

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Council of the County of Maui

MINUTES

February 7, 2014

Council Chamber, 8th Floor

CONVENE: 1:34 p.m.

PRESENT: Councilmember G. Riki Hokama, Chair
Councilmember Donald G. Couch, Jr., Vice-Chair
Councilmember Gladys C. Baisa, Member
Councilmember Elle Cochran, Member
Councilmember Stacy Crivello, Member
Councilmember Don S. Guzman, Member
Councilmember Mike White, Member

EXCUSED: Councilmember Robert Carroll, Member
Councilmember Michael P. Victorino, Member

STAFF: Carla Nakata, Legislative Attorney
Tammy M. Frias, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Michael J. Molina, Executive Assistant, Office of the Mayor (Item PIA-2(21))
Richard B. Rost, Deputy Corporation Counsel, Department of the Corporation Counsel
(Item PIA-1(23))
Caleb P. Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel
(Item PIA-1(32))
Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation
Counsel

OTHERS: Robyne T. Nishida Nakao, Fire and Public Safety Commissioner (Item PIA-2(21))
William Greig (Item PIA-2(21))
Anders Lyons (Item PIA-2(21))
Sylvia Ho (Item PIA-2(21))
Gabriel Hoeffken (Item PIA-2(21))
Kent Hiranaga (Item PIA-2(21))
Stanford Lantias (Item PIA-2(21))
Arleen Ricalde-Garcia (Item PIA-2(21))
Richard Higashi (Item PIA-2(21))
James Likes (Item PIA-2(21))
Additional attendees (2)

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

PRESS: *Akaku--Maui County Community Television, Inc.*

CHAIR HOKAMA: . . .(*gavel*). . . The Council's Committee on Policy and Intergovernmental Affairs shall come to order. This is its meeting of February 7, 2014. Present we have Vice-Chairman Couch.

VICE-CHAIR COUCH: Good afternoon, Mr. Chair.

CHAIR HOKAMA: Mr. Couch. And then we have Committee members present, Ms. Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR HOKAMA: And Ms. Crivello.

COUNCILMEMBER CRIVELLO: Aloha, Chair.

CHAIR HOKAMA: Ms. Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR HOKAMA: Mr. White.

COUNCILMEMBER WHITE: Aloha, Chair.

CHAIR HOKAMA: And Mr. Guzman.

COUNCILMEMBER GUZMAN: Good afternoon, Chair.

CHAIR HOKAMA: Excused from this meeting is Mr. Carroll and Mr. Victorino. We have a few items on today's agenda. Members, the first key one is of course, Mayor's Nominations to Various Boards, Committees, and Commissions. We have an HSAC request before us as well as two litigation matters that we will deal with Corporation Counsel at the appropriate time.

. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR HOKAMA: At this time, it is, the Committee is open to receiving public testimony on any item that has been agendaized for today's meeting. And so I will ask the Hana Office, Ms. Lono, if there is anyone wishing to testify on today's meeting.

MS. LONO: Aloha, good afternoon, this is Dawn Lono at the Hana Office, and I have no one waiting to testify.

CHAIR HOKAMA: Thank you. Ms. Fernandez, Lanai, anyone wishing to testify?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

CHAIR HOKAMA: Thank you. Ms. Alcon, on Molokai, anyone waiting to testify?

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

CHAIR HOKAMA: Thank you, ladies. Do we have any request for testimony in the Chambers?

MS. NAKATA: Yes, Mr. Chair, Robyne Nishida Nakao.

CHAIR HOKAMA: Okay, if she'll come forward. By Rules of the Council, you have three minutes to share your thoughts with the Committee. Please state your name. If you represent an organization, please state that organization's name. And you have three minutes, and we will assist you with our lighting, and you have up to one minute to conclude after the three-minute mark should you desire.

MS. NISHIDA NAKAO: Good afternoon, Chair Hokama and Committee. I'm here to testify as an individual. Currently I am a member of the Fire and Public Safety Commission and wanted to just express some concern that I have about one of the nominees for the Public, Fire and Public and Safety Commission, Mr. Archie Kalepa. I don't know this individual personally but I'd just like to express a little bit concern as you guys anticipate his nomination to the Commission. Mr. Kalepa, I understand, is a well-respected, well-known person in the surfing community, and the big waves, surfer, and things like that. And he's been endorsed and hired by, I believe, the OluKai Company as their konohiki representative. I also understand he recently retired from the Maui Ocean Safety as a Maui Ocean Safety supervisor and he has very close ties and interests to the Ocean Safety Department. And as you may or may not be aware, the Fire Department is in the process of transitioning the Ocean Safety Division into their Department, and Mr. Kalepa was instrumental in that merger of that Division into the Fire Department. And it's, in my opinion, that tie is a little bit too close for Mr. Kalepa to be part of that Commission. And I think that needs to be looked at really closely. Also I have here packets or a letter that I'd like to pass out to all of you for you guys to look at and for you to read. There was a incident several years back that Mr. Kalepa was involved with, with the County, that was quite high profile and was in the newspaper, and I don't believe that was or is my job to mention it here in this venue but I'd like you to please review it. I highlighted sections in there for you to review and take a very close look at, to just take a look at, you know, Mr. Kalepa's character and what I believe might not be appropriate for this Commission. And I also believe that there's other, been other members of the Commission that may have come and spoke with you or some of the Members to please consider Mr. Kalepa's position within the Commission. And so, please, if you could please consider that. Thank you.

CHAIR HOKAMA: Okay, thank you. Anything else, Ms. Nishida?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MS. NISHIDA NAKAO: No.

CHAIR HOKAMA: I mean, Ms. Nakao? Any questions for Ms. Nakao on testimony she has provided you this afternoon? Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Ms. Nakao, for being here. So you're saying to consider him for not--

MS. NISHIDA NAKAO: Disapproval.

COUNCILMEMBER COCHRAN: --being, okay, consider for disapproval?

MS. NISHIDA NAKAO: Yes.

COUNCILMEMBER COCHRAN: Okay, and...

MS. NISHIDA NAKAO: Or either to, I don't know how you guys do it but you go through the list or put him on the side for further discussion. But eventually disapproval if you want today or to, I'm not sure how this process works, but you guys go through the list and put some on the side and then you guys talk about it, you know, kind of thing, get more information, but --

COUNCILMEMBER COCHRAN: Okay, thank you.

MS. NISHIDA NAKAO: --if you were to make a decision today, I would say to disapprove.

COUNCILMEMBER COCHRAN: Okay, thank you. And your main reason for that is because of sort of a conflict into what his past profession has been and then in relation to being on this Police Commission? Is that kinda what I gather? A Fire, sorry, not Police, Fire Commission.

MS. NISHIDA NAKAO: Fire Commission. Yeah his current retirement from, I believe he just retired from the Ocean Safety and there was a incident here that happened in the past that resulted in a court case and for those two factors that reflected on his character, yeah.

COUNCILMEMBER COCHRAN: Okay, thank you. Thank you for your testimony. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. Is there any other questions for Ms. Nakao, Members? Ms. Baisa.

COUNCILMEMBER BAISA: Yes, thank you, Chair. And thank you, Robyne, for being here this afternoon. Do you know Mr. Kalepa personally?

MS. NISHIDA NAKAO: No, I do not.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER BAISA: Do you know when this incident occurred?

MS. NISHIDA NAKAO: I printed for you from the State Judiciary the--I don't know what they call it-- the minutes of that, it's attached.

COUNCILMEMBER BAISA: Yeah, we haven't had a chance to read it 'cause we just got it.

MS. NISHIDA NAKAO: Yeah.

COUNCILMEMBER BAISA: You don't know when this happened?

MS. NISHIDA NAKAO: Oh, I do, was in 1996.

COUNCILMEMBER BAISA: In 1996?

MS. NISHIDA NAKAO: Uh-huh.

COUNCILMEMBER BAISA: And was he convicted?

MS. NISHIDA NAKAO: He wasn't convicted. It was an incident where he was, I guess, he was a party to. It resulted, I mean, if you want me to explain the incident.

COUNCILMEMBER BAISA: No.

MS. NISHIDA NAKAO: It wasn't my wish to --

COUNCILMEMBER BAISA: That's not necessary.

MS. NISHIDA NAKAO: --try to ...

COUNCILMEMBER BAISA: You answered my question. He was not convicted.

MS. NISHIDA NAKAO: He wasn't convicted but it was an action that ...

COUNCILMEMBER BAISA: Thank you. Thank you. Thank you, Chair.

CHAIR HOKAMA: Okay. Any other questions for the testifier, Members? Having none, thank you very much for your testimony this afternoon. Ms. Nakata.

MS. NAKATA: Mr. Chair, no one else is signed up to testify in the Chamber.

CHAIR HOKAMA: Okay, is there anyone else wishing to provide testimony before the Committee? Please make yourself known and we will be happy to give you your opportunity. Okay, having none, the Chair will close testimony for today's meeting. Members, any objections?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCIL MEMBERS: No objections.

CHAIR HOKAMA: Okay, thank you. So ordered. We'll take up now...thank you, District Offices.

...END OF PUBLIC TESTIMONY...

ITEM PIA-2(21): NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(VARIOUS) (CC 13-42)

CHAIR HOKAMA: We shall take up Policy Item 2(21) under the heading of Nominations to Boards, Committees, and Commissions. Today we do have some of the nominees that were requested to come forward to, and has graciously agreed, have come here to share their ideas with, their thoughts with the Committee as well as for the Members to ask pertinent questions regarding the, to the nominee regarding the consideration of the Board or Commission they are being asked to serve on. Today we have two members from the Board of Water Supply, and I'll ask Mr. Lyons if he would come down first, please. Mr. Lyons, Members, is being nominated to the Board of Water Supply. And we'll ask Mr. Lyons if you just give us a quick introduction and maybe some of your thoughts of how you see yourself participating as a member of the Board of Water Supply please.

MR. LYONS: Sure. Thank you for the opportunity to come to speak to you today. I am a lifelong resident of Maui, born and raised Upcountry, and have known the water politics since my youth. And we all know that, and particularly in Upcountry, there is a lot of issues with distribution, storage, and the ability of people to tap into the system. So as a homeowner and a lifelong resident, I have that, that side of, of my interaction with Department of Water Supply. I've also worked in environmental conservation for a large part of my career and have employed watershed protection or rather I have directed watershed protection programs in the East Maui and West Maui Mountains collectively. Over 150,000 acres of watershed lands were under my responsibility for quite a while. And, likewise, I have interacted with the then Board of Water Supply as a grantee to funds for that watershed protection, those watershed protection programs. And in addition to that, I'm a Alexander & Baldwin family member and have a fairly comprehensive understanding of the lands that, that that company operates on here on this island and the watershed distribution systems that they are charged with maintaining.

CHAIR HOKAMA: Okay, thank you for those comments, Mr. Lyons. I'll ask the Committee if they have any questions that the wish to present to you. Mr. Couch?

VICE-CHAIR COUCH: No.

CHAIR HOKAMA: Okay. Ms. Cochran?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER COCHRAN: Thank you, Chair. And hi, Mr. Lyons, nice to see you. And so in, with your last comment in regards to Alexander & Baldwin affiliation, if, you know, I mean, it's, I understand the idea that you have intimate knowledge or first hand, you know, I guess experience with the system and what have you. But at times I think maybe having a close tie, I don't want to say conflict, but is there, you know, you'll be able to make, you know, unbiased, you know, decisions, and clearly see neutrally, I guess, issues or concerns that may come to the Board of Water Supply?

MR. LYONS: Yeah, a fair question. And I can tell you that when I was working in my conservation role, I had a lot of interaction with both East Maui Irrigation and with the hunting community in East Maui, and there was a lot of perceived conflict there and I can tell you that we worked out that conflict to, I hope, the satisfaction of everybody. You know, I spent a lot of time in Keanae, spent a lot of time with hunters in the field and, you know, I felt like I understood people's issues and could see both sides of the issue. I don't personally see any bias on my, my part, but I guess that's for people to judge upon my actions.

COUNCILMEMBER COCHRAN: Thank you. Thank you for candidness, Mr. Lyons. Thank you for willing to serve.

MR. LYONS: Thank you.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR HOKAMA: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: No comment.

CHAIR HOKAMA: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. Mr. Lyons, have you, you have time to handle this big commitment?

MR. LYONS: Do I have time?

COUNCILMEMBER BAISA: Yes.

MR. LYONS: I certainly do. I wouldn't make this commitment without, without having the right amount of time to do it. In fact, I don't take on any responsibility without knowing that I'm going to put myself into it.

COUNCILMEMBER BAISA: Wonderful. Thank you very much. I know your record and I know you bring a lot of expertise and a lot of aloha for Maui. In fact, where's your I Love Maui button? Your father would not be happy.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. LYONS: Yeah, a little bit too much of a shadow there.

COUNCILMEMBER BAISA: Anyway, thank you very much for volunteering to be on the Water Board. It's a tough Board. And it is advisory but still requires a lot of time and we certainly can use the help of Upcountry people who have lived here and know, know the works. So thank you.

MR. LYONS: Thank you.

COUNCILMEMBER BAISA: Thank you, Chair.

CHAIR HOKAMA: Thank you. Mr. Guzman, questions for the gentleman?

COUNCILMEMBER GUZMAN: Thank you. Thank you, Chair. Thank you, Mr. Lyons, for coming down this afternoon. You mentioned earlier that you had some experience in the conservation and land management programs. Can you elaborate on that particular experience?

MR. LYONS: Sure. I worked for the Nature Conservancy of Hawaii for ten years and for six of those years, I was the Maui island program director. So under my responsibility were the supervision of both the East Maui watershed partnership program crew as well as the West Maui Mountains watershed partnership crew. There and collectively between the conservancy and those two watershed partnerships, of which the County is a member in both, there are 150,000 acres of land under our management, our collective management.

COUNCILMEMBER GUZMAN: Thank you, Chair. Seems as though Mr. Lyons is well qualified for this Commission. Thank you.

CHAIR HOKAMA: Thank you. Mr. White, any questions for the gentleman?

COUNCILMEMBER WHITE: No questions. I'm familiar with his prior service and I think he is well suited for the job. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. Mr. Molina, any comments you wish to add?

MR. MOLINA: Good afternoon, Mr. Chairman and Committee members, no additional comments. Just with Mr. Lyons, as you have, from questioning, he'll certainly be well qualified and comes from a long-time kamaaina family as all you know. His late father, Mr. Mike Lyons, Bank of Hawaii executive and community philanthropist certainly had a large impact here in our community. So the Administration would certainly appreciate your support of Mr. Lyons to the Department of Water Supply Board. Thank you.

CHAIR HOKAMA: Okay. You don't have any clients before the, that would go before the Board, do you, Mr. Lyons?

MR. LYONS: Not currently.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: Okay. And I'm sure Corp. Counsel would advise you of checking with Board of Ethics before --

MR. LYONS: Absolutely.

CHAIR HOKAMA: --a sensitive situation occurs with the Water Board and a potentially client of yours. Okay, if there's no further questions, any final comment on your part, Mr. Lyons?

MR. LYONS: I thank you for the opportunity to talk to you and I hope that I am successfully brought onto the Board of Water Supply and I look forward to serving the County. Thank you very much.

CHAIR HOKAMA: Thank you for being here and we appreciate your willingness to serve the County.

MR. LYONS: Thank you.

CHAIR HOKAMA: Thank you. We'll ask Sylvia Ho if she'll please come down. Ms. Ho is also being nominated to the Board of Water Supply, like Mr. Lyons. They're both being considered for a term expiring March 31, 2019. Ms. Ho, if you would share some of your thoughts with us please.

MS. HO: Okay, hello. Aloha, everybody, and there's a lot of familiar faces here. My name is Sylvia Ho. I am a fulltime financial consultant in one of the bank in town and I'm also a volunteer in many organizations. The motivation of me being, to be involved with the County is I always feel that we all volunteers, we all citizens on the island, we are all responsible, we already have the right to speak and I would like to represent my community. And like, and many volunteer organization that I have served or I'm serving. So I would like to be part of this, the Water Board's decision making to the Mayor and for the County for the benefit of the Maui County. So that's my motivation. Of course, my expertise is financial planning but I'm willing to work with everybody to learn from each other to make the best decision for the, for the community basically so. Any question?

CHAIR HOKAMA: Thank you very much for your comments and thank you also for volunteering. I'll ask Mr. Couch as our Vice-Chairman if he has any questions for the lady.

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you, Ms. Ho, for being here. Just to preface this to Corp. Counsel and the Chair. Ms. Ho is a member, a Board member of *Akaku Maui Community Television* and so am I, so I'm not sure if there is a conflict there or not. But at least I know I can discuss it.

CHAIR HOKAMA: The Chair would rule at this point in time that there's no conflict of interest. There is no financial gain on either part of yourself or Ms. Ho. And so with what the Chair understands the rules of procedures as well as general law, I would, my ruling is no conflict.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

VICE-CHAIR COUCH: Okay, thank you, Mr. Chair. Thank you, Ms. Ho, for being here. The standard question that we try to ask, one of us tries to ask, I wanna ask you on this one, is the time commitment. It's gonna be a big time commitment and I see you're on three boards now, three other boards. That's a lot. Are you willing to put the Board of Water Supply before anything else?

MS. HO: Absolutely, yes. I do realize that time commitment is something I need to consider but I am ready to serve and I should be able to manage my time, yes. Thank you.

VICE-CHAIR COUCH: Okay, thank you. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And Mr. Couch's first question to you also applies to myself as a *Akaku* Board member but I've heard your response. But just for the record.

CHAIR HOKAMA: My ruling would be the same with you also.

COUNCILMEMBER COCHRAN: Okay, thank you.

CHAIR HOKAMA: Chair would rule no conflict.

COUNCILMEMBER COCHRAN: Okay, just wanted to put that on for the record.

CHAIR HOKAMA: Thank you.

COUNCILMEMBER COCHRAN: And aloha, hi, Ms. Ho, nice to see you. And again, you know, I concur, thank you for your willingness. And I don't really have any questions because, you know, we work together with *Akaku* and do know of your dedication and service. So looking forward to having you with our Board of Water Supply at this point, so.

MS. HO: Thank you.

COUNCILMEMBER COCHRAN: Thank you. Chair, I'm through. Thank you.

CHAIR HOKAMA: Thank you. Ms. Crivello, any questions for the lady?

COUNCILMEMBER CRIVELLO: No questions, but I want to thank you for extending your volunteer services to our County.

MS. HO: You're welcome. Thank you.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. And thank you, Ms. Ho, for being here and thank you for volunteering. I know that you're a busy person. Like Member Couch, I know Ms. Ho through Rotary and I know of her dedication to our community so I really have no questions now that Mr. Couch has already asked you the key one is, you have time to fit this in your busy schedule?

MS. HO: Yes, I do.

COUNCILMEMBER BAISA: Very good. So I am in strong support of the nomination. I know her well. Thank you.

CHAIR HOKAMA: Thank you.

MS. HO: Thank you.

CHAIR HOKAMA: Mr. Guzman, any questions?

COUNCILMEMBER GUZMAN: Just, yeah, thank you, Chair. Thank you, Ms. Ho, for coming down this afternoon. What do you foresee your role as on the Water Board and, I guess, it's a compound question? The second prong would be, what major issue do you feel we have in terms of our water issues here on Maui?

MS. HO: Actually, very interesting. I was, when I was told, okay, you are now nominated to be considered for the Water Board, I told myself, very interesting because water is everything for life. So, I live Upcountry and I truly believe there are a lot of things that we'll need to consider and, you know, that's why I would like to be part, involved in this, what do you call, decision process and I would like to be a part of it, because I'm a resident for ten years in Kula and we just need to be--how should I put it--make good decisions for the sustainability of the island. So that's why I was really interested to be on the Committee, to be a member for the Commission.

COUNCILMEMBER GUZMAN: One more question --

CHAIR HOKAMA: Sure.

COUNCILMEMBER GUZMAN: --Chair. Just out of curiosity, on your educational background, it says Australia on there. Just as a informational, what did you do in Australia?

MS. HO: Actually, my graduates of Social Science in the University of New England in New South Wales, but actually I, well maybe, I love to brag about my background. I'm born and raised in Hong Kong. I lived in Holland for two years and I moved to Australia, finished my college in Australia, University of New England. And I worked at the medical school for six years and I

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

moved to Honolulu at the University of Hawaii at the Electrical Engineering Department, that's where I worked for six years, and I moved here ten years ago and I love Maui. And so, basically I consider myself a Maui girl because I love Maui so much.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR HOKAMA: Thank you. Mr. White, any questions?

COUNCILMEMBER WHITE: But it doesn't sound like the Water Board was your first pick. What was your first choice of Boards to be on?

MS. HO: Mr. Molina, can you help me?

MR. MOLINA: If I may, Mr. Chair.

CHAIR HOKAMA: Proceed.

MR. MOLINA: Ms. Ho did indicate an interest at first, her first choice was the Cost of Government Commission.

COUNCILMEMBER WHITE: That's what I would've, that was what I thought might be the better match for your background, but.

MS. HO: But I do love the Water Board, so.

COUNCILMEMBER WHITE: Yeah, I don't have any, any question that you would probably do very well there. But it's good to have at least a little background with the infrastructure challenges that we've got but I'm sure you'll pick it up quickly.

MS. HO: Thank you.

COUNCILMEMBER WHITE: Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. Any other questions for the nominee? Okay, having none, Ms. Ho, thank you very much for being here this afternoon.

MS. HO: Thank you so much, everybody.

CHAIR HOKAMA: Mr. William Greig wasn't officially requested but I know he's present. So since he took the effort to be here, I'll ask Mr. Greig if he would come down and share some thoughts. Mr. Greig is being nominated to the Board of Variances and Appeals, which is a very major Board for the County and will ask Mr. Greig if he would share some thoughts with us regarding his nomination. And also for your information, Members, Mr. Greig's nomination, if confirmed, would be for a term expiring March 31, 2019. Good afternoon, Mr. Greig.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. GREIG: Good afternoon, Chair, Council members. Excuse my nervousness. My name is William Greig. I'm currently the business representative for Maui's Hawaii Operating Engineers. If selected, you know, I'd be honored to sit on the Board of Variances and Appeals. It may sound repetitious but, you know, to possibly make a difference of having some input in the community and making decisions collectively with everyone else that'll better the Maui County and its people.

CHAIR HOKAMA: Okay, thank you very much for being here, again, this afternoon. Mr. Couch, any questions for the gentleman?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you, Mr. Greig, for being here. Appreciate your willingness to serve. This one's a tough committee. You have to sometimes appeal director's decisions or approve or, more importantly, deny variance requests. Sometimes people try to screw with the system and want to do a variance request and just curious on how willing you are to say, you know, sorry, there's no hardship there, I think this is something you gotta follow the rules on this one?

MR. GREIG: Based on the laws and, you know, regulations that I'm sure, that is in place already, you know, if a decision has to be made, you know, we have to stand strong and not veer off from that.

VICE-CHAIR COUCH: Okay. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. Ms. Cochran, any questions?

COUNCILMEMBER COCHRAN: No questions.

CHAIR HOKAMA: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Excuse me, no questions, but thank you for extending your volunteering service.

MR. GREIG: Thank you.

CHAIR HOKAMA: Ms. Baisa, any questions?

COUNCILMEMBER BAISA: No questions, Chair. I know Mr. Greig and I know his background. Thank you.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. Just looking at your employment history and your current employer, Operating Engineers Local Union No. 3, Business Representative, and the position on the Commission in terms of the Board of Variances and their duties. Like my

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

colleagues have mentioned is a position in which you are basically a judge deciding on different issues that are two parties, three parties, directors, the County's involved in and that Board is basically the Board that will handle the appeal process. So given that, your background and affiliations, do you believe that there would be a conflict between certain entities that you may be associated with and being on the Board of Variances?

MR. GREIG: I don't think so, you know, my current position now is, you know, I deal with the membership. I deal with our contract that is for our membership for what is right and wrong between contractor or employer. And, you know, based on our contract itself, the way it's written, you know, it's a guideline for me to follow and to make, you know, a good decision based on the contract, you know, of what it states. So I don't think it would, you know, be a conflict.

COUNCILMEMBER GUZMAN: Follow up, Chair?

CHAIR HOKAMA: Sure.

COUNCILMEMBER GUZMAN: Yeah, Mr. Greig, yeah, I know of your reputation and you have a very good reputation within the community and I'm gonna ask this really hard question. And I'm not doing it to be personal, I'm just doing it as a fact finder, yeah. Was anybody in your union ask you to apply for this position?

MR. GREIG: No.

COUNCILMEMBER GUZMAN: In this Commission position? Or are you doing this as an individual from the community?

MR. GREIG: It's something that I always looked at. I've been on staff now for, it's going on six years now. Being also involved, I'm also currently--excuse me, nervous--I'm also currently the President for Waiohuli Homestead Association, you know, sat on Maui United Way, you know, meeting and stuff and it's making a difference for people, for the community, you know. To me the decision should be based on the betterment of the people of Maui.

COUNCILMEMBER GUZMAN: Very good. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you very much. Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. Thank you for offering yourself for this Commission. I like the idea of having people with practical knowledge to apply with respect to items like the Board of Variances and Appeals. So I understand Mr. Guzman's questions and I think they're appropriate. But at the same time, I think it's very good to have people on these Boards and Commissions with on-the-ground knowledge. So I appreciate the fact that you're willing to bring yourself to this kind of a discussion and this kind of a forum and you shouldn't be nervous.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. GREIG: I always am. Thank you though.

COUNCILMEMBER WHITE: You're doing very well. Thank you very much for your service. Thank you, Chair.

CHAIR HOKAMA: Okay. Thank you, Mr. White. I do notice, and I consider this an advantage being, coming from a graduate of Honokaa High School on the Big Island. What I personally like is that you come from a rural community and lot of the requests to the Variances Board and Appeals is about normally how things vary in a rural setting, rural community from normal standards that we have generally tried to apply to maybe, let's say, Kahului, your normal subdivision standards, your underground utilities, you curbs, gutters, sidewalks, but rural communities have a little bit more unique and different type of characters and challenges. And I like people who can appreciate and understand why those rural areas have those unique conditions. Let me ask you this question in this way, Mr. Greig. How do you see, you know, and again you come from construction so you understand about the standards of development, but if you had a situation where you were in a rural setting, we'll take Lanai, we were pretty much a planned community in early 1900s when nobody was talking planned communities, but we were pretty planned. We were on a grid where streets were numerical in order. The other way was alphabetical in order, so was easy to get a grid and know where you were for our island, and yet we were geared for a pedestrian community so our street sizes, our easements, right-of-ways, is very different from those that have been set for Maui. Do you think that this one-size-fits-all mentality of the past is still a workable type of philosophy for the County or do you see each community trying to retain and being independent of a one-size-fits-all approach?

MR. GREIG: Could you clarify that again? Do I, sorry. I don't, I mean, you know, I don't think one size fits all, not at all. You know, I grew up in the country. I mean, I did go to Honokaa High School, but I grew up in Kamuela, Waimea, Hawaii. You know, green, lush pastures, you know, it's very country. Our subdivision street was, you know, narrow, but we always thought it was such a big street going down there, you know. Every community is unique in itself.

CHAIR HOKAMA: Uh-huh.

MR. GREIG: And coming from someplace like that, you know, it's so nice to go back and visit and see it the same way, you know, seeing it, being comfortable. Yes, there is some growth and, that has occurred there, but I don't think, you know, everything is, you know, fit for everybody. You have to look everything, look at everything in a different way, you know, based on that community that or that area that it's in.

CHAIR HOKAMA: Okay.

MR. GREIG: I hope that kinda answers it.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: You have no problem going to the variance request site to deal with the unique locale's situation?

MR. GREIG: I'm sorry?

CHAIR HOKAMA: You have no problem going to the locale's site where the variance is being requested to make a decision?

MR. GREIG: No, not at all.

CHAIR HOKAMA: Okay. 'Cause if it was a Lanai thing, I would like you to be on Lanai looking at the Lanai situation, not dealing it from the Chamber in Wailuku like us this afternoon.

MR. GREIG: I agree.

CHAIR HOKAMA: I think you'll be a great addition. So thank you for volunteering, Mr. Greig.

MR. GREIG: Thank you.

CHAIR HOKAMA: Any other questions for the gentleman? Having none, Mr. Greig, any other thoughts you'd want to share before you leave us this afternoon?

MR. GREIG: I'd just like to thank everyone for their manao and, you know, their thoughts and appreciate being nominated.

CHAIR HOKAMA: Yeah, and thank you for making the time to be here. We know you weren't requested but just your presence here shows us your sincerity in being a part of the County, so thank you very much.

MR. GREIG: Thank you.

CHAIR HOKAMA: Next we have, we'll bring up some nominees for the Cost of Government Commission. The first one we'll ask is Gabriel Hoeffken. I'm sorry if I'm mispronouncing your last name.

MR. HOEFFKEN: Good afternoon, Chair and Council members.

CHAIR HOKAMA: Good afternoon.

MR. HOEFFKEN: My name is actually pronounced "hef-ken".

CHAIR HOKAMA: "Hef-ken", I apologize.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. HOEFFKEN: Oh, it's alright. It's very hard to pronounce, so, I'm very used to it. My name is Gabe Hoeffken, born and raised in Maui and for the last couple years, I've been kinda looking at the different councils and committees and thinking about volunteering but the timing just wasn't quite right. But this year I had a chance to actually get together and apply and I applied for a few different committees and this is the one that I was nominated to. And it's kinda funny 'cause actually I think it was the third down the list but originally it was my first and I had kinda switched it. So it's one of those weird sorts of things, the way things work out. My professional background is I worked for a family business, Tom's Backhoe and Excavation Company. My dad started the business in 1978 and I've been working with him fulltime since about 2005. We're partners and yeah. He's the President and I'm the Vice-President and we're also operators and we're also the estimators and we do just about everything. So real small business but, you know, we're lucky to be successful here on Maui and thank Maui for our success as well. My educational background, went to St. Anthony and then went to UH, got a degree in communication and a Master's Degree in Educational Technology. I've also got a lot of experience with video production, which is just kind of a random fact but something I enjoy. The reason I wanted to volunteer is I think it's important that you give back to your community and where you're from and especially when you're in a place where you can do that. And when I was younger and working more hours and trying to attain more things, I didn't have the time and I probably didn't have the patience either to potentially do this sort of thing. But I've done a lot of, I guess, volunteer work when I was younger. I was actually a student senator at UH and involved with different groups at UH as well. Yeah, I don't know, I don't really know that much about the Cost of Government Committee, but I'm willing to learn and try. And I do have a pretty good background in budgeting and finance. My own personal finance is not actually in the discipline of finance but, yeah, I don't really have any debt so that's kind of a good thing.

CHAIR HOKAMA: Well, thank you very much for your comments and thank you for being very candid to the Committee. We appreciate that.

MR. HOEFFKEN: Thank you.

CHAIR HOKAMA: Mr. Couch, questions for the gentleman?

VICE-CHAIR COUCH: No, just a comment to say thank you for, for your willing to, willingness to volunteer and serve the community. I'll save the question that you have for you.

CHAIR HOKAMA: Oh, you're the swami this afternoon. Mr. White, questions?

COUNCILMEMBER WHITE: No questions, thank you.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. Also, I wanted to thank you for being here this afternoon as well. It looks as though you have a Master's Degree in Educational Technology and you've mentioned that it's taught you the process of system analysis.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. HOEFFKEN: Yes.

COUNCILMEMBER GUZMAN: Can you explain or elaborate?

MR. HOEFFKEN: Educational technology kind of originated from the military. And the idea was that you had soldiers and they have diverse backgrounds from seventh grade education all the way up to college graduates, but they all need to know the same skill set, you know. You need to know how to march in a line, take orders, disassemble and maintain a rifle and that's kind of where educational technology came from. And in order to figure out all those steps that need to be addressed, you kind of have to look at the big picture but then also all the individual components and that's where the system analysis comes in. Prior to getting my degree, I'm kind of a big picture kinda person by nature. Getting my degree helped me because it forced me to not only look at the big picture but also pay attention to all the finer points within the big picture, which isn't my nature, but it was a very, very good learning experience and it's actually helped me a lot when I came back to help my father's business because prior to me returning to the business, we actually didn't do very much governmental work, bonded work, work that required, that was more complicated than just fairly simple civil site work, so, yeah. Did that answer the question?

COUNCILMEMBER GUZMAN: In a roundabout way.

MR. HOEFFKEN: Okay.

COUNCILMEMBER GUZMAN: But I was trying to get at was basically on the Cost of Government Commission is basically an analysis of systems.

MR. HOEFFKEN: Yeah.

COUNCILMEMBER GUZMAN: Going through the departments and seeing what works and creating or suggesting new system procedures that would make it more efficient. And so I was trying to see if you had that type of skill set.

MR. HOEFFKEN: That's exactly right.

COUNCILMEMBER GUZMAN: If you could explain.

MR. HOEFFKEN: I mean, basically, in running a business, that's a lot of what we do. I mean, we've grown our business and started doing new things. And when you do that, you've gotta do your initial cost analysis, hey is it worth getting into this new type of work, how much does equipment cost, how much is it gonna take to train my labor, and then see if all that's actually gonna pay off and you're gonna recoup your investment, and not only that, but make some money. So, yeah, I definitely can look at a situation and see where, where potential problems may lie or where solutions to problems may also exist.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR HOKAMA: Okay, thank you very much. Ms. Baisa, any questions?

COUNCILMEMBER BAISA: No, but I certainly would like to thank you for volunteering. You certainly have a very interesting background and you're taking on a tough job. So thank you very much for volunteering.

MR. HOEFFKEN: Thank you.

CHAIR HOKAMA: Ms. Crivello?

COUNCILMEMBER CRIVELLO: I ditto what our Chair said, thank you.

MR. HOEFFKEN: Thank you.

CHAIR HOKAMA: Okay. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And, yes, thank you for your willingness, I guess, to serve. And, you know, everyone has the same comment, giving back to community, being a part of and wanting, but just curious why someone would want to be put into this position. I mean, it is a daunting task --

MR. HOEFFKEN: You know...

COUNCILMEMBER COCHRAN: --and I see you have a, you know, a variety, varietal background. So, just what brought you to want to, was this your first option or, you know, what made you, I guess, interested in this --

MR. HOEFFKEN: It wasn't --

COUNCILMEMBER COCHRAN: --particular...

MR. HOEFFKEN: --well, it was originally but I didn't write it down as my first option 'cause then I looked at the different committees. I think I, I can't remember which ones I signed up for. I know one of 'em was Public Works just because of my background in construction. But the reason Cost of Government is interesting to me and something I'm interesting in helping with is as a taxpayer and as a person, I think spending is an important subject and spending money well is an important thing and not wasting money. So that's pretty much why it is. I'm pretty passionate about that. I mean, even with my guys, I very much tell them, hey, you know, make sure you put money away, make sure you save, don't run up your credit card bill. Yeah, it's important for people to be aware of their finances and, yeah, I'm kinda passionate about it.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER COCHRAN: Okay, well, thank you. I'm glad to hear your philosophy on money, so thank you. Thank you, Chair.

MR. HOEFFKEN: I'm not saying we shouldn't spend money, just --

COUNCILMEMBER COCHRAN: Oh, right, right.

MR. HOEFFKEN: --yeah.

COUNCILMEMBER COCHRAN: No, wisely, yes.

MR. HOEFFKEN: Yeah, just carefully, yeah.

COUNCILMEMBER COCHRAN: Thank you. Thank you, Chair.

CHAIR HOKAMA: Okay, thank you. What I was hoping and maybe you could share some thought of, is how you see your role now as a potential Cost of Government commissioner in regards to the County auditor? The people voted for an auditor. We have a County auditor now that has, assists the Legislative Branch with some of its accountability and oversight responsibilities. How do you see yourself as a commissioner of this subject in dealing with the auditor or have you not really thought about it?

MR. HOEFFKEN: To be honest, I don't have enough information to answer that question.

CHAIR HOKAMA: Okay, well.

MR. HOEFFKEN: I mean, I'd be willing to do what would be necessary to make, you know --

CHAIR HOKAMA: Okay.

MR. HOEFFKEN: --a working relationship with anybody.

CHAIR HOKAMA: Okay, well, you know, I appreciate that your comment that you're very open, you're willing to learn and I think that's a great thing on anybody's part. But I will caution, as the Chair, I do not support or expect the Cost of Government to do the job of the auditor.

MR. HOEFFKEN: No.

CHAIR HOKAMA: The auditor is specifically required to perform by Charter and I don't want to see another type of auditor component being done by the Cost of Government Commission. That is not what I believe its role is at all. And so I just share that as a caution from the Chair that I see you folks working to advise the auditor, but not to tell the auditor what to do. And if need be, we'll happily make those adjustments in Charter and County Code if need be.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. HOEFFKEN: Yeah, well, I don't think I would be qualified to be an auditor. I mean, I don't have a financial background. I could, you know, I don't, yeah, I agree with you, I don't think that would be something that I would need to, you know, be doing. It's somebody else's job.

CHAIR HOKAMA: Okay. But I'm looking forward, again I like your willingness to learn and I think you have some of the skills that we want our people to have, which is understanding the common sense financial situations and looking at operations from a common sense taxpayer's perspective also. So I would appreciate that coming from the Cost of Government members. You have any things you wish to say before your time is up here with us?

MR. HOEFFKEN: I'd just like to thank everybody for having me here and letting me talk to you. And, yeah, this has been a really good experience and regardless of how you guys vote, thank you very much.

CHAIR HOKAMA: Thank you for volunteering and thank you for making yourself present this afternoon.

MR. HOEFFKEN: Thank you.

CHAIR HOKAMA: We're gonna ask Mr. Hiranaga, Kent Hiranaga, if he would please come forward and share his thoughts with us please. Members, you may know Mr. Hiranaga has volunteered and served honorably on many Boards and Commissions of the County and again he is putting himself forth to volunteer his service and time to our people. So, Mr. Hiranaga, thank you for being here.

MR. HIRANAGA: Thank you, Chair, Council members. My name is Kent Hiranaga and I was born and raised on this island. I'm a small business owner. Currently I'm the President of the Maui Country Club, which is a not-for-profit organization but my term does end in April so I don't see that as a problem regarding availability of my time. I guess from my resume you can see that I've served on the Maui Planning Commission, which was staffed by the Planning Department, also the Board of Water Supply, which was staffed by the Department of Water, and the Board of Variances and Appeals, which was staffed by the Department of Public Works. So I think I have some knowledge as far as how those Departments operate. I also earned a degree, a Bachelor of Science in Accounting from Indiana University. My early career, I worked for several large corporations on the mainland in their finance department and so I think I have a fairly good knowledge of accounting principles and also operations and budgeting. The Chair's previous comment regarding working with the newly created position of auditor, I understand that the Cost of Government Commission is strictly advisory and if confirmed, I look forward to working with the auditor and also I will be a junior member on this Commission so I don't really have an agenda, I'm kind of there to see what the other commissioners who have been on the Commission have to say, which is sort of my style is to kind of listen and learn.

CHAIR HOKAMA: Okay, thank you for your comments to the Committee, Mr. Hiranaga. Ms. Baisa, any questions for the gentleman?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER BAISA: First of all, I happen to know Mr. Hiranaga well and I know that he's been on other Commissions and has served very admirably. The Cost of Government Commission, as you heard the Chair mention, we have a new situation this year with the auditor and I think what the Chair said needs to be reiterated, and that is that the auditor is independent, and while there is a relationship to the Cost of Government, I, for one, want to make sure that, you know, that's really clear in their minds that they serve to advise him or, you know, but not to run the auditor's office. And I just want to make sure that's very clear.

MR. HIRANAGA: It is. I mean, you know, the auditor is a fulltime employee. I believe the Cost of Government Commission meets once a month. So I do have other things to do besides...

COUNCILMEMBER BAISA: I'm sure you do. I know you're a very busy man who's involved in many, many things and you bring a lot of skills. So I personally would like to thank you again for volunteering to serve. You're a glutton for punishment. But thank you.

MR. HIRANAGA: Thank you.

CHAIR HOKAMA: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you for bringing all of your experience on board with us. Was this your first choice, Cost of Government?

MR. HIRANAGA: No, it was not.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR HOKAMA: Thank you.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR HOKAMA: Ms. Cochran, any questions for Mr. Hiranaga?

COUNCILMEMBER COCHRAN: I guess, following up with Ms. Crivello's comment, what was your first choice?

MR. HIRANAGA: Because you had to list them in priority, I put Police Commission. But I think Police, Fire and Liquor were probably all same level of desire, but actually I didn't really look at Cost of Government that closely, but when Mr. Molina approached me, I took a closer look and I think that's a worthy Commission and I look forward to serving on it.

COUNCILMEMBER COCHRAN: Okay, thank you. And I've seen Mr. Hiranaga in action a lot at the Planning Commission, and he's very thorough and very detail oriented and I believe asked very pertinent questions and things. So I appreciate again your service to this County. Thank you.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. HIRANAGA: Thank you.

CHAIR HOKAMA: Thank you. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair, and thank you, Mr. Hiranaga, for being here. Thank you very much for your prior services. Those are tough ones and as, kinda to reiterate what Ms. Baisa said, why are you coming back for more punishment? But just out of curiosity, I mean, looks like you've been, what almost 15 years on volunteer boards and commission? You like it that much?

MR. HIRANAGA: I find it educational, challenging. I learn a lot. I get to meet a lot of interesting people I probably would not have gotten the opportunity to meet if I had not served. And because of my personal situation, I'm flexible enough to be able to serve, and I think there's a lot of people, if they had the flexibility, would like to serve so I just am thankful that I have that opportunity.

VICE-CHAIR COUCH: And we're thankful too. So thank you very much for your service.

MR. HIRANAGA: Thank you.

CHAIR HOKAMA: Mr. White, any questions?

COUNCILMEMBER WHITE: Thank you, Chair. No questions but I'd like to just reiterate Ms. Cochran's comments that I've been able to see Mr. Hiranaga in action, and he is thorough and meticulous and has no problem asking the hard questions. So I think he brings a level of understanding, knowledge and willingness to begin the things that is certainly needed on most of our Commissions and, in particular, the Cost of Government Commission. So I appreciate his willingness to serve. Thank you for doing so.

MR. HIRANAGA: Thank you.

CHAIR HOKAMA: Thank you. Mr. Guzman, any questions?

COUNCILMEMBER GUZMAN: No questions, Chair, just a quick statement. Thank you for your past service and I believe that you will be an asset to this Commission.

MR. HIRANAGA: Thank you.

CHAIR HOKAMA: Okay, thank you. Any closing remarks, Mr. Hiranaga?

MR. HIRANAGA: No, I'm just grateful that the Mayor nominated me and I'm hoping that the Council will confirm me. Thank you.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: Well, thank you for making yourself present this afternoon. We know that, you know, you people are here, had to rearrange your schedules. So thanks for being here and we appreciate your responses to the Members.

MR. HIRANAGA: Thank you.

CHAIR HOKAMA: Thank you. If Stanford Laniias would come forward please. And Mr. Laniias is the third and last nominee as in regards to Cost of Government, Members, that is here this afternoon, and as with the other two gentlemen, I believe they are all up for a term expiring March 31, 2019 so.

MR. LANIAS: Hello, Council ...*(inaudible)*... how's everyone doing today? My name is Stanford Laniias. I'm currently employed with Jones Lang LaSalle as a property manager. I handle some of their properties here on the island. I'm also an independent contractor with a solar company, Hawaii Pacific Solar. And I've been on Maui since 1988 and I've been in Hawaii basically since 1974. I attended Konawaena High School for two years. Previously, before that I attended a prep school on California through my elementary, junior high and partial high school. I moved back to Hawaii, which was really my home, with my grandparents 'cause they had hanai'd me and raised me, which I consider a great privilege. And I just want to say that I did spend a lot of my time since I was 18 volunteering and giving back to the community in many ways, and I continue to do it in any way that I can through youth programs or through adult programs and it's just part of my character. I enjoy doing what I'm doing and giving back to the community. Government Costs was probably one of the top three choices that I had and apparently I didn't get the first choice but I would be more than happy to serve on the Board. I do have a background in budgeting and with the properties that I manage and in spending and costs and expenses. A lot of this I did not learn by knowledge, in college or through school, but basically on the job. And through my determination and my willingness to say that I can do it, is what was, made it capable for me to understand and be able to be in the position that I am today and basically, you know, that's, kinda sums it up and, you know, I look forward if you would have me to be on the Board and serving there.

CHAIR HOKAMA: Thank you very much for your comments. Ms. Crivello, questions for the gentleman?

COUNCILMEMBER CRIVELLO: No, but I respect your experience to just OJD, on the job training, that's the best master's degree that you can get. So I appreciate you --

MR. LANIAS: Thank you.

COUNCILMEMBER CRIVELLO: --extending yourself to serve on, for our community. Mahalo.

MR. LANIAS: Thank you.

CHAIR HOKAMA: Ms. Cochran?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you for willingness to serve also. And, sorry, you mentioned you had a first choice but this wasn't it?

MR. LANIAS: Yeah, I think, you know, I had Planning and Variances and, you know, the other choices, the Liquor Commission, but, you know, I do have a background, you know, in this areas so, you know, it fit something I would do.

COUNCILMEMBER COCHRAN: Okay. And a follow-up, Chair. And it looks like you were a County employee --

MR. LANIAS: Yeah.

COUNCILMEMBER COCHRAN: --for Parks and Rec?

MR. LANIAS: Yeah.

COUNCILMEMBER COCHRAN: Okay.

MR. LANIAS: And the reason how I got the job was because I volunteered and I volunteered for like three, four years with the youth programs and eventually they decided they liked what I did and brought me aboard.

COUNCILMEMBER COCHRAN: Very good. Have you been following, we've been doing a lot of revamping within that Department itself, lot of changes and improvements and what have you, so probably be coming across your folks' discussions perhaps.

MR. LANIAS: That'd be great.

COUNCILMEMBER COCHRAN: And you obviously will have some insight personally. So that's a good thing for me anyways. So thank you for your willingness to serve.

MR. LANIAS: Thank you.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR HOKAMA: Thank you. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair, and thank you, Stanford, for being here. Just want to say thank you for your willingness to step up and just to let the Members know, I've known Mr. Lanias for quite a while, and he's been a really good citizen and has helped, helped me do well in paddling and attempted to help me do well in racquetball but I just didn't even come close to that. So I know Stanford will do a really good job and is very dedicated. So thank you.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: Thank you. Mr. White, any questions?

COUNCILMEMBER WHITE: No questions. Thank you, Chair.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: No, nothing further.

CHAIR HOKAMA: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: No questions, Chair, but thank you very much for volunteering.

CHAIR HOKAMA: Since you do have some Parks and Recreation experience, Mr. Laniias, and you're being nominated for Cost of Government, you already heard my comments as in regards to the auditor, but how do you see government costs as regards to, well for our County we basically fund three governments, one for Molokai, one for Lanai and one for Maui. And so, you know, some things just cannot have the savings of bulk, because, again, I wish I could drive a County tanker from Kahului to Lanai for, in a fire but we cannot, so we need a tanker on Lanai nonetheless. You see any type of advantages from your experience of how you can help a multiple island County such as ours?

MR. LANIAS: You know, I mean, budgets are budgets, I mean, things are set and in priority and that's what I look at. And I think that, you know, the numbers never lie. And, you know, where there are needs, I believe that those ones should be set where the priorities are, you know, and may be a tanker or may be a gymnasium or, you know, in any, any degree of need in the community, I think those, you know, those things need to be looked in priority, prioritized and in perspective of, you know, what would be met for the need of the community and for the people.

CHAIR HOKAMA: Uh-huh.

MR. LANIAS: I mean, I think that's my first interest is, you know, what is the need for the people of Maui first.

CHAIR HOKAMA: And let me just, you know, I mean, I understand that in general I think every Member supports that, when you say the need of the people, you know, we deal with the needs as mandated by Charter to us and then we have the needs that is by annual request of individuals that is not a requirement of Charter. So how do you see those type of needs and are they different enough for you that the priority is very simple and black and white? You just take care of the Chartered, mandated requirements?

MR. LANIAS: Well, again, like I said, you know, I mean, that's how, how I would look at it. And, you know, if it's a security situation or is it a need or is it a priority or is it, you know, is it a wish list. You know, I mean, those, I mean that's how I would look at it and see, you know, just basically prioritize and see which is, which is more important and, you know, I mean, you know, values

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

and things like that, you know, of your own personal self come into play also and how you see things. And I think those are the things that would make a determination on how I would advise something.

CHAIR HOKAMA: Okay. That's a good response. I'm satisfied with the gentleman. Any other further questions for the gentleman? Having none, is there any last comments you wish to share?

MR. LANIAS: No, I just, just thank you for the opportunity to be here and to have the privilege to have the opportunity to serve.

CHAIR HOKAMA: Okay, well thank you for making the time. We want to thank you too for making yourself present before the Committee, and it always helps us to have a face to a name and that is part of the reason why we would request your presence before us so that we can at least fit a face to a name and we appreciate your presence very much.

MR. LANIAS: Thank you very much.

CHAIR HOKAMA: Thank you. Okay, the next person we'll bring up...I would like to note that Dr. Arleen Ricalde-Garcia was present. She was making herself present as being a nominee to the Maui County Culture Resource Commission but due to some client requirements of hers, being a doctor, she had to leave. But she will, we'll try and rearrange for her to come back and share some of her thoughts on her nomination to the Culture Resource Commission on the meeting for the 11th. With that, we'll ask Mr. Richard Higashi if he would please come down. Mr. Higashi is being nominated by the Mayor to the Maui Planning Commission for a term expiring March 31, 2019. And so I will ask Mr. Higashi if he would give us some comments this afternoon.

MR. HIGASHI: Good afternoon, Chairman Riki Hokama and members of the County Council. I'm Richard Higashi. I was born and raised in Paia, Maui, went to Paia School, attended Maui High School and then left for college in 1958 to Colorado for teaching. Ended up teaching three years in Adams County, Colorado and then ended up going back to Hawaii in 1965, teaching at Kipapa School as an elementary or formula teacher, and in 1969 applied for administrative intern program and started my administration career at Wheeler Intermediate School as a Vice-Principal, and then attended, I was selected as Principal of Kunia Elementary in 1972 and I was Principal in four other different elementary schools in Honolulu, Helemano Elementary, Salt Lake Elementary, Mililani Uka and Mililani High, and in 1980 transferred back to Maui and became Principal of Hana Elementary. Was there for 2½ years, transferred to Maui High School. Was Principal there from 1984 to 1992, then transferred to Lihikai Elementary School in 1992, retired in 2001 and was rehired again as a Acting Vice-Principal at Kamalii Elementary for three years. But during my period of education, I also served as the President of Kiwanis Pearl Harbor Club in 1974 to 1976. On Maui, I was, I served one term on the County Liquor Adjudicating Council and also two terms as a Tri-Isle Subarea Health Council member. That has been my contribution in the community. I have been following the County Plan, the General Plan, and also the hard work that the County Council has been doing with, headed by the Planning council

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

of Councilman Don Couch and I know they did a lot of work looking at the Plan itself and I think they're at that final stage of having it approved. And where I am interested in it is the part about finances, because, you know, there is unlimited amount of need in any organization, whether it's a high school that I run or a County Council, Maui County, and I feel that at this point I have enough background being a member of Maui County to make a contribution in the County Council itself. I have seen much growth in the, especially in the infrastructure of the County of Maui even though the budget is tight, but I think, you know, continuing what you're doing now and with contribution of members of the community, we can do a great job. And I think Maui County should be congratulated for what it has done in the past and in the present. Thank you.

CHAIR HOKAMA: Thank you, Mr. Higashi, for your comments. Mr. Couch, since you're also the Planning Chair, I'll let you go first with this, Mr. Higashi's nomination.

VICE-CHAIR COUCH: Thank you and thank you, Mr. Higashi, for being here. And thank you for volunteering for the Planning Commission, that's a daunting one. This one is two full days a month as well as significant homework. You're gonna be getting piles and piles and piles of paper. Are you up for that daunting task?

MR. HIGASHI: Well, as a retired administrator for 45 years, I have had much experience with documents and especially with the Department of Education, going through 12 superintendents.

VICE-CHAIR COUCH: Okay. That's the biggest thing is I just wanted to make sure you had a, the time and the stamina to be able to put in, because that's, it is a lot of work and they don't pay you except for maybe a good lunch once in a while.

MR. HIGASHI: Yeah.

VICE-CHAIR COUCH: Okay. Thank you, Chair.

CHAIR HOKAMA: Thank you. Mr. White, questions for Mr. Higashi?

COUNCILMEMBER WHITE: Having looked through the General Plan and watched part of Mr. Couch's Committee meetings on the implementation, what are general thoughts on the speed with which Maui should move forward for providing housing and providing other infrastructure improvements and so forth?

MR. HIGASHI: I'm sorry you have to repeat what you're saying 'cause I just got new hearing aids and I'm trying to get it adjusted to the volume.

COUNCILMEMBER WHITE: Not a problem, I'll try to speak a little more into the microphone. My question is, after watching Mr. Couch's Committee meetings and looking into where we are with the Maui Island Plan, what is your feeling with respect to the rate that we should be approaching

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

implementation of the Plan and moving ahead with providing housing and other infrastructure challenges?

MR. HIGASHI: Well I think the first responsibility I have is to evaluate what has happened with the Planning Council and what priorities they have set based upon the allocation of funds that's gonna be given by the County and how the needs are based upon priority, which is the most important that needs to be done, such as, I think, the Mayor's address about the need of road improvements in the Wakea area, shows very clearly Papa Avenue, that there was a need and the job is being done. The infrastructure itself with all of the sewer treatment plant, et cetera, has been well taken cared of. The only part I would get concerned about in the future is the growth of Maui based upon the projection up to 2030, I believe, that the population itself can still sustain the infrastructure that we have here on Maui.

COUNCILMEMBER WHITE: Okay, thank you. Thank you, Chair.

CHAIR HOKAMA: Mr. Guzman?

COUNCILMEMBER GUZMAN: Chair, I don't have any questions. I just wanted to, I guess, state on the record, I do know Mr. Higashi. I've known him for the last 11 years. I believe that he's qualified and would be an asset to the Planning Commission. Thank you.

CHAIR HOKAMA: Okay, thank you very much. Ms. Baisa?

COUNCILMEMBER BAISA: Yes, thank you very much, Chair, and thank you, Mr. Higashi, for volunteering. I will reveal that Mr. Higashi and I share a lot of history. We grew up next to each other in Paia, went to Paia School and graduated from Maui High in 1958. So he's my classmate and I know him as well as anybody could, because I have known him all his life and I know Richard is outstanding in whatever he decides to do. He was well, well loved and respected as a principal, a school principal, and I know that, you know, he'll do a good job for us in the Planning Commission. He certainly understands where we have come from, and I'm sure he has definite ideas about how he would like to keep Maui Maui for all of us. So Mr. Higashi, I really have no questions, but thank you for volunteering. And I expect you to show up.

MR. HIGASHI: Right.

CHAIR HOKAMA: Must be that Upcountry, high school experience. Ms. Crivello, any questions for the gentleman?

COUNCILMEMBER CRIVELLO: No, but I can appreciate your knowledge and how you're keeping in touch with the Maui Plan so I believe you'll be a contributing asset to the Planning Commission. So thank you.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. HIGASHI: Well, just to share with you that Mr. Joe Yamamoto did a great job on Maunaloa by maintaining, keeping the school, 'cause the school is the center of the community itself over there.

COUNCILMEMBER CRIVELLO: Yes.

MR. HIGASHI: ...(inaudible)... job.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR HOKAMA: Thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Mr. Higashi, for the willingness to serve as all the others. And, I guess, my question is the Maui Planning Commission, you know, how do you, Ms. Baisa mentioned that she has confidence that you'll keep Maui Maui. And I guess, just for me, for you to elaborate what that means to you in keeping Maui Maui, being that you're from here. So just kinda wanted your, I guess, take on what it would mean to you.

MR. HIGASHI: Yeah, just for your information, I've been in education for 45 years. I've seen thousands of children come through this community and I feel that it's important that as these students get older, that they'll have an opportunity to come back to Maui and live. So that involves a planning process of how you gonna get subdivisions, the preparation for infrastructure, the tax rates, all of those things fall into place as far as what's happening. And for your information, I was pleasantly surprised to know that the snowbirds in Kihei/Wailea area contribute just as much as all of Kahului and Wailuku property tax. That says something about what we need to do to support those people who stay here like only two or three months but they do employ a lot of people, and we need to do that. We need to appreciate the fact that these people are coming. They also volunteer at Kihei Elementary, these retirees, to do reading for children and I think that's a hats off their back on what they can do for our community as a contribution.

COUNCILMEMBER COCHRAN: Thank you. Thank you for your willingness to serve also. Thank you. Thank you, Chair.

CHAIR HOKAMA: Okay. Any other questions for Mr. Higashi? Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you, Mr. Higashi, again. Couple of your answers I just wanted to, I mean, get some clarification. You mentioned you're looking at the Maui Island Plan and taking a look at it and then in the same time you're talking about keeping Maui Maui. We have some issues with growth, I mean, we are gonna grow unfortunately because people are having babies, is the biggest growth here on Maui right now. So what is your understanding of the Maui Island Plan as far as where we're gonna put that growth?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

MR. HIGASHI: Well, I'm not exactly sure about the specifics on all the Plan itself, the planning process. What I'd like to do is I'd like to read over the Plan itself to understand specifically what were the things that the Planning Commission had already done. You don't want to reinvent the wheel and based on that, I would assume that a lot of the planning itself for construction, et cetera, are all in place except the fact that you need the funding. I mean, you can have everything in place, but the bottom line is how much money do you have to be able to accomplish what you got on the Plan. And I think that's where the Commission comes in where you need to say, what is needed most for our community and based upon that, the allocation of funds should go in.

VICE-CHAIR COUCH: The other question I have is in the, this would be a five-year term, I believe, am I right, Mr. Chair?

CHAIR HOKAMA: Yes.

VICE-CHAIR COUCH: In the next five years we're gonna have at least five community plans come through the Planning Commission, which is, you're gonna get pushed and pulled all kinds of different ways as to how to design the community plans in accordance with the Maui Island Plan. Just want to get your kind of thoughts on how you'll handle all the different, I mean, you'll get people say we don't want another house built on Maui, you'll get other people saying, you know, we wanna build wherever we want, so, and you're gonna get everything in between. So I wanna see how you'll handle that.

MR. HIGASHI: I'll give you, I'll give you an example of when I was with the Subarea Health Council and certificate of need came up where Bobby Baker wanted the facility to be at the hospital grounds but the hospital itself said that they didn't have the space nor the accommodation to be able to handle it. They wanted to put it in Millyard and to me, as a citizen, that's not the way you want to handle your patients. You want the patients to be as close to the facility as possible. So what we did, in essence, was we said, no, you tell the State, find land that would be able to accommodate our patients to be able to have services right near the hospital, rather than be inconvenienced to be put in an ambulance and sent out. Those are the kind of stuff that I think in a planning process, you will have every community asking priority one, that's a given. But I think the bottom line is, where is the majority of the need to be serviced? Like example, to me, that always comes up is the hospital. Do you want a hospital in Kihei or do you want a hospital on Lanai, Lahaina? To me that's a no brainer. And the reason for that is in Lahaina, how long does it take you to get to the hospital here versus Kihei. And I think those are the kinds of stuff that we need to weigh in and explain to our community. It would be nice to have one in Lahaina as well as Kihei but based on the fact that you have a funding problem, where is the need for what you need to do with the limited amount of funds that you have?

VICE-CHAIR COUCH: Okay, thank you, Chair.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: Okay, thank you very much, Mr. Couch. Any other questions for Mr. Higashi regarding his nomination to the Maui Planning Commission? Having none, any closing comments? We appreciate your presence this afternoon.

MR. HIGASHI: No, I appreciate the fact that I was invited. I feel like, you know, 74, you're still starting life yet, so, you know, I still have a few years. Mike Molina's laughing over there but, you know, he's one of those that I know contributes to a cause like my classmate here. Thank you very much.

CHAIR HOKAMA: Thank you very much for being here this afternoon, Mr. Higashi. We do have one more person who has made the effort to be before the Committee. So I'm gonna ask Mr. James Likes if he would please come down. Mr. Likes is being nominated for the Salary Commission, Members. And he is also for a term expiring March 31, 2019 and he has made himself present before us this afternoon. So we'll ask him if he would share some comments with us please.

MR. LIKES: Thank you for inviting me to come to this. It's probably a first for me to meet some of you and you to meet me. My name is Jim, Jim Likes, and I'm a retired person who retired in 1999, moved to Maui in 2000 and have lived here since and assume, consider this my home. Being retired, the first thought you get, I can golf, I can go swimming but that's something missing in your life and that is to serve your community, which I have in the past when I was in Washington. So that's my prime reason for considering and placing my name to be considered, is to be able to serve. Now I'll give you a little background on myself so that you can kinda see where I'm coming from, what I might have to offer. I got my degree in Engineering from Washington State University and that was back in '59. I served in the military for two years and continued to stay in the Army Reserve for 28 years after that, in which I retired. But I started at the Boeing Company in 1961 and I served there almost 40 years, and I was Director of one of the engineering disciplines in the commercial airplane division, and then that division, it was called payload systems, which took care of all the mechanical systems within the airplane and the interiors and cargo systems. That was, as the company grew, that would, became more of a challenge. We had over 3,500 people that were reporting in some form or fashion to me. It was, it gave me some opportunities. I served in the Federal committees, and while I served in 'em, I was a chairman of a couple of subcommittees, one on emergency procedures, the other I served in the military in the intelligence branch, the engineering branch and eventually the general staff. And so I have some experience working with other people in both committees. I think that's my biggest benefit here is that while I was at Boeing, I served on a joint labor-management committee trying to resolve both salary and other conditions of employment, and I think we were able to do that and listen to the other side and make something that was very jointly acceptable to both parties. I think that's my strength. I don't come to the Salary Commission... after Mike Molina contacted me, I'd sat and thought about it. Well, I know, yeah, I have to, kinda, ideas on salary but I really don't. I think my job would be to listen, to hear what's there and determine, you know, my own mind, does it appear to be the fair and honest way to evaluate this and if it is, there obviously are people that are gonna provide data on that who have a lot more knowledge, but I would be willing to serve to do whatever I can to help that Committee. So

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

that's kind of a real brief introduction to myself but it is that a fact that once you're retired, I want to be involved in this community.

CHAIR HOKAMA: Thank you very much, Mr. Likes. And, again, we thank you for putting yourself out there and volunteering. We appreciate that willingness to serve. Mr. Guzman, questions for the gentleman on his nomination?

COUNCILMEMBER GUZMAN: I have nothing further, Chair.

CHAIR HOKAMA: Thank you. Mr. White, any questions for the gentleman?

COUNCILMEMBER WHITE: No, I think it would be very helpful to have somebody with his background taking part in the discussions 'cause he's certainly as being part of a big operation like Boeing, you certainly are put to the test and have to make decisions in ways that help the company and move things along. And I'm sure when you've got 3,500 people answering to you, you've got to have a pretty sharp sense of fairness and equity. So I appreciate your offering your services.

MR. LIKES: Thank you.

CHAIR HOKAMA: Thank you. Mr. Couch, any questions?

VICE-CHAIR COUCH: No, thank you.

CHAIR HOKAMA: Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you. And, again, thank you for the willingness to serve. So you mentioned, you did not apply, you were asked and this was brought to your attention to consider, I guess, apply?

MR. LIKES: Well, I was, I was asked by a person to look at, I filed some names and Mike Molina contacted me and asked me if I was willing to possibly serve on the Salary. So I took a couple days to think that one over, but I thought, well, it's probably, I probably would be of benefit there just the same as I would on any of the other committees. I don't come with a agenda, I come to listen and to try and work with other people.

COUNCILMEMBER COCHRAN: Okay, thank you. Thank you for that. Thank you, Chair.

CHAIR HOKAMA: Ms. Crivello?

COUNCILMEMBER CRIVELLO: Nothing. I appreciate you not really being in full retirement and stepping up to the plate. Thank you.

CHAIR HOKAMA: Ms. Baisa?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER BAISA: Thank you very much, Chair. I really have no questions but I would like to thank you very much for serving, and I certainly like your idea of being a person who would come and listen and try to weigh things fairly. That's really the big job. Thank you.

MR. LIKES: Thank you.

CHAIR HOKAMA: Okay. If there's no further questions for Mr. Likes, again, we thank you for being here. Definitely, now we know what you look like with the name James Likes or Jim.

COUNCILMEMBER BAISA: Great name.

CHAIR HOKAMA: And so we thank you again for volunteering and making time before us this afternoon.

MR. LIKES: Well I thank you for giving me the time to share with you my, and thank you again.

CHAIR HOKAMA: Thank you very much. Members, the Chair, on Item 2(21) is going to say that I am continuing to work and I will continue to work with Mr. Molina as well as the Office of Corporation Counsel regarding certain concerns that was brought to the Chair regarding certain nominees, and the Chair hopes to get it all squared away by the meeting on the 11th, which is, at that time the Chair plans to ask for decision making on the nominations. Just so that it is clear to the Committee in regards to the Chair's ruling with no conflict on Mr. Couch and Ms. Cochran, the Chair would also share this at this time. If there is a question to separate, the Chair was gonna look for a mass motion, if there is a question to separate out a component whereby such as the situation regarding serving on the Board of *Akaku* public TV, then the Chair is going to rule that if it's a specific, singular motion on that specific of an item, such as the *Akaku* example, then the Chair will advise that those two Members recuse themselves from voting. If it is part of a master motion that involves all Boards and Commissions, then the Chair would rule that you may participate and vote in that situation. And that is how the Chair is, his understanding of Rule 19, of Rules of the Council, and if there's any questions or appeals, then make it known to the Chair prior to the vote please. Any questions? If not, Members, if no objections, we are going to defer this item.

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS (excused: RC, MPV).

CHAIR HOKAMA: Thank you.

ACTION: DEFER pending further discussion.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: We have three more items, Members. Do you want a short personal break or you would like to just pound this through? Short break, okay. Well, we'll take a short break 'til 3:15 and we'll pound the rest through. . . .(gavel). . .

RECESS: 3:04 p.m.

RECONVENE: 3:21 p.m.

CHAIR HOKAMA: . . .(gavel). . . Policy Committee shall return to order. Members, may I direct you to Item 3(5) under the heading Hawaii State Association of Counties (HSAC) and more specifically the HSAC Executive Committee Representatives, and HSAC Nominee to National Association of Counties Board of, to National Association of Counties Board for Fiscal Year 2015.

ITEM PIA-3(5): HAWAII STATE ASSOCIATION OF COUNTIES (“HSAC”) (HSAC EXECUTIVE COMMITTEE REPRESENTATIVES, AND HSAC NOMINEE TO NATIONAL ASSOCIATION OF COUNTIES BOARD FOR FISCAL YEAR 2015) (CC 13-43)

CHAIR HOKAMA: We are in receipt, this Committee, of correspondence dated January 13, 2014, from Mr. Victorino, who has sent us a proposed resolution entitled Appointing a Representative and Alternate to the Hawaii State Association of Counties Executive Committee, and Nominating a Member to the National Association of Counties Board of Directors for Fiscal Year 2015. In the resolution, Members, you will find that the resolution is proposing to have Mr. Victorino as our Council's representative. It also names myself as your alternate to the Executive Committee. And these would be for terms commencing July 1, 2014, expiring June 30, 2015, as well as to nominate Mr. Victorino to serve on NACo's Board of Directors for Fiscal Year 2015. Any discussion or questions for the Chair? Having none, the Chair is open to a motion to recommend to Council the adoption of a proposed resolution as read by the Chair earlier. Mr. Couch.

VICE-CHAIR COUCH: So moved.

COUNCILMEMBER WHITE: Second.

CHAIR HOKAMA: I have a motion made by Mr. Couch, seconded by Mr. White. Any further discussion, Members? Do we need a filing of the communication? Okay, thank you very much. All in favor of the motion, please say “aye”.

COUNCILMEMBERS: Aye.

CHAIR HOKAMA: Opposed, say “no”? Motion passes, seven ayes with two excused, Mr. Carroll and Mr. Victorino. Thank you, Members.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

VOTE: **AYES:** **Chair Hokama, Vice-Chair Couch, and Councilmembers Baisa, Cochran, Crivello, Guzman, and White.**

NOES: **None.**

EXC.: **Councilmembers Carroll and Victorino.**

ABSENT: **None.**

ABSTAIN: **None.**

MOTION CARRIED

ACTION: **Recommending ADOPTION of resolution.**

ITEM PIA-1(23): **LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: KAY BURKE V. COUNTY OF MAUI, ET AL.; CIVIL 09-1-0127(1)) (CC 13-41)**

CHAIR HOKAMA: May I please direct you to Policy Item 1(23) under Litigation Matters (Settlement Authorization: Kay Burke v. County of Maui, et al.; Civil No. 09-1-0127(1)). January 24, 2014, this Committee received correspondence from Corporation Counsel, with a proposed resolution entitled Authorizing Settlement of Kay Burke v. County of Maui, et al.; Civil No. 09-1-0127(1), as well as transmitting a copy of the complaint. This afternoon we have Deputy Rost to give comments to the Committee on the status of this item. So Mr. Rost, if you would please.

MR. ROST: Thank you, Mr. Chair. This case involves a trip and fall on the sidewalk adjacent to South Kihei Road. The Council or this Committee has been advised about this matter previously. However, recently we received a new settlement proposal from the plaintiff, which the Department of Corporation Counsel would like to advise the Committee about. Because this matter is still in active litigation, discussing it will require an executive session.

CHAIR HOKAMA: Okay, Mr. Rost, thank you very much. You have heard the request of Corporation Counsel? Members, questions for Mr. Rost in open session as in regard to the case in specific or regarding the request for executive session? Having none, the Chair will entertain a motion for executive session under Hawaii Revised Statutes §92-5(a)(4) which allows this Committee to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council and this Committee as well as §92-5(a)(8) of the Revised Statutes to deliberate or make a decision upon a matter that requires a consideration of information that must be kept confidential pursuant to a state or federal law or a court order. The Chair is open to a motion for executive session.

VICE-CHAIR COUCH: Thank you, Mr. Chair, I move we go into executive session pursuant to HRS §92-5(a)(4) and 92-5(a)(8) as for the reasons you specified.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

COUNCILMEMBER WHITE: Second.

CHAIR HOKAMA: Okay. I have a motion made by Mr. Couch, seconded by Mr. White to enter into executive session. Any discussion? Having none, all those in favor of the motion, please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR HOKAMA: Opposed say "no". Motion passes with seven ayes, two excused.

VOTE: AYES: Chair Hokama, Vice-Chair Couch, and Councilmembers Baisa, Cochran, Crivello, Guzman, and White.

NOES: None.

EXC.: Councilmembers Carroll and Victorino.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: APPROVE; RECESS open meeting and CONVENE executive meeting.

ITEM PIA-1(32): LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: JONATHAN PREZA V. COUNTY OF MAUI; CASE DCD 7-10-00655) (CC 13-41)

CHAIR HOKAMA: Before that I'll also bring up Policy Item 1(32) also under Litigation Matters (Settlement Authorization: Jonathan Preza v. County of Maui; Case DCD 7-10-00655. We are in receipt, Members, on January 29, 2014, from the Department of Corporation Counsel, who has transmitted a proposed resolution entitled Authorizing Settlement of Jonathan Preza v. County of Maui; Case DCD 7-10-00655, and this is in regards to, alleged work-related injuries sustained on March 29, 2010. We have Deputy Rowe here to give us comments in open session.

MR. ROWE: Thank you, Chairman. This involves a worker's comp injury for a fire captain. During the course of his employment, he sustained an injury and we have reached an agreement with his counsel. Because this is an ongoing litigation matter and because it involves confidential medical information, I would like to request an executive session.

CHAIR HOKAMA: Okay, thank you. Members, any questions for Mr. Rowe in open session regarding his request for executive session or any other questions regarding this settlement request?

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

Having none, the Chair is open to a motion for executive session under Hawaii Revised Statutes §92-5(a)(4) and §92-5(a)(8) so that this Committee can deliberate and consult with legal counsel regarding duties, privileges, immunities and liabilities of the County, the Council and the Committee as well as to deliberate or make a decision upon a matter that requires confidential information that must be kept pursuant to state or federal or a court order.

VICE-CHAIR COUCH: Mr. Chair, I move that we go into executive session based on HRS §92-5(a)(4) and 92-5(a)(8) for the reasons you specified.

CHAIR HOKAMA: Thank you.

COUNCILMEMBER WHITE: Second the motion, Chair.

CHAIR HOKAMA: I have a motion by Mr. Couch, seconded by Mr. White to enter executive session. Further discussion? Having none, all in favor, say “aye”.

COUNCIL MEMBERS: Aye.

CHAIR HOKAMA: Opposed say “no”? Motion passes with seven ayes, two excused.

VOTE: AYES: Chair Hokama, Vice-Chair Couch, and Councilmembers Baisa, Cochran, Crivello, Guzman, and White.

NOES: None.

EXC.: Councilmembers Carroll and Victorino.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: APPROVE; RECESS open meeting and CONVENE executive meeting.

CHAIR HOKAMA: We shall enter into recess to prepare for executive session. . . .(*gavel*). . .

RECESS: 3:29 p.m.

RECONVENE: 4:17 p.m.

CHAIR HOKAMA: . . .(*gavel*). . . The Policy Committee shall return to general session.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

ITEM PIA-1(23): LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: KAY BURKE V. COUNTY OF MAUI, ET AL.; CIVIL 09-1-0127(1)) (CC 13-41)

CHAIR HOKAMA: Members, may I bring back up to the Committee, Policy Item 1(23), Litigation Matters (Settlement Authorization: Kay Burke v. County of Maui, et al.; Civil No. 09-1-0127(1)). The Chair is open to a motion to recommend to Council the adoption of a resolution entitled Authorizing Settlement of Kay Burke v. County of Maui, et al.; Civil No. 09-1-0127(1) under the terms and conditions as discussed in executive session. Mr. Couch.

VICE-CHAIR COUCH: So moved.

COUNCILMEMBER COCHRAN: Second.

CHAIR HOKAMA: I have a motion by Mr. Couch, seconded by Ms. Cochran. We're under discussion, Members. Having none, all in favor of the motion, please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR HOKAMA: Opposed say "no"?

COUNCILMEMBER WHITE: No.

COUNCILMEMBER GUZMAN: No.

CHAIR HOKAMA: The motion passes, five ayes, two noes, Mr. White and Mr. Guzman; and two excused, Mr. Victorino and Mr. Carroll. The motion passes.

VOTE: AYES: Chair Hokama, Vice-Chair Couch, and Councilmembers Baisa, Cochran, and Crivello.

NOES: Councilmembers Guzman and White.

EXC.: Councilmembers Carroll and Victorino.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: Recommending ADOPTION of resolution.

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

ITEM PIA-1(32): LITIGATION MATTERS (SETTLEMENT AUTHORIZATION: JONATHAN PREZA V. COUNTY OF MAUI; CASE DCD 7-10-00655) (CC 13-41)

CHAIR HOKAMA: May I direct you please to Policy Item 1(32), also under the heading of Litigation Matters. The Chair is recommending to Council the adoption of a proposed resolution entitled Authorizing Settlement of Jonathan Preza v. County of Maui; Case DCD 7-10-00655 under the terms and conditions as discussed in executive session. Mr. Couch.

VICE-CHAIR COUCH: So moved.

COUNCILMEMBER COCHRAN: Second.

CHAIR HOKAMA: I have a motion and a second by Mr. Couch and Ms. Cochran. Okay. We're also under discussion, Members. The Chair would ask if, for the Members, with no objections to allow the Committee to make any nonsubstantive changes to the resolutions that the Committee has passed this afternoon. Any objections?

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS (excused: RC, MPV).

CHAIR HOKAMA: Thank you. With no further discussion, all in favor of this motion, please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR HOKAMA: Opposed say "no"? Motion passes with seven ayes, two excused.

VOTE: AYES: Chair Hokama, Vice-Chair Couch, and Councilmembers Baisa, Cochran, Crivello, Guzman, and White.

NOES: None.

EXC.: Councilmembers Carroll and Victorino.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED

ACTION: Recommending ADOPTION of revised resolution.

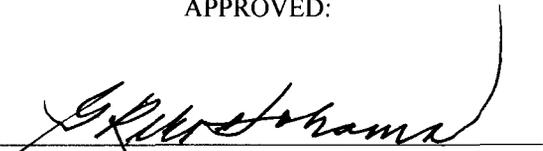
POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CHAIR HOKAMA: Thank you very much, Members. There's no further business of this Committee.
This Committee is adjourned. . . .(gavel). . .

ADJOURN: 4:20 p.m.

APPROVED:



RIKI HOKAMA, Chair
Policy and Intergovernmental Affairs Committee

pia:min:140207:ap

Transcribed by: Annette L. Perkett

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE MINUTES
Council of the County of Maui

February 7, 2014

CERTIFICATE

I, Annette L. Perkett, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 3rd day of March, 2014, in Haiku, Hawaii.



Annette L. Perkett