

MINUTES

of the

PUBLIC HEARING HELD ON

MAY 28, 2013

THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, CONVENED A PUBLIC HEARING ON TUESDAY, MAY 28, 2013 AT 9:03 A.M., IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, WITH VICE-CHAIR ROBERT CARROLL PRESIDING, FOR THE PURPOSE OF RECEIVING TESTIMONY ON THE PROPOSED OPERATING BUDGET AND CAPITAL IMPROVEMENTS PROGRAM FOR THE FISCAL YEAR JULY 1, 2013 TO JUNE 30, 2014.

VICE-CHAIR CARROLL: This Council meeting, public, public hearing is now in session, May 28, 2013.

Mr. Clerk.

ROLL CALL

PRESENT: COUNCILMEMBERS ELEANORA COCHRAN, DONALD G. COUCH JR., S. STACY CRIVELLO, DONALD S. GUZMAN, MICHAEL B. WHITE, MICHAEL P. VICTORINO, AND VICE-CHAIR ROBERT CARROLL.

EXCUSED: COUNCILMEMBER G. RIKI HOKAMA AND CHAIR GLADYS C. BAISA.

There were approximately 40 members of the public in attendance.

COUNTY CLERK JEFFREY T. KUWADA: Mr. Chairman, there are seven Members present and two excused.

NOTICE OF PUBLIC HEARING

COUNTY CLERK: Mr. Chairman, Notice of this Public Hearing was published in the May 21, and May 26, 2013 editions of the Maui News.

VICE-CHAIR CARROLL: Mr. Clerk, before we proceed with the presentation of testimony I'd like to inform the public that we have established limited telephone interactive communication that enables individuals in Hana, Lanai, and Molokai to provide testimony from our District Offices. If individuals wish to offer testimony at one of these locations, please sign up with the District Office staff.

For individuals who will be testifying in the chamber, please sign up at the desk located at the eighth floor lobby, just outside the chamber floor.

Testimony on all locations is limited to items noticed in the public notice published in May 21, and May 26, 2013 editions of the Maui News.

Pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes with one minute to conclude. When testifying, please state your name and the name of any organization you are representing. For those of us with cellphones and other noise-making devices, please turn them off or set them on the silent mode so we have no disruptions during the proceedings.

Mr. Clerk, please proceed with the public testimony.

COUNTY CLERK: Mr. Chairman, proceeding with testimony from the District Offices.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, this is Denise Fernandez at the Lanai Office and we have no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good morning, this is Ella Alcon on Molokai and there is no one here waiting to testify.

COUNTY CLERK: Thank you very much.

Mr. Chairman, proceeding with testimony from individuals in the chamber; calling forward Bob Richardson. Mr. Richardson will be followed by Jim Smith. Mr. Smith will be followed by Warren Watanabe.

TESTIMONY

MR. BOB RICHARDSON, HOALOHA `AINA (SOUTH MAUI VOLUNTEERS):

Good morning. My name is Bob Richardson and I'm here representing Hoaloha `Aina (South Maui Volunteers).

I would like to thank the Council for including funding for \$65,000 for Hoaloha `Aina (South Maui Volunteers) in the current budget via a grant through the Mayor's Office. This grant is for water and environmental resource protection and conservation.

I also have to take the opportunity to thank Mr. John Buck, the Mayor's Executive Assistant, for his support, and to thank the Mayor for his support. Councilmember Don Couch is a regular volunteer on our workdays when available and we appreciate his support.

Our volunteer group works with the UH Sea Grant and the Public Works and Planning Departments on sand dune related restoration projects. Our fiscal sponsor has been Tri-Isle RC&D for the last eight years.

We work regularly, we work weekly on dune projects in South Maui, but we also work with the same County partners; primarily UH Sea Grant when asked on projects throughout the County. Basically, we bring to South Maui the best practices advice from UH Sea Grant and DLNR concerning our coastal sand dunes. We remove invasive plants, manage native plants, and replant zone-specific beach plants.

A key to our effort is working with the Parks Department and Planning Department to encourage appropriate beach to park pathways throughout and over existing sand dunes. We install dune walkovers, sand fencing, post and rope pathways, dune restoration signage and interpretive signage. We work with youth groups, volunteers on vacation, local residents and snow birds to encourage them to understand and appreciate the importance of our sand dunes.

A key focus for us has always been the areas where beach parks front active sand dunes. Dunes in nature react much differently from dunes next to beach parks. Irrigation and constant foot traffic play havoc on the dune management and these areas need regular constant attention.

I want to thank you for including the funding in the budget.

VICE-CHAIR CARROLL: Members, any questions? Hearing none, thank you.

COUNTY CLERK: Jim Smith. Mr. Smith will be followed by Warren Watanabe. Mr. Watanabe will be followed by Rosemary Robbins.

MR. JIM SMITH:

Good morning, Chair. Good morning, the Members of the Council. My name is Jim Smith.

Chairperson Carroll, there are two, two items listed on that public hearing . . . and I'd like to address both of them in my testimony. And I'm wondering whether or not I would get three minutes for each. I would. Thank you very much.

This is a, this is a time when we need you the most. We need you to be vigilant. And you're there and you're stepping up. As a community we're beginning to see the effects of a political implication for constantly change, okay. And we can see that emerging with the forced resignation of a judge. We can see that emerging with the persecution of Wailuku Main Street Association. We can see the downside of feeling good. Cause if you don't look, you won't see and you're the people who need to look. You're the people that need to protect us from confusion and arbitrary application of power. And that's what's enveloping us today with this Administration.

The Capital Improvements Budget, on Wednes, Tuesday, there was a variance before the Board of Variance and Appeals. It was BVA 20130004 and it was to erect wind turbines off Baldwin Avenue at Kamaole Weir, okay. Now, that's a Capital Improvements Project that never came to you, okay. It has a special use permit,

amended in 2006, didn't even come in. A request for proposal was submitted for a bundle of these energy things and this just happened to be one of them.

And where are you? Somebody made an interpretation. We don't need you. And then to correct that you can make a law to clarify next time we do it. And that defeats our laws. And that's what's happening on a big scale. And that's what you'll address hopefully in the Policy Committee, is this corruption. That's testimony as it, as it relates to the CIP, a portion of your budget.

VICE-CHAIR CARROLL: Proceed.

MR. SMITH: I would urge you to also consider there is no provision for restrictions under general provisions and there really is a need to be.

And you've heard testimony from people who've gotten water bills and screamed they were being affected. Well, I got an, a letter from Las Vegas; that's where the stamp says. And it contained a solid west service, a solid waste service fee notice. And on the solid waste service fee notice, which the date was mailed May 22, I received it May 24, we had the weekend, it said it was due on May 28. And if I didn't pay it then, I could have my service cut off and then I'd get to pay \$30 to be reconnected, okay. And this is going to Oahu, this bill, okay.

And where are you protecting me? And where are you protecting the people who can't pay from the removal of their water when that should never be done in a government of the people? Take them to court, anything, never take their water away; health and safety. Never stop garbage collecting; health and safety. Go to court but never do it.

These guys are doing it. And it's broader than just these little irritations; it's undercutting the integrity of this body. And that's why it's so desperately important that you remain vigilant and not comfortable and not feeling good and whipping out a ukulele. This is not an entertainment venue. This is where people . . . in our culture. Be strong, be vigilant. Thank you very much.

VICE-CHAIR CARROLL: Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Warren Watanabe. Mr. Watanabe will be followed by Rosemary Robbins. Ms. Robbins will be followed by Garry Simpson.

MR. WARREN WATANABE, MAUI COUNTY FARM BUREAU:

Good morning, Chair, Vice-Chair Carroll and Members of the Council. My name is Warren Watanabe, Executive Director of the Maui County Farm Bureau.

The Maui County Farm Bureau, on behalf of our commercial farm and ranch families and organizations support the proposed operating budget for FY July 1, 2013 to June 30, 2014. And I would like to express again our thank, our thanks for providing our grant funds for this coming year. However, we would like to convey our concern, future, regarding future budgets and specifically the matter of water rates for agriculture.

We recognize that the water systems are in need of repairs, maintenance, and source development. While the five percent across the board increase may seem insignificant, our farmers are, use water wisely and utilize drip irrigation for many crops. Our ranchers have reduced their herds due to drought and it would take years to recover. Their costs for labor, transportation, supplies and inputs are constantly increasing. The cumulative effects of the cost of production without a parallel increase in revenues place our farmers and ranchers viability at risk. We need to find ways to change this imbalance.

The County agricultural water rate is one, \$1.10 per thousand and will increase to \$1.15. The current State irrigation rate is \$.50 per thousand. This increase widens the gap, places our farmers and ranchers at a significant disadvantage and reduces their ability to be competitive in the local market.

Also consider that the major marketplace is Oahu, thus we have the added cost of shipping our products there. Our farmers produce crops such as Maui onions, cabbage, lettuces, zucchini, cucumber, tomatoes, baby greens, strawberries, protea, ornamentals, and coffee to name a few. Our ranchers produce the finest meats in the State. In return for the use of water, agriculture contributes to the county's economy by providing taxes, jobs, productive use of ag lands, and stewardship of our natural resources.

Currently my monthly water bills for our larger commercial operations range from one to four thousand dollars. The proposed increase coupled with the increasing of basic, basic meter fees to possible additional charges during droughts or system malfunction will further increase the difference between our farmers and those on the State system.

We request that future increases in water rates and its impact on agriculture be fully discussed in future budgets. Source development is also critical as reliable and affordable water is one of the keys to a viable agricultural sector. Thank you.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Rosemary Robbins. Ms. Robbins will be followed by Garry Simpson. Mr. Simpson will be followed by Darcy Henderson.

MS. ROSEMARY ROBBINS:

Morning everybody. What a month this has been. Just thank you to everybody who worked so hard, especially on the budget. And that includes all of the staff members who are not getting big raises as I understand it, who worked late into the night and was so accommodating with everybody; they're wonderful.

I got a hold of some records going back and want to just do a quick trip down history lane for people who may not have been involved at that time or even have been in Maui County.

Back in 2002, we had a number of things that happened that were significant. The County Councilmembers attempted to go to a four-year term, that was defeated. We also had the Department of Water coming under the Mayor for the first time, and we'll see how that one will be tested by history. We also had Citizen Advisory group heavily, by more than 10,000 votes endorsed by the voters; need to keep an eye on the people who are the policymakers. So, some good stuff that happened out of that. I thank the people of that history who did that.

On today's agenda, wow, we've got Drinking Water Revolving Fund Loan recommendations on item 7, 8, 9, and 11. I'm familiar with that. On the Upcountry Oversight & Advisory Committee, we worked with that.

We also have, on today's agenda, items 5 and 6, that are dealing with a water revolving fund as far as pollution was concerned. I'm not familiar with that. Apparently it exists and when I tried to find out about that, I was directed by the folks on the seventh floor to go to a particular person on the fifth floor. And I did that. And while I was speak, I had never met her, while I was speaking with her, suddenly there appeared about four inches behind me, the Water Director.

Also, when I went to the Board of Water meeting earlier this month, the board said that they didn't know what they were supposed to be doing. And they were going to be meeting in small committees and triad so that they wouldn't have to be accountable to the Sunshine Law. There was a growing vividness in the pattern of keeping the citizenry out; not a good deal. Could I have one more? Thank you.

So, I still don't know who that oversight committee is for the polluted experiences. I do know that they have to have the pollution before they have it reviewed. Something's wrong that we don't have an auditor that's going to be able to see this coming up. This is eight months now since the County electorate asked to have that happen.

So, time being what time is, we've got a lot to cover today. Please, please listen and hear with and act upon the pono that was referred to easier that was an, earlier that's another one that the voters were very firm on this past election. Thank you.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

MS. ROBBINS: Thank you.

VICE-CHAIR CARROLL: Mr. Clerk.

COUNTY CLERK: Garry Simpson. Mr. Simpson will be followed by Darcy Henderson. Ms. Henderson will be followed by Heather Willmann.

MR. GARRY SIMPSON:

Thank you, Mr. President. My name is Garry Simpson. I'm part of Lanakila Club, which is a mental health organization. And I live in Wailuku and I live on \$1500 a month. I receive a pension and I, because of the way my insurance is set up, I cannot, I have to pay all my bills by myself; as far as the doctor bills, the hospital bills, medicine, or that sort of thing.

By the time I pay my rent out of the \$1500, excuse me, nobody ever calls me. I have, I, I cannot, excuse me, I lost my train of thought. I have about \$200 left for the month; that includes paying for my food, paying for bus, the bus pass, and everything else that I need to pay for.

It would help a lot if we had something like Honolulu did, which was to have reduced price for the, those that are handicapped and those that are on a fixed income. So, because \$45 a month is, is a lot for people to pay who are on a fixed income. Thank you very much.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Darcy Henderson. Ms. Henderson will be followed by Heather Willmann. Ms. Willmann will be followed by Kenneth Guido.

MS. DARCY HENDERSON:

Good morning. Darcy Henderson, I am a community case worker and I get assigned clients because of disabilities.

And when I work Monday through Friday, typically my car is my office and I am driving all over island meeting with my clients. And what I'm trying to do is improve the quality of their life by setting up housing, doctor's appointments, psychiatry appointments, helping them get medicine, groceries, and help my clients meet their basic needs.

And one of the biggest barriers I see is transportation. And it becomes a huge hindrance on us workers also because we become their transportation service to their appointments, to their doctor's, to their, get their medicines refilled, to grocery shopping.

And, as an example last week, I serviced a client who recently had a stroke and is possibly, being diagnosed with Parkinson's disease. So, she was, has always been a working woman and due to the stroke within just a couple of months she had become homeless and overwhelmingly depressed. And when I offered her housing in one of our group homes, she chose bus pass and telephone over housing because that's the only income she gets. And I, I think that that's real sad and her intention is I need to make it to my doctor's appointments and I need to try to get a job so I can live again. And therefore, she needs wheels.

And I see the barriers that it puts on my clients and the people that we're servicing in the community not to have or to be paying for their bus fares every day and making it

to their appointments, their AA meetings, their aftercare. And we set up a bunch of services, sometimes people go into treatment and then we've set up services for after treatment for continued care so they don't slip through the cracks or fall apart again. And, without transportation to these aftercare appointments and follow-up care, people fail. And I, I believe that discounted bus fares would be a hand up for a struggling community already.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Heather Willmann. Ms. Willmann will be followed by Kenneth Guido.

MS. HEATHER WILLMANN:

Hello. I'm Heather Willmann and today I am speaking in front of you for reduced bus fare for the Maui Bus here on Maui. And, I live in Makawao so my, my, my only transportation without my mom is the Maui Bus. And, I get \$700 a month and my mom helps with the rest because she helps me with my rent, with my utilities, with my food, and my, she, and my bus pass.

If we were to get a reduced fare that would be of a lesser burden to her because it would help her out because she pays, gives me \$45 a month for bus pass. If I was to get the reduced fare it would be easier. It would also make me and my mom really happy because we wouldn't have to worry about me getting to places that I need to go.

So, thank you for listening and I hope you consider my testimony to be able to get the reduced bus fare. Thank you, Councilmembers. Bye.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Kenneth Guido. Kenneth Guido.

Calling Stephen Strode. Mr. Strode will be followed by Kevin Ernst.

MR. STEPHEN STRODE:

Hello. My name is Stephen Strode.

COUNCILMEMBER VICTORINO: Chair, I can, I cannot hear him. If he can speak into the mic please.

MR. STRODE: My name is Stephen Strode.

COUNCILMEMBER VICTORINO: Thank you.

MR. STRODE: I live at the homeless shelter, KHAO, by the jail. I live on approximately \$700 a month.

My expenses far exceed what I have coming in of, and a monthly deduction in the bus pass would help me significantly in my quality of life. It would give me access to recovery programs and help me develop social skills, which I desperately need.

I suffer from extreme depression and I have lost my family and I have a high amount of child support that I pay. And my income after all my expenses is very low. And I love this island and I'm glad to be here and I hope you will consider this testimony to, to help us out that we're not, lives can be really hard and just a little bit of help goes a long ways. Thank you.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Kevin Ernst. Mr. Ernst will be followed by Kaipo Mina.

MR. KEVIN ERNST:

Yes, hi. I'm, I have to live on only 280 a month and that's all I get. And it would be a great help if I could get on, on, a reduced bus pass because it's a burden and I have to get around. And I have a, I have a, a injured on the foot too which I'm due to get operated on. But, the less on it, the better off I am. So, I would appreciate it if you would consider . . . Thank you all very much.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Kaipo Mina. Mr. Mina will be followed by Harold Collins.

MR. KAIPO MINA:

Aloha. My name is Kaipo Mina. I live on a . . . of \$295 a month. And I guess my diagnose is Bipolarism and I live in MHK housing. It would really help if I can get this deduction of bus fare cause I have a newborn baby on the way next week and I'm going to be spending most of my money on my baby diapers, clothes, food, and hospital bills, doctor bills, or whatever.

And I really appreciate it if you could help us out with that. Cause the most I get to my name after that \$295 is \$15; I pay \$280 a month at Mental Health Housing so I really appreciate it if you guys could help me out. Thank you.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Harold Collins. Mr. Collins will be followed by Eric Hatcher.

MR. HAROLD COLLINS:

Good morning. My name is Harold Collins and I reside, my physical address presently is 95 South Kane Street.

I basically just wanted to, you know, give my respect, to pay my respects to the people here today. I appreciate the jobs you do. Thank you so much.

And, you know, I just want to ask that you consider the little people, you know. We have many different things going on in our lives and, you know, we don't ask for much, you know what I'm saying. And, you know, we just hope that you keep us in, in your prayers and just consider our, our needs and the fares in terms of the bus tickets for the month and stuff like that. Thank you very much.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Calling Eric Hatcher. Mr. Hatcher will be followed by Richard Anglin.

MR. ERIC HATCHER:

Thank you for helping us at Mental Health Kokua today and lowering prices on the bus. The much needed; I'm a little bit poor right now. I have a couple dollars on me but \$45 is very expensive for some people I know. And thank you very much.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

MR. HATCHER: Thank you, Council.

COUNTY CLERK: Calling Richard Anglin. Mr. Anglin will be followed by Kenneth Guido.

MR. RICHARD ANGLIN:

Good morning, everybody. I'm Richard Anglin. I, I reside here in Maui for about a year now. I also live on a fixed income of about \$700 a month. Between phone and doctor, I'm looking for housing also right now too. I've realized that I have to start budgeting and thinking about different things of importance but it gets pretty hard juggling around the different things that are necessities which most of them are, out of the amount I get, so.

And a reduction of the, the bus rate would, would help out a lot. I've been thinking about it and when I add up everything that I have to pay, there's not much leftover. But don't seem like much at first but then after I add everything up, it would help out a lot if the bus rate was lowered. Thank you.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: Recalling Kenneth Guido.

Mr. Chairman, Mr. Guido is the last individual to have submitted a request to offer testimony.

MR. KENNETH GUIDO:

Thank you guys for being here to let us speak; I appreciate that. Like you've heard some of these other guys, we are all on a fixed income. And budget is really tight. Our income doesn't keep up with the price of everything else going up.

There are some months that I can't actually afford the bus pass because I have other things that I have to pay for. After paying my rent, my phone bill, bus pass is like my third thing on my agenda. And, sometimes I can't afford it. I don't have a car, I don't drive; it's my only transportation. And this would greatly help me a lot if we could reduce this.

There are a lot of, a lot of disabled people out there and I know there's a whole mess of them that aren't here today to speak because they have no way to get here. And, I think this would be really helpful as far as my budget is concerned and my way of living. I really need this to pass. I really appreciate it because it would help out quite a bit on the set income that I have.

And mine is, like one of these guys said, \$700. But there's some guys out there they only get \$298 a month. And for a \$45 bus pass, that's to them, that's like one, one week of, of meals, of eating; you know what I mean? So, they have to sacrifice either food or ride the bus. So, we all have to make sacrifices some way or another and I think this would greatly help out a lot of people. And I really appreciate if you guys would consider it. Thank you.

VICE-CHAIR CARROLL: Thank you. Any questions for the testifier? Seeing none, thank you.

Mr. Clerk.

COUNTY CLERK: If there is anyone present in the Council Chamber or at the District Offices who would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or the District Office staff, phone, excuse me, the District Office phone at this time.

Hana Office, is there anyone present who wishes to offer testimony?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Lanai Office, is there anyone present who wishes to offer testimony?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai Office.

COUNTY CLERK: Molokai Office, is there anyone present who wishes to offer testimony.

MS. ALCON: There is no one here on Molokai waiting to testify.

COUNTY CLERK: Mr. Chairman, there are no other individuals in the District Offices or the chambers who wish to offer testimony.

VICE-CHAIR CARROLL: If there's no objection, public testimony will be closed.

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: Mr. Clerk.

COUNTY CLERK: Mr. Chairman, we have received written testimony.

VICE-CHAIR CARROLL: If there's no objection, the written testimony will be entered into the record.

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: Thank you.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM VARIOUS INDIVIDUALS WERE MADE A PART OF THE RECORD OF THIS PUBLIC HEARING.

VICE-CHAIR CARROLL: Mr. Clerk.

COUNTY CLERK: Mr. Chairman, there is no further business scheduled to come before the Council at this public hearing.

VICE-CHAIR CARROLL: Thank you. There being no further business this day for this public hearing, this public hearing of May 28, 2013 stands adjourned.

ADJOURNMENT

The public hearing of *MAY 28, 2013*, was adjourned by the Vice-Chair at 9:40 a.m.



JEFFREY T. KUWADA, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII