

POLICY COMMITTEE

Council of the County of Maui

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Meeting Agenda

Wednesday, August 1, 2012

9:00 a.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

OFFICE OF THE
COUNTY CLERK

website: <http://www.mauicounty.gov/committees/POL>

VOTING MEMBERS

G. Riki Hokama, Chair

Robert Carroll, Vice-Chair

Gladys C. Baisa

Elle Cochran

Donald G. Couch, Jr.

Danny A. Mateo

Joseph Pontanilla

Michael P. Victorino

Mike White

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Carla Nakata or Tammy Frias) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. Each testifier shall be allowed to speak for three minutes on each item. If additional time is requested, the testifier shall be allowed one minute to conclude the testimony on the item. These time limits may be modified pursuant to the Rules of the Council, provided a modification would apply equally to all testifiers and all items. No further oral testimony by the testifier on the item shall be permitted. An individual's request to testify shall be deemed withdrawn if the individual does not answer when called to testify. To ensure its distribution prior to the meeting, written testimony must be received in the Office of Council Services at least 24 hours prior to the meeting; provided, that if a meeting will be held on a Monday, written testimony shall be received by 12:00 noon on the business day preceding the meeting. If written testimony is submitted at the meeting, 16 copies are requested to ensure distribution at the meeting.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.

POL-2(40)

NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (COST OF GOVERNMENT COMMISSION)

DESCRIPTION:

The Committee is in receipt of correspondence dated July 12, 2012 (received July 12, 2012), from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE COST OF GOVERNMENT COMMISSION", along with a completed application form for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Rick Tanner to the Cost of Government Commission, for a term expiring on March 31, 2013, to fill an existing vacancy due to the resignation of Walter Baloaloa.

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STATUS: The Council must approve or disapprove the nomination by September 10, 2012, or the nomination will be deemed approved. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

POL-52 KAPAAKEA CEMETERY AND HOOLEHUA VETERANS CEMETERY (MOLOKAI)

DESCRIPTION: The Committee is in receipt of County Communication 12-121, from the Director of Public Works, relating to the status of acquiring additional land for the Kapaakea Cemetery and additional niches at the Hoolehua Veterans Cemetery, Molokai, and transmitting related documents.

STATUS: The Committee may discuss policy issues relating to acquisition of additional land for the Kapaakea Cemetery and additional niches at the Hoolehua Veterans Cemetery. The Committee may also consider the filing of County Communication 12-121.

POL-1(26) LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: IN THE MATTER OF THE COUNTY OF MAUI; U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 9, DOCKET R9-07-05; CENTRAL MAUI LANDFILL)

DESCRIPTION: The Committee is in receipt of correspondence dated July 17, 2012, from the Department of the Corporation Counsel, requesting consideration of a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGARDING THE CENTRAL MAUI LANDFILL", and attaching the proposed Consent Decree as Exhibit "B". The U.S. Environmental Protection Agency ("EPA") alleges that the County violated the Clean Air Act by failing to timely construct and operate a gas collection and control system, failing to operate interior landfill gas wellheads in the system with specified gas temperatures, and causing certain emissions to occur from the Central Maui Landfill, resulting in the issuance of a notice of violation on June 5, 2007. The purpose of the proposed bill is to authorize settlement of the matter under the terms set forth in the proposed Consent Decree.

STATUS: The Committee may consider whether to recommend passage of the proposed bill on first reading, with or without revisions. The Committee may also consider other related action.

NOTE: With reference to this agenda item, one or more executive meetings are anticipated pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.