, that's, that's just amazing.

"Freddie Tavares was a native Hawaiian, born in Maui in 1913. He was truly addicted to quality in his life. He loved Hawaii and he loved music. In the 1930's, he joined Harry Owen's Royal Hawaiian Orchestra as a steel player, and backed the great artists of the period like Bing Crosby and Dorothy Lamour. In the 1940's, after moving his family to California, Freddie began a successful studio career. Some of his most memorable works are steel guitar riff on the opening of 'Looney Tunes' cartoons, and, and Elvis' ukulele work in 'Blue Hawaii'."

"Freddie was a friend and mentor to all of us at Fender. His design and playing skills helped shape the Stratocaster and therefore much of modern music. It is with these achievements in mind, that we commemorate the wonderful life and career of Freddie Tavares."

"The Freddie Tavares Commemorative Stratocaster is hand engraved in a classic Hawaiian scene, with Freddie playing his ukulele under the palm trees while his wife, Tamer, dances hula. The entire package of this very special limited edition is meant to pay tribute to the most important things in the life of this great man: Freddie Tavares's family, his Hawaiian Island lifestyle, and his music."

CHAIR MATEO: You will need to conclude.

MR. BLUMER-BUELL: Aloha. Aloha, Freddie. And aloha, County Council.

CHAIR MATEO: Thank you. Members, is there a need to have any part of the testimony rephrased? Thank you, Mr. Blumer-Buell.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, we have received no other requests to testify on ceremonial resolutions.

CHAIR MATEO: Proceed.

DEPUTY COUNTY CLERK: Chairman, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 12-39

EXTENDING CONDOLENCES TO THE FAMILY OF
THE LATE
KAHU CHARLES KAULUWEHI MAXWELL SR.

CHAIR MATEO: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair.

I MOVE THAT THE PROPOSED RESOLUTION ENTITLED
"EXTENDING CONDOLENCES TO THE FAMILY OF THE
LATE KAHU CHARLES KAULUWEHI MAXWELL, SR.", BE
ADOPTED.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR MATEO: It's been moved by Ms. Baisa and second by Mr. Hokama to adopt the proposed resolution.

Ms. Baisa.

COUNCILMEMBER BAISA: Mr. Chair, may I ask that the Clerk read the resolution it, in its entirety?

CHAIR MATEO: Mr. Clerk, read the resolution, please.

(The resolution was read in its entirety.)

CHAIR MATEO: Thank you.

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. It's a, it's an interesting moment. You know, we're talking about condolences and yet I kind of look at this as a celebration of the life of a very interesting and special person.

Our family relationship with the Maxwell's began when we were both young police families in the 1960's. My husband and Charlie served together with the Maui Police Department and so I got to know him and Aunty Nina. And our kids kind of grew up together and so I've known them for a very long time.

And it was really interesting that in later years, Charles, Uncle Charlie's daughter, Debbie Kamalii, came to work with us at MEO and she was one of the founders of the BEST Program. And it was through her efforts that we were able to start the hula halau for BEST, which has led to long-term employment in that, in entertainment industry for many of the BEST clients. But it was Debbie's efforts that did that, and of course, her untimely death in 2005, she died very suddenly, it was tragic, and it was a great loss to the program. But you know, she also helped me a lot with that and of course, Uncle Charlie and Aunty Nina were always there in the background.

And there were many times that I would call on Charlie when we had to name a building or we had to have a blessing or whatever. And he would always oblige, he was always kind and he would always be there to help me. So while many people know him as a controversial fighter, I kind of know Uncle Charlie as a good friend and somebody that was always supportive in the things that I was doing. So I kind of have a different perspective of him.

My favorite story of Uncle Charlie and Aunty Nina is one year, you know we're often entertained by the Lahaina Honolulu Seniors, and Mayor Lingle was Mayor then and we said you know this is kind of embarrassing we're always having these seniors do the hula for us and they're 100 years old and we sit. And so we decided that we were going to delight them and try to reciprocate, and neither of us knew diddly about hula. And Aunty Nina and Uncle Charlie spent six months of evenings teaching us how to do two hulas. And so we starred in one of his uniki's and we also performed for the seniors and that's the end of my hula career.

But anyway, it's a really long relationship and I'm very sorry that we're here to talk about his passing. But again, I see it as a celebration and I want to thank his family for what they contribute to our community and I'm very happy to be here doing this today. Thank you.

CHAIR MATEO: Thank you, Ms. Baisa. Members, further discussion?

COUNCILMEMBER VICTORINO: Chair.

CHAIR MATEO: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. For myself and our family, we're, I don't have that kind of background like Ms. Baisa, but we got to know Uncle Charlie in

more of what I call the later years when he was culturally active in this community and, and the family members who work and, and you know, in all parts of our County.

And I remember as Uncle Charlie's health had gone in different directions and he'd go off to the mainland for some help and he'd always tell me that I'm going to get strong and I'm going to be back and we're going to work hard to make Maui no ka oi. Always wanted to make sure this culture of Hawaii would never, never be lost; lost for economic purposes, lost for any other purpose. It would have to be perpetuated and he truly was a icon in that area.

And over the last few years, I'd see him. I'd see him at Kaiser, I'd see him in Hale, Hale Makua. I'd see him all over the place, at the shopping center, in his wheelchair and you know he'd, he'd have a big smile and we just talk a long story about everything and what, and where, and how he wanted to do things. And he never lost sight. He never, never lost sight of what he wanted accomplished in these islands, especially Maui and Maui County. And so he's truly one of those that we will all miss, but in our heart, we'll never forget.

And to his family, you now, hopefully, will keep the torch alive. Keep Uncle Charlie's dream alive to keep Maui County no ka oi, to make the culture of Hawaii the utmost most sacred, most culturally sensitive, and to make it right. So from my family to your, to the Maxwell family, I say aloha and mahalo for allowing dad to touch our lives in the manner he did. Mahalo, Mr. Chair.

CHAIR MATEO: Thank you, Mr. Victorino. Members, further discussion?

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. I knew Charlie for over 40 years and he always loved Hana. Toward the last . . . his life, many times I'd bring water from Hana because he liked to use the waters of Hana in his blessings. He felt that there was special water coming from East Maui. We did a lot of things on and off during the years and I'd just like to say that I miss him, Hana misses him, we all miss him, and we'll all remember him. Aloha.

CHAIR MATEO: Thank you, Mr. Carroll. Members, further discussion? All those in favor of the motion to adopt the resolution entitled, "EXTENDING CONDOLENCES TO THE FAMILY OF THE LATE KAHU CHARLES KAULUWEHI MAXWELL, SR.", signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR MATEO: Motion is carried, eight "ayes"; one "excused", Member Cochran.

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. May I request that we ask the Maxwell family to approach the podium so that we can give them the resolution and hear a little bit from Charles Maxwell, Jr. who'll speak?

CHAIR MATEO: Sure. Will the Maxwell ohana please join us at the podium?

COUNCILMEMBER BAISA: Thank you very much, Members. And now we're going to hear from Charles Kauluwehi Maxwell, Jr. the son and he's got with him his sisters and he'll introduce them.

MR. CHARLES K. MAXWELL, JR.: Aloha, Chairman, Councilmembers. This is my sister, oh, this is my sister Kathy Hi`ilei Maxwell, Sheri Hinano Maxwell. We'd like to really thank you for your condolences. Dad meant a lot to all of you, but he meant the most to us. We took quite an emotional hit when Papa passed away but we're slowly recovering and the circle, his circle of life is now complete. And it's just that, it's a circle, it will continue. His grandson, Dane, will carry on his work for the next 60 to 70 years, who knows maybe, maybe more. Also, his little mo`opuna's and two more to be born on June 1, will also carry on his legacy. So again, we'd like to say thank you on behalf of my family and behalf of my father. Mahalo.

COUNCILMEMBER BAISA: We'd like to thank all of you for being here today. And in case you missed it, there's a two and a half year, month old baby, the youngest member and of course like they say, twins coming soon to Mr. Maxwell. So thank you very much. Aloha.

CHAIR MATEO: Thank you, Ms. Baisa, for bringing the resolution forward.

COUNCILMEMBER BAISA: Thank you, Chair.

CHAIR MATEO: Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, for the record, RESOLUTION NO. 12-39.

CHAIR MATEO: Thank you.

RESOLUTION
NO. 12-40

CONGRATULATING THE LATE BROTHERS
ERNEST AND FREDERICK TAVARES FOR RECEIVING,
POSTHUMOUSLY, THE NA HOKU HANOHANO LIFETIME
ACHIEVEMENT AWARD

CHAIR MATEO: Thank you.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair, and good morning.

I MOVE THAT THE RESOLUTION ENTITLED,
"CONGRATULATING THE LATE BROTHERS ERNEST AND
FREDERICK TAVARES FOR RECEIVING, POSTHUMOUSLY,
THE NA HOKU HANOHANO LIFETIME ACHIEVEMENT
AWARD", BE ADOPTED.

COUNCILMEMBER WHITE:

CHAIR, I SECOND THE MOTION.

CHAIR MATEO: It's been moved by Mr. Victorino and second by Mr. White to adopt the proposed resolution.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. With your permission, may we have the resolution read in its, its entirety?

CHAIR MATEO: Thank you.

Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR MATEO: Thank you.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

Chair, and my fellow Councilman, Members I should say, I am honored to have a special guest amongst us; the youngest brother, William Tavares. I am also honored to present this resolution honoring two very talented boys from a little town called Paia; Freddie and Ernest Tavares.

Freddie and Ernest had long careers and has made a huge impact in the world of music and entertainment. We've heard the long list of the impressive accomplishments by the brothers today and are grateful for the honors bestowed upon them, posthumously, by the Hawaii Academy of Recording Arts. This honor is a, and the wonderful music and instrument created by Freddie and Ernest Tavares are part of Maui's County's rich cultural heritage and history.

It is important to understand that when they started out, according to William Tavares, their dad wanted them to go to college, but they have nothing of that. They enjoyed music and ran off to play music and in retrospect, I think dad looks upon that today with a lot of pride along with the rest of us in Maui County. They have now put Maui County on the map in one more segment of our entertainment. We have been honored with Na Hoku Hanohano Award winners, singers, our accomplishments at the Merrie Monarch, and now this.

So we, I ask all my fellow Councilmembers to support this resolution and join me in remembering and honoring Freddie and Ernest Tavares for their tremendous contributions to Maui County and the State of Hawaii. Thank you, Mr. Chair.

CHAIR MATEO: Thank you, Mr. Victorino. Members, further discussion? All those in favor of the motion to adopt the proposed resolution entitled, "CONGRATULATING THE LATE BROTHERS ERNEST AND FREDERICK TAVARES FOR RECEIVING, POSTHUMOUSLY, THE NA HOKU HANO HANO LIFETIME ACHIEVEMENT AWARD", signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, WHITE, VICE-CHAIR
PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR MATEO: Motion is carried, eight "ayes"; one "excused", Member Cochran.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. With your permission, I'd like to ask Mr. William "Bill" Tavares, the brother of the late Freddie and Ernest Tavares, to join us at the podium to say a few words and if the, the Members would join us to congratulate.

CHAIR MATEO: Thank you. Okay, Mr. Tavares, come on down.

MR. WILLIAM "BILL" TAVARES: Oh, shake my hand. Well, let me, let me pull my pants up. I need a new belt.

COUNCILMEMBER VICTORINO: Okay. Stand right here. Okay.

CHAIR MATEO: Thank you.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. Mr. Chair, it takes great pride to introduce, Mr. William Tavares, the brother of late, of the late Freddie and Ernest Tavares. We all know him as the "Taxman", but today he will actually carry another role representing his family.

Mr. Tavares.

MR. TAVARES: I hope I don't take five minutes. I know I won't. First of all, I wanted to say a little bit about, well I'm, my name is Bill Tavares, 90 years young, resident of Kuau all those 90 years.

I want to say something about the Maxwell family too, because all of their children went to Makawao School and it was a privilege to have them. I remember when their father was a police officer too. I have good memories. I gave him a fish god. We have three fish gods in our property that have been there for centuries. So he asked me one day and I said yes. So I gave him one of these Hawaiian stone, you know,

fish gods. And I understand, according to one of the Maxwell's, that it is still planted somewhere in his yard. So, god bless Charlie and his family.

I assure you that this morning I am not speaking about property taxes. This is a lot more fun. And I won't take too long but I want to tell you a little bit about my brothers. I am the last member of a large family of 12 children, the last remaining one. I am the half-brother of Ernest and Fred Tavares and I recall quite clearly the night, the very sad night that my brothers left Kuau.

My brother Carl and I were about maybe ten and eight. Now, sometime in the early 1930's, they left home. My father tried to get them to go to college; as he did all of us, tried to get all of us to go to college to get more education. But they insisted on pursuing a career in music. Now, my brother Carl and I wept that night as my dad took them to Mala Wharf in Lahaina, remember, midnight and you'd get to Honolulu from there. But they soon became members of Harry Owens famous Royal Hawaiian Orchestra and that was the beginning of their great career.

Hannibal and I, when I was at college with him in 1939, '40, just before the war, we'd go down to Waikiki Beach and listen to them playing. Little did I know that someday I would be standing here honoring them. Dad, you'd be proud of them.

I recall Ernest as being a mischievous and happy-go-lucky guy. Freddie was the more serious one of the two. Let me tell you this interesting story about Ernest. One day Ernest slashed some beautiful cabbages in our garden at Kuau, that were grown by one of my father's servant's named Ava. Now, what I'm telling you now is the truth. He was a former pirate from the China Sea. My dad had a strange way of adopting different people to rehabilitate them I think. Now, he was a very gentle guy but this day, when he saw his beautiful cabbages, and those days' vegetables and things grew beautifully; we didn't have many insect pests. He chased my brother Ernest into that little bay in front of our house, "me catch 'em, me kill 'em", he said. And my brothers and sisters had to restrain him. My dad didn't fire him though.

Once during Freddie's annual visit to our home in Kuau, we always looked forward to this, he would play three hours of beautiful music on his steel. I was sitting there enjoying it and suddenly he looked up at me and he said, "Billy", that's what they called me, "put your newspaper down". Just because I was reading the Maui News. I obeyed him. I obeyed him. He was my older brother. He was more serious than Ernest.

Ernest's wife, Lydia Dolim of the well-known Maui Dry Goods Dolim family, told me that Ernest could play at least 20 musical instruments. And one day she saw him pick up a harp. He had never handled a harp before and he played it. He, he could play the guitar all kinds of guitars, trumpets, coronet, clarinets, saxophone, piccolo,

flutes, violin, piano, organ, percussion instruments; this is the truth. He also wrote scores of songs. One of them I think was the "Cranes of Honolulu", you know, the big construction thing. He also made, invented the first practical pedal steel guitar. They were both extremely inventive.

Now, among other accomplishments, Freddie was best known, as my good friend John Blumer-Buell has told you, the chief designer of the famous Stratocaster guitar, which revolutionized modern music. I can barely play one classical song, the "Song of India", and that only poorly.

Now, one of my children, the late Mark Tavares who died a few years ago, was also quite a piano player and a good music arranger. My granddaughter, Carlyn Costales, the daughter of Marybeth, who'd Librarian at Makawao School where I was Principal, is majoring in music at the University of Hawaii and recently played in the piano concert at that University. She received three standing ovations by the audience. You should see, see her playing that beautiful classical music. She's continuing then that musical tradition in our family.

My family and I wish to thank you, the Council; especially Mike Victorino and Stephanie Ohigashi for this most appreciated resolution. Thank you very much.

I may not be back anymore for property taxes but we do have other people--

(Councilmember Cochran arrived at 9:50 a.m.)

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

MR. TAVARES: --the doctor said avoid stress. Twenty-five years of stress is enough. Okay, god bless, thank you.

CHAIR MATEO: Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, for the record, RESOLUTION NO. 12-40.

Chairman, proceeding with the, proceeding with the presentation of testimony on agenda items.

CHAIR MATEO: Thank. Before the, before the Clerk calls up our first testifier, the Chair would just like to set the parameters for those providing testimony to the Council. We welcome anyone wishing to provide their comments to the Council this morning.

You will be allowed to speak for three minutes on any of the items posted on today's agenda. When your name is called, please advance to the podium, state your name

clearly for the record. If you represent a group or organization, please so state the name of that group as well.

A lighting system on the podium is there to assist you with your testimony. At the start of your comments the green light will be lit. At the two minute thirty second mark the yellow light will be lit. And at the three-minute mark the red light will be lit, letting you know you will need to conclude your remarks. If additional time is needed, an additional minute may be provided.

And for those of us with cell phones or other noise-making devices, this would be a good time to either turn them off or set them on the silent mode. Decorum in this chamber will be maintained.

Mr. Clerk, call up our testifier.

DEPUTY COUNTY CLERK: Calling the first testifier, Edward Kaluau. He'll be testifying on Bill 31.

(Councilmember Carroll was excused from the meeting at 9:51 a.m.)

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. EDWARD KALUAU, JR. [testifying on Bill 31 (2012)]:

Good morning, Chairman Mateo and all Councilors here. I, I, I just got some concerns on that project on that Paukukalo Wetland. My grandparents is Kaupa. I'm just an heir of that. And I'm become under the Kekaulike lineage, eight generations.

And I just want to give you a brief history of what's going on at Paukukalo Wetland. There's some issues that arises over there. There's some, a lot of things that been going on. I don't know if you guys ever been down there; however, to go look at the property, and it is a beautiful place. There's a lot of history.

I know that King Kamehameha used to come to that Ka`ehu Bay and he use to go up into the valley, he used to go to Hawaiian Homes and his best taro came out from that area. The loi's that were planted over there, the, the kalo, there's so much history over there that, that before you guys do any project, you know, I'd like to pray on those things.

And also to just to let you guys know that there's a lot of concerns over there. You know, there's, I just put up a gate because there's a lot of drug things going on in that

area. So I put that gate for a reason; to secure the area. And, but I still let people go in and out of the property for fishing and to enjoy the beaches over there and the, that's open to the public. And I, I noticed a lot of some homeless children living down there by the river mouth. And they, they kind of take a cut short going through our property. And I allow them to go through there because, you know, I love the children there. I care for the Hawaiian people, also.

But my concern is if you, I know you guys going to appropri, appropriate the money. This is, I know, this is going to be on second reading I, I heard. I, I missed the first reading but I just want to address some, some, some clarity. I just want to know where you guys heading for. I heard you guys going to do some preservation and do some cleaning up. And there's other families besides myself. I don't see anybody here right now but I'm here to just to voice out, just to you know, I'm just giving my opinion. And that's all I had to say, you know. I just thank you.

CHAIR MATEO: Thank, thank you. Members, is there a need to have any part of the testimony rephrased?

COUNCILMEMBER COCHRAN: Chair.

CHAIR MATEO: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. Hi, nice to see you.

MR. KALUAU: Hi.

COUNCILMEMBER COCHRAN: So just curious if the entities that have been in dialogue with us, yeah--

MR. KALUAU: Yeah.

COUNCILMEMBER COCHRAN: --to move forward with this, have been in touch with you. Have they been in touch with you during all this process?

MR. KALUAU: Not directly. But I, I've been talking to some of the people that work for the County and we talked, you know, we've talked a little bit because we, you know, we kind of close friends with each other there. And he was telling me some of the issues that, that were arising over there.

It, I mean it's a good thing because, you know, we got the, the, we got young children coming down to camp out over there. We have a men's retreat that comes there also, a women's retreat. So you know it's a good thing. And I like that because I'm a,

you know, I'm a Christian. And I like to see men be rehabilitated [*sic*] and go through some changes so that they can do something better in life, you know.

And this, this the first meeting I ever came to and I not really sure if I'm doing the right thing or, I'm just going to voice, I just want to, I telling you guys from my heart. I not, you know, I'm a Hawaiian, I go way back with a lot of people in here.

And I, I, I like to see people address their feelings. Sometimes there's a negative outlet or output but I, I want to see positive, I want to see that we can work along with you people or with the County. I mean, maybe we can pono. I mean this is what it's all about, pono, right? And if, and if we don't respect each other then what, what, why do we have a culture with different varieties of people?

(Councilmember Carroll returned to the meeting at 9:56 a.m.)

MR. KALUAU: So, I just want to thank you guys for giving me this opportunity to address.

COUNCILMEMBER COCHRAN: Thank you. Thank you, Eddie. Thank you, Chair.

CHAIR MATEO: Thank you, Ms. Cochran. Members, further questions? Thank you very much for--

MR. KALUAU: Thank you.

CHAIR MATEO: --being here this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, Mr. Kaluau, was the only person that signed up to testify on agenda items.

CHAIR MATEO: Thank you. The Chair will offer the opportunity for anyone in the gallery who would like to provide testimony to the Council this morning to please advance to the podium at this time. Members, no one advance, with, without any objections, we will close public testimony for the day. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR MATEO: Also, Members, we are in receipt of written testimony. With no objections, we will receive them into the record. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR MATEO: Thank you, so ordered.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM THE FOLLOWING WERE MADE A PART OF THE RECORD OF THIS MEETING:

1. Lea Hong, Trust for Public Land;
2. Edward Kaluau Jr.;
3. Henry Maio; and
4. John Blumer-Buell.

CHAIR MATEO: The Chair would also like to recognize the presence of Ms. Cochran with us this morning.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR MATEO: Okay. Mr. Clerk, let's proceed.

DEPUTY COUNTY CLERK: Chairman, proceeding with Committee Reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 12-49 - POLICY COMMITTEE:

Recommending that Resolution 12-41, entitled "APPROVING THE FISCAL YEAR 2013 PROPOSED ANNUAL OPERATING BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES", be ADOPTED.

CHAIR MATEO: Thank you.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, I'd like to also bring up Committee Report 12-50.

CHAIR MATEO: Mr. Clerk, bring up Committee Report 12-50.

COMMITTEE REPORT
NO. 12-50 - POLICY COMMITTEE:

Recommending the following:

1. That Resolution 12-42, entitled "APPOINTMENT OF MEMBERS TO THE LANAI PLANNING COMMISSION FOR THE COUNTY OF MAUI", be ADOPTED; and
2. That Resolution 12-43, entitled "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI", be ADOPTED.

Approving the appointment of the following members to the boards, committees, and commissions for the County of Maui (for terms expiring on March 31, 2017, unless otherwise indicated):

*LANAI PLANNING COMMISSION
Michael Lopez
Garrett Hera*

*LIQUOR CONTROL ADJUDICATION BOARD
Bernard Despina*

CHAIR MATEO: Thank you.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Your Committee vetted both, all considerations that they are included within this motion, and therefore I have no further discussion at this time.

CHAIR MATEO: Yeah, Mr., Mr. Hokama, the Chair will entertain a motion.

COUNCILMEMBER HOKAMA: Oh, I'm sorry, Mr. Chairman. I jumped one-step ahead.

I WOULD MOVE THAT COMMITTEE REPORTS NO. 12-49
AND 50 WITH ITS RECOMMENDATIONS BE ADOPTED.

COUNCILMEMBER CARROLL:

SECOND.

CHAIR MATEO: It's been moved by Mr. Hokama and second by Mr. Carroll to adopt the recommendations in Committee Report Nos. 12-49 and 12-50.

Mr. Hokama, further discussion?

COUNCILMEMBER HOKAMA: Again, Chairman, your, your Committee did its responsibility. It did vet out all issues regard, with regarding both committee reports. Also, we did follow up at reviewing some concerns that has been brought up to individual members regarding certain items. But I am able to move this forward this morning and ask for the Council's support. Thank you.

CHAIR MATEO: Thank you, Mr. Hokama.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, I don't know quite how to go about this, but I have a request to separate an item out of this motion.

CHAIR MATEO: We'll take a very brief--

COUNCILMEMBER COCHRAN: Can we take a recess.

CHAIR MATEO: We'll take a very brief recess, and if, Ms. Cochran, you can approach. We're in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 9:59 A.M., AND WAS RECONVENED AT 10:07 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR MATEO: Council of the County of Maui regular meeting of April 26, 2012, will reconvene.

Members, thank you for that, that short break that we had. Members, on the floor is a motion to adopt both Committee Reports 12-49 and 12-50. There is a request from Ms. Cochran to separate out both com, both committee reports. She would like to separate 12-49, and have her discussions later on 12-50. The motion on the floor references and, we'll be taking action on two committee reports, therefore, Ms. Cochran is requesting consideration of separation.

COUNCILMEMBER HOKAMA: Point of order.

CHAIR MATEO: Go ahead, Mr.

COUNCILMEMBER HOKAMA: There is no request on the floor, Chairman. You only can make by parliamentary procedure a motion and you need a second, and that is the procedure. There is no request before the body.

CHAIR MATEO: Yeah, thank you. The, the Chair stands correction, corrected. There is no motion on the floor for separation. The Chair is explaining Ms. Cochran's intent to offer that motion for separation.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you for that clarification, Chair.

YEAH, I'M LOOKING TO MOVE TO RECOMMEND, YEAH, SEPARATING OUT THE TWO POLICY COMMITTEE ITEMS 12-49 FROM 12-50 IN ONE MOTION, WHICH I, IS ON THE FLOOR CURRENTLY.

CHAIR MATEO: Is, is that your motion?

COUNCILMEMBER COCHRAN: Yes, Chair.

CHAIR MATEO: Ms. Cochran, motion fails, there is no second to your motion at this time.

Members, the motion on the floor still is the adoption of Committee Reports 12-49 and 12-50. Further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: No further discussion.

CHAIR MATEO: Thank you. Members, all those in favor of the motion to adopt the recommendations in Committee Report No. 12-49 and 12-50, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH, HOKAMA, VICTORINO, WHITE, VICE-CHAIR PONTANILLA, AND CHAIR MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: COUNCILMEMBER COCHRAN.

CHAIR MATEO: Motion is carried, eight "ayes"; one "no", Ms. Cochran. Thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, for the record, in relation to Committee Report 12-49, the RESOLUTION NO. is 12-41. For Report No. 12-50, the, the RESOLUTION NOS. are 12-42 and 12-43, respectively.

CHAIR MATEO: Thank you. Proceed.

COMMITTEE REPORT
NO. 12-51 - POLICY COMMITTEE:

Recommending the following:

1. That Resolution 12-44, entitled "PROPOSING AN ALTERNATIVE AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO COUNTY COUNCIL TERM LIMITS", be ADOPTED;
2. That Resolution 12-45, entitled "PROPOSING AN ALTERNATIVE AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ESTABLISH AN OFFICE OF THE COUNTY AUDITOR", be ADOPTED;
3. That, with reference to the 11 proposals in the Charter Commission's Final Report dated March 30, 2012, the Charter Commission is encouraged to CONSIDER the following:
 - A. Place Proposal Seven, relating to County Council residency requirements, on the next general-election ballot;
 - B. Place Proposal Eleven, relating to the preamble, on the next general-election ballot;
 - C. Delete Proposal Two, relating to shoreline and ocean rescue and safety;
 - D. Delete Proposal Four, relating to interactive communications access;
 - E. Delete Proposal Five, relating to publication of Charter amendments;

- F. Delete Proposal Six, relating to defense and indemnification of board members;
 - G. Delete Proposal Eight, relating to residency requirements of the Mayor;
 - H. Delete Proposal Nine, relating to the addition of sustainability to the Director of Environmental Management's functions; and
 - I. Delete Proposal Ten, relating to consistency in the process for the four specified commissions;
- 4. That a copy of this committee report be TRANSMITTED to the Charter Commission as the recommendations of the Council; and
 - 5. That the Council Chair be AUTHORIZED to transmit any further comments and recommendations of the Council to the Charter Commission.

CHAIR MATEO: Thank you.

Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT THE COMMITTEE REPORT 12-51
WITH ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER CARROLL:

SECOND.

CHAIR MATEO: It's been moved by Mr. Hokama and second by Mr., Mr. Carroll to adopt the Committee Report No. 12-51 and its recommendations.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Today I will give comment on this committee report as well as the contents of the report. It is a very serious matter that your Committee took its responsibility in the review and vetment of the considerations from our County Charter Commission.

We do this as allowed by Hawaii Revised Statutes, Section 50-80, which gives us 30 days to review the Commission's final report as well as to give comment and, and also to propose alternative to the Commission's proposals. And our deadline

regarding this is August 29 [sic], and therefore, we are taking this matter up this morning, Chairman. So let me just address a few areas that I believe is very important, and I would like to state for the record.

Regarding Proposal One, Chairman, under terms, Proposal One as we reviewed it and received it from the Commission would lengthen the current two year term for Members to four years. The proposal would also allow the Councilmembers to serve for a maximum of three consecutive terms. The Commission also is recommending that the terms be staggered by initially electing the five highest vote-getters to four-year terms, and electing the other remaining four to two-year terms. And thereafter, all future elections would be for four-year terms.

Now your Committee recommended that a resolution be adopted to propose an alternative to the Charter Commission. One, the alternative clarifies that the limit of three consecutive terms apply to full terms. And that is a very important word, Mr. Chairman, that I, I'd like to emphasize, full terms, because of some of, you know, issues we've had in the past regarding what is a consecutive term and we are making a clarification as is also is stated in the State Constitution. The alternative also does not count the transitional two year term as a full term.

Mr. Chairman, again you know, just for additional comments that the, you know, the proposal, we raised this in our proposal because I wanted to highlight that the omission of the term "full", was of great concern. And that is why we are proposing our alternative and as well as in another future Policy Committee meeting regarding the Charter section regarding vacancy in office.

I'd like to give comment to Proposal Two and why we, we are recommending deletion. It started last week but the Senate, you know the conference committee, the State Legislature is also considering a Senate Bill that is currently being initiated and supported by Senator Dela Cruz, the Chief negotiator for the Senate working with Chairman Jerry Chang. That they were very interested in reviewing the transfer or the consideration of taking over ocean safety programs along with ocean safety officers to a statewide level.

And as we shared in earlier meetings, you know, currently the County gets paid to provide services at Makena State Park. Should this occur, then the State has very strong justification that is now, it is not a mandated program and the County should not receive future funding for the services we currently provide that the State pays for including their wages and benefits.

So that is the current status regarding that consideration, Mr. Chairman. As of this morning, they will be meeting again this afternoon at 1:00 p.m. to try and conclude

that conference committee, including the ability to study this between sessions and to make a recommendation to the next Legislature in the upcoming year.

Regarding Proposal Four, under interactive communications access, this proposal would require interactive communication access for public testimony at all meetings of the Council and its Committees for the residents of Hana, Lanai, and Molokai, as well as other geographical areas that the Council deems appropriate and reasonable; two key words, Mr. Chairman, appropriate and reasonable.

As noted in the committee report, parts of the proposal to your Committee still remain unclear. And that is part of the rationale why your Committee is recommending that this proposal be deleted. But I also note that we have mentioned in our committee report, page 3, page 7, paragraph 3, that still urges that the Commission consider certain revisions if the proposal should, is to be considered to be retained by them.

Proposal Six, Mr. Chairman, regarding the defense and indemnification of board members. Your Committee felt that this proposal would require that the County, would require that the County provide funds or, "the defense of members of all Maui county boards and commissions" and to "indemnify all members of boards and commissions in the event of a civil action as a result of the bona fide and good faith discharge of their official duties and indemnify said members in the event of the lawful performance of their duties". And that is a quote that we took from the Commission's report and proposal.

In your committee report, Mr. Chairman, your Committee noted that the proposed Charter amendment language is worded, in our view, a confusing manner redundant and inconsistent with the proposed ballot question. Your Committee recommended that the proposal be deleted, however, Mr. Chairman, should the Commission choose to retain this proposal, your Committee is urging that the Charter Commission re-evaluate the language proposed for insertion as a new Section 13-8-18.

Proposal Seven, Mr. Chairman, regarding County Council residency requirements. This proposal would increase the durational residency requirements of a candidate for Council. Your Committee expressed support for the proposal and recommended that the Charter Commission do, place it on the upcoming ballot. However, your Committee in its review, notes that the ballot question could be misleading and urges the Charter Commission to revise the ballot question to more accurately reflect the proposed amendment to Section 3-3 of the County Charter. That discussion, Mr. Chairman, is contained on page 9 of the committee report.

These are point areas of points that I wish to have placed on, on the record. It is again our responsibility to review and provide comments back to the Commission for their hard work. And it is also part of our responsibility, who deals with the Charter on

a daily basis, and our responsibilities to carry out our duties on behalf of the people to make the Commission aware of operational and day to day impacts that, how the Commission is proposing certain recommendations to the voters.

You know, while I will ask the Members of the Council this morning to favorably *[sic]* support the motion, I hope that future Commissions will take the time also to have a very, well the ability to have a financial analysis presented to them so that they know fully well part of the recommendations that they may be recommending to the electorate may also have a price. And that when the Council is required to implement, it is not the Council's willingness or just want to raise taxes, Mr. Chairman, it is part of the implementation requirement that the voters have deemed appropriate and mandates to us by a revised Charter situation. And I think it's only appropriate that the voter electorate is made fully aware that many things that will be presented may have financial impacts that the Council would need to raise appropriate revenue to carry out this requirement. Thank you so much.

CHAIR MATEO: Thank you, Mr. Hokama. Members, further discussion?

COUNCILMEMBER COUCH: May I have a short recess?

CHAIR MATEO: Members, we're going to take a, a very short recess at this point. Council stands in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:22 A.M., AND WAS RECONVENED AT 10:26 A.M., WITH ALL MEMBERS PRESENT.)

CHAIR MATEO: Council of the County of Maui regular meeting for April 26, 2012, will reconvene. Members, thank you very much for that, that short recess.

Chair recognizes Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I wanted to note to the commit, to the Council and more importantly to the public out there. Committee Report, page 2, last paragraph, one, two, third sentence, says "Although your Committee noted its faith in the electorate's, electorate's capacity to wade through a hefty ballot and make well-informed decisions," which we discussed quite heavily, "your Committee was reluctant to overburden the electorate with proposed changes to the Charter that could be accommodated through revisions to the Maui County Code or in another election cycle."

You know, there was some comment out in the, in the community about that and we just wanted to say that there's some things that could have been done through Code as opposed to Charter. There's no, certainly from the last decennial election with,

there were 19 Charter amendments and the, the electorate did a very good job and very, what appeared to be a learned job in wading through that big long list.

And I wanted to point out number "E" here, the, the lead Proposal Five relating to publication of Charter amendments. For your information I have in front of Corp. Counsel now for the, you know, legality and, form and legality a bill for an ordinance to do just that, to print the Charters right away. So that is an example of what we were talking about with the Chair, Committee Chair was talking about in that paragraph. So just to let the Charter Commission know and the electorate know that we are working on some of the stuff, just in a, in a better venue. Thank you.

CHAIR MATEO: Thank you, Mr. Couch. Members, further discussion?

COUNCILMEMBER COCHRAN: Chair.

CHAIR MATEO: Ms. Cochran.

COUNCILMEMBER COCHRAN: And also proposal to, in relation to the merger of ocean rescue and safety, that, that too I believe can be done within. And whether State entities would like to be responsible versus County then so be it. But at this point, that still can occur without the Charter amendment. Thank you, Chair.

CHAIR MATEO: Correct. Thank you, Ms. Cochran. Further discussion, Members? All those in favor of the motion to adopt Committee Report No. 12-51 with its recommendations, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, HOKAMA, VICTORINO,
WHITE, VICE-CHAIR PONTANILLA, AND CHAIR
MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

CHAIR MATEO: Motion is carried with nine "ayes". Thank you, Members. Thank you, Mr. Hokama.

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION NOS. 12-44 AND 12-45.

CHAIR MATEO: Thank you.

DEPUTY COUNTY CLERK: Chairman, proceeding with committee, with County Communications.

COUNTY COMMUNICATIONS

NO. 12-77 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated April 19, 2012)

In accordance with Section 3.48.135 and Section 3.48.535, Maui County Code, transmitting the Fiscal Year 2012-2013 certification of the net taxable real property value within the County of Maui.

CHAIR MATEO: Thank you.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman.

I MOVE TO FILE COUNTY COMMUNICATION NO. 12-77.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR MATEO: It's been moved by Mr. Pontanilla, second by Mr. Hokama to file County Communication No. 12-77.

Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Thank you, Chairman. This communication from our Finance Director presents the Fiscal Year 2012 through 2013 certification of net taxable real property values within the County of Maui. During a recent Budget and Finance Committee meeting regarding the proposed 2013 Budget, the Director was afforded opportunity to present to Committee members the information detailed within this communication, and comprehensive discussion was held on the matter. Therefore, I request filing of this communication. Thank you.

CHAIR MATEO: Thank you, Mr. Pontanilla. Members, further discussion? All those in favor of the motion to file County Communication No. 12-77, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, HOKAMA, VICTORINO,
WHITE, VICE-CHAIR PONTANILLA, AND CHAIR
MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

CHAIR MATEO: Motion is carried with nine "ayes".

Mr. Clerk.

NO. 12-78 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,
(dated April 4, 2012)

Transmitting copies of the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ended March 2012.

CHAIR MATEO: Thank you.

Mr. Victorino.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I MOVE THAT COUNTY COMMUNICATION 12-78
BE FILED.

VICE-CHAIR PONTANILLA:

MR. CHAIR, I SECOND.

CHAIR MATEO: It's been moved by Mr. Victorino and second by Mr. Pontanilla to file County Communication No. 12-78.

Mr. Pon, excuse me, Mr. Victorino.

COUNCILMEMBER VICTORINO: No comment.

CHAIR MATEO: Thank you. Members, further discussion? All those in favor of the motion to file County Communication No. 12-78, signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL,
COCHRAN, COUCH, HOKAMA, VICTORINO,
WHITE, VICE-CHAIR PONTANILLA, AND CHAIR
MATEO.

CHAIR MATEO: Those opposed say "no".

NOES: NONE.

CHAIR MATEO: Motion is carried with nine "ayes". Thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chairman, the following county communications are recommended for referral to the following Committees as noted:

NO. 12-79 - WILLIAM R. SPENCE, PLANNING DIRECTOR AND
DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS
(dated April 3, 2012)

Transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3760, RELATING TO TITLE 18, SUBDIVISION GENERAL PROVISIONS TO DELETE THE SUNSET PROVISION OF ORDINANCE NO. 3760"; and
2. "A BILL FOR AN ORDINANCE AMENDING SECTION 18.04.030, MAUI COUNTY CODE, RELATING TO SUBDIVISIONS".

The recommended action is that County Communication No. 12-79 be referred to the Infrastructure Management Committee.

NO. 12-80 - DANNY A. MATEO, COUNCIL CHAIR,
(dated April 19, 2012)

Transmitting a letter from Charles Jencks, Honua`ula Partners, LLC, submitting an annual compliance report in accordance with Condition 29 of Ordinance No. 3554, establishing Kihei-Makena Project District 9 (Wailea 670) Conditional zoning for approximately 670 acres situated at Paehu, Palauea, Keauhou, Hawaii. (Honua`ula Project).

The recommended action is that County Communication No. 12-80 be referred to the Planning Committee.

NO. 12-81 - GARY A. YABUTA, CHIEF OF POLICE,
(dated April 11, 2012)

Transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH HAWAII AIR NATIONAL GUARD, THE 292ND COMBAT COMMUNICATIONS SQUADRON, REGARDING THE USE OF THE UKUMEHAME FIRING RANGE FOR ANNUAL MILITARY SMALL ARMS TRAINING AND CERTIFICATION".

The recommended action is that County Communication No. 12-81 be referred to the Policy Committee.

CHAIR MATEO: Thank you. Members, is there a request for consideration at this time? Hearing none, with no objections, each of the communications will be referred to the respective committees as recognized by the Clerk. Any objections.

MEMBERS VOICED NO OBJECTION.

CHAIR MATEO: Thank you. So ordered.

Mr. Clerk, proceed.

DEPUTY COUNTY CLERK: Chairman, proceeding with ordinances for second and final reading.