

**MOLOKAI PLANNING COMMISSION  
REGULAR MEETING  
OCTOBER 27, 2004**

**A. CALL TO ORDER**

The regular meeting of the Molokai Planning Commission (Commission) was called to order by Vice-Chair DeGray Vanderbilt at 1:10 p.m., Wednesday, October 27, 2004, Mitchell Pauole Center, Kaunakakai, Molokai, Hawaii.

A quorum of the Commission was present. (See Record of Attendance.)

Mr. DeGray Vanderbilt: Hello everybody. Hello everybody. I'd like to call the meeting of the Molokai Planning Commission meeting to order. Okay, our Chairman Lori Buchanan was not able to make it today and so she asked if I would chair the meeting, and I wanted to ask, before we get started, how long of a presentation is this powerpoint?

Mr. Greg Jenkins: Twenty minutes to about a half an hour total and questions.

Mr. Vanderbilt: Kathy, is that okay with you? Twenty minutes will meet your time schedule? Yeah, cause we had some people that had taken off work to give testimony on some other items so, anyway. Okay, without further adieu, the first item on the agenda is a Communication item from Fire Chief Carl Kaupololo and they're requesting early consultation comments from the Molokai Planning Commission on the planned proposal to locate a new fire station to the east of Alanui Ka Imi Ike, which is just on the road by the college up near Ranch Camp and, without further adieu, I'd ask that the Fire Department give us its powerpoint presentation. But before the presentation starts, I'd like to ask -- I'd like to ask our Deputy Planning Director, the items says, "requesting early consultation comments from the Molokai Planning Commission," what exactly are you anticipating from us as a result of this presentation today?

Mr. Wayne Boteilho: Okay, thank you, Mr. Vice-Chair. Wayne Boteilho, Deputy Planning Director. The purpose of this meeting today, and it's something that I'm really happy about because, as I had indicated earlier, you know, I'd really like to see the Planning Commissions do more planning instead of just every time having to vote on applications, and here we have a case where we have an applicant that wanted to come to you early, and they wanted to come to you early because they wanted to hear your comments early and your questions so that they can go back, and when they're doing their actual planning, they can take your comments and questions into -- into account, so that's the purpose of today's meeting. Basically, just an overview of the project and comments and questions from the Planning Commission for the purpose of future planning by the Department of Fire and Public Safety.

Mr. Vanderbilt: Thank you, Wayne. Okay.

Mr. Boteilho: Okay, Mr. Chair, if I may, I'd like to introduce Mr. Carl Kaupololo, Fire Chief, and his Deputy, Neal Bal, and all of his staff, and I'll turn it over to them.

Mr. Vanderbilt: Thank you.

## **B. COMMUNICATIONS**

- 1. MR. CARL KAUPALOLO, Fire Chief, DEPARTMENT OF FIRE AND PUBLIC SAFETY requesting early consultation comments from the Molokai Planning Commission on the planned proposal to locate a new Kaunakakai Fire Station to the east of Alanui Ka Imi Ike, Kaunakakai, Island of Molokai. (R. Loudermilk)**

Mr. Carl Kaupalolo: Thank you very much, Wayne, and aloha, good afternoon, Chair Vanderbilt and members of the Commission, also our firefighters, and the general public out there this afternoon. We thank you for coming. I'd just like reiterate what the Deputy Director mentioned, from Planning, that we are here and we are thankful that you have allowed us to do this pre-consultation meeting. We think this is important for us cause it allows us to have some information from you whether or not we are right on with the ...(inaudible)... we need to do, or we're not there; we're too far, left or right, and so I think would help us put us, you know, back on track if we're not. This afternoon, without taking too much time, I'd like to just introduce the staff that's going to be presenting the powerpoint to you: Deputy Chief Neal Bal, and also our liaison for the Molokai, Kaunakakai Fire State Project Firefighter Greg Jenkins. So at this time, if I could have them go ahead and -- we'd like to -- we kind of were thinking we're going to do it this way but we've got so many people, the easiest way probably just leave it where it is and we'll begin the powerpoint from there. The powerpoint presentation is, you know, going to share with you the process that we have started and some of things that we've gone through and share with you also site locations and the justifications as to why these sites were chosen. So, at this time, if I can, I'd like to try to go over to the Deputy Chief and also to Firefighter Greg Jenkins. Are you guys ready?

Mr. Vanderbilt: Do all of you have a handout of the powerpoint? Okay. Are there any extra copies of the powerpoint presentation for other members of the public should they want?

Mr. Neal Bal: Yes, there is; they're right here.

Mr. Vanderbilt: So if there's anybody from the public that would like a copy of the powerpoint presentation, you can get it right -- right up here at this table in front of me.

Mr. Bal: Okay, I guess the first question is why move? And the justification is, as many of you know, in the community, the last few rains in the past couple years have put as much as 18 inches in your bedrooms, crawling up your beds, and all this has to do is get up a little bit higher to get into the electrical sockets and short everything out and ...(inaudible)... I don't know if that may have happened, but the problem is the safety and health, delayed response, of course, trying to run through water getting to your equipment. The size. The community is growing. The equipment that we see that need to be here to fight the type of brush fires that you have is outgrowing what we need here. New trucks are coming in, different types, the first one in the State, of course, is the one we call "the beast" over here, six-wheel, all-wheel drive, military, first in the State; its been showing its worth. The response route; safety and efficiency; the helipad; police station expansion provided we move out, they've expressed interest that they -- they want to move in there.

Let me just give you a short overview of what we envision anyway. We want a station that will look at our needs for the next 50 years, 20 to 50, and I'm sure Molokai, eventually, will grow, but we'd like to think we're ahead of the game to be able to house the new equipment that is coming in. As you saw from the last picture, there's been the equipment that's sitting out, so we want a station large enough to support all of these and provide resources. Along with a new design that we bring in, that'll also include training at the station. Things like swift water training, confined space ...(inaudible)... all these types of basic needs where you usually have to go somewhere else can be designed into this new station. We plan to make it a parking site including a EOC, Emergency Operating Center, have a large enough diesel generator that'll go support us for approximately a week if there is a disaster like Iniki that hit Kauai. There's several features that we plan to look forward with that will look -- we're just trying to be proactive and look ahead and I think these new features, hopefully, a disaster shelter, if you ever need to house 200 people real quick in the middle of a storm. Like I said, we plan to make this a parking site.

Mr. Jenkins: ...(inaudible)... on October 13 to reaffirm the commitment of the local firefighters for this project. It's nothing worse then to have Maui come over and wanna build a station that the firefighters don't see the need and use of, and so the administration's been working directly with the local firefighters to come up with the station functions and designs and reconfirm some of those items in a meeting last week, and so that will be ongoing to the project, their involvement, so that's really important.

One of the most important parts of the station has to do with budgetary items. Molokai getting funding for a station of this sort, the station would probably have the largest apparatus bay of any of the stations in the County so -- and also some very specialized functions that other stations in the County don't have, and in our past budget history for our

department, the Chiefs have had to be very creative for funding on Molokai, we've gone after CIP funding as well as CDBG grants that are leveraged against our County monies to give us more bang for our buck and give us more equipment that otherwise wouldn't be funded for our island. So the idea here was to create a station that was based on function, not necessarily just a aesthetic view point, so it's anchored around a bay that's 80 feet by 80 feet, it would handle four trucks wide, two trucks deep; it would handle any future expansion and we do have six pieces of fire equipment at this current station alone with the new addition of a utility truck coming soon, so they'll only leave space for either a ladder truck someday or two more pieces of equipment that could be expanded. Crew quarters, self explanatory, but with the expansion capabilities of one more. The idea of a roof with four walls and only specific areas built out with the limited monies available would be the idea. And then captain's quarters, of course, office space for the company commanders and other key aspects you'll learn about the site, I mean the station's functions.

It's also important that we sold these ideas to County Council and to the Molokai EC, which we'll talk about our partnership with them in the Master Land Use Plan with the Ranch and their input here, and this is important because we need to stick with these generalized goals. Again, as Chief said, hardened civil defense site and EOC. We will try to make it available for tsunami and hurricane evacuations as a site that people can seek refuge to or where they could use the existing extension road as an access, which we'll discuss that extension and your Planning Commission's involvement with that later. Dispatch center, either alternate or a main one for the Police as well as the dispatch center for our emergency operation center. Fire and community, fire and public safety training classroom site. We have no place to conduct training for our firefighters or emergency personnel on the island, a designated classroom, and the college has been very helpful to provide us those sites, they've given us access, but sometimes it impacts with their college schedule so having these opportunities, we can open it up to the community and other emergency services. Landing zone, Chief talked about that, you know the reason to have aircraft come to the island and it would be for emergency purposes, not daily flights into the station; it'll be for emergency purposes only, such as brush fires, it would be able to handle a large bird including the air ambulance, etcetera, and it would, hopefully, avoid using the ballpark on a crowded day to land that bird, there would be a designated place with pretty decent access to the hospital, amongst other things.

When we went to Council, it was asked of us what would happen to the existing station. Right now, Police is the ones that would benefit first. They have interest in taking over the entire building. This was brought up by several Council people of what we were going to do as well as the Molokai EC. The Police does have scheduled in the CIP budget, I believe, around 2008 for monies potential for a new station so we don't know how long it'll be before they move to a site. They were interested in more of a central site at one time according the Police administration, and the Chief can elaborate more on that, but we

haven't ruled them out by any means. And if Police ever vacated, it could go to the general County offices or purposes; Parks and Rec expressed interest.

Site location above the old slaughter house. This is a site that was chosen, and we'll elaborate more on some of the specifics of it in a minutes. It's out of the flood area, which meets the goal of why we needed to relocate. Maintains our district boundaries; they're very, very important. We will be, as you'll see later when we go into community plan zoning for this site, we'll be asking for an amendment to the community plan for a small portion that was designated open space. And I know anytime we approach your Commission and talk about community plan amendments, we better have a good reason why we're requesting a change, and so maintaining our district boundaries is paramount; that affect assurances, which based on five miles from the fire station or a thousand feet from a hydrant, and we have spheres that we can cover. There's an overlapping boundary from Ho'olehua to town as well as the Kaunakakai Stream becomes a disaster buffer where Ho'olehua's engine company can respond down and Kaunakakai Stream would block, so there's a need to keep the station on this side of the stream as well as not compromise the existing boundaries; in fact, we'll be giving people to the east side about maybe a quarter-mile benefit of increased protection boundaries.

Improves the safety of response. We did respond next to a school. We'll still be responding next to a school; it'll just be a different level of education, but the issue is as you can see with little league and everything else in this park and the condensed space and the use of this area, it's not very safe for our response and they count as delays to the community. Large enough site to accommodate design and functions. We talked a little bit about that already.

And here's some more justifications of location. We talked about these. So the area of the site is based on how it would be designed and we hope we would provide some refuge areas for the community so they didn't have to go all the way above Ranch Camp, whenever we could, as long as it didn't interfere with the community safety, with the response of the emergency vehicles, whatever we can provide, and I know that wasn't the intent of the original extension, which we'll talk about other roads years ago.

This is specific information of the site and you have a copy of this, I won't bore you with all the details, but it goes to show that we did contact the Planning Department very early and we tried to look at multiple sites, this isn't the only one we looked at, but of all of them and responding through a subdivision as it would have been if we were at the top Ranch Camp to renovating the hospital access areas, this site, with all the issues of our districts, provided the least negative impacts and then this is just the specific information. We'll come back to a lot of that.

Okay, the community plan, we also studied it, and this was a long time ago, before we even approached Council. Oftentimes when the County conducts projects, we all know the, I don't want to go into -- we all know the story, we tend to, one, railroad project from time to time, or not pay attention to something that he thinks the community agrees with, and a lot of people who were part of that community plan, including one of our captains here today as well as some of you and others on the original CAC, and so we want to honor that. This particular project, the Kaunakakai Station was never really addressed in the community plan as we researched it. The only thing that was addressed was the issue of the open space above or near the pu`u and the issue at that corner of town with regards to the college and the road extension, etcetera, which affects our proposal, but we did study it as best we could and we're still trying to -- trying to honor it with the exception of the change that we'll be requesting.

One of the key points here is that we really tried to look at any cultural or environmental or special reason that that area, the pu`u, was designated open space, and we couldn't really find anything. In fact, in some of the maps, the line tends to shift and so I'm sure in our environmental assessment archeological survey we know there's some issues around there and there's a condition that we'll talk about later that we'll address in our archeological survey to make sure that we limit the impact aesthetically of what the building could be as well as what we do to the site.

I think both Chief and I should talk about this one a little bit. This is a crazy process, as you can see, and all these are pretty much in a specific order, but I'd like to let the Chief talk about how this initiative came about and then we'll look at how we proceeded through our County Government process cause it's -- it's led us to this point now and we'll explain more in a few more slides why this is such a time line issue right now.

Mr. Bal: Thank you, Greg. As you can see, we haven't been sitting around, we're taking this very seriously and would like to see this move along, and the original plans came out -- out of this community telling us what their needs are so we responded to that. We talked to the Mayor; he was behind us a hundred percent on that. The Council, because they gave the money into the budget, proceeded to approve the plan also. And Molokai Ranch, working with the EC Master Land -- and those people with -- provided us the conditions and the okay to go ahead and start working on this. The Planning Department sat down with them early and they gave us some heads up on what we should be working towards and they're still working with us today, as you can see. Corporation Counsel is working on several different funds on the purchase of and getting the agreement to -- to the Ranch as soon as possible, and that should -- because of the way it's going to be written up, it's taking some time. The firefighters, we held a informational meeting with them and I guess one of the questions that we asked them was, "Would you like a new station?" And there was a resounding hundred percent yes on that. They were wondering why we were asking instead of we just shoving it down their throat, so we said, "Well, because we want you to

have an input on how to design and what you would like to see in a station as oppose to what we would give you,” and so that meeting was actually in this building, in the back room there, pretty productive too. And then getting into the community and, basically, telling and getting any information ahead of time so that we don't really shock the community when we apply for an application. We'd like to have some early sounding voices to what are their concerns before we start spending a lot of money and I think that's quite a concept, I think. Greg, I think I'll let you run down some of the trades.

Mr. Jenkins: As far as trades go, that will be more specific to our EA process when we go up for construction bids. We'll need to work with those providers and try to, as much as possible, use our local trade providers. Of course we'll need to get a consultant to conduct our EA, we're working with the Planning Department with that, and we have past EA's our department has participated in for other stations, and we've also looked at other environmental assessments in the general area specific to the road, and have guided us in some of the direction of how we're proceeding with this project. Grant providers, later on we'll talk about -- a little bit about budget, but the budget side of this is a real interesting factor and it -- we have to coordinate the County fiscal year with the Federal fiscal year. We're trying to go for County budgetary monies versus grants, and linking those types of years together and the performance periods required is almost a nightmare, but we found a little window of opportunity and that's why we're here before you today is that if we play our cards right and we, you know, with all of us put together, including the Commission, we're able to move this forward. We have a chance to access a lot of monies out there from the Feds that would make this station far more beneficial to the community than just off County monies alone and it's really important. As you know, CDBG, the Community Development Block Grant program, that's what you'll see as we're able to purchase some of our trucks, we can also use that to facilitate the building of the station. The USDA has first respondent grant monies that are available to us for parts of the functions of the station, such as the dispatch center and training classrooms, as well as doing some office space that supports training. And then you have the EC designation of our community, which is very important, and the EC is very important, in fact, we only have so many years left in that designation and we plan on reaching out to them and, hopefully, making this one of their key funding projects and trying to capitalize that money, which a lot of that is in partnership with USDA. Of course, you guys, the Planning Commission and the EA process and this preliminary consultation.

What are our goals in this thing? We had the opportunity to listen to somebody that suggested I look at some of the Planning Commission meeting minutes with regards to the extension road and the college, and it was a real eye opener to really see the issues that surround these projects and learn a little bit more about past input and even a little bit history on that -- the road which we'll address in a little while. But, from that, in the testimony, I tried to take pieces out of what the community's main interest points were that the government was not doing when they tried to push that road through and these are the

things that came out, and Colette's not here today but I used a bunch of her stuff, she's quite on it when it comes to issues, so these are the goals we came up with. Involve specific stakeholders and community, education and awareness of the project. We want to make sure they get enough information. Providing as much of that as possible. Soliciting both pro and con input. Balancing that input with the issue of public safety for the community. Making objective informed decisions, not just because we think that was the right thing to do. Learn and reinforce the right way of proceeding and managing this type of project. That's a new concept for our County. Now Chief's buying into that a hundred percent and we're really trying to do the best we can to go through the process correctly. And then complete the project planning process within the sensitive time line that we have because of budget issues.

Specific stakeholders. This is one of the six conditions that the EC and the Land Use Committee has put on this project, which we'll talk about a little bit more, are you a real stakeholder ...(inaudible)... it was important that we address this because we have to involve specific groups and we all have to honor this commitment to them that are directly involved with the general area around this project: Ke Aupuni Lokahi EC; DHHL, they are -- would be a our property neighbors to the east; MCC; you guys, the Planning Commission; the Kapa`akea Homesteaders; Ranch Camp residents; MEO, and, of course, Molokai Firefighters, and then the community at large, but this is specific.

Okay, I asked a question for you guys: If time and funding is so important, why are you only bringing this to the Molokai Planning Commission now? What is the rush, and why a preliminary consultation before the purchase agreement or starting your EA? Well, if we go ahead and start an EA and then we come back to you and you guys have a bunch of questions that we never asked, as well as a little community input, we might have done a better job on our EA before we came back and presented it you, which saves time, and it may be -- I don't know how often that happens with your Commission, how often people want to do that, but we thought it would be a good idea to save money and time, which is, of course, all of our money because it's tax dollars, right?

Part of our planning process had to do with the EC and, as you know, Molokai Ranch is going through a Master Land Use Plan, and Harold's here today so that he can throw something at me if I say anything wrong, part of that was a voluntary commitment by the Land Use Committee not to sell anymore lands in the Kaunakakai area until the Master Land Use Plan was completed and the land trust for Molokai would be finalized and it was pending that project, but, thankfully, we wanted to participate in that process before we came to you because that was the first public process we had to get through especially the fact that it was Molokai Ranch owned lands and they had a plan for it and respect that community group. So we went to them first and we couldn't come to you because if we came to you first and then we went to the community, we were, basically, strong-arming their process, which we disagreed with. So we asked them very nicely and politely to see



if they could vote us out of that process and make an exemption due to our funding time line and, thankfully, they did and gave us six conditions, which I have coming up, and it allows us to come and meet with you today, enter into our purchase agreement which we're working on, and also deal with other project issues.

These are the six conditions that we have agreed to with the Land Use Committee of EC that are paraphrased. Approximately five acres, we didn't know what the site would provide, so we wanted to leave some latitude there, and I'll let, when I finish this list, I'll let Chief come back cause he's talked with Corp. Counsel specifically on that and he can elaborate if there's any issues there. We're trying to stay as mauka as possible above the slaughter house to allow for college expansion. It's in escrow account pending the Molokai Community Land Trust, that way if the lands go into the community and the proceeds from the sale, which it was designated to be in that trust, would go that group, not necessarily to Molokai Properties, and that's agreed on by them. Mitigate drainage and flooding impacts, which will come up in some other slides. No portion of the site may be used as a public works base yard. We face criticism when we go to Council for budget. Multiple uses of facilities. Save the taxpayers money on infrastructure, utilities that we can run into the site. You can see our complex here and these multiple agencies and so we get a lot questions about that. One of the ones that, aside from the Police, that they had some specific -- made some decisions on where they might want to be with Public Works and we didn't get support from the Land Use Committee on that for the reason that it wasn't zoned appropriately, a base yard in that area of town might not be a popular thing, and so they requested that it conformed with the community plan but where you guys initially designated it to go. And then that would leave pursuing input on the design of the station, landscaping, and then it was requested by one member of the Land Use Committee to do an archeological assessment to include the entire pu'u, and we know some of those have been done and that was something that we felt we needed to honor cause we wouldn't impact the entire area.

Mr. Bal: We did come up with a plan for this -- on this purchasing and that had to do with because we weren't sure of the use or what we -- what part of that five acres we would use to put this station on or anything else we wanted to build out. We needed to get an agreement from the Ranch to let us in there, look over the situation through our consultant and if they did the archeological and the designing, that -- the land, as the land lays -- lays is what will probably drive the design and so that's one of the sticking points of getting this agreement to -- from Corp. Counsel to the Ranch, and we're going to just try to include language to facilitate that entry. These are views, of course, at approximately the proposed site, that's the bypass road and, again, the makai view.

Mr. Jenkins: As Chief said, this is a view looking from the extension road heading mauka and this is from the intersection of Kakalahale and Kalohi Road or the extension road looking makai, and the general site proposed is in this area here where this tree line is as

well as the tree line at the right of the vehicle there above the old slaughter house. Mauka view kinda looking down upon the site towards the road and this tree line here is kind of a terraced area where the station complex would be and we're quite a distance above the slaughter house, if you were to look where we were, we're trying to stay, again, as mauka as possible to allow for that college expansion if that is -- when that might be done.

Issues. This goes into some of our research of the community plan as well as previous Planning Commission meeting minutes on the extension road. As you can see, this is a picture of the intersection going to Kapaakea Loop, this is the most western side, and then you can see the old slaughter house road, and we'd made sure all of you guys know that, the history between the two pictures. We're working with the task force groups of the Watershed Base Plan for the South Shore of Molokai and the USDA-NRCS is the lead in that, its main task force for many issues and primarily deals with the issue of runoff and sedimentation, which is killing the reefs, as well as many other issues affecting the watershed area, and I'm not an expert on it, I'm just one part of it, and our Fire Department's participating specifically from the wildfire prevention task force and mitigation task force to help limit the impacts of fire in these areas, but flooding is the issue so we consulted Debbie Kelly and we tried to talk to her and learn a little bit more about the flooding issues and how we would be proceeding because if we just turned this over to an engineer, sometimes they might guide us. We want to really make sure that we understand what we're dealing with because we're public safety and increase funding, we're talking property damage, that's against our mission statement, so that's not good. We were told that the plan addresses the flooding issues in the Ahupua`a of Kamiloloa, which is the watershed that affects the Kapaakea area and, again, Kamiloloa Watershed is over at the Kapaakea coastal area. We have some maps we can show you later that'll -- that can show the actual drainage that comes down from that watershed and how it impacts the area.

The proposed site of the project is Zoned C and based on what we can look at in the preliminary map, we're down from the ridge on the opposite side of where the drainage area or the water would runoff to affect the Kapaakea area so, as far as we can see now, we're not going to count our chickens before they hatch, but it looks like that we're not going to impact that existing flooding condition in that area nor would we be impacting Ranch Camp, but we would be impacting the road, and we would potentially impact the -- the basins that are used for Ranch Camp, so we want to address all those issues and make sure that we follow this point, which was given to us by Debbie, thankfully, follow our own Public Works and Waste Management Chapter 4, the Rules for Design of Storm Drainage Facilities in the County of Maui, so we adhere to the same practices that we create.

And these are our four basic plans, I know you hear a lot of the people talking of mitigating flood issues, and this is a big issue for this area so we wanted to make sure we shared with

you that we're taking it seriously: Engineer will calculate, you know how it goes, cubic feet per second of water runoff versus vegetative versus hard surfaces; what's allowable and that we don't exceed it for what's allowed for the site currently; commingle landscaping with hard surfaces to decrease the runoff and we're all about fire wise and fire resistant type of vegetation around structures to limit wildfire risk, so we want to showcase this site with a really good landscaping plan that would utilize indigenous drought tolerant fire resistive landscaping; on property detention basin is the worse case scenario, and then we'd want to still, whether we're responsible for a particular flooding area or not, we would want to get the ...(inaudible)... as a partner to help with the flood issues, and especially Kapaakea, and be a facilitator of that because we're going to be utilizing that intersection, we're going to be neighbors with that area of the communities, we want to be part of that fix. We have no idea where that's at, by the way. This is a picture of a drainage basin that serves, if I'm not mistaken, the Ranch Camp Subdivision. It's right above MEO and to the west side of the extension road as you're driving down.

Okay, another issue, the Alanui Ka Imi Ike Extension Road. We know there's a little controversy behind it and we're -- we're just happy that we have an emergency access road. I know you guys spent a lot time addressing this issue and there's a lot of different thoughts on where that road went, what it did to the community border, etcetera, etcetera, and, however, the primary purpose of that road, back in the days when I could drive, I learned was Auntie Napua Kaupu, which was Willie Kaupu's wife, he was also a firefighter with our department, she had supposedly a 2000-person petition, and in conjunction with working with Uncle Pat, for emergency evacuation and emergency access route, where exactly that was is another story, but that was the underlying purpose and the key part here is emergency evacuation and emergency vehicle access, so we're -- we would be occupying that area consistent with the purpose the community originally came up with for that road, and we would still behave ourselves, of course, obey the speed limit and try ...(inaudible)... impact of that area, but we're consistent with that purpose. And the issue of going by the school, MCC campus, we looked at some of the issues surrounding that and there are issues of noise, and having a refuge area curtailing the expansion. Most of the things that we see, regarding the college expansion, we will not interfere with, unofficially, and by staying mauka of that area had ...(inaudible)... nothing to do with the college's expansion but we've been requested, again, to stay as mauka as possible. Drainage impacts on Ranch Camp, MEO, MCC, Kaapakea Homesteads. We looked at the EA for that project and learned more about it and how we'll be working in conjunction with that EA to build upon ours for the site. And the access issues of that road to park, MCC, etcetera.

Traffic conditions, this is obvious. A primary traffic consideration is responding with the college on our right being careful of how we respond, which we do, we have specific protocols of how we respond in emergency situations and non-emergency situations and we are approaching this intersection and we know that the left-hand turn lane can't move,

right? So this is the intersection that we'd be utilizing anyways, we have utilized for emergency response since the road was built in and we would try to do whatever we could to, whatever is allowable, to help improve this intersection over time or be responsible with the traffic flow in it. This is looking going down the same road heading makai, and this is the intersection of Ranch Camp. We even saw the ambulance drive by there at eight, it gives us good access down Kakalahale to access MEO and also Kolapa Street, which takes us down to Home Pumehana which we have a lot of calls at for the senior citizens, as well as EMS could access that area, and also we can get to the hospital from there and still respond to the Ranch Camp Subdivision. Now we know there's some issues with any future development above Ranch Camp, with single family homes per your community plan, but if that would happen, we have good access up Malamalama Street to access that area, and the response distance to the intersection of Kam V Highway won't cause any extra delays to our response.

We met with Donna, got some unofficial information. She kind of shared with us some of her sentiments on how we could impact her college and expansion, we try to be sensitive of that, and we'll continue to try to dialogue with her in our EA process and people within her group and be sensitive of those issues. And in the future, whatever we could do to partner with her to make that expansion happen, and be a partner with her because we could benefit as a public safety agency also.

The sliver strip that's Manae of the extension road that is below the slaughter house, we have no plans of having anything to do with that strip, so that's something that if you had a question about, that would stay within your existing group of what you would do with that from before or with the college. We would be mauka of the slaughter house.

Okay, I'll turn it over to Chief.

Mr. Bal: Thank you for the time and as the sign says, if there's any questions, be glad to entertain them now. Are there any questions from the commissioners?

Mr. Vanderbilt: Questions, thoughts, input? Commissioner Dunbar?

Mr. Kip Dunbar: Yeah, I have a question. I'm looking at two maps that were passed out. In Exhibit 2, it shows a small triangle piece, and in Exhibit 1, shows the small triangle piece with the pieces behind it that looks like a vineyard ...(inaudible)... whoever's responsible for this map, please stand up.

Mr. Vanderbilt: This is part of the Land Use Committee of the Enterprise letter that was part of getting a vote to release this piece of land so that the Fire Department could finish off their negotiations with the Ranch. I believe Firefighter Jenkins had a talk with Chairman Buchanan recently and she asked that, for this Commission, there be a map given to us

today that had some landmarks that might be very clear to us and it looks like maybe -- and that's what you have is -- you have a map that you could share with us?

Mr. Dunbar: Well the question is are we talking the small triangle or we're talking the bigger piece?

Mr. Vanderbilt: Well the small triangle, Kip, was the -- that was just the part that encroached onto the college. Can we sort of get back on the record here.

Mr. Dunbar: We're on the record. I'm trying to find out, we have Exhibit 1 and Exhibit 2, which map are we looking at, DeGray, that's ...(inaudible)...

Mr. Vanderbilt: Well both of those maps, Exhibit 2 shows the small black triangle is the portion that cuts into the MCC site, and that's zoned Agriculture; the vineyard part of the site is zoned Open Space.

Mr. Dunbar: Well, that's okay, that doesn't make any difference. The question is is this big piece on Exhibit 1 is that the five acres that we're dealing with? I don't care what kind of zoning it has.

Mr. Vanderbilt: The whole vineyard area, on Exhibit 1, is roughly what you see right here.

Mr. Jenkins: There's two exhibit maps that DeGray provided here, and again this was something he included to the Molokai EC and their Land Use Committee vote. That triangle portion represents, if I'm not mistaken, DeGray, the makai boundary line specifically and that does not represent the other picture you have with all the x's on it the general conceptual view of the parcel, so that solid triangle in Exhibit 2 was specific to a makai boundary line area because the Land Use Committee, if I'm not mistaken, wanted to make sure they knew what our intentions were in that area directly above the slaughter house, how much -- how mauka would we try to stay, and so he tried to show them that so that we would show that we have less impact on that lower area.

Mr. Vanderbilt: And that was the result of walking the site with Firefighter Jenkins and he reviewed these maps also and gave his approval as the approximate area.

Mr. Dunbar: So the five-acre parcel is what's depicted here on Exhibit 1, roughly? That's the parcel that we're talking about?

Mr. Vanderbilt: Correct.

Mr. Dunbar: Now, DeGray, I have another question. It shows that there was some slope to that. No problem with being able to build on it so that there's no problem for the trucks,

and the size or space, and everything you're going to need to conduct your helipad, and the total complex?

Mr. Jenkins: I can address this, and Harold could add anything here too. One of the issues we had, and Chief can add to this also, is that for our purchase agreement, we asked, and the Ranch agreed, that we could be general in the actual size for our purchase agreement for now because the east and western boundaries are fixed, of course, DHHL on one side and the road on the other, but the makai and mauka boundaries aren't, and, with your question, that turns into the terracing in the topographical features of that parcel. So from a basic view point, there's roughly three main terraced areas, one of which is very large on the middle of the proposed project that could accommodate the size of the station as well as that is, but we won't really know exactly where the station could go until the EA and the conceptual design issues are addressed but, as of right now, it doesn't look like it would be a negative situation, we will be able to adapt to it, and then stay to that as close as five acres as possible and cut off those boundaries mauka and makai.

Mr. Bal: We'd also like to take into consideration that the closer to the road, of course, will get us the infrastructure is what we have to consider and driveways, access, water, and so forth so, during the study, when we get the consultants on board, it's going to help us with that.

Mr. Vanderbilt: Commissioner Seales?

Ms. Charlotte Seales: Well I wanted to say and I'm sure the Fire Chief I'm sure you're proud of your -- the Molokai Firefighters being here to support this and I'm very impressed, not only with the homework and the consulting with different people on the island and so forth, but with Firefighter Jenkins and his whole proposal, looks like you folks -- you're bringing it up early, getting what the input would be from Molokai, what they want, what they need, yeah, I'm very impressed and I'm glad that we -- that we're here today to hear all of the proposals. I know we've got a journey to go on because the old days the fire station was out there where the turnaround circle is in front of Kaunakakai School or on the side. So I think that location there is that you're just free to flow and I just think it's great but as we -- I hope I'll still be on the Commission that I'll be able to be a part of this decision making because I think this is great and just to see the support from the Molokai Firefighters to come and to be here as in support for this need that we need in this community, you know, it really is. So just maikai. I think it's all pono so just continue the good work and things will come up and I'm sure you folks will address it and do whatever you need to do because Molokai is our home and we want the best for all those that will be partaking of this wonderful service. Okay, mahalo.

Mr. Vanderbilt: Thank you, Commissioner Seales. Are there any other comments or suggestions from the Commission?

Mr. Dunbar: I have a question. I'm just wondering, to begin now, what is the process? What are we -- how long are we looking at this to take? I mean cause I think it's a great idea. I'm just -- I don't know how long, you know, how long you have to go the EC or at least that seems to be done, now it's a matter of doing the EA and moving ahead?

Mr. Bal: Basically, the advantage with this site also is that there was already an EA done for the road and along with some other consideration; that's a big plus for this site, and I feel like I'd like to see this, not cut any corners, but we come to you well prepared I hope and with your help, we'll get this out of the way before Mrs. Seales leaves the board.

Mr. Dunbar: Good idea.

Mr. Jenkins: Just to add to that, I don't want to bore you too much with budget issues, but this is the real time line of this project, and there's a lot of criticism or second-guessing if we can accomplish this in a timely manner, but, again, the reason we're before you today is because we saw a glimpse of hope. The Council had cut our budget for this particular project, limited it to \$100,000 for purchase and \$200,000 for design and planning, and the original amount that was requested by the Fire Administration was 3.7 million total, and that, hopefully, will still be made up with CIP funding, but with our time lines, this process we're hoping to get to certain parts of it with consultation with the Planning Department so that in March, when Council meets for budget, that we have supplied them with certain feedback from you, we've accomplished maybe some parts of our EA, we've come up with architectural drawings, at least pretty darn good preliminary ones for the project, which they require, so that we can get the bond ordinance and the budget approved that the Chief, and Mayor, everybody will be going forward within our commission. So, with that, if they can see that we're moving forward, we won't delay one more fiscal year delay and thanks to the Land Use Committee and the Ranch and everyone else's participation in getting us that vote to come be able to talk to you now, it's a tight time frame. More importantly than just the County budget, again, is our Federal grant time lines, and we -- I have a flow chart that we made up so have done our homework on that. If you're interested, I could show this to you later, but it goes over every step of when we can apply, when monies are made available, when those have to be leveraged against the County funds, and how every step of the project can go, so we're looking at maybe being able to break ground, if all goes well, by next fall with the station, hopefully, being completed in construction by September of 2006, and then the remainder of the build out of the facility would correspond with those grant monies that are made available. Does that answer your question? Too much detail.

Mr. Dunbar: Thank you.

Mr. Bal: We did have another comment from Planning. We asked them early on about how they could help us facilitate and Robyn Loudermilk will finish this part up.

Ms. Robyn Loudermilk: Okay, I just wanted to add on specific to this Commission. Once the environmental assessment process is complete, then we can schedule before this Commission and we are anticipating the EA process being completed sometime maybe in February. So this project will be before you folks at least two more times, the preliminary draft as well as the acceptance of the final EA. And then once that's completed, we can schedule all the public hearings, and so that's the 45-day notification, so we're looking at a window between April and June, and, again, all of this is dependent upon the EA process, the comments that come up, and the additional time that may be required to address those comments. We do have a lot of information but once we get the environmental assessment project going, then we can further refine what will be coming before you folks because there will be at least three additional meetings: two for the environmental assessment and then the public hearing component for the change in zoning, district boundary amendment, and community plan. Thank you.

Mr. Vanderbilt: Are there any other comments from the Commission? Commissioner Ribao?

Mr. Robert Ribao: I have a question. ...(inaudible)... the main problem you folks have is as far as the brush fires and when the helicopters come in, you folks have problems with fueling. You folks have any plans to put jet fuel up there for the ...(inaudible) helipad?

Mr. Bal: That was always part of the plan to do that because the way they have been bringing it in and hot fueling has been in 55 gallons barrels, that's not a safe condition, and so we plan to put probably a thousand or less gallons in there, strictly for jet fuel, and or -- that's what they call jet fuel, the helicopter fuel, and the helipad will be designed for the largest military helicopter. If we ever need the chinook, the twin blade unit to come in here, which we have used before because it's able to drop two thousand gallons compared to three hundred in our little pods, then we will take every available step that we need to take to take care of this condition. The people here have standing orders: to hit it fast, hard, and with everything we have because we don't like to see this community impacted like it has been over the years, and so we're not afraid to roll in two extra companies and three helicopters and take care of that problem right away, and we will do this every time.

Mr. Bicoy: I'm Captain Dart Bicoy. On the last fire we had three helicopters working and the problem, is a good question, because we always have a problem with the fuel. We were storing 55 gallon drums at the County baseyard. The problem is the County baseyard leaks. We bring the fuel up to where the pilots want it, wherever that is, roll it off the back of a utility truck, 55 gallon fuel, two guys handling three; that's heavy stuff, okay, we roll it off, please don't break, please don't break, boom, get off the truck, stand it up, pilot runs over there and looks at it, I cannot use this fuel, this cover us -- the cover on the 55 gallon drum is rusty; that's out. He looks at the next one, okay, I can use that, I can use that. That's half 55 gallon drums that we cannot use. So if we can, the Chiefs are thinking



way ahead of getting storage so that we can avert this problem. Now they have to take an hour to run to Maui, sling more fuel back, all of that is very dangerous, so I'm glad we're addressing this now.

Mr. Wescoatt: It'll probably be above-ground fuel tanks similar to the one we have over there; that's the larger of the two twelve hundred gallons.

Mr. Vanderbilt: Excuse me, is that the latest technology from a safety standpoint that's going to be applied to this? That was a real concern of some of the residents up in Ranch Camp, the fuel situation, maybe because nobody really understood what the whole situation is going to be.

Mr. Bal: That is the latest technology, it's double-lined tanks, and it's perfectly safe, they have monitoring between so if there's a leak on the inside tank, there's an alarm that's going to go off ...(inaudible)... and then also there'll be a certain amount of ...(inaudible)... so that will be if -- to encase that amount of fuel, and the reason I'm well versed on this is because I used to be Fire Marshall before I came up here, so I can give you all information you need.

Mr. Vanderbilt: Okay, thank you. Are there any other comments from the commissioners? I have a couple. Chairman Buchanan had mentioned that as far as the design, she was hoping that the Ranch Camp community be brought in early, you know, as far as giving their input into the design and that it not be something that's an eyesore, two or three stories, whatever, and I think that sort of dovetails with Condition 5 that the County agrees to hold a community informational meeting on the proposed design of the fire station and related improvements, including the proposed landscaping scheme, prior to finalizing said design work. Are you still planning to hold that meeting?

Mr. Bal: Yes, we do.

Mr. Vanderbilt: Oh, terrific.

Mr. Bal: Because we do want the community's input on this.

Mr. Vanderbilt: Good. And then the last thing I had was the agenda talks about our comments, preliminary comments. In the EC conditions, on Exhibit 2, No. 3, it talks about the County will work diligently, let's see, the County will instruct its consultants, and who are the consultants on this? Is it Munekiyo?

Mr. Jenkins: It has not been determined yet but most likely.

Mr. Vanderbilt: Cause they did the other EA, I believe, right? Alright, that the consultants include Ke Aupuni Lokahi, the Department of Hawaiian Homes, the Molokai Education Center, the Molokai Planning Commission as participants in the preliminary phase of the required environmental assessment process. So you are going to have some document that goes out for preliminary comments, not only to these people, but to various agencies?

Mr. Jenkins: Yes, in fact, DeGray, you saw it was addressed in one of the slides that we're honoring that commitment and if you almost, this is a little different, this meeting here, it's like a preliminary consultation before the EA so we felt that the initial comments that were made from the Land Use Committee standpoint, for this part of our process, had been taken -- had taken place here, six conditions, for example with that land use process that was generated, but now we had an opportunity to hear from the Planning Commission before we started our EA. But, yes, that'll happen, there'll be many meetings regarding the station specifically to design and we actually included more stakeholders that weren't even on that list including USDA and others that we felt would be very good partners to help us come up with a better plan.

Mr. Vanderbilt: Now this is going to be -- that document sent out will be before the preliminary draft EA? You're not going to have a preliminary consultation project with the Department of Hawaiian Homes? This is for all of those people?

Ms. Loudermilk: No, for this Commission.

Mr. Vanderbilt: And you're going to have a similar one with Department of Hawaiian Homes?

Ms. Loudermilk: Not us. It's up to the Fire Department to set up their meetings.

Mr. Vanderbilt: Cause normally the way, and correct me if I'm wrong, the EA process works is that they send out a document, and it's usually a pretty sketchy document to State agencies, County agencies, and community groups, just asking for their comments which would then be considered for inclusion in the draft environmental assessment. Is that correct, Robyn?

Ms. Loudermilk: That is correct.

Mr. Vanderbilt: So now are you expecting this Commission to make their comments to you to be included in the draft EA? I'm just trying to get clear of what you want from our Commission.

Ms. Loudermilk: You're talking two separate things. One is part of the EA process, you have the preliminary consultation with the various agencies, and the consultant will be doing that.

Mr. Vanderbilt: And included in that will be the people on our list, like the Department of Hawaiian Homes, the Planning Commission?

Ms. Loudermilk: If that's what the Fire Department is going to include, then it will. The Planning Department is not advising ...(inaudible)...

Mr. Vanderbilt: ...(inaudible)... that was my question. This is not -- this is not the preliminary consultation for the EA process.

Ms. Loudermilk: Correct.

Mr. Vanderbilt: Thank you.

Mr. Kaupalolo: ...(inaudible)... EA will be done so it's our intention to include everyone and not to leave out any, you know, agency.

Mr. Vanderbilt: Thank you. Are there any other comments? Is there anybody from the public that has any comments that they'd like to share with the Fire Department or the Commission? Hearing none, Captain, do you --

Mr. Kaupalolo: Chair, if I may, just one other comment. I'd like to just thank the Chair and the members for having us here and having my fine staff here, Firefighter Jenkins and Chief Bal, to present to you a brief, I guess, synopsis of what we got and we're expecting to do in the future. We'll continue to work with you folks and we hope that you can provide us some direction as to things that we need to do or, you know, things that we need to address, and I'd just like to thank all the members of the Fire Department and the public for coming here today and in support of us, and we appreciate and we look forward to working with you. Thank you.

Mr. Vanderbilt: Thank you very much. And would there be a chance that this Commission could get a copy of the time line and a copy of the aerial photo with the site on it? It doesn't have to be a big color one, but it could be just 8-1/2 by 11, black and white. It doesn't have to be today.

Mr. Jenkins: No, that should not be a problem. I would have to, as far as the time line conceptual, we need to work on something specifically with Planning on that. The time line that we have is a rough one for our budget so we wouldn't be able to give you that, but we

could give you a general time line of our synopsis of the project as well as any maps that this administration can provide you.

Mr. Vanderbilt: Thank you.

Mr. Bicoy: I'd like to make little comment. I'd like to thank, representing the Fire Department here on Molokai, our personnel, I'd like to thank our Chiefs and you folks. The Chiefs came to us, we had a preliminary meeting, cause they're interested in what we wanted, that's a first for us, for Maui to be interested, and I gotta thank them because Chief Kaupololo, he spent his first year in the department on Molokai, so he knows what it's like to live on Molokai. Chief Bal worked with me on Lanai for four years, so he knows what it's like to be one small island. Some of the things that we brought up for your concern is the community cause we're talking to the people in the community and they said, "We don't want Wailea. We no like one big massive structure." Okay, I know that's a real concern for the community. Now Chief Bal just informed us that he went to a -- what was that you went to, Chief? A national building -- fire building design, so he is up with the latest designs of fire stations and he's coming up -- he mentioned some, what is that? Steel trust roof, whatever, he got the new designs, state of the art stuff, that can keep the span of this big bay down with new design so it's not going to be as high as a lot of people think. We can terrace it, we can build it in so it won't be obtrusive, they've also built in drainage collection so that any kind of oil that drips on the ground will go into drain into a filter so that we meet all EPA regulations, so I would like to really thank the Chiefs for being really mindful of the people on Molokai and the design of the station and, you know, I just love these guys. Thank you.

Mr. Vanderbilt: Thank you, and I would like to just echo those thoughts that the County of Maui coming to Molokai first and getting input, hopefully, this will set a precedent for other government agencies that deal with Molokai and just people in general that deal with Molokai, so thank you very much for a fine presentation.

Mr. Dunbar: DeGray, one final question and only --

Mr. Vanderbilt: Commissioner Dunbar?

Mr. Dunbar: Yeah, thanks. It occurs to me because of the new -- you developed the new Wailea Station, and I happened to be the Chairman of the Board of Variances and Appeals, and we had to approve a 35-foot tower that you folks needed in order to do repelling and to hang -- and so, I mean it all depends on what the final grade is, there's no doubt about it, so if you do need 35 feet, less elevation grade, don't you have to go the Board of Variances and Appeals? Just as a point. Cause we want this station. I got a number of friends that work for the Fire Department and want to have a new house before they have to retire.

Mr. Bal: I was under the impression that the 35 feet was the minimum. If you wanted to go higher than that, then you'd have to get a variance on that. Is that correct?

Mr. Dunbar: Actually it's 30.

Mr. Bal: Okay, thank you.

Mr. Vanderbilt: Alright, well, with no further information needed on this, fortunately, we're going to move on.

Mr. Dunbar: Thank you all very much.

Mr. Vanderbilt: Thank you. Okay, let's take a five-minute recess so the Fire Department can breakdown the equipment and get back to the game -- the game.

(A recess was called at 2:20 p.m., and reconvened at 2:30 p.m.)

Mr. Vanderbilt: Alright, I'd like to call the meeting of the Molokai Planning Commission back to order. The next item on the agenda is the approval of the minutes of the July 28, 2004 and the August 25, 2004 minutes. Do I have a motion?

**C. APPROVAL OF THE MINUTES OF THE JULY 28, 2004 AND AUGUST 25, 2004 MEETINGS**

Mr. Ribao: Motion to approve.

Mr. Vanderbilt: Motion to approve by Commissioner Ribao. Is there a second?

Ms. Seales: Second.

Mr. Vanderbilt: Seconded by Commissioner Seales. Is there any discussion? Commissioner Dunbar?

Mr. Dunbar: I wasn't here for that meeting, DeGray, so I don't know if I can vote on it?

Mr. Vanderbilt: Corporation Counsel, can he vote on the approval of the minutes of the meeting he wasn't at?

Ms. Cindy Young: Thank you, Mr. Chair. Only commissioners who were present at the meeting for the -- only the commissioners who were present at that meeting, for example the July 28 meeting, only the commissioners at the July 28 meeting, who were present there, would be able to vote on that, on the minutes for that meeting. If there are -- if

there's a difference in who was at which meeting, you might want to take up the minutes with separate motions.

Mr. Vanderbilt: Do it -- could we -- alright, in order to save a little time, why don't we -- could I ask maybe that the original motion be withdrawn and that maybe we have another motion to approve them separately.

Mr. Ribao: Okay, I withdraw the motion to accept both minutes. We're going to do one at a time. I make a motion to accept the minutes for the July 28 meeting.

Mr. Vanderbilt: Is there a second?

Ms. Seales: Second.

Mr. Vanderbilt: Seconded by Commissioner Seales. Any discussion? All those in favor say "aye." Oppose? Motion carried. Do we have a motion for the August 25 minutes? Do we have a motion to accept the August 25 minutes from somebody that was there?

Mr. Dunbar: I move to accept the August 25, '04 minutes.

Mr. Vanderbilt: Moved by Commissioner Dunbar. Is there a second?

Mr. Sherman Napoleon: Second.

Mr. Vanderbilt: Seconded by Commissioner Napoleon. Any discussion? Hearing none. All those in favor of accepting the minutes say "aye." Oppose? Motion carried. Alright, the Corporation Counsel said we need five to approve these minutes. So how many voted to approve the July 28 minutes? Can we have a show of hands?

Mr. Dunbar: Well there's only four because I wasn't here?

Mr. Vanderbilt: Okay, on the August 25, can we have a show of hands of those who approved? Okay, we'll defer the approval of the minutes since we don't have a quorum of those present to accept them.

**The approval of minutes of the July 28, 2004 and August 25, 2004 meetings has been deferred due to lack of quorum for voting on the minutes. Commissioners Feeter and Dunbar were not present at the July 28, 2004 meeting; Commissioners Seales and Ribao were not present at the August 25, 2004 meeting; therefore, they could not vote on the meetings they were not present at.**

#### **D. CHAIRPERSON'S REPORT**

Mr. Vanderbilt: The next item on the agenda is Item D, Chairperson's Report. Chairman Buchanan asked me to just share a couple of letters, and I don't know if they've been presented to the commissioners or if not, she got them in the mail some weeks ago. One was an August 30 letter to the Molokai Planning Commission from the U.S. Department of Transportation Federal Aviation Administration and I was just -- it was regarding the air tours in national parks. You know if we received this letter? The other commissioners? You think we did? Okay. Alright, so then the only other one was a letter from Land and Natural Resources, which I believe is part of a -- this is a letter dated October 14 from the Department of Land and Natural Resources and the subject is the Sandwich Isles Communication Submarine Fiber Optic Cable project for the Islands of Hawaii, Kauai, Molokai, Maui, and Oahu. Did all the commissioners receive that? Okay, well, possibly if we could get each of the commissioners a copy of that. What is the procedure, might I ask, if a letter is sent to the chairperson? Could we hear from Corporation Counsel?

Ms. Young: Thank you, Mr. Chair. Typically, when a board receives a letter and they discuss that letter, action usually a motion to file is passed, a motion to file that particular communication unless further -- unless action is required on that particular communication.

Mr. Vanderbilt: Well I'm just wondering if on certain letters there might be some interest by the other commissioners and I think Lori felt that the other commissioners should see this letter also, so I think she wanted the other commissioners to have a copy of this rather than just her.

Ms. Young: If the letter is purely for informational purposes, then there would -- then by that definition then there would be no action required by the Commission and, therefore, the appropriate action would be to file that communication or letter.

Mr. Boteilho: And, Mr. Vice-Chair, if I could add, yeah, generally when we receive letters to the chair, we would -- well we should disperse it out to all of us because if it's sent to the chair, that, in effect, is sent to the entire Commission. Now if it's sent to the chair just in her role as just a citizen, then it would be the decision of the chair whether to disperse.

Mr. Vanderbilt: Okay, so in the future then, letters that come in addressed to the Chairman of the Planning Commission will be sent to all the commissioners?

Mr. Boteilho: Yes.

Mr. Vanderbilt: Thank you. The next item on the chair report is I'd like to bring up the -- okay, Corp. Counsel suggested that we have a motion to file the letter from the Department

of Land and Natural Resources regarding the submarine cable. Do I have a motion from the Commission?

Mr. Dunbar: Yeah, DeGray, I haven't seen either of those letters.

Mr. Vanderbilt: Okay, I would like to defer this ...(inaudible)... and the commissioners be sent copies of that letter and we can take it up at a future meeting, if it's appropriate.

Mr. Boteilho: Okay, Mr. Vice-Chair.

Mr. Vanderbilt: Thank you. The next item we received, it's not listed in the -- it's not listed in the Director's Report but it was part of our package, and that was the County of Maui Planning Department Annual Report, and I would like to make this part of the Chairperson's Report because I have some questions and, on this, and on other cost items regarding our Planning Commission.

Mr. Boteilho: Yeah, Mr. Chair, well, Mr. Chair, yeah, this was sent to the Commission as a courtesy. As far as I know, this was not done before and we felt that -- that the commissioners deserved to have a copy and also, you know, to feel more a part of the Planning Department, so it was sent for information. I would suggest, possibly though, if we're going to discuss that, if we could have a two-thirds vote to add that to the agenda.

Mr. Vanderbilt: Well, I think we can take a two-thirds vote but, in the past, in the past, we've had Chairperson's Report with no items under it and the chairman has talked about whatever comes up.

Mr. Boteilho: Okay, well, maybe we can proceed and if it gets into too much substantive, you know, like other department operations, then we might have to add it on, but we'll see.

Mr. Vanderbilt: Well, I'm not really thinking of a substantive, but I think the one thing that I wanted to bring up was the -- last year we talked about getting a planner for Molokai and one of the reasons being there's no enforcement on Molokai, there's a lot of planning issues that could be initiated on a proactive basis, like implementing portions of our community plan, and we have a document that the community put out in 2002 about things that needed to be implemented in our community plan but there doesn't seem to be enough time with the Planning Department staff, and, last year, you said, "Well, we're going to get three planners on Maui so maybe next year, next year's budget we'll consider Molokai," and I was just wanting to know what we have to do as a Commission, if the Commission so desires, to let it be known that we may want a planner dedicated to the island of Molokai.



Mr. Boteilho: Well, you don't have to do anything right now because I'm well aware of the request and, in fact, as indicated last year, we're doing the budget now so I'm going to take a harder look at a planner or some other position on Molokai, just for clarification I guess, possibly even a zoning inspector, but we'll see cause we're working on the budget now, but, yeah, I was going to take a closer look at that.

Mr. Vanderbilt: Cause Councilman Mateo said he'd be willing to consider something like but he would need some push from the Molokai Planning Commission probably.

Mr. Boteilho: Yeah, that's down the road. The first thing is to get it on budget, yeah.

Mr. Vanderbilt: And the next item regarding the budget and cost and everything, I just wanted, if you could, explain to this Commission the situation with which I understand Suzie is now staff for this Commission and you're asking for Nina to be handling the Lanai Planning Commission for a while and it seems a little backwards. I don't know why Suzie doesn't go do Lanai and we keep Nina here. I know Chairman Buchanan expressed a little frustration about what the situation was and wanted me to bring that up and maybe you could explain it to me and the other commissioners cause I certainly can't see the obvious logic to doing something like that.

Mr. Boteilho: Okay, thank you for that question because -- and the opportunity to provide clarification. First of all, Nina is not going to be assigned to do Lanai. Nina is going to go to Lanai to take the minutes on a real, possibly, once a year basis when they would normally have cancelled a meeting, then we would go over there, much like we wanted more planning here, we wanted to have more planning there. Now I spoke to Nina and she is fine with that. She has done that in the past. Now the reason for this, and let's backup a little bit, when I got first into office, I looked at there was this Secretary to Boards and Commissions, and at that time we had four Commission Support Clerks, or three rather, but these people deserved to be promoted to Secretary to Boards and Commissions, so I talked to all of them, including Nina, and I said, you know, it's going to be a bit of fight but we're going to take it in the order of seniority, so we've gone down the line. Nina is next up. We are looking to try to have her promoted to Commission Support Clerk. Now, part of the requirements of that is that she assist in doing minutes for various other commissions, so Lanai is a good one and also there'll be a BVA meeting here in December and she'll be doing the minutes for that. This gives me the ability to go to the Personnel Director and provide proof that she is actually right now doing the work of a Commission Support Clerk. And, I guess just to end, Nina and I had talked, she expressed an interest in doing other things, you know, more community things and rather than just what she's been doing for the past ten years so we're -- so we're working on that.

Mr. Vanderbilt: So this is a temporary situation?

Mr. Boteilho: No. As a Commission Support Clerk, you are required to fill in here and there if the Secretary to Boards and Commissions cannot be there.

Mr. Vanderbilt: So the secretary of our Planning Commission now will be Suzie, right?

Mr. Boteilho: Yes.

Mr. Vanderbilt: Now, is there an opportunity for a Molokai resident, such as Nina, to take that position because that's junior to a Commission Support Clerk, right? Commission secretary or --

Mr. Boteilho: No, that -- it's senior. It's above --

Mr. Vanderbilt: Commission Support Clerk is above the Commission secretary?

Mr. Boteilho: Yeah. Oh, no. Okay, the highest one is Secretary to Boards and Commissions, followed by Commission Support Clerk, followed by Clerk Typist.

Mr. Vanderbilt: What was Nina's position here and she's doing all the work for our Planning Commission?

Mr. Boteilho: She's currently a Clerk Typist.

Mr. Vanderbilt: And she wants to move to a Commission Support Clerk?

Mr. Boteilho: Yeah.

Mr. Vanderbilt: Now, is there -- once that has happens, is there room for somebody on Molokai, that lives here, to get the commission --

Mr. Boteilho: Oh, the vacant Clerk Typist?

Mr. Vanderbilt: Right.

Mr. Boteilho: Yeah.

Mr. Vanderbilt: Could you keep that on the drawing board?

Mr. Boteilho: Yeah, okay.

Mr. Vanderbilt: Okay. Thank you. Are there any other comments regarding the situation on the Clerk Typist and the Commission Support Clerk? Okay. Moving on, deputy chair Boteilho, could you give us the Director's Report.

## **E. DIRECTOR'S REPORT**

### **1. Community Input Regarding Matters Related to County Planning**

Mr. Boteilho: Okay, thank you, Mr. Vice-Chair. I'd like to invite anybody from the public if they have any community input regarding matters related to County Planning. Seeing none --

Mr. Vanderbilt: Yeah, I would like to just, Glenn Teves, I passed out an email that Glenn Teves received. I had mentioned to you, Wayne, a couple weeks ago in Maui, that one of the homesteaders had called and said he'd gotten a email that sort of used your name in vain and that you were sort of testing the waters using our Planning Commission for various things. This is a person that has written quite a few emails around and you had asked me if I could get a copy of it, so I asked Glenn and he was coming today but, after lastnight's homestead meeting, he had a lot of stuff to do with -- regarding some issues that were brought up there today with some of the homestead commissioners so he couldn't be here, but he just asked me to give this letter to you and I just wanted to know if you could bring us up to speed, if any of this is true or not true, and also, according to Glenn, you had spoken to Alan Murakami in the last few days and maybe you could just bring us up to date because this is kind of a funny memo here.

Mr. Boteilho: Mr. Chair, thank you for the opportunity to provide clarification. Mr. Notman can believe what he wants to believe. I mean, you know, it's -- I don't know what was going through his mind when he wrote this correspondence, but I can say, categorically, that I've never met the man; I've never talked to the man; I sent him but one email and that was to thank him for providing the bound copy of his subdivision to the Molokai Planning Commission, and that's all I have to say. Oh, and, yeah, regarding my phone call to Mr. Murakami, yeah, we spoke about, earlier he had one of his correspondence said that something to the effect that Mr. Notman was willing to withdraw if there was too much opposition, or something like that.

Mr. Vanderbilt: Excuse me, that was -- that was that email that was made part of the record at the end of last meeting?

Mr. Boteilho: Yes.

Mr. Vanderbilt: An email from Mr. Notman saying that if Mr. Murakami or his clients were still in opposition to the subdivision, he would withdraw it.

Mr. Boteilho: Okay, but -- but that was the subject that I called Mr. Murakami and, really, I just talked to him, you know, what was the status of his conversations with -- between he and Mr. Notman, and the answer, basically, was, well, they haven't talked for a while but they should talk soon, so he really didn't have too much information on that. I had reiterated the Planning Department's position that until the community plan is satisfied, we would not recommend final subdivision.

Mr. Vanderbilt: Thank you. Are there any questions from the Commission regarding this issue?

Mr. Dunbar: Well, yeah, I'd like to say, just as a commissioner, I'm not so sure that it's within our purview; one, not being on the agenda; two, to discuss this if we're going to see this thing later, quite frankly.

Mr. Vanderbilt: I don't, Commissioner Dunbar, I don't think we even have jurisdiction over subdivisions. I mean there was an informational meeting here called by pass Chairman Akutagawa a couple of -- wasn't there?

Mr. Boteilho: Yes, and, Commissioner Dunbar, yeah, I was merely just trying to report what was the latest.

Mr. Dunbar: Well, I mean you're reporting on a community input regarding matters made ...(inaudible)...

Mr. Boteilho: Yeah, there's some -- sometimes you have to give leeway.

Mr. Vanderbilt: Well I think there is no action intended here, it was just for informational purposes, and I think that was the point of the community input where people could comment and we could discuss things and not take any action but maybe say we don't have any jurisdiction, you need to go see this department or that or whatever, so I appreciate the information.

## **2. 2004 Hawaii Congress of Planning Officials (HCPO) Conference**

Mr. Boteilho: If I may proceed, Mr. Chair, next up we have the 2004 Hawaii Congress of Planning Officials Conference. I didn't see any of you there, but, just briefly, I can say, you know, it was a very good conference. Lori was there representing the Molokai Planning Commission. In fact, there was one session that was called "What you need to know as a planning commissioner," and she was there, and they asked, "Are there any planning commission chairs here?" And the only one there was Lori, so she represented you well. And, also, in our business meeting, you know, with the other planning directors, we talked

about, you know, I think these conferences should be geared more towards the planning commissioners. And that's all I had on that.

Mr. Vanderbilt: Maybe we were just trying to save you some money so we could get our own planner.

Mr. Boteilho: Oh, okay. Thank you.

Mr. Vanderbilt: Continue on.

**3. October 11, 2004 letter to DLNR Chair Peter Young regarding Molokai Planning Commission Meeting to Discuss Issues Relating to Halawa Valley, Island of Molokai**

Mr. Boteilho: Okay, next up is the October 11, 2004 letter to DLNR Chair Peter Young regarding Molokai Planning Commission meeting to discuss issues relating to Halawa Valley, Island of Molokai. Yeah, this basically is we're trying to get them in writing -- I mean we wrote to them formally requesting that they can come to the next meeting when Halawa Valley is taken up. They haven't committed yet, and I talked to Chair Buchanan and she said she prefer to delay Halawa Valley until DLNR is here, and I would concur with that. So this letter is just for your information.

Mr. Vanderbilt: Regarding that issue, obviously it's not today and he said, the letter says, "or November 9," and you haven't heard anything back yet right?

Mr. Boteilho: No, and see that's the thing, yeah, the 27<sup>th</sup> we had to know and they didn't get back to us, so now we're trying for the 9<sup>th</sup>. It's hard.

Mr. Vanderbilt: And if they don't -- if they don't get back to you, I mean I had called the Planning Department back in early October and asking --

Ms. Loudermilk: I can answer that, Commissioner Chair, I've been in contact with the Department of Land and Natural Resources. They will not be available in the month of November and they will be responding back to us in writing.

Mr. Vanderbilt: Okay. Do we have any items that need to be on the November 9, I mean a lot of people are trying to plan their own schedules, or are we gonna not have anything for that date?

Mr. Boteilho: At this point we don't know, but if the Commission wishes to have that meeting cancelled, we'll see if we can defer something.

Mr. Vanderbilt: No, well, I don't -- I think -- I think if we have something that needs to be heard, we'd want to hear it.

Mr. Boteilho: Oh, okay.

Mr. Vanderbilt: But how early do you plan for Commission meetings? I mean what with only two weeks away, are there --

Mr. Boteilho: Usually, yeah, usually we would know from the planners if they have items ready about two weeks before the meeting.

Mr. Vanderbilt: Okay, and right now you don't have any?

Mr. Boteilho: No. Well, maybe they have it but the person directly handling it is Mr. Yoshida, so I cannot answer your question fully I guess.

Mr. Vanderbilt: Okay, well, I just -- if you could get back to the commissioners as soon as you can because some of them have to plan just to get off work and that stuff.

Mr. Boteilho: Okay.

Mr. Vanderbilt: Thank you.

#### **4. List of Pending Molokai Applications**

Mr. Boteilho: Next up, Mr. Vice-Chair, list of pending Molokai applications. This is sent with every agenda for your review and information. If there's any questions, we can try and take a stab and try and answer it. If not, if you have a question later, you can, I would say, possibly go see Nina and she will get the concern to me. Or, no, well, and, as I said earlier, I would prefer something in writing but, you know, if not, then she can email your question to us and then we can either answer that the next meeting or maybe just a phone call.

Mr. Vanderbilt: Wayne, as far as that list, I think a couple times we brought up that there be a legend somewhere on there just describing what all the SMX's ...(inaudible)... and all those other things are for the commissioners.

Mr. Boteilho: Yeah, it's not on here but we did pass out a legend earlier, a separate legend. I'm not sure if the computer system will allow us to put the legend on the list, yeah.

Mr. Vanderbilt: Thank you. Next on is the 2005 meeting schedule.

## 5. 2005 Meeting Schedule

Mr. Boteilho: Yeah, okay. Again, that was just passed out for your information so you can plan your schedules next year.

Mr. Vanderbilt: Okay, you got the list now?

Mr. James Feeter: Mr. Chairman, I have a question.

Mr. Vanderbilt: Yes?

Mr. Feeter: On the project description, on the last page, under Kaluaaha-Shephard, referring to a well designated number there, what's -- could you give me some status or give us the status and background on that?

Mr. Boteilho: Oh, okay. Oh, which page again? Pardon me, I was looking for my agenda.

Mr. Feeter: It's Page 31 of 36. In this case, it's our last page, and two-thirds of the way down from the top.

Mr. Boteilho: And the project name is?

Mr. Feeter: Kaluaaha-Shephard.

Mr. Boteilho: Anybody here knows? Okay, if not, we'll get back to you on that, on the status of that project.

Mr. Vanderbilt: Who is Isotov?

Mr. Boteilho: That's a former planner that was working but she has since left so maybe that's the status ...(inaudible)... and we'll find out in more detail on what the status is.

Mr. Vanderbilt: So when they're talking about a well letter, is that probably something that's in response to the Commission on Water Management Area cause they have jurisdiction over all the wells here on Molokai?

Mr. Boteilho: Typically, no. It's -- there's a application for well permits somewhere and the State would like to know what our comments are, if any.

Mr. Vanderbilt: That's the Commission of Water Resource Management, right?

Ms. Loudermilk: Or the Board of Water Supply.

**6. November 24, 2004 Public Hearing on the Land Use Commission Special Use Permit for the Anuenue Radio Facility at TMK: 5-1-002:004, Puu Nana, Kaluakoi, Island of Molokai. (SUP2 2004/0008) (R. Loudermilk)**

Mr. Boteilho: Okay, next on the agenda, November 24 public hearing on the Land Use Commission Special Use Permit for the Anuenue Radio Facility at Puu Nana, Kaluakoi, Island of Molokai. This, I understand, that we're going to be deferring until December and the reason is that this November 24 is the day before Thanksgiving and I guess people might be, yeah, you know, might not be here or have other family plans.

Mr. Vanderbilt: Wayne, is this -- is this something that's time sensitive?

Ms. Loudermilk: This was done in consultation with Chair Lori Buchanan who had suggested that we may wanna defer to the December meeting; one, because of the -- she had not seen the site plan so we brought in an additional copy of the application with the site plan, and she had -- there was a lot of concerns expressed to her, where is the site, is it next to the hula piko, that type of thing, so she suggested that we move it back, and the Department of Accounting and General Services has agreed but if it's within their time frame, and if it's within their time frame, and it allows Commissioner Buchanan to have additional time to look at the site plan and be able to respond to questions brought towards her.

Mr. Vanderbilt: Good. So Commissioner Buchanan has the site plan and who's asking her questions?

Ms. Loudermilk: The community, as far as I know, cause we keep a office file, apparently, she was not able to access it, for whatever reason, so we brought another copy of the application with the site plan for her to review, but she indicated to me which is basically she had a lot of questions come to her from the community in general.

Mr. Vanderbilt: And do the other commissioners have copies of that?

Ms. Loudermilk: This is an office copy cause that site plan will be part of our report, but as Wayne has indicated to us in the past, we are making a good faith effort to keep duplicate files of projects that are active projects that are before the Commission, so we just brought an additional copy of the application for Commissioner Buchanan.

Mr. Vanderbilt: Well I think that's great that the community's given input already. I don't know quite how they found out anything about it. It certainly has been in our newspapers, yeah? No, all I'm saying --



Ms. Loudermilk: The environmental assessment was required and was completed so there already was initial review process as part of the DAGS --

Mr. Vanderbilt: Harold, do you have anything you wanna share with the Commission?

Mr. Harold Edwards: Well, I wanted to ask a question ...(inaudible)...

Mr. Vanderbilt: Can you get on the mike, please.

Mr. Edwards: In a situation like that, does the applicant have to re-notice the meeting with all registered letters or is it just going to be a deferral that day to the next meeting time and all the original notices are good?

Mr. Vanderbilt: Can we hear -- Cindy, if you could respond to that.

Ms. Loudermilk: I'll take an initial response. When we talked with John Sakiguchi, he indicated that they would re-notice, that they would voluntarily do that, re-notice, do a new -- and again that was voluntary. What Mr. Edwards had indicated was also another alternative and the, and related to that, we might not even have quorum to open it up and then we'd be back another 45 days.

Mr. Boteilho: And, Mr. Chair, the department's policy on this of re-notification is, basically, well, I guess, who gonna pay for it. The applicant might say, "Well, it's no fault of my own so the Planning Department should be paying for it." Our policy is that the department will look such request on a case by case basis but they basically have to show hardship, you know, financial hardship.

Mr. Vanderbilt: Cindy, do you have anything to add to that? Do you need a moment?

Mr. Young: Yes, Deputy Director Boteilho is correct. It would need to be re-noticed. This has also been dealt with or this has also been something that the Maui Planning Commission has had to deal with. In their situation, the meeting was cancelled because there was lack of quorum that was not anticipated. There was only lack of quorum that day. I guess what I'm trying to say is there was unanticipated events that occurred that precluded the commission -- commissioners that were otherwise available, it precluded them from attending the meeting, and, in that situation, Corporation Counsel advised the department that the applicant had -- who were required to re-notice the meeting even though the cancellation was due to no fault -- it was, okay, due to other circumstances and not the fault of the applicant. So, similarly, in this situation, it would also require re-noticing and, you know, it's up to the department on how they deal with the, you know, with who is -- who has to foot the cost of such re-noticing, but it is our position that cancelling a meeting would require re-notification unless you amended your rules.

Mr. Vanderbilt: Thank you. Does that conclude your report?

Mr. Boteilho: Yes, Mr. Vice-Chair.

**F. ANNOUNCEMENTS**

**G. NEXT REGULAR MEETING DATE: NOVEMBER 10, 2004**

Mr. Vanderbilt: Okay, the next item is any announcements from the Commission? Hearing none. Our next meeting is November 10. I thought I saw November 9 somewhere.

Ms. Loudermilk: Maui Planning Commission.

Mr. Vanderbilt: Oh that was the Maui Planning Commission, okay.

Mr. Boteilho: Yeah, I believe yours is November 10.

Mr. Vanderbilt: And you will get back to us as soon as possible?

Mr. Boteilho: Yeah, as soon as possible.

Mr. Vanderbilt: If there's no further matters, do I hear a motion to adjourn? Everybody's okay with that? Let's adjourn.

**H. ADJOURNMENT**

There being no further business brought before the Commission, the meeting was adjourned at 3:08 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA  
Secretary to Boards and Commissions I

**RECORD OF ATTENDANCE**

**Present**

DeGray Vanderbilt, Vice-Chairperson  
Robert Ribao

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Charlotte Seales  
Sherman Napoleon, Jr.  
James Feeter  
Lance "Kip" Dunbar

**Excused**

Lori Buchanan, Chairperson  
Michael Tancayo, Jr.  
Janice Kalanihulia

**Others**

Wayne Boteilho, Deputy Planning Director  
Robyn Loudermilk, Planning Staff  
Cindy Young, Deputy Corporation Counsel