

**LANA'I PLANNING COMMISSION
COMMUNITY PLAN UPDATE MEETING
SEPTEMBER 24, 2014**

APPROVED 12-17-2014

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Chair John Ornellas at approximately 5:40 p.m., Wednesday, September 24, 2014, in the Lana'i Senior Center, Lana'i City, Hawaii.

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

Mr. John Ornellas: Alright, we'll call this meeting to order. This is the Lana'i Community Plan update by the Lana'i Planning Commission, dated September 24th. It is now 5:40 p.m. The minutes, right? Yeah, so we'll start off with the approval of the minutes -- the June 28th and the July 9th meetings.

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Ms. Mary Jorgensen: . . . (Inaudible) . . .

Mr. Ornellas: Okay, yeah, we can do that first. Anybody in the audience wants to comment on the minutes of June 28th or July 9th please step forward? We're gonna do public testimony all through this thing so --. I mean, it's not like we're gonna, it's not like we're just gonna let you guys talk once, especially John. Alright, hearing none, then members any corrections or comments about the minutes?

C. APPROVAL OF THE MINUTES OF THE JUNE 28, 2014 AND JULY 9, 2014 MEETINGS

Ms. Jorgensen: I just have one minor one.

Mr. Ornellas: Go ahead.

Ms. Jorgensen: My name is spelled S, E, N, in both section minutes. It's -- my name is spelled -- Jorgensen is spelled with a S, E, N, so I just want to formally correct it.

Mr. Ornellas: Alright. No objections anyone? Nope. Obviously she objected. Any, any other? Hearing none, so can I have a motion to accept the meeting -- approval of the minutes on June 28th and the July 9th meeting?

Ms. Jorgensen: I have a couple others that was -- one of them was really critically where it said

55 acres. I'm trying to find that page, and it's only five acres. This one describing in Chapter 9 the -- on page -- the June 28th, page 32, first line, it has "55 acre lots," it should be "five acre lots."

Mr. Ornellas: Okay. That's it? Alright. So can I have a motion to accept the minutes as amended? You gonna make that motion Stu? Stu made a motion to accept the minutes of the June 28th and July 9th meeting. Can I get a second from somebody? Alright, Shelly seconds. Any discussion? Seeing none, all in favor say aye? All against? Motion passes.

It was moved by Commissioner Stuart Marlowe, seconded by Commissioner Shelly Barfield, then unanimously

VOTED: to approve the June 28, 2014 and July 9, 2014 meeting minutes with amendments as discussed.

Assenting: S. Barfield, S. Koanui Nefalar, S. Marlowe, B. Oshiro, B. Zigmund

Excused: J. Aoki, K. Gima

D. Lana'i PLANNING COMMISSION DISCUSSION AND RECOMMENDATIONS RELATING TO THE DECEMBER 2013 DRAFT Lana'i COMMUNITY PLAN

- A. Ch. 1 Introduction**
- B. Ch. 2 Vision + Principles, etc.**
- C. Ch. 3 Environment**
- D. Ch. 4 Hazard Mitigation**
- E. Ch. 5 Historic, Cultural & Scenic**
- F. Ch. 6 Economic Development**
- G. Ch. 7 Infrastructure**
- H. Ch. 8 Public Facilities & Services**
- I. Ch. 9 Land Use**
- J. Ch. 10 Urban Design**
- K. Ch. 11 Housing**
- L. Ch. 12 Governance**
- M. Ch. 13 Implementation**
- N. Appendices**

Mr. Ornellas: Okay Mary, you wanna --? You gotta turn on the mic so --.

Ms. Jorgensen: Okay.

Mr. Ornellas: Okay, so the wireless mics we, we've had a problem with them. You gotta really put them up to your and talk so she can, she can record it. It was very soft last time.

Ms. Jorgensen: We'll start with Chapter 9. It's in your binder that has the corrections that, again, what is shown in blue is an addition that you added as a Planning, a, a, a Commission recommendation. And what is shown in red ~~strikeout~~ is what you asked to have deleted. What is in yellow highlight is something that staff recommended changes in this, this document. As we go through it, you also received --. So these changes come from the June 28th or July 9th meetings, that are in the chapter. We also included in your packet additional recommendations. It has -- it starts with Chapter 7 with a lot of blue text at the top, and then it goes into Chapter 9. So we can look at those as well as we go through the pages. And, so we can start with page 9-1. Oh, you also have one more thing in your packet you might wanna get out is the revised tables for Chapter 9. There was so many changes, we just thought it would be cleaner if you had a new copy. So on page 9-1 anything additional? And for the public, there is copies of Chapter 9 on the back table as well as the, the additional table and these Planning Department additional recommendations. Okay. Shall we go on to page 9-2? Any additional changes or deletions? Okay. And then page 9-3, you'll want to look at it as well as look at this Planning Department additional recommendations because there is -- when we reread No. 4, under the Land Use Planning Principle and Standards, we just found some of the language to be, could be improve with some revisions, so that's what we were putting in there to try to make it a little clearer. So if you want to read these revisions and see if, if you like what's on, on this handout for No. 4, then we will just substitute that in.

Mr. Ornellas: This is the, this is the issue that we had remember with the roads and names and possible mistakes and --. So this kind of -- it doesn't actually clear up the maps.

Ms. Jorgensen: No. No, no, no. That's, that's later. That -- we're down on the bottom under, like, on page 9-3, No. 4. The top part is what John was saying, but we'll, we'll talk about that later.

Ms. Beverly Zigmond: Mr. Chair?

Mr. Ornellas: Go ahead.

Ms. Zigmond: I, I just see a typo on No. 2 in the book. "Scenic landscape, viewsheds and view corridors."

Ms. Jorgensen: View. Okay.

Mr. Ornellas: Anything, anybody else? Next.

Ms. Jorgensen: Okay. Thank you. And then page 9-4 the -- we also have on the additions where we have some corrections on the 2,500 -- it's showing in blue, but it, it should have a yellow highlight -- and that comes from as we caught a couple of errors like the airport. Remember, it use to be an expansion so that was left in this table, and then by taking those expansion acreage out of the airport, then that really dropped down the total acres in this table and so that had, that was in other places in the document. So for lines 1 through 4 we, we just put it, the rewrite of that here on this, on this page. On, on this handout. It's pretty similar to

what was already there. I think it was a change in acreage and, and residential was, it's duplicated, and, and there's no commercial. So, and we just showed how that would, how that would be in the appendices. The numbering was off so we just corrected it all.

Mr. Ornellas: Any objections members? Next.

Ms. Jorgensen: Okay. 9-5? Nothing there? Okay. And the table, like I said, it's just the airport enhancement really did change. It dropped from seven hundred and -- I mean, 678 acres down to 46. And then we found a couple of other small errors in there. So we would substitute in this new table. It's the same, it's the same table.

I do want to point out earlier, I think back in June or July, there was a question about that Lana'i City expansion being originally when the CPAC discussed it 470 acres. But that, that was a combination of -- it, it did change in the CPAC during August and September. It was in those, both of those versions. And it changed to the 546, so that was correct. It was the 470 plus 73 Maui County affordable housing acres. So that's how it got up to that 546, and there was some confusion in June or July about that. So it is correct and it hasn't changed in the table at all. Okay.

Move on to 9, page 9-7. One small, on line 27, adding those access -- "a suitable road or boat access." So line 26 and 27. It's also shown on the addition sheet. It's a very small change.

Mr. Ornellas: Boat, that's, that's Planning Department's addition?

Ms. Jorgensen: Yeah. So --

Mr. Ornellas: Why did you, why did you come up with boat? We already have a pier.

Ms. Jorgensen: Well, the new resort and residential area were required development of a suitable road or boat access. So you're saying they already have a pier so we don't need this?

Mr. Ornellas: Yeah. I don't think so.

Ms. Jorgensen: So you are recommending delete "or boat access," or what was there before or "coastal access?"

Mr. Ornellas: Let's, let's -- you guys have --? Can you grab the mic? You guys, what do you guys think? Is there a reason to have another boat access since you already have a pier? There's a mic right there, wireless, and talk close to it. Otherwise we're not gonna hear your beautiful voice.

Ms. Lynn McCrory: Lynn McCrory, Pulama Lana'i. We're fine with just "coastal access." That's fine. Because the pier is there.

Mr. Ornellas: Okay. So why did, why did Planning cross out "coastal access?" "Coastal?"

Ms. Jorgensen: We thought it be, it be coming by –

Mr. Ornellas: Okay.

Ms. Jorgensen: -- you know, by boat. It doesn't make it –

Mr. Ornellas: Okay. Understood.

Ms. Jorgensen: We can go back to coastal.

Mr. Ornellas: Any objections to putting "coastal" back members? Go ahead.

Ms. Jorgensen: Okay. And so is there anything else on page 9-7? Okay, so we can move to page 9-8. And I do have a question on line 37. We have it shown as ~~strikeout~~ -- "will support an anticipated increase in air transportation." I'm not sure if that's correct.

Ms. Zigmond: Mr. Chair? I think, Mary, perhaps because it says the same words a few sentences above it. It says it -- on line 36.

Ms. Jorgensen: Oh, okay. So we'll leave it as it is. Thank you.

Mr. Ornellas: On, on this form?

Ms. Jorgensen: Yes.

Mr. Ornellas: Okay. It says airport, and you scratched, and you scratched out "expansion" and, and put in "enhancement." Can you add "of present airport facilities?" I wanna make sure that, that the people don't still think that there's gonna be an extra runway built which the company has decided against.

Ms. Jorgensen: Okay so, so under -- you want the table --. It say "airport enhancement," and you want it to say?

Mr. Ornellas: Of present airport facilities.

Ms. Jorgensen: Okay. In this, in the document or in the table?

Mr. Ornellas: Both.

Ms. Jorgensen: Okay. Okay.

Mr. Ornellas: Any objections member? Members? Alright, next Mary.

Ms. Jorgensen: So we're next on page 9-9. The only thing I have is very small on line 8, deleting after Manele Mauka, delete the "area." So it would just be a Mixed Use Residential --

sorry that's 9.8A Mixed Use Residential Manele Mauka conceptual plan. So, delete that "area."

Mr. Ornellas: Okay. So it says "conceptual plan proposes approximately" -- it was 180, but you scratch it up, put 105 acres, and then comma -- "with approximately 83 acres." So 83 acres plus the 105 or --?

Ms. Jorgensen: It's --. No, it was a, it was a 105 acres, and 83 of those are residential use approximately. So the 180 was incorrect when we added it up.

Mr. Ornellas: So it comes out to 188 acres total.

Ms. Jorgensen: No. 105 acres, and 83 of it is --

Mr. Ornellas: Okay. Okay.

Ms. Jorgensen: Yeah.

Mr. Ornellas: I understand now.

Ms. Jorgensen: It was a mistake.

Mr. Ornellas: Okay. You'll go with me afterwards. Any objections members? No? Alright. Go ahead Mary.

Ms. Jorgensen: Okay. We're gonna move on to page 9-10. Okay. And then 9-11, there's two small places on -- let's see -- line 26, so it should read "Maui" -- the whole issue No. 3 -- "Maui County Code Chapter 19.70 Lana'i Project District 1 (Manele) and Chapter 19.71 Project District 2." And then, and same on the line 29, it would be Maui County Code Chapter 19.70 and 19.71. And we show that on this suggested additions. We only had half of it, the ref, the reference there to what section of code.

Mr. Ornellas: Any comments members? Alright, next. Wait a minute. Go ahead Bev.

Ms. Zigmond: Sorry. On 9-11, Mary, at the top, in the binder, it says "This Chapter may need further revisions." Is that moot now?

Ms. Jorgensen: It's moot. Yeah, I had to check all the minutes and then that had some of the corrections here on this additional chart.

Mr. Ornellas: Go ahead Mary.

Ms. Jorgensen: Page 9-12, on the addition chart this is a revision of the goal. The new -- what the Planning Department is recommending as the goal would have, read as on this addition sheet, "Lana'i will an efficient and sustainable land use pattern that protects agricultural lands, open space, natural systems, and rural character while providing livable human-scale

communities.” And part of that is that for a land use chapter the goal was not as well connected as, you know, it’s more like, for the design, urban design chapter.

Ms. Zigmond: “Human scale community?”

Ms. Jorgensen: Do you have another phrasing or --?

Ms. Zigmond: It’s such a bizarre phrase, I think, and, I’m not so opposed to that, although I, I don’t like it. But the goal is substantially rewritten and -- I’ll be nice -- tried to retain the concept on of it, the essence of it. But, I would like to see something in there about the uniqueness because that’s totally missing in the revised goal.

Ms. Shelly Barfield: This is more land. That would be on the urban side. You want to keep the unique character of it. But, this is the land, the property, the dirt. So, you wouldn’t have unique there.

Ms. Jorgensen: Okay. So, we could take human scale out and so just liveable communities.

Ms. Stacie Koanui Nefalar: Talking about liveable that’s still talking -- wouldn’t that still be under the urban? This is not necessarily land, so take out.

Mr. Ornellas: Okay so –

Ms. Jorgensen: It would still be apply to land use so that you would have the location of –

Mr. Ornellas: So what is the ramification, ramifications if we keep it the way it was? We go to jail?

Ms. Jennifer Maydan: Jen Maydan. Just when we looked at the goal for Chapter 9 Land Use and we looked at the goal for Chapter 10 Urban Design, they were very similar. And it seems like, it really, the goal for Chapter 9 Land Use really wasn’t addressing land use. So we tried to write it to really address more land use. So if I think you read this recommended Chapter 9 goal and then you read the Chapter 10 goal, you’ll see that land use and urban design are both covered separately rather than we duplicating the design.

Mr. Ornellas: Okay.

Ms. Maydan: Just a recommendation.

Mr. Ornellas: Alright. Stacie?

Ms. Koanui Nefalar: What about just taking out “while providing liveable human scale communities” and just leaving it as “Lana’i will have an efficient and sustainable land use pattern that protects agricultural lands, open space, natural systems and its rural character.”

Mr. Ornellas: How about –

Ms. Jorgensen: So you would have an urban community because you have land use designation that are, that are urban. So you might want to have rural characters and -- that are natural systems, comma, rural character and –

Mr. Ornellas: How about unique rural character.

Ms. Jorgensen: We could --. Okay John.

Mr. Ornellas: Okay, so what? Members, you want to take, you want to take out living, liveable human scale communities? Or wait a second. Take out while providing liveable human scale community and put rural character, period. Any objections to that?

Ms. Jorgensen: Well, you've left out urban all together. It's a land use designation. So you have your basic categories, you know, the, the pattern on the land of agricultural lands, open space, natural systems, and rural. But you have left out -- if you, if you -- you need something in there that says, and urban, such as Lana'i City.

Mr. Ornellas: Okay. So rural character and. Rural and urban character? Is that good enough?

Ms. Jorgensen: Yeah.

Mr. Ornellas: We're making way too much deal out of this crap. So, okay. Any objections to leave what as read?

Ms. Jorgensen: Rural and urban character. Scratching while providing liveable communities human scale.

Mr. Ornellas: Alright. Good. Next.

Ms. Jorgensen: Okay. So then is there anything else on page -- sorry, I flipped over a page -- 9-12? 9-13? Okay, and the action table on 9-14.

Mr. Ornellas: Alright, so 9.02, the ones that you added -- "Develop a form base code, a transect based code or similar mechanism."

Ms. Jorgensen: A question on that?

Mr. Ornellas: A little. Yeah. What does, what does all that mean?

Ms. Jorgensen: I'll, I'll let Jen explain it. I'm not sure what transect based code is.

Ms. Maydan: This was a recommendation that we made previously and your commission accepted the recommendation so this is actually identifying a recommendation that you

accepted. Amending the zoning code -- this is options to bringing the community plan in line with the zoning. To amend the zoning code, and this provides different mechanisms such as form based code and the transect based code, which the transect code looks at your, your spectrum of land uses from natural to ag to rural to urban, and that your community should be laid out respective to those different land uses. This action really provides a broad, a broad, broad options that the zoning codes could be amended to make it useable for the community. Does that make sense at all? So this isn't saying specifically what should be done. This is saying that the zoning code meets the amendments. There's issues of it. These are some possible avenues to amend it. Perhaps this action could be simplified and just say amend the zoning codes to facilitate the development of mixed use, pedestrian oriented communities, and take out that second sentence. That second sentence is just to illustrate some options.

Mr. Ornellas: I, I don't know what form based code, and you kind of just explained transect based code.

Ms. Maydan: Form based code takes, you look less at the uses. Like a zoning code . . . (inaudible). . . uses are. Form based code tries to design a community more for it, for how it functions rather than the uses that are included. It's a new concept in zoning. A lot of communities are going to form based code rather than the standard Euclidean zoning which our Chapter 9 is.

Ms. Barfield: So this is in reference to what the official codes are when we go in for zoning, whether it's land and so forth, correct?

Ms. Maydan: Yeah, and this is --

Ms. Barfield: And this is on the codes when go to the chapters and so forth.

Ms. Maydan: This is the county's desire is to amend the zoning code. I mean this is in the Maui Island Plan, maybe not word for word, but a desire to update the county's zoning code. To acknowledge that there are things that are not working, and that many communities across the nation are going to form based codes or transect codes, and they're trying to be much more functional codes rather than --. So if it's, if it's too confusing to have that second sentence that could be taken out.

Ms. Jorgensen: I guess an easy way, for me, and I'm not familiar to work with code a lot, to understand this is the difference between like your current Euclidean zoning you have all of the setbacks and what uses are on a site. Where the form is like, you're shaped so they would -- you know, you might specify the bulk or size and shape of buildings that would be an area rather than their particular use so that you get more in the end, the way that it would, you're trying to create the way it would look rather than being very pres, prescriptive on how far back from the street it is. It's just, it's -- that's more of a three dimensional way of looking at it, the form base code.

Mr. Ornellas: Okay. Well , she's told me that three times already. Alright, so if you want to keep

it this -- members, do you want to keep it this way or you want to remove the last sentence? Keep it the same way. Any objections? Alright, keep it. Next.

Ms. Jorgensen: Okay. That completes the text part of Chapter 9. We'll also --. And so the next piece is looking at the appendices section changes. That was the handout in your packet and we looked at --. The, the revision now is for appendix -- what that was 9.2 is now become 9.1. And we discussed, I think, it was at the July 9th meeting to have mixed use residential. And so you see those changes in here. And then some other minor changes for showing the county zoning districts under public-quasi/public there's a P1 and a P2.

Ms. Zigmond: Mr. Chair? That is going on the assumption that the old 9.1, the Lana'i Project District has been deleted. And I know we had conversation about this before, and I know that Corp Counsel said that we should take it out because it's not enforceable. I'm opposed to taking this out. I think that any planning document needs to have something like this, some collective memory for historical purposes. And granted the Planning Department can't enforce it, and that's perfectly fine. So how about putting a caveat saying this is here only for historical purposes and cannot and will not be enforced by the County. I really disagree with taking it out.

Mr. Ornellas: Which one are you talking about?

Ms. Zigmond: The Lana'i Project District. If you look at the appendices section changes that was in our packet, yeah, about middle way through, it says the following appendix has been deleted per recommendation of Corp Counsel. That's what I'm objecting to. And we had a discussion about this before.

Mr. Michael Hopper: Yeah, we just brought that up that it's -- I mean, it's a list of -- it's a variety of things. I mean, some of them are enforceable because they're already in the County Code. It, it's a list of, it's a list of existing project districts and things. But I think there were --. I mean, it's, it, it, it's things that are already in, in code that are -- you're basically gathering and, and putting in an appendix here, and it's not something that I've ever seen as part of any plan. And if there's documents that are left out, I didn't want it to be a, a suggestion that these are all the documents that comprises this entire history. I don't think the department was able to get every single thing that was there. And, and these are things that are part of, either the County Code or, or other places. And so, I don't know of generally of any community plan that has a list like this. And it's not a component of the plan that is suppose to be there under the code. And, it's also -- I mean, you're talking about past agreements that are --. Some of them I don't think are necessarily in the County Codes. Some of them maybe conditions of zoning and other things. And some things may be agreements that the County is not a party to at all, and really are inappropriate to put in a community plan document if it's, if it's a private agreement dealing with something that's entirely separate from what's in the actual plan itself. So that was our recommendation for deletion and essentially why we, for I, when looking over this, felt that it was not something that would properly be part of the community plan based on the requirements and components of what a community plan is. And so that was a bit of a background as to, in looking over this with the department, why I had that recommendation.

Ms. Zigmond: And, and I understand that. I think we all do, and with all due respect, again, you know Lana'i is not your ordinary community plan to begin with. And if there's some caveat here. I, I just hate to see this collective memory go by the wayside. I mean Ron and, and others are not going to be around forever to remind the community of what's going on.

Mr. Hopper: Sure. I mean, that's a totally valid point. Maybe there's a way to retain that information. It doesn't necessarily have to be adopted as part of the plan. I mean, if there's -- if these documents have been gathered and they're useful to have together, is there something else that we've done with them so they don't, they aren't lost. I mean, adopting them as part of the plan, when, when you look at the components of the plan, and it's not really listed as one of the components of the plan. I mean, it's --

Ms. Jorgensen: Well, Chairman Ornellas mentioned at one time that there were also agreements between the community and the Company in the past that it would be useful to have those gathered. And it could be that, that this document is a separate document that's put in a binder along, you know, that shows, oh here's the listing of, of partial listing of some of the County ordinances. And then you have another section that has whatever agreements that there are between the community and the company, and then you'd have a record of that. You could maybe even make a copy of it for your library so that it didn't lost. This was put in -- it was . . . (inaudible) . . . of put in, right in December where it was rather -- it probably should have come as a handout, like an information piece rather than as a part of the document. And that's what, on the advice that Corp Counsel were saying. Yeah, that will -- well, what he said.

Ms. Zigmond: So who would be tasked with putting this together in a nice little binder for the world to see?

Ms. Jorgensen: Well I think that would be, if the community wanted to have a record of it, a historical record, maybe there would be a volunteer to gather up some of the agreements between the company and the community. I think Ron said he had some of those, or you said John you had them, and just put them in the binder and ask the library to put them in the reference section.

Mr. Ornellas: Alright. I see what Bev's talking about because when you go to, when you wanna, you wanna do something and you have to grab the community plan, you're not gonna see that. You're gonna have to -- you don't know that there's another binder in the library that has these agreements. So if it's in, if it's some where in here as a, as a reference point or some thing at the end that shows, shows these. So that when, when Stu's son becomes a Lana'i Planning Commission member, he can see what his dad did, you know, 20 years ago, 30 years ago because these things are still part of the record and not necessarily in the library someplace gathering dust.

Mr. Hopper: And I would also comment that I think there's a distinction between a lot of the documents that were put together are either county ordinances, county change in zoning ordinances I understand it with conditions on them, Land Use Commission conditions. But

some may also be private agreements that were, were, were, that were entered into, during litigation in some cases. And so those are cases where maybe the private parties would be interested in having those as part of the record. As far as, I think, the County's interest, it would be, you're talking about things that are adopted in law which would be change in zoning, community plan amendment. Those conditions maybe things, things that are in ordinances already. And maybe conditions, land use commission conditions and other things like that.

The private agreements, and I'm not sure to what extent all them are public documents or not because there could be a lot over a period of time. I don't know if that's necessarily to determine which ones go in and which ones don't. If they don't involve county land use issues, it may be difficult for the Planning Department to kind of put that together. Just a note. I'm not saying they wouldn't be relevant. And if they're, if they're public documents, they're public documents, but it's not necessarily. The county wasn't a party to the agreement in a lot of cases. Frankly, the County might not even have access to some of the, some of the documents. So, I just wanted to note that for the record. I'm not sure to what extent those documents were even made part of this appendix in the first place, so that's an entirely kind of separate. So apparently they weren't it doesn't sound like. So that's kind of a separate -- it may be important -- but still separate issue from, where actually this appendix originally was.

Ms. Jorgensen: I guess I could speak real briefly to the intent of the CPAC was. And they didn't ask to have this in. We just did it after, afterwards for this, in preparation for your review. They wanted -- as you're saying Bev -- like to have that record and know where those documents are. So there could be some other way to acknowledge that here, in the appendix, and say where they're located without putting them in this document, so that it doesn't get lost in that way. So you just have a statement that, that there are these different, that, agreements between either, you know, in the county code, in ordinances or between the community and the company, and those records are located in, if you knew where a location was we could put that in here. Would that work?

Ms. Koanui Nefalar: Question. It says "recommendation." What if we decide we don't want to follow the recommendation?

Mr. Hopper: Well then you, you would have an appendix in a document that are -- potential concern is that that's going to be seen as part of the plan, and we don't know to what extent the conditions and, and things like that are accurately stated in this appendix, or if they are still in effect. And each one of those are separately put in the law so you're kind of being redundant with existing law in a lot of the cases. You'd be making it easier for people to find some of these things, so, so that's true. But putting it as part of the plan, as far as being a component of the community plan in a very odd situation and I'm not sure how that would be if it does actually get adopted the County Counsel after the Commission would recommend that. I'm not sure how that would be -- what effect that would have as being part of the plan going forth. Because I don't think I've seen zoning ordinances and other things actually be a part of the substantive plan. I mean, I guess you could say somehow that they're just being referenced, but they're not an actual substantive of the plan. But this is just a reference of other existing laws that may be in effect that may effect other situations. But mainly the issue is these are -- that type of

appendix is one I haven't seen before and it was kind of out of place in a community plan. But if you recommend it's in, then that's part of your recommendations. You can kind of recommend whatever you like to the County Council and it's up to them to include them or not include them in the final product.

Ms. Zigmond: It was in the old one, correct? Some of them. Yeah.

Ms. Jorgensen: No. This, this 9.1, these ordinances, the first time it was in, it was in the December 2013 -- I think that was called Planning Department, or CPAC Planning Department draft. So it's the one that you started with.

Ms. Zigmond: No, I mean, the previous one.

Ms. Jorgensen: It's not in the 98.

Ms. Zigmond: The MOA weren't in there. There was some reference to them in the 98 plan. And that --

Mr. Hopper: Those MOAs though aren't -- this appendix right now, they're not in this appendix, those MOAs? In, in this new appendix.

Ms. Jorgensen: Not that I know of. This is ordinances.

Mr. Hopper: Okay. But, yeah, if the ordinances, conditions of zoning and that type of stuff is in there, but it was in the draft before the recommendation to delete, those MOAs that apparently were in the old plan, they're not, they weren't even, what, proposed to be part of this. Okay.

Mr. Marlowe: They weren't addressed . . . (inaudible) . . .

Mr. Hopper: Well, apparently they were addressed in the old, but not in this, in the new draft so --. Okay.

Ms. Jorgensen: Well that's, that's where the MOAs from the 98 plan, it would mention in the 98 plan, but there was no, you know, showing what they were. And that's how it all came up with the CPAC saying we want to see what those are. And so in looking for those we realized we don't have that. That's probably between the community and the company. What we had were these ordinances that were attached to either Manele and Koele. And so we thought this would be like a useful handout, but it was put into the document.

Mr. Ornellas: It's funny you use the term that these MOAs were between the company and the community, and we're working on the community plan.

Ms. Jorgensen: Well there's a difference in terms an agreement between --

Mr. Ornellas: They're enforceable.

Ms. Jorgensen: Yeah, that, that -- this is a county document and the other was a company agreement with the community.

Mr. Ornellas: Okay, well members, do we -- I guess our options are to keep it the way it's written or remove it. Am I correct?

Mr. Hopper: I think that's correct. I mean, you don't have -- I don't think -- anything but this original appendix so your decision would be with respect to what's in the original appendix unless there was something to add to it. But, I guess, you already have the original appendix, so, I mean, that, that's what you can choose from if that's been given to you. But you kind of have the documents before you and if you want to include them that's up to you. How they be included, I guess, they'd be, what, as an appendix that says essentially these are --. Well, calling them prior required agreements --. Are there any actually agreements? These are condition of approval for the most part. I remember reading these when we had them, and they were, for the most part, ordinances, project district ordinances. Yeah, this is stuff directly out of the County Code, for the most part, out of the project district actual ordinances. And they deal with, for the most part, what the design standards of those project districts are, actual specific ordinances, conditions with those ordinances. And then there's a resolution. And then that, that's it. So there's really no -- I mean, you can call them --. These aren't agreements. These are conditions that the Maui County Council imposed probably with the Planning Commission recommendations on the project districts. So they're really approval conditions or design standards is what they end up being when you read them in the plan.

Mr. Marlowe: . . . (Inaudible) . . .

Mr. Hopper: Well, those are actually -- that's just copied out of the Maui County Code, it appears.

Mr. Marlowe: . . . (Inaudible) . . .

Mr. Hopper: Right.

Ms. Jorgensen: So we could take out the word "agreements" in both the title of the appendix, and in that first line where it says the purpose, member's concern about prior agreements and just put what it is that it's condition -- yeah -- of approval for the Manele and Koele project districts. And the last sentence in that, under that little purpose paragraph says the list was compiled from research of historical documents and may not represent a complete record so that helps a little bit in terms of saying this is not complete.

Mr. Hopper: Okay. And, and if there's -- there may be other stuffs in the Maui County Code that's relevant to this too that's not included in this section, so it would be tough for someone to read this and get a full picture, I think, of everything. But it, it does show the project districts and the limitations in the project districts which are kind of the main developed areas that, the ordinances we're concerned with.

Ms. Jorgensen: We could add that they, a recommendation after that to look in the Maui, you know, the Maui County Code for additional information. And that there also may exist agreements between, private agreements between the company and the community? Would that work?

Mr. Hopper: I wouldn't reference private agreements with the company and the community because a lot of cases there can be specific litigants in, you know, in, in cases. In some cases there may be agreements out there with the County of Maui. But, I mean, referring something like that could be difficult because it may not be, again, it may not be something that is a public document. It may not be something that the County can enforce. It maybe something a private party can enforce, and whatever the County says in this plan, that's still going to be enforceable by the, you know, the private party, so that would be my only concern. Without looking at all the stuff that's out there.

Mr. Ornellas: Alright, so members, we just want to leave it the way it is? Any objections?

Ms. Jorgensen: Restore appendix 9.1, put it back in the document or leave it out of the document?

Mr. Ornellas: Restore.

Ms. Jorgensen: Okay.

Mr. Ornellas: Any objections members? No? Go ahead.

Ms. Jorgensen: Restore. Okay. So just -- we can, we can finish up with the text changes and then go back to the first page to go over some of the other appendices that were removed or merged into the chapters, which includes this planning standard one. But let's just complete the revisions.

Mr. Ornellas: How much longer it's going to take?

Ms. Jorgensen: Just these four pages here. Real quick. We already went over A-2, A-3 with minor changes and wording. So we're on A-4 which is the community, the county community plan designations and again that's to mirror the, the chart where the multi-use residential was added. To add that designation. On page A-4 about mid page.

Mr. Ornellas: Okay.

Ms. Jorgensen: Okay, and then on page A-5 is we don't have rural light industrial any more. And the conservation was changed just to the State conservation, so it was deleted out of County's definitions. Okay. So, then back to page A-1, we have completed the first three. Then we had the different planning standards for both Chapter 9 and 10. You had questions about the Lana'i Planning standards that were in the 98 document. As you saw we, we did new ones for this document. But then you were also wondering about the 98 document as well, and

that was a question for Corp Counsel so I'll turn it over to you.

Mr. Hopper: Yeah, this was something that I would recommend, I would discuss in Executive Session with you briefly. But this is with regard to the 1998 Community Plan the Land Use Standards A through F on page, I think, A-27 of the original draft plan. I wanted to request that because it involves the, the commission's rights, duties, liabilities, etcetera which would authorize an executive session under HRS 92. So I would request an executive session to discuss a couple of issues as it pertains to these design standards with you.

Ms. Zigmond: Michael, but don't we have to call a vote on having an executive session?

Mr. Ornellas: That, that's what I was going to do right now. Any objections to --. Okay, all in favor of those in a special executive session say aye. Brad, is it a no or a yes? Yes? So there's one, two, three, four, and, and I'll say yes too, so. And we have one no? Okay. We'll make it unanimous. Alright, audience, can you give us a few minutes, and go out and relax and take a break? Thank you.

By unanimous consensus, the Lanai Planning Commission entered in Executive Session.

(The Lana'i Planning Commission convened in an Executive Session at approximately 6:40 p.m., and closed Executive Session at approximately 6:51 p.m. and reconvened the Regular Session at approximately 6:55 p.m.)

Mr. Ornellas: Okay, so let's call the meeting back to order. Let's --. Where's Mary? Oh, okay, so --. So before we went on, on break the -- we were looking at 9.4 and we were looking at No. 1. It says land use standards, and there's A though, A through F, and we're gonna have to make a motion, either to accept it or to remove it. So can I have a motion to accept No. 1?

Ms. Jorgensen: John?

Mr. Ornellas: Yes?

Ms. Jorgensen: It's currently not in the Lana'i Planning Commission draft, review draft. So you'd have to make a motion to restore that, what was formally Appendix 9.4 Lana'i Planning Standards. I don't know why it says 9.3 on the sheet, but it, it was 9.4 in your earlier draft.

Ms. Zigmond: Mary, can I ask a question? So it was removed without our approval.

Ms. Jorgensen: It was -- yeah -- it was removed based on the recommendation of Corporation Counsel.

Ms. Zigmond: Right. But again the Lana'i Planning Commission did not approve that removal.

Ms. Jorgensen: No, I don't think you recommended it to be removed.

Ms. Zigmond: Okay.

Mr. Hopper: What I see in the, in the actual document it says the text below is from the 98 community plan and it also needs discussion at Planning Commission to determine whether to retain in this plan. That's what it says. I mean, the text is there. The text is in this, this draft, so I don't know how you've been handling votes in general. So, I mean, it looks like this was something that was brought up as a possible keep, delete thing, and I'm not sure how you guys have been handling votes on that. If you're going by the director recommendation or you're going by what's in the plan. I mean, the text is in the plan, but it says the decision would have to be made to keep or delete. I'm not sure what the default has generally been in all of these meetings.

Ms. Jorgensen: And that would be the question of whether to, yeah, whether that would be, would be kept. Yeah, in the second paragraph, it says whether to retain in this plan. So that decision was never made, or any recommendation at all. And then we were told by, you know, the -- it be, yeah, to remove it so. So if you want to --

Mr. Ornellas: Okay. I tell you what, let's, let's start with No. 1, can I get a motion to change the description from Land Use Standards to -- what do we, what do we -- to a historic reference, historic reference agreements from previous, from the previous community plan, from the 1998 community plan?

Ms. Zigmond: So move.

Mr. Ornellas: Alright second by Bev. Can we have any discussion on that? Okay, hearing none, all those in favor of the motion to change it to historical. What did I write down? Historic references from the 1998 community plan. Is that what we --

Ms. Jorgensen: You just said the title would be changed to historic references from the 1998 community plan.

Mr. Ornellas: Alright. So hearing no discussion, all those in favor raise your hand? You're not? So it doesn't pass. Alright then --

**It was moved by Commissioner Beverly Zigmond, seconded by
Commissioner John Ornellas to change the title of Appendix 9.5 to Historic
Reference from the 1998 Community Plan - MOTION FAILED.**

Assenting: S. Koanui Nefalar, J. Ornellas, B. Oshiro, B. Zigmond

Dissenting: S. Barfield, S. Marlowe

Excused: J. Aoki, K. Gima

Ms. Zigmond: I'll make --

Mr. Ornellas: Go ahead.

Ms. Zigmond: I'll make a motion that we, we delete it.

Mr. Ornellas: What, what is that?

Ms. Zigmond: I make a motion that we delete it.

Mr. Ornellas: Delete, what, the –

Ms. Zigmond: As recommended by Corp Counsel.

Mr. Ornellas: Remove the whole, the whole section? You're talking about A through F?

Ms. Zigmond: Let's see if that flies.

Mr. Ornellas: Okay. You got that one? Okay. So who's going to give a second?

Mr. Marlowe: Second.

Mr. Ornellas: Stu. Stu seconds. Any discussion? All those in favor of the motion raise your hand. Okay, that doesn't pass. Oh, and opposed, raise your hand. Three. Yeah, okay, so three oppose.

**It was moved by Commissioner Beverly Zigmond, seconded by
Commissioner Stuart Marlowe to remove A through F as recommended by
Corp Counsel – MOTION FAILED.**

Assenting: S. Barfield, S. Marlowe

Dissenting: S. Koanui Nefalar, B. Oshiro, B. Zigmond

Excused: J. Aoki, K. Gima

Mr. Ornellas: Okay, so let's --. The opposed, the people that opposed, do you want to make a motion to remove? Oh, we already did that.

Ms. Zigmond: Mr. Chair? Is there something that we can table until the next meeting when there are more commissioners?

Mr. Ornellas: Any objections, members? No objections, then let's table it till the next meeting. Alright. Yeah, October 4th meeting. Alright thank you. Okay, let's continue.

Ms. Jorgensen: Okay, the final piece is in your packet. You have the map provisions that were previously discussed. So those are the maps for Chapter 9. There's also some maps in the back of the room if somebody would like them. They printed 9.1, 9.2, 9.3, but there were no changes on those. So really the maps that we had discussed in the June and July meetings were 9.4 through 9.9 and Mike Napier made the changes that were in the meeting notes, and that we had discussed with the matrix before in terms of the adjustment lines.

Mr. Ornellas: Members, any comments on the maps?

Ms. Jorgensen: Okay.

Mr. Ornellas: Alright, so, so we're gonna come back to 7?

Ms. Jorgensen: Yeah, we'll come back to 7. First we're gonna -- the next part is Chapter 13 that we'll be looking at, and Jen Maydan will be discussing that. There's a couple of pieces in your, in your packet. Would you want to vote to approve Chapter 9 or do you want to wait?

Mr. Ornellas: We're still gonna do something for 9.4, right, with the, the meeting when we have more members?

Ms. Jorgensen: Right.

Mr. Ornellas: And so, no.

Ms. Jorgensen: Okay.

Mr. Ornellas: Go ahead Lynn. Please grab the mic there.

Ms. McCrory: Thank you. Lynn McCrory, Pulama Lana'i. Did you -- which maps are you talking about that you went through because I found a few more changes. So I don't know whether you me to, in the 9, and also 7.2 maps.

Ms. Jorgensen: We were just looking at the 9 point, 9.4 through 9.9.

Ms. McCrory: Okay.

Ms. Jorgensen: Not --. The 7.2 is an example map. It was just actually put in this packet by mistake and we'll discuss it with Chapter 7.

Ms. McCrory: Okay. And I have -- it's the 9.2 map that I have changes.

Ms. Jorgensen: Okay.

Mr. Ornellas: Can you -- how many changes?

Ms. McCrory: One.

Mr. Ornellas: Let her rip.

Ms. McCrory: I'll just tell you what it is, and, and you work from there. Over above, along, above the Koele, the stable area.

Ms. Jorgensen: Okay.

Ms. McCrory: Part of the project district. So if you look at maps 9.5, that one is correct. It's just that 9.2 is not correct.

Ms. Jorgensen: Okay. I get that.

Ms. McCrory: Thank you.

Mr. Ornellas: Thank you Lynn. Got that? Alright. Are we moving forward? Alright Jen you're up.

Ms. Jennifer Maydan: This is Jen Maydan. So we're moving forward to Chapter 13, Implementation and Monitoring. In one of your handout packets. It's this one here is the chapter. Last time we met, you folks reviewed it and accepted our recommendations. So essentially what you -- this is -- there's no strikeouts or additions in here because you accepted everything last time. So 13-1, any comments? 13-2? Table 13.1 on page 13-3?

Ms. Zigmond: Jen, I have a question please on that table. Under population, slash, community you list child abuse and neglect, I'm not -- and some other things obviously -- I'm not --. You know, I, I wonder why you chose that one as opposed to including domestic violence, sex assault, mental health or any of those things.

Ms. Maydan: Many of these indicators come from existing data. Other planning documents use similar indicators. These don't necessarily have to be the, the end all. There might be other ones that are used as far as what data is available. If you'd like to recommend the change we could, but it will, of course, depend on what data is available. We looked at a number of State monitoring documents, as well as other Counties and what data is regularly tracked, so that's really kind of what drives it, and I think, that was data that was available. As far as domestic violence and other data being available, it may as well. So if you want that added in it could be.

Ms. Zigmond: To me it's saying that those other issues don't exist here which would be false.

Mr. Ornellas: Go ahead and add, go ahead and add.

Ms. Zigmond: I, I would like to -- I mean, it can be on the same line. It doesn't have to be different, but I'd add sex assault and domestic violence, or intimate partner violence or how ever you want to put it. And I think mental health. There has to be data on mental health. So when you're looking at the data is it --. I mean, it's not Lana'i specific, right? It's probably County or State or world.

Ms. Maydan: That's where it gets complicated. A lot of, a lot data is County and not island specific. There are some data that's aggregated to the island, but that's where it does get complicated. And in the text it does note that these, that this will change over time as far as

when data is available. Like I said, these aren't set in stone. But these are an idea of right now of what could be tracked as core indicators.

Ms. Zigmond: I can guarantee that there is at least County data on domestic violence and on mental health and on sex assault.

Mr. Ornellas: So what do you want 24 to read?

Ms. Zigmond: I'd say child abuse, neglect, domestic violence, sex assault. They could be separate or, or all in that one line. And again mental health, I think, is, is pretty huge.

Ms. Maydan: We can make that addition.

Ms. Zigmond: Thank you.

Mr. Ornellas: Any objections members? No. Any other changes that we can see, you guys can see? Go ahead Jen.

Ms. Maydan: Okay. Next page, 13-4, this, I think, the table is labeled wrong. It should be 13-2. Page 13-5 continuing the table. Bev, it references 24, child abuse, child abuse and neglect again, and we'll make sure that it follows through there. Thank you. And the last page 13-6. We changed the table name again.

Ms. McCrory: Thank you. Lynn McCrory, Pulama Lana'i. On line 32, watershed health, on the data sources, it has a listing for Pacific Neon. And the only listing I could find for Pacific Neon was a sign company in California. So I don't know who Pacific Neon is.

Ms. Maydan: It's a good question Lynn. This came from the Maui Island Plan, and we'll check on that. And if it's not accurate, we'll delete it, or replace it.

Ms. McCrory: Okay, thank you.

Mr. Ornellas: Does -- if, if there is Lana'i specific indicators, would we want to use that?

Ms. Maydan: Lana'i specific data for --

Mr. Ornellas: Yeah.

Ms. Maydan: -- for watershed health?

Mr. Ornellas: Like watershed health. I mean, I think -- I think Lana'i has plenty of information. Can -- is that -- am I correct John Stubbart, Director of Water? You, you weren't listening were you? We're looking at the, the last page of this and it says watershed health. We have, if I'm not mistaken, I think, Lana'i does have data concerning our watershed, and we should be using that instead of Pacific Neon. Can you come grab the mic or do you want it taken to you? Come

get the mic.

Mr. John Stubbart: Drinking water quality. Usually -- 32, right?

Mr. Ornellas: Yeah, 32, Watershed health.

Mr. Stubbart: Thank you. DLNR, University of Hawaii. Don't know what Pacific Neon was, but that -- these are the County and State agencies that would rate the watershed.

Mr. Ornellas: No, these are data sources that --

Mr. Stubbart: Yeah.

Mr. Ornellas: And I think, doesn't Lana'i have data sources, data on our watershed?

Mr. Stubbart: We have plans that are with the State Department of Health. And so, there -- I don't know if it's data -- there are plans in place. I don't know if there's plant counts or other watershed issues. But there are plans for development, enhancement, protection of the watershed. These data sources from DLNR and University of Hawaii, I don't know exactly what their data ratings are.

Mr. Ornellas: Okay. You wouldn't mind being added -- I mean, next to Pacific Neon -- would you? I mean, Pulama Lana'i would be a source.

Mr. Stubbart: We're just saying it's a . . . (inaudible) . . . sign were going to put that on the --

Mr. Ornellas: Yeah. I mean, is data source, we can put down Pulama Lana'i?

Mr. Stubbart: I would think that with our programs putting down Pulama Lana'i as a source. Is that something . . . (inaudible) . . .

Mr. Ornellas: And you're also working --. Huh?

Mr. Stubbart: Because on, on the list, I'm just wanting data sources. These are listed for County or State departments. Should we list --? I know in the goal and actions in the different sections, specific to these, Pulama Lana'i and other groups that are highlighted in the action items. So when we put, is this appropriate to put other agencies because we could start listing a lot of different data sources.

Ms. Maydan: We would want data sources that are reliable, that consistently track the data so that you can have a baseline and then you can see a change over time to see if there is an improvement, a decline. So the idea is reliable data over time.

Mr. Stubbart: What I could suggest is to put the Department of Health because they are the State responsible body for watershed protection and enhancement.

Mr. Ornellas: Okay. What about the 31, Reclaimed water use?

Mr. Stubbart: That –

Mr. Ornellas: And why are we still deal with the Department of Water Supply? Maui Water Supply?

Mr. Stubbart: That would be stricken. I would recommend, I agree with you to strike that and replace that with the State Department of Health, and Drinking Water Quality also, State Department of Health.

Mr. Ornellas: And also add your name too, Pulama? Because you guys have a lot of data concerning drinking water.

Mr. Stubbart: Well, that goes back to my question is are we going to list other private or other entities in this list, or is it specifically to identify County or State agencies?

Ms. Maydan: It's not –

Mr. Stubbart: I know you said reliable data, but --.

Ms. Maydan: That would be the goal. It doesn't have to -- it doesn't need to be specifically State or County agencies, but we're looking for data that is consistently tracked.

Mr. Stubbart: I would also add the –

Mr. Ornellas: Do you have any objections with the, with –

Mr. Stubbart: No.

Mr. Ornellas: I mean, you feel confident that –

Mr. Stubbart: Yeah. Yeah. Yes.

Mr. Ornellas: Okay. So you can add, you can add Pulama Lana'i to 31, 32, and 33. Or Lana'i Water Company. I guess that's the correct?

Mr. Stubbart: Pulama Lana'i.

Mr. Ornellas: Oh, okay. Thank you John. John, 37, 38, I thought -- maybe Lynn can also -- 37 and 38, is that something that, that you guys have started or do we have anything, any data or say that we can hang a hat on? Or you've just started? Started. Okay. So we'll leave you guys off for now. 20 years from now we'll put you back on. You and Kurt will still be here. Okay, go ahead.

Ms. Maydan: Okay, so I think that completes the text portion of Chapter 13. The next section is the Implementation Table which is also in your handout packet. So the Implementation Table, and we briefly started to touch on this at the last meeting. It includes all of the actions throughout the chapters, and it has been updated to reflect all of your changes. So except for in Chapters 9, 10, and 11, which show Planning Department recommendations which are the same as what are in the chapters. So the table is a compilation of all of the actions throughout the plan. The actions are identified as short-term or long-term, and they are identified -- there's also cost estimates, many of which are identified as to be determined. And there's also priority. And as far as priority, there's just first and second priority. And this was modeled after the Maui Island Plan. And so staff has gone through and identified priority, but we really want your feedback. And if you turn over the first page, I believe I read over these last time. These are some questions that we use to identify priority one actions, just so you get an idea of what we were thinking when we went through it. But we really would like to hear your feedback as far as priority if you want things changed.

Ms. Zigmond: Jen, I do have some, but I would like to ask what process are you going to go? Page by page, line by line? How are you going to --

Ms. Maydan: I guess we'll just do page by page. Does that sound good John? Okay. Let's start. Okay, they don't have page numbers. We'll start with the first page of the table. The first section is a couple of CIP actions and then a couple of environment.

Mr. Ornellas: We're okay with the first page? Second page.

Ms. Maydan: Okay, we want to, on the second page, Action 3.11 and 3.12, we have it identified as priority two. Do you -- Mary wants to ask if perhaps that should be, both of those should be priority one.

Mr. Ornellas: Yes Lynn.

Ms. McCrory: Lynn McCrory, Pulama Lana'i. We've already -- as Pulama Lana'i -- developed a quarantine and inspection process for imported plant species. We actually have a center where the plants are taken once they come on island, and they sit in there, for a quarantine period and are bathed with peanut butter and sprayed with whatever to make sure there are no bugs. So our -- is this -- you're looking at the whole island having a completely separate one?

Mr. Ornellas: I don't see a distinction written. It's just, it's, to me, I think it's island, island wide. I think island wide, yes, I think that, that is important because we bring -- a lot of people bring over stuff from Maui on, on the ferry in, inside their coolers, so --. Yeah. Because nobody's gonna drive from Lahaina all the way to Kahului to get your, your plants inspected, then come all the way back to Lahaina to catch the ferry. So, it's a lot easier just to bypass. Can I say that?

Ms. Zigmond: You said that off the record. Nobody doesn't know.

Mr. Ornellas: And then, and then it says "work with Pulama Lana'i to establish a feral animal program." More hunters. Sorry Bev.

Ms. Zigmond: No, no. What I was going to say was on 3.11. It says private, so Federal, County and State is private. So it can be in, in conjunction with, you know, with what they're doing. Or if they just want their separate, that's fine. But it does say private.

Mr. Ornellas: You have, Pulama, you have any objections to keeping you as, as a private? It's not mentioning your name, but it's private, so --. Okay. And then what about the, the work with Pulama to establish feral animal control program? Aren't you guys doing that now? Okay.

Ms. Jorgensen: That's why I was thinking it would be a one is because it was something that you addressed --

Mr. Ornellas: Especially the feral animals.

Ms. Jorgensen: -- right away.

Mr. Ornellas: Yeah. Because we've got watershed and all that stuff, so, yeah, that should be a one. As far as the plants, we can keep it two. Yeah, that's a good idea. Okay. So we're now hit Hazard Mitigation?

Ms. Zigmond: Mr. Chair?

Mr. Ornellas: Go ahead Bev.

Ms. Zigmond: 4.03, I, I don't know. I, personally, I think that should be a one and be up in its timing. The same with 4.10.

Mr. Ornellas: What would you like to see as far as timing?

Ms. Zigmond: Well, they're pretty -- I mean, they're kind of consistent. No, maybe they're not consistent. But it looks like most of the priority ones are like 2016 to 2021.

Mr. Ornellas: Oh, I see. Yeah, I see what you're saying.

Ms. Zigmond: And climate control, I mean, climate change, I don't know that we can start, we can wait until 2022 to start talking about it.

Mr. Ornellas: Okay, so we can change -- let's change 4.10 to a priority one, and move it up to 2016 to 2021.

Ms. Zigmond: Okay.

Mr. Ornellas: Is that okay? Members, is that okay? Is that good enough, Bev, for that one?

Okay, so you got that one, 4.10?

Ms. Maydan: 4.10.

Mr. Ornellas: Yeah. And what was the other one that you --?

Ms. Zigmond: 4.03.

Mr. Ornellas: 4-3.

Ms. Maydan: To make that a priority one as well as the first time period.

Mr. Ornellas: You know, we -- 4.03 is been, is been hashed and rehashed over the past 25 years, so, you know. I mean, it still continues to be hashed if I'm not, if I'm not mistaken. But what would the members like? Move it to a priority one and change the dates to 2016 to 2021? Does anybody got any objections to that? You have any objections? No, okay, so then let's change that then. 4.03, change it to a priority one, 2016 to 2021. And why is that Civil Defense lead agency? Wouldn't it be more of an environmental?

Ms. Jorgensen: Civil Defense has the hazard mitigation plan. The responsibility for implementing the hazard mitigation plan.

Mr. Ornellas: Uh --

Ms. Jorgensen: It would also be a department, a State Department of Health.

Mr. Ornellas: Okay. Okay, you didn't put it down, so can we add that? And, you know, the Mayor's Office also has an environmental coordinator, so he should, he should be playing a part on that too, right? Any objections?

Ms. Jorgensen: Yeah, he could. Definitely the State Department of Health would be. Their agency handles the location and identification of, of sites and so they would be the key agency.

Mr. Ornellas: Okay. So you can go ahead. Any objections to adding that? No. Okay so we've gone through Hazard Mitigation, and we're on the following page, all Hazard Mitigation.

Ms. Zigmond: Mr. Chair?

Mr. Ornellas: Yes.

Ms. Zigmond: 4.11 has no priority and maybe we should set one there.

Mr. Ornellas: Yeah, make it one. Any objections to making it one, and putting the 2016 to 2021 time, timing? Any objections? Go ahead. And just put estimate cost, TBD. Okay, now we're -- any, any more ideas about hazard mitigation?

Ms. Zigmond: 4.12, I'd like that up to a one.

Mr. Ornellas: Any objections to making that number one, members? Alright, so we'll change it to one and put a 2016 to 2021 time. Alright, let's go on to Cultural Historic and Scenic Resources.

Ms. Zigmond: Mr. Chair, on 5.02, I think that should have higher priority.

Mr. Ornellas: 02. Okay, any objections members? So put it at one, 2016 to 2021. Doesn't the County have a cultural resource committee commission? Yeah, so how come they're not listed? You guys are listed. I guess you guys don't have that much to do.

Ms. Jorgensen: The Department of Planning, Long Range has, staffs the Cultural Resource Commission.

Mr. Ornellas: Okay. We also have a Lana'i Archaeological Committee too. They can, they can also help with that too. But we don't have any money. Oh, yeah, we do. So can we change that from a one? Any objections members? Hearing none. Go ahead make that change.

On 5.05 it says "Restore and preserve the Brown House, Social hall, for continued community use," and I see it's a two. But then funding source, County and non-profit? It belongs to Pulama. Can you add Pulama? Since it's --. I'm sure they would love to have all the help they can get, but they should be a partner in, in the restore and preserve. Any objections members? I'd like to change the priority to now, but I don't think it will work. Okay, so let's move to the next page. Still Cultural Historic Resources.

Ms. Zigmond: Mr. Chair, how about 5.14 being a number one also?

Mr. Ornellas: Any objections members changing it to one? No objections. Go and add it. Where did that come from, 5.16? Who came up with that?

Ms. Maydan: That was in the chapter you reviewed. As far as when it was written, I don't know. But these are the actions that are in all the chapters.

Mr. Ornellas: Okay. State, cultural, private. Alright, Economic Development, 6.01.

Ms. Jorgensen: 6.04 was discussed quite a bit in terms of education. I don't know if, Pulama Lana'i, looking at that if you want to increase that to a one and it be a partner in that or funding source. I don't know if you have any plans for that.

Mr. Ornellas: You said 6.04?

Ms. Jorgensen: Yeah. In terms of, you know, the school and they're talking about education programs to, to work, for work force development and, and business education workshops.

Mr. Ornellas: Yeah, I guess, you know, cause MEO has started that, and the school is working with Maui Community College on that project too. What do they call that, the Lana'i initiative? So kids are able to get their --. Kim? You falling asleep? Am I correct? Okay. Through MCC or Maui Community College. Yeah. Okay. So, so as far as coordinating agencies for that one, you can put down Pulama. You could put down the college. You already have MEO so --. Lana'i High and Elementary School, and you can abbreviate that LHES. Those are the coordinating. As far as funding sources, I think Pulama is also a main contributor to that, to that resource for, especially for the school, so you can add Pulama to that. You, you're using the word private so that's kind of, that's kind of distance. Would you be doing that too for, instead of putting Pulama, putting down private?

Ms. Maydan: That is consistent on how we've done it. We've just identified it as --. Because we're not identifying -- we're just identifying County, State or private, or non-profit.

Mr. Ornellas: Okay.

Ms. Maydan: As far as in the partners, we would put Pulama Lana'i.

Mr. Ornellas: Okay. I guess this is, if it's on Lana'i, it's pretty obvious that private is Pulama so. But if this is made for the Maui Island Plan, I can see why you have these private. Alright, so the next page, any --? And we're still working with Economic Development, 6.07, I believe. So 6.07 is on-going. Lead agency is OED.

Okay, we'll move on to Infrastructure, 7.01. I have --

Ms. Zigmond: Mr. Chair, there's another gapping hole and maybe it's the white elephant in the room, but 7.02 needs a priority.

Mr. Ornellas: Okay. Yes sir John, please come forward.

Mr. Stubbart: John Stubbart, Lana'i Water Company. On number 7.05, the dates, it's a project priority one. The dates seem to be incorrect.

Mr. Ornellas: What would --

Mr. Stubbart: It's 2022.

Mr. Ornellas: What would you want to see?

Mr. Stubbart: Immediate or now.

Mr. Ornellas: On-going?

Mr. Stubbart: On-going.

Mr. Ornellas: Okay.

Mr. Stubbart: Okay.

Mr. Ornellas: Any, any objections to that? Members? So go ahead and change it to on-going. And let's go back up to 7.02, priority one. Okay, I have a problem with this one. 7.02, it says "Develop a Memorandum Agreement for Pulama Lana'i and the community to create a Lana'i Water Use and Development Committee that would monitor and implement the Water Use and Development Plan." Presently we have LWAC that does that. So there's no need for a Memorandum of Agreement between Pulama to create a Water Use and Development Committee because LWAC is, is been tasked by Ordinance to do that. Somebody want to jump up? Okay. So, I don't know if we can re-write that one. And is this one -- this is one that we did?

Ms. Maydan: Yes, it's in Chapter 7.

Mr. Ornellas: Okay. So, it, it would be --. I'm trying to think of how this thing should be worded so that we can keep it in the plan. Go ahead, get the mic.

Mr. Marlowe: If it's as you already said that there is some plan in place already, why can't this just be omitted? The language in there would indicate that there isn't one. If there already is, then this, this 7 point whatever-it-is can be just eliminated.

Mr. Ornellas: Okay. Can we defer this one to the October 4th meeting?

Ms. Maydan: Yeah. If you guys don't want to make a decision.

Mr. Ornellas: I don't, I don't want to make a decision on that one.

Ms. Maydan: You've approved it in Chapter 7, so we would probably have --

Mr. Ornellas: Yeah, I don't remember exactly this particular item. So, 7.02 we'll defer until the October 4th meeting. And then on, for 7.01, coordinating agency is LWAC. We're not the lead, but we are coordinating the, the monitor and implementation of the water use and development plan for Lana'i. That was 7.01.

Ms. Jorgensen: John, this is different than in the action tables where you have partners. These are actual agencies, government agencies, that have a legal responsibility for implementation.

Mr. Ornellas: But LWAC, by ordinance, is tasked to do this, monitor and implement the Water Use and Development Plan.

Ms. Jorgensen: Okay.

Ms. Zigmond: And Lana'i Water Company, to my knowledge, is not a government agency.

Mr. Ornellas: Yeah. But, they're still in charge, so -- I mean, we don't, we don't purs -- to take ourselves as the lead agency for, for Lana'i water. But we are a factor as far as monitor and implement the Water Use and Development Plan for this island, so we should be there.

Ms. Jorgensen: Okay. It's a little bit different here, and especially with the water, it's, there isn't County agencies so --

Mr. Ornellas: Okay, so we're gonna change 7.01 to also read Lana'i Water Company and LWAC, and then 7.02 we're gonna defer until the October 4th. I've got no problems with 7.03 because I think they already started to do that. Yeah, it says on-going. 04 is, is good. And Wellhead protection, John said he wanted to, for on-going, to be changed to -- from the dates of 2022 to 2030, to change to on-going, priority one.

7.07 if I'm not mistaken, John, it says "Develop and implement a water rate structure that encourages conservation." Isn't that on-going?

Mr. Stubbart: . . . (Inaudible) . . .

Mr. Ornellas: Okay. You want to change that to a priority one, or leave it as two?

Mr. Stubbart: . . . (Inaudible) . . .

Mr. Ornellas: I'd rather see it number one. Conservation is an important part for what we do here as far as water. Any objections members? No? Okay, so let's go to the next page, 09. Unless anybody has something with 7.08. 09 is okay. To me, any -- you know what, let's -- anybody have anything, changes going to this? Instead of me going through every single one?

Ms. Maydan: Should we just over the page? Each page?

Mr. Ornellas: Yeah, we can do that. Most of this stuff is, is waste water, and, you know, that's all company. That's all company which they own, so --. I don't see anything there that strikes me. That Lynn, Kurt, anything in there that kind of sticks out that bite you? It's all, it's waste water. I do see 7.13, it's got a time -- it's a priority one, but it's a time of 2022 to 2030. I'd rather see it move up to 2016 to 2021. Any objections members? You guys okay with the waste water? And now we're to Solid Waste. You know we're, County -- we're, we're, we're fast. We're moving very close to the end of our, the life span of our, our -- you got it, landfill -- so putting at priority two and setting it way out there. You know, it's important that we start, the County starts now. Starts looking for a place and --. Because you gotta shut, you gotta open one up which has a ton more regulations than, than now than, than that one was built. So once you open that, a new one up, you have to go and do all the shut down of the old one and make sure it doesn't leak so --

Ms. Maydan: Chair?

Mr. Ornellas: Yes?

Ms. Maydan: Back on the first page, under CIP, there is an infrastructure solid waste item, 7.20, "Develop a cost effective environmentally sustainable solution to the landfill reaching capacity," and it is a number one. The reason it's there is because it's a CIP item, rather than just an action.

Mr. Ornellas: Okay.

Ms. Maydan: So that is a little bit confusing because it kind of take it out of that order, but yeah.

Mr. Ornellas: Okay. I'd like to see all the dates, though, moved up to the 2016 date. Because I don't think our dump can last that long.

Ms. Maydan: Would you like all of the --? You said you want the dates moved to 2016. Is that for all of them?

Mr. Ornellas: Yeah, for the Solid Waste.

Ms. Maydan: All the Solid Waste actions?

Mr. Ornellas: Uh-huh to the 2016 because most of them are that way any ways. I think there's a couple that's not. You know, like 7.22, you've it for 2022 to 2030, and that's a priority two. But, you know, it's kind of on-going because Pulama, you know, does that on a regular -- picking up hazardous, bulky, metal waste including vehicle. I mean, they do that on behalf of this community. Otherwise it's just gonna be outside the community, in the grass, so they are doing it. But if the County wants to join in and support Pulama --. They are? Okay. So if you could change those dates, that would be, that would be great.

You know one of the things that was also brought up in the plans for Pulama is, is 7.23. Are we still moving towards that? Just nod your head. No? Okay. Let's go on to the next page.

Ms. Maydan: Chair?

Mr. Ornellas: Yes?

Ms. Maydan: We might recommend continuing this table on October 4th and moving on to Chapter 7, Infrastructure Transportation to deal with the roads and trails map since we have Corporation Counsel here, and it's eight o'clock.

Mr. Ornellas: There's some important --. Transportation is also one that we haven't talked about. Land Use is another one we haven't talked about in this.

Ms. Jorgensen: We, we can come back to the table on October 4th.

Mr. Ornellas: Yeah, but if there's something that needs to be changed or will you guys be able to handle that?

Ms. Jorgensen: We could change it on October 4th. You're changing the priority -- yeah. So, so it would give you time to look at them and come back if there was --. These actions have all been approved within these chapters, so it would be looking at what priority and what dates, and come back with that.

Mr. Ornellas: Any objections members? No? Okay. So go on with the, what we doing? 7?

Ms. Jorgensen: Chapter, chapter 7 which is a chapter that you approved at the last meeting, August 27th is it? And that we -- in -- wanted to address the issue around the different roads and trails that have and the issues that have come up. And so it's in the list of recommended changes from the Planning Department. Yeah, it has the blue strikeout at the top. And there's also an example map, the 7.2, transportation map that we'll be using in, in terms of discussing some of the issues.

Okay, so this will be in the Transportation section, adding an additional, an additional issues and strategy, and then adding a policy in action, in that section as well. And you can take a moment to read the, the language and the strikeout. I mean, in the additions, not strikeout. Sorry. This is all new language, and I'll just read the issues to start this. "Some roads and trails within Federal, State, and County mapping databases may have different historical names, spelling and/or locations. Additionally the historical use and legal status of some trails, and the ownership of some roads on." And this came about as we were talking about different maps, and it would be like, oh, the road was -- that's not the correct name or it's over here, or that's a historical trail but we don't have the, the official status of it. And so we were asked by the --. Oh, we, the CPAC recommended that we work with the Vice-Chair Stan and he brought us a map in December of 2013 that had some trails on it. The CPAC said, you know, oh, use those names. And so Mike Napier was taking that map and seeing, well, what is it? And that, that's what this map is.

But in the -- but the differences in that, the naming is something that we as County government cannot change. It has a whole State process to it. Through the Office of Planning, there's a Hawaii Board on Geographic Names, and they have, over the last few years, been working with each island and in talking to Hawaiian families and trying to develop what current names are, and what the proposed changes are? And then they have forms that have to be submitted or recommending changing the name of anything that's within the data bases. And, and they're, and they're trying to do that. They're trying to get the correct spellings and so that's where we thought the strategy would be to work with them and, and Pulama Lana'i and the community, to identify and formally correct road and trail naming, location, and historical use and legal status, and determine road ownership if it's unknown. Because we figure this would take more time. It's not possible. We cannot alter the State databases. We did, from CPAC, everyone was saying, oh, it's definitely Keamoku, but we just checked in that State database and they have the original name on the map that's Keamuku and then they say the change to it is Keamoku. In other words, they say it stays the same. So we're gonna have to go in to where our maps, where it says Keamoku and move it back so it matches the State database until there's a formal process to change it.

Yeah, I think, the other mapping change we made with Kahalepalaoa and the K, A, is not there in the front. It's just Halepalaoa. And otherwise I think we retained the State names and so we could resolve what, you know, their different issues around these. So that's what we're, that's what we're trying to do with this issue and strategy combination, and as well as the policy and the action because we've heard repeatedly it's the desire to get the correct spelling, correct name, correct location, what's the ownership, and this should help in terms of, of getting it into the databases. So, in the future maps you would have, you know, the correct names.

And just to give a little example from this map that's in front of you is 7.2. You wanna put this one up, yeah, on the screen? Mike was comparing some of these trail names between what's in his database, the State database, and what was on the CPAC mapping. And I think, this, it, it illustrates pretty well that different community members would see things very differently and it would take a good, you know, a, a public notice when you make these kind of changes. It's not something that even with a group who's very familiar with it that we can just say, oh, okay, we'll change the name.

So in this, you can't, it can't get any bigger. Okay. But there's things like -- forgive me if I mispronounce this but -- Kahilikalani Trail One and then the CPAC trail name is Aeronautics. So, you know, if we had, yeah, gone ahead and use that map. Then there's Anapuka Trail and the CPAC trail name was Pipeline. So you obviously have some common names that people have been using for a long time, and then you have the Hawaiian names. And, and the State generally uses the Hawaiian names and now they're trying to get the correct symbols for the akina, okina, and --. So, so comments on this proposal to make an additional change to Chapter 7?

Mr. Ornellas: Go ahead. Go ahead Brad.

Mr. Bradford Oshiro: Mary, on the legend, on the legend on the right trail, the CTAC roads and trails, you got U and V mixed up.

Ms. Jorgensen: I have what?

Mr. Oshiro: You got U and V mixed up. U is Nanahou.

Ms. Jorgensen: Oh.

Mr. Oshiro: But you've got, on the map, you got U as -- U and an V are mixed up.

Ms. Jorgensen: They're in the, they're on the, where they are on the map is different.

Mr. Oshiro: On the right you saying that U is suppose to be Nanahou. But on the map you showing U and something else.

Ms. Jorgensen: Okay.

Mr. Oshiro: . . . (Inaudible) . . .

Mr. Jorgensen: Yeah. Well, we're not going to include this map in the plan. It was, it was something that Mike was drafting based on, on that request, and then we ran into all these other issues around what we, we just, as a County can't change the data, the State database. So John, what do you want to do with this?

Mr. Ornellas: I'd like to put a date next to it when we can get this thing started because I don't want to wait another 20 years for us to, I mean, to get this stuff done. It's gonna . . . (inaudible) . . . I mean, you know?

Ms. Jorgensen: Yeah, this would be added to the Implementation Table, and if you're saying this is -- that you have a certain priority right now that you'd like to see it. Then when it gets added into the Implementation Table we can do that.

Mr. Ornellas: Is Pulama doing any changes? I mean, are you guys going --. You guys are not taking paper work out to go change names. Okay. Alright, so then, so then we can put a date next to it, and, versus on-going.

Ms. Jorgensen: You could put a priority too. And then you could have -- having a, a on-going because it is happening right now with the State Office of Planning, they are looking for this change. So if someone took the initiative to help organize this meetings, they would, they, they are welcoming getting the correct name within their database, corrected names. And there's a form for every name that's changed, there's a form that has to be filled out. And, and I'm not sure exactly what's required on that form.

Mr. Ornellas: Okay, so, so you are looking, you guys are trying to get some, some of the names changes with the office, with the State?

Ms. Jorgensen: No, we're not right now.

Mr. Ornellas: Somebody has to.

Ms. Jorgensen: It would come out of the community.

Mr. Ornellas: Okay.

Ms. Jorgensen: Working with the State Office of Planning, this particular Hawaii board on geographic names. It, it's a State Board. We're just trying to facilitate the process by putting something in the community plan that indicates that you would like to have this happen.

Mr. Ornellas: We'll -- you know, we do have a Hawaiian group. Okay. Stacie, would you -- can you present this to your Board and see if maybe we can start the ball rolling with you guys taking the lead?

Ms. Koanui Nefalar: . . . (Inaudible) . . .

Mr. Ornellas: Okay. Alright, so I would like to have this entered if there are no objections, and put a high priority to it with, with dates, sooner than later. Any objections? Is that all you guys need?

Ms. Jorgensen: That's all we need.

Mr. Ornellas: Okay. So, let's -- we'll do that. And when you come out with the, the minutes, this will be highlighted on, on the draft that you're gonna give us for the next meeting.

Ms. Jorgensen: Right. Well, it will go into the final draft, so it will be noted as a change.

Mr. Ornellas: Okay.

Ms. Jorgensen: That is, is recommended by the planning commission.

Mr. Ornellas: Okay.

Ms. Jorgensen: Okay, shall we do Chapter 1?

Mr. Ornellas: Chapter 1 for what?

Ms. Jorgensen: This was something that you received just today, so I can see it in front of you. It was on a single page. And this comes as a, as a recommendation from the Planning Department Director Will Spence. And this language is out of the Countywide Policy Plan which was, which directs all of the community plans. So this is the broadest polices. And within this before they go into all the goals and they have objectives in there -- goals, objectives, policies and actions -- they have a statement that is like this one in front. We don't have an objective, so we just took that sentence out, and we're just proposing to put this in Chapter 1, right before it talks about what's in the Chapters. So that's on page 1-7, line 14. So it's in the part about plan organization and right before it breaks out what's in each individual chapter this, this would go.

Mr. Ornellas: Do we hear a motion to, to adopt this, for our plan or --? I mean, the lawyer says that we're gonna -- it's already adopted so --

Mr. Hopper: It's adopted in the Countywide -- sorry -- it's adopted in the Countywide Policy Plan. And with respect to ministerial permits that's how the, that's how the plan ends up applying, so I think that's the most significant part of it. I think the plan is to include this in all of the, in all of the community plans as well. This does deal to some extent with on-going litigation, not necessarily involving the Lana'i Community Plan, but other community plans that are currently in place in Maui County. So, it is language that's basically mirrors language in the Countywide Policy Plan, and I believe also in the Maui Island Plan. I think the Maui Island Plan language is a little bit more specific than that even, but I think, that's the, that's the general idea that the

Planning Department had.

Ms. Jorgensen: I'd like to note that both the addition to Chapter 7 and this addition to Chapter 1 would be new language, and you have, at the last meeting, you approved Chapters 1 through 8 with, with your recommended changes that are on this pink sheet. So, you have to add these in through probably a motion.

Mr. Ornellas: Okay. This statement doesn't, doesn't do anything to what we've done for the last six months, is it? It doesn't do anything to nullify or water down or --?

Ms. Jorgensen: Mike?

Mr. Hopper: I mean, it, it's going to be the way the plan applies regardless as a community plan. Really what this kind of refers to is with 2.80B which is the, the plan that actually, the, the ordinance that says how the plan applies, I think it's talking about how that's going to, how that's going to work when the plan is applied to somebody. It does not apply to ministerial permits which are building, plumbing, electrical permits. But it would apply to changes in zoning, special use permits that the, the Commission would grant. SMA Permits and things like that. And I think that's what the language is saying. I didn't draft that language. I know that it's from the Countywide Policy Plan though. I'm not as familiar with it as the Planning Director, and those who worked on the Countywide Policy Plan. But I've reviewed it and it's essentially consistent with 2.80B which says how the community plans are going to apply going forward. I mean, if you want to alter the language and look at it, you're certainly welcome to. But the background of the language is that it's essentially it's what's in the Countywide Policy Plan right now and it shouldn't have any effect on what you're doing as far as how the plans would, would be implemented. If you wanted the plans to apply to ministerial permits, you could look at that, but that's not how they currently apply, the current community plan, and would perhaps change things if that change were made. I mean, it's the most significant part of that language is making clear that, that's how it currently applies but it will make it doubly clear in case there's any confusion. I can say on Maui that in some lawsuits that's been alleged and based on a legislative history of the 2.80B and 2.80A which dealt with creating the community plans, that is not how the plans were ever applied to ministerial permits, meaning building, plumbing, electrical permits, things like that. So, I think that language helps to clarify it. Again, though, it wasn't -- I'm not as familiar with that language as the Planning Director and those who actually draft the language for the, for the Countywide Policy Plan.

Mr. Ornellas: So just to -- so, so this does not --. I mean, it doesn't affect any of the permits that we, like, for instance this just pertains strictly to the community plan, nothing else.

Mr. Hopper: Yeah, that's talking to about this new community plan too. So, I mean, if you granted other community plans, or other permits based on your interpretation of the current community plan, it wouldn't affect those. It would affect this new plan when you're, when you adopt this new plan, it's gonna to talk about how that new plan is going to apply as, as that's being applied towards other projects and things like that. And note, in addition to this, there's 2.80B in the County Code that talks about when the plan applies and how you apply the plan.

And there's even State Law that says, like, if you get an SMA permit, it's got to be consistent with the community plan because it's part of the General Plan. So there's several other laws in addition to this, but I think this is saying that when you're applying the plan, how, how it's to be done. And another, I think, important part is that the plan is, is largely implemented through ordinances and adopting, you know, zoning ordinances, other types of ordinances as well which is the idea behind the plan that it's not all self executing. That there are ordinances and things that need to be specifically changed to implement the plan. I think that's another point that's being made by that. But again, I think that's language that's consistent with how the Countywide Policy Plan has been adopted. If you have problems with the language, then, I mean, you could ask Planning Director for more clarification or something, but that's, that's where it comes from. It's in other plans.

Mr. Ornellas: Members, what would you like to do? Approve, approve it or, and put it into Chapter 1, or ask the director for more information. Or more clarity. Grab the mic. You gotta make a motion.

Mr. Marlowe: Motion is to approve and have it placed in Chapter 1.

Mr. Ornellas: Do I have a second?

Ms. Barfield: Second.

Mr. Ornellas: Alright, we have a second? Any discussion? Hearing none, all those in favor raise your hand? Alright it's unanimous. So we'll add it to Chapter 1.

It was moved by Commission Stuart Marlowe, seconded by Commissioner Shelly Barfield, then unanimously

VOTED: to approve and include the language, as presented, in to Chapter 1.

Assenting: S. Barfield, S. Koanui Nefalar, S. Marlowe, B. Oshiro, B. Zigmond

Excused: J. Aoki, K. Gima

Ms. Jorgensen: And then something similar for the language for Chapter 7, the, another motion, to add that language.

Mr. Ornellas: Alright, so can I get a motion for the Chapter 7 Infrastructure Utility Transportation Section? The one, the one we talked before. Can I hear a motion to add that to the plan?

Ms. Barfield: I make the motion to add it Chapter 7 Infrastructure Utility Transportation Section.

Mr. Ornellas: Great. Can I have a second? Second by Stu. Any disc, any more discussion? All those in favor raise your hand. Unanimous.

It was moved by Commissioner Shelly Barfield, second by Commissioner Stuart Marlowe, then unanimously

VOTED: to approve and include language, as presented, in to Chapter 7
Assenting: S. Barfield, S. Koanui Nefalar, S. Marlowe, B. Oshiro, B. Zigmond
Excused: J. Aoki, K. Gima

Ms. Jorgensen: Okay. Thank you. So I think we've made quite a lot of progress today. We'll pick up on October 4th, Chapters 10 and 11 which would be your second review. And, we'll finish the Chapter 13 review of Implementation. This pink sheet is everything that you recommended for changes that, you know, you approved Chapters 1 through 8 with these changes. So if you'll look at this pink sheet really carefully and make sure that we captured everything. And when we get the notes staff will also check this as well and then if we find anything that's in error we'll, we'll address that on October 4th as well. So we'll start at 9:00 a.m., right?

Mr. Ornellas: Yeah, and then we also have a few items that, that we deferred to October 4th, yeah, from this meeting.

Ms. Jorgensen: Right. Yeah --

Mr. Ornellas: So we'll take care of those too.

Ms. Jorgensen: -- and so we should be able to finish the remaining items on that day, and we'll have a celebratory lunch too. And it's here, in this building.

Mr. Ornellas: It's gonna be here, holding this meeting. Okay. Any closing remarks for anybody? No? Hopefully everybody will make, make arrangements to be here on the 4th. It's important that we have a full staff. And this is off the record? Oh, can we adjourn? Any objections to adjourning? Okay, great.

E. NEXT MEETING DATE: October 4, 2014 for review of the Lana'i Community Plan

F. ADJOURNMENT

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 8:29 p.m.

Respectively submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Shelly Barfield
Stacie Koanui Nefalar, Vice-Chair
Stuart Marlowe
John Ornellas, Chair
Bradford Oshiro
Beverly Zigmond

EXCUSED:

Joelle Aoki
Kelli Gima

OTHERS:

Mary Jorgensen, Planner, Long-Range Division
Jennifer Maydan, Planner, Long-Range Division
Michael Hopper, Deputy Corporation Counsel