

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

JUNE 9, 2006

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 FRIDAY, JUNE 9, 2006, BEGINNING AT 9:05 A.M., WITH CHAIR G. RIKI HOKAMA PRESIDING.

CHAIR HOKAMA: The Council of the County of Maui regular meeting of the ninth of June 2006, shall come to order.

Mr. Clerk, please call the roll.

### ROLL CALL

PRESENT: COUNCILMEMBERS MICHELLE ANDERSON, DAIN P. KANE, DENNIS A. MATEO, MICHAEL J. MOLINA, JOSEPH PONTANILLA, CHARMAINE TAVARES, VICE-CHAIR ROBERT CARROLL, AND CHAIR G. RIKI HOKAMA.

EXCUSED: COUNCILMEMBER JO ANNE JOHNSON.

COUNTY CLERK ROY T. HIRAGA: Mr. Chairman, eight members are present, a quorum of the Council is present.

CHAIR HOKAMA: Thank you.

Members, ladies and gentlemen, this morning it is our pleasure to have our colleague from Upcountry, Ms. Tavares, to give us the opening remarks. After, I would ask everyone to rise and join me in the Pledge of Allegiance. Ms. Tavares.

### OPENING REMARKS

The opening remarks were offered by Councilmember Tavares.

CHAIR HOKAMA: Thank you, Ms.Tavares.

Shall we all rise and please repeat with me the Pledge of Allegiance.

### PLEDGE OF ALLEGIANCE

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

CHAIR HOKAMA: Thank you once again, Ms. Tavares.

Mr. Clerk, shall we proceed with the agenda.

### TESTIMONY ON CEREMONIAL RESOLUTION

COUNTY CLERK: Yes, Mr. Chairman. No one has signed up to offer testimony on the ceremonial resolution. Shall we proceed?

CHAIR HOKAMA: Before we proceed, if there is anyone that wishes to give testimony on our ceremonial resolution for today, please make yourself known and we will be happy to provide you with an opportunity.

Seeing none, Members, with no objections, testimony for this portion of the agenda as posted shall be closed.

**MEMBERS VOICED NO OBJECTION.**

CHAIR HOKAMA: Thank you. So ordered.

Mr. Clerk.

The following ceremonial resolution was presented.

### CEREMONIAL RESOLUTION

RESOLUTION  
NO. 06-51

CONGRATULATING THE TOP MAUI COUNTY PERFORMERS AT  
THE STATEWIDE 2006 FORD/AAA STUDENT AUTO SKILLS CONTEST

CHAIR HOKAMA: Thank you.

Ms. Tavares.

COUNCILMEMBER TAVARES:

MR. CHAIR, I MOVE FOR THE ADOPTION OF THE RESOLUTION.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR HOKAMA: We have a motion by Ms. Tavares, seconded by Mr. Molina, to adopt the resolution. Ms. Tavares.

COUNCILMEMBER TAVARES: Yes. May we have the Clerk read the resolution in its entirety, please.

CHAIR HOKAMA: Thank you.

Mr. Clerk.

*(The resolution was read in its entirety.)*

CHAIR HOKAMA: Thank you.

Ms. Tavares.

COUNCILMEMBER TAVARES: Yes, thank you.

It, it is a pleasure to, I'm sure, represent the entire Council with this resolution. Unfortunately, just one of us introduces it, but we all do sign it and all do support what's happening here. And this is getting to be a regular. We might have to have reserved parking spaces for this, this team from, from Maui. The teams from Maui have always done well and continue to work well in the State, and we look forward to their success in the Nationals.

I think, though, you know, with Lahainaluna and Maui High School, you know, taking the top three positions, and this has been a regular occurrence, that, that they may not invite Maui County to the State tournaments in the future, so we are very, very proud of, of the work you've done; the commitment that you have to working on these vehicles. And we all realize, as drivers of vehicles, that it's no longer a simple kind a

thing where you can fix your own car. You need to have a lot of skills and, and now that everything's computerized and the technology has advanced so far, it becomes increasingly more difficult to--in this field.

So I'm very proud and happy to see a lot of students and, and performing at the level that you perform, able to adjust from pure mechanics to electrical mechanics and shine for Maui County. So I can't say enough about how pleased we are to honor you today with this resolution. And I hope--I know all the Members will support it. But best wishes for your success in the, in the Nationals, to the Maui High team.

Thank you.

CHAIR HOKAMA: Thank you.

Further discussion, Members, on the motion? Mr. Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Chairman.

I want to echo the sentiments of Member Tavares. And it's always a pleasure to recognize the efforts of Maui County students. And, today, you know, we get to recognize these youngsters for their efforts at the Auto Skills Contest.

And these young people possess a skill many of us don't have, and that is to fix a car. And as we know, cars today are so much sophisticated compared to the cars when we were growing up. And mechanics, they have to be much more well-rounded; and, and, and the demands that they face, a lot more rigorous testing than compared to mechanics having to go through that process as it is today.

So, you know, I'm really impressed with what these youngsters have been doing; and, and I wish all of them a lot of success in their futures, whether it be in the auto industry or whatever other fields.

And I'd like to also recognize their coaches and teachers. They put in a lot of time to help make these youngsters successful. One in particular, Mr. Ishii, I, I know it may be hard to believe, but I was actually a student of his long ago, and he's still looking young, you know. But although I, I didn't have a chance to be in his auto classes, I was in one of his math or, or, or study hall, or detention hall classes before; but, he was a, he was a good man, good man.

So, anyway, congratulations to all the coaches, teachers, and students.

Thank you, Chairman.

CHAIR HOKAMA: Thank you, Mr. Molina.

Members, further discussion on the motion? If not, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Ms. Tavares.

COUNCILMEMBER TAVARES: Yes. May we have the, the students and their coaches come down to the podium so that we may properly congratulate them.

CHAIR HOKAMA: Thank you.

If they would please come forward and join us on the chamber floor.

Ms. Tavares, if you would please.

COUNCILMEMBER TAVARES: Yes, thank you, Mr. Chair.

I would like to ask a spokesperson, perhaps from each of the teams or by schools, to come up and, and say a few words. And we'll notice that we have a young lady amongst this group here. And I, "Yeah, go. All right." You know, I took a little powder-puff class from, from Mr. Ishii. When I was a teacher at Maui High, I joined his little Saturday powder-puff class, and that was to teach, you know, dumb women like me how to, you know, do other than fill the gas and turn on the ignition on a car. And he was very patient and I learned a lot from him. And also he ran classes for seniors to help them to try to maintain their vehicles to cut cost in the long run.

So this whole program, and I'm sure Lahainaluna does similar things, is, is really to serve the community and not just the students. So they've gone beyond, you know, the call of their teaching duties; and the students certainly have gone beyond the call

of their student duties in preparing for these very vigorous contests. And also thank the parents for supporting their students, too, with their kids in this program.

At this time, I don't know who's going to come forward. We get--the championship team probably should go first. Yeah, so let's have Maui High School.

MR. NEILL NAKAMURA: Good morning. I just want to thank the Council for honoring the students and, and the instructors. This is a great honor for us and a, a learning experience for everybody. Thank you.

JOEY HOOPAI-SOUZA: We like thank you guys for supporting us and for this ceremony and stuff like that. Thank you.

MR. DENNIS ISHII: Council Chair Hokama, Members of the Council.

Thank you for reserving this whole place of us, yeah. I, I thought there was some other business was, was going to be attended to, but it looks like it's only us, eh. No, really, seriously, thank you for taking the time out to and recognizing the students for what they've done because we always hear this, right? There's always bad press that, that makes it out in the news. And when good things happen, a lot of times it's just kind of quietly done. But to do this for the kids, we, we really appreciate this.

And, Mr. Molina, Ms. Tavares, eh, brought back some memories of what we did at Maui High, yeah? But, well, we try. That's all we can do. We try to work with, with what we have and try to offer things. Again, number one, is for the kids; but, yeah, for the community because this is Maui and this is Maui County, and we're one big ohana. So, again, thank you.

KEVIN PAZ: I guess I'd like to thank everybody for putting their time and effort, and just celebrating with us, I guess. Thank you for Mr. Ishii and Nakamura for putting up with us and being there for practices and just putting their effort and time for us.

I wish good luck for Joey and Glen. Hopefully, they take--they do really good in the Nationals.

MR. DENNIS SASAI: I'd like to say thank you, too, to everybody. I'm a Maui transplant--actually from Oahu, and I've been up here for about nine years, and then I've, I've known the contest from when I was on Oahu also. And we all used to wonder how do these Maui teams always win. Well, we figured out how they always win. They're just good.

But I'm glad to be a part of it now. And then every year, our goal is that Maui County tries to take the top three--that's like our goal every year. It's a friendly competition, but we all pull for each other. So if we can't win, if somebody from Maui can win, that's always a good thing.

So I'd like to thank you guys for recognizing all the students from all the schools. Thanks.

ASHLEY MAY BADUA: Thank you for having us here. I'm short [adjusted microphone]. I just want to say girls can do it, too, because if I can, then all the girls can--and it's been fun.

Go, Maui High!

Thank you.

CHAIR HOKAMA: Okay, Members. There was a request for a short recess so that the, we can honor our recipients this morning with additional photo opportunities, so the Chair will be calling a recess till nine-thirty. Recess.

(The meeting was recessed by the Chair at 9:25 a.m., and was reconvened at 9:31 a.m., with all members present except Councilmember Johnson, excused.)

CHAIR HOKAMA: We shall reconvene the regular Council meeting of ninth of June, 2006. Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 06-51.

CHAIR HOKAMA: Thank you.

### PRESENTATION OF WRITTEN OR ORAL TESTIMONY

COUNTY CLERK: Proceeding with the agenda, Mr. Chairman, we have received no request from individuals who want, wish to offer testimony at today's meeting. Shall we proceed?

COUNTY CLERK: Before proceeding, Mr. Clerk. Members, since we have received no written testimony or any request for oral testimony, with no objections, testimony shall be closed for today's posted agenda's meeting.

**MEMBERS VOICED NO OBJECTION.**

CHAIR HOKAMA: Thank you. So ordered.

Mr. Clerk.

## MINUTES

The minutes of the following meetings were presented at this time:

1. Regular Council meeting of April 7, 2006; and
2. Regular Council meeting of April 21, 2006.

CHAIR HOKAMA: Thank you.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE THAT THE MINUTES OF THE REGULAR COUNCIL MEETING OF APRIL 7, 2006 AND THE REGULAR COUNCIL MEETING OF APRIL 21, 2006, BE APPROVED.

COUNCILMEMBER KANE:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Carroll, seconded by Mr. Kane, to adopt the minutes of the regular Council meeting of April 7 and 21 of 2006. Any discussion? Having none, Members, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO, MOLINA, PONTANILLA, TAVARES, VICE-CHAIR CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Mr. Clerk.



COUNTY CLERK: Mr. Chairman, there no committee reports to consider. Shall we proceed with communications?

CHAIR HOKAMA: Proceed.

The following County Communications were presented.

### COUNTY COMMUNICATIONS

NO. 06-161 - THOMAS PHILLIPS, CHIEF OF POLICE,  
(dated May 30, 2006)

Informing of the Police Department's intent to expend \$25,000 in Federal Forfeiture Funds for its Employee Development Program.

CHAIR HOKAMA: Thank you.

Mr. Kane.

COUNCILMEMBER KANE:

MR. CHAIR, MOVE TO FILE COUNTY COMMUNICATION NO. 06-161.

VICE-CHAIR CARROLL:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Kane, seconded by Mr. Carroll, to file County Communication 06-161. Mr. Kane.

COUNCILMEMBER KANE: Thank you, Mr. Chair.

Very briefly, a memo dated May 30, 2006, from our Chief of Police Thomas Phillips, noting to us that these funds were obtained through the Department's enforcement efforts and must be used only for law enforcement purposes and not to supplant the law enforcement resources of the local agency.

Thank you.

CHAIR HOKAMA: Thank you.

Members, further discussion? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Mr. Clerk.

NO. 06-162 - ALAN M. ARAKAWA, MAYOR,  
(dated May 24, 2006)

In accordance with Section 2.41.040, Maui County Code, informing of a vacancy on the Board of Water Supply, due to the resignation of Ralph Johansen received on May 22, 2006.

CHAIR HOKAMA: Thank you.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Mr. Chairman.

MOVE TO FILE COUNTY COMMUNICATION NO. 06-162.

COUNCILMEMBER KANE:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Molina, seconded by Mr. Kane, to file County Communication 06-162. Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Mr. Chairman.

This matter deals with the resignation of Ralph Johansen from the Board of Water Supply effective May 22, 2006. I would like to thank Mr. Johansen for serving our community in this capacity.

CHAIR HOKAMA: Thank you.

Further discussion? Mr. Kane.

COUNCILMEMBER KANE: Thank you, Mr. Chair.

I'll also note that Mr. Johansen made his comments public as to the reason he resigned, and I think this body, as well as the public, needs to be, or needs to take note of those comments and his displeasure with the situation with the Board. And I, and I hope that we can play a role in trying to make it a better situation than it currently is according to this particular individual.

And like Mr. Molina, I just want to thank Mr. Johansen for his efforts as a volunteer to come forward and serve this community.

Thank you.

CHAIR HOKAMA: Thank you.

Further discussion, Members? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Mr. Clerk.

NO. 06-163 - ALAN M. ARAKAWA, MAYOR,  
(dated June 1, 2006)

In accordance with Section 2.41.040, Maui County Code, informing of a vacancy on the Cost of Government Commission, due to the resignation of Steven Schultz received on May 31, 2006.

CHAIR HOKAMA: Thank you.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Chairman.

MOVE TO FILE COUNTY COMMUNICATION NO. 06-163.

COUNCILMEMBER KANE:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Molina, seconded by Mr. Kane, to file County Communication 06-163. Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Chairman.

The Mayor's office has informed us of the resignation of Steven Schultz from the Cost of Government Commission, effective May 19, 2006. I'd like to thank Mr. Schultz for his brief tenure on this Commission. Thank you.

CHAIR HOKAMA: Thank you.

Members, further discussion? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Mr. Clerk.

NO. 06-164 - G. RIKI HOKAMA, COUNCIL CHAIR,  
(dated June 2, 2006)

Recommending an adjustment to the Council meeting schedule for 2006, and requesting that the following motions be offered:

1. A motion to waive Committee referral and recommendation of this communication as provided for in Section 5(H) of the Rules of the Council;
2. A motion to reschedule the Friday, August 4, 2006 Council meeting to Monday, August 14, 2006; and
3. A motion to file this communication.

CHAIR HOKAMA: Thank you.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE TO WAIVE COMMITTEE REFERRAL AND  
RECOMMENDATION OF COMMUNICATION 06-164.

COUNCILMEMBER KANE:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Carroll, seconded by Mr. Kane, to waive Committee referral and recommendation of Council--County Communication, excuse me, Members, 06-164. Mr. Carroll.

VICE-CHAIR CARROLL: This is so we can address the motion to reschedule our August meeting.

CHAIR HOKAMA: Thank you.

Members, further discussion? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, JOHNSON,  
KANE, MATEO, MOLINA, PONTANILLA,  
TAVARES, VICE-CHAIR CARROLL, AND CHAIR  
HOKAMA.

CHAIR HOKAMA: Opposed, say "no."

NOES: NONE.

CHAIR HOKAMA: Motion is carried.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE TO RESCHEDULE THE FRIDAY, AUGUST 4, 2006  
COUNCIL MEETING TO MONDAY, AUGUST 14, 2006, AND  
TO FILE THE COMMUNICATION.

COUNCILMEMBER KANE:

SECOND.

CHAIR HOKAMA: Thank you. We have a motion by Mr. Carroll, seconded by Mr. Kane, to reschedule the Friday, August 4, 2006 Council meeting to Monday, August 14, 2006, and filing of the communication. Discussion? Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

The August 4 meeting is being rescheduled to accommodate the attendance of the Members in conjunction with the 2006 NACo Conference scheduled for August 4 through 8, 2006, in Chicago. As a reminder, the Council meeting that would have been held on August 18 has been rescheduled to August 22 in light of the Admission Day holiday.

CHAIR HOKAMA: Thank you.

Members, further discussion? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried. Thank you.

Mr. Clerk.

NO. 06-165 - LLOYD Y. GINOZA, BUDGET DIRECTOR,  
(dated June 1, 2006)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2006 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS", and copies of correspondence relating to the status of the Animal Control Training.

The County Clerk stated that the recommended action is that County Communication No. 06-165 be referred to the Budget and Finance Committee.

***(THE PROPOSED BILL ATTACHED TO COUNTY COMMUNICATION NO. 06-165 WAS PASSED ON FIRST READING AND ORDERED TO PRINT LATER IN THE MEETING, AND ASSIGNED BILL NO. 38 (2006). COUNTY COMMUNICATION NO. 06-165 WAS THEN FILED. See pages 16 through 20 for discussion.)***

NO. 06-166 - MICHELLE ANDERSON, COUNCILMEMBER,  
(dated May 19, 2006)

Transmitting a PowerPoint presentation entitled "Working Together to Conserve Precious Water Through Innovation".

The County Clerk stated that the recommended action is that County Communication No. 06-166 be referred to the Water Resources Committee.

NO. 06-167 - GEORGE Y. TENGAN, DIRECTOR OF WATER SUPPLY,  
(dated May 19, 2006)

Transmitting reports of water us submitted by East Maui Irrigation Company, Limited.

The County Clerk stated that the recommended action is that County Communication No. 06-167 be referred to the Water Resources Committee.

CHAIR HOKAMA: Thank you.

Members, you have the Chair's recommendation of referral to the various standing committees on the left-hand margin of your agenda for today. Are there any considerations? Mr. Kane.

DISCUSSION AND ACTION RELATING TO  
COUNTY COMMUNICATION NO. 06-165

COUNCILMEMBER KANE: Thank you, Mr. Chairman.

I'LL ASK THE MEMBERS TO REFERENCE A MEMO DATED JUNE 7, 2006, FROM YOUR BUDGET AND FINANCE COMMITTEE CHAIR TO THE MEMBERS OF THIS COUNCIL, AND WOULD REQUEST AT THIS TIME A MOTION TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND RECOMMENDATION OF THIS COMMUNICATION.

VICE-CHAIR CARROLL:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Kane, seconded by Mr. Carroll, to waive the requirement of committee referral and recommendation related to County Communication 06-165. Mr. Kane.

COUNCILMEMBER KANE: Thank you, Mr. Chair.

An approval of this motion by a two-thirds vote will enable this body to consider the proposed bill as stated by the Clerk in his earlier comments.



CHAIR HOKAMA: Thank you.

Further discussion, Members? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Mr. Kane.

COUNCILMEMBER KANE: Thank you, Mr. Chair.

I MOVE TO ADOPT OR--ADOPT THE PROPOSED BILL  
TRANSMITTED BY THIS COUNTY COMMUNICATION  
NO.06-165, AS WELL AS FILING OF SAID  
COMMUNICATION.

VICE-CHAIR CARROLL:

SECOND.

CHAIR HOKAMA: We have a motion by Mr. Kane, seconded by Mr. Carroll.

COUNCILMEMBER KANE: Forgive me, Mr. Chair. May I make an adjustment on that request of the motion?

CHAIR HOKAMA: The Chair is happy to recognize you, Mr. Kane.

COUNCILMEMBER KANE: Yeah, my apologies, Members.

INCLUDED IN THAT MOTION, I'D LIKE TO INCORPORATE THE MATTER RELATING TO ANIMAL CONTROL OFFICER TRAINING AND RELATED CORRESPONDENCE DATED JANUARY 30, 2006 FROM JOCELYN BOUCHARD, EXECUTIVE DIRECTOR OF THE MAUI HUMANE SOCIETY, TO MEL DADEZ, ADMINISTRATIVE ASSISTANT, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, TO BE REFERRED TO THE APPROPRIATE COMMITTEE FOR FURTHER DISCUSSION.

AND THAT INCORPORATED TO THE MOTION TO ADOPT THE PROS--PROPOSED BILL ATTACHED TO THIS COMMUNICATION TO PASS ON FIRST READING AND ORDER TO PRINT, AS WELL AS THE FILING.

CHAIR HOKAMA: Okay. Thank you.

With no objections, the Chair will recognize the motion as restated by Mr. Kane, Members, and seconded by Mr. Carroll.

There are three things that the motion is requesting your consideration: first, passage of a bill for an ordinance on first reading and being ordered to print; second, that the matter relating to the Animal Control Officer training and related correspondence be referred to the de--to the committee, standing, appropriate standing committee, which will be Mr. Mateo's Committee; and, third, Members, the filing of the communication.

Further discussion? Mr. Kane.

COUNCILMEMBER KANE: Thank you very much, Mr. Chair, and I apologize for some brief confusion there.

The purpose of the proposed bill, Members and Mr. Chair, is to delete Section 3.B.5.d(4) of Fiscal Year '06 Budget, which currently reads as follows:

*Provided, that each Animal Control Officer successfully completes a minimum of 125 hours of training equivalent to training required for Police recruits. This training shall include, but is not limited to, training in the areas of ethics and professionalism, constitutional law, search and seizure, cultural awareness, criminal law, civil rights and liabilities, report writing, and verbal judo.*

An--

*An initial status report regarding Certification of Training shall be provided to the Council by July 15, 2005.*

And--

*Quarterly status reports regarding Certification of Training shall be provided to the Council no later than 30 days after the end of each quarter.*

Members and Chair, excuse me. Chair and Members, this proviso was included in the Fiscal Year '06 Budget in response to the Maui Humane Society's request for better training to assist Animal Control Officers (as we know as ACOs) in dealing with extremely volatile situation, situations with animal owners.

We have been notified, however, that according to correspondence dated from Ms. Bouchard, the ED, or Executive Director, of Maui Humane Society, to Mel Dadez, Administrative Assistant, Department of Housing and Human Concerns, the Maui Humane Society is in full support of providing the training for its ACOs, but will not be able to comply with the proviso because of a lack of training classes available to them.

The Maui Humane Society has submitted an Animal Control Training status report as of January 31, '06, which documents the agency's good-faith efforts to comply with the proviso.

And, so, therefore, the component of this motion on the floor to have this item referred to the Human Ser--Housing and Human Services Committee will allow us to continue the discussion in this area to make sure that we receive adequate compliance to this request.

With that, I ask for the Members' support.

CHAIR HOKAMA: Thank you.

Members, further discussion on the motion before you? Having none, all in favor of the motion please say "aye."

AYES: COUNCILMEMBERS ANDERSON, KANE, MATEO,  
MOLINA, PONTANILLA, TAVARES, VICE-CHAIR  
CARROLL, AND CHAIR HOKAMA.

CHAIR HOKAMA: Opposed say "no."

NOES: NONE.

EXCUSED: COUNCILMEMBER JOHNSON.

CHAIR HOKAMA: Motion is carried.

Thank you, Mr. Kane.

Mr. Clerk.

COUNTY CLERK: For the record, BILL NO. 38.

CHAIR HOKAMA: Thank you.

Mr. Clerk.

COUNTY CLERK: Mr. Chairman, we have, we have no further business scheduled for today.

CHAIR HOKAMA: Thank you.


Members, with no further business to be conducted by the Council, we shall move to "Announcements." And who would like to start today? Mr. Pontanilla.

## ANNOUNCEMENTS

Members of the Council offered various announcements.

## ADJOURNMENT

There being no further business before the Council, the regular meeting of June 9, 2006, was adjourned by the Chair at 9:53 a.m.

  
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ROY T. HIRAGA, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII