

LAND USE COMMITTEE
Council of the County of Maui

MINUTES

January 14, 2015

Council Chamber, 8th Floor

CONVENE: 1:33 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Robert Carroll, Chair
Councilmember Michael P. Victorino, Vice-Chair
Councilmember Gladys C. Baisa
Councilmember Elle Cochran
Councilmember Don Couch
Councilmember Stacy Crivello
Councilmember Don S. Guzman

NON-VOTING MEMBERS:

Councilmember Mike White (in 1:37 p.m.)

STAFF:

Scott Jensen, Legislative Analyst
Raynette Yap, Committee Secretary
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)

ADMIN.:

William Spence, Planning Director, Department of Planning
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
Livit Callentine, Planner IV, Department of Planning

OTHERS:

Cheryl Okuma, Munekiyo & Hiraga, Inc.
David Gomes, Hawaiian Cement
(6) Others

PRESS:

Akaku Maui County Community Television, Inc.

CHAIR CARROLL: . . .(*gavel*). . . The Land Use Committee meeting of February 14, 2015 will come to order. I'm Councilmember Robert Carroll, Chair of the Council's Land Use Committee. First, may I please request that anybody disable cell phone ringers or anything else can make noise. We have with us this morning voting Members Vice-Chair, Mr. Victorino.

VICE-CHAIR VICTORINO: Good afternoon, Chair.

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CHAIR CARROLL: Councilmember Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR CARROLL: Councilmember Cochran.

COUNCILMEMBER COCHRAN: Aloha and good afternoon.

CHAIR CARROLL: Councilmember Couch.

COUNCILMEMBER COUCH: Good afternoon, Chair.

CHAIR CARROLL: And Councilmember Crivello.

COUNCILMEMBER CRIVELLO: Good afternoon, Chair.

CHAIR CARROLL: And Councilmember Don Guzman.

COUNCILMEMBER GUZMAN: Good afternoon, Chair. Thank you.

CHAIR CARROLL: Good afternoon. Non-voting, excuse me. Livit Caldina [sic], Planner, Department of Planning, for LU-31, the second item that will be on the agenda today. Mike Hopper, Deputy Corporation Counsel. For the applicant's representatives we have Cheryl Okamura [sic], Munekiyo & Hiraga, Inc., for LU-31, and David Gomes, Hawaiian Cement for LU-31. Raynette Yap is our Committee Secretary and Scott Jensen our Legislative Analyst. Today we have two items on our agenda, the first involves a long dormant Application for Change in Zoning. The second involves a request for Conditional Permit. Assisting us this morning from the Lanai District Office is Denise Fernandez. Are you there, Ms. Fernandez?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai.

CHAIR CARROLL: And from the Molokai District we have Ella Alcon.

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai.

CHAIR CARROLL: For individuals who will be testifying in the Chamber, please sign up at the desk located at the eighth floor lobby, just outside the Chamber door. If you will be testifying from a remote testimonial location specified on the meeting agenda, please sign up with Council Staff at that location. Testimony will be limited to the items on the agenda today. Pursuant to Rules of the Council, each testifier will be allowed to testify for up to three minutes per item. Due to a change in the Rules of the Council, there will be no longer an additional minute to conclude. When testifying, please state your name and the name of any organization you are representing. Mr. Jensen.

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MR. JENSEN: Mr. Chair, there is no one in the Chamber.

CHAIR CARROLL: Molokai, do you have anybody waiting to testify?

MS. ALCON: There is no one here.

CHAIR CARROLL: Thank you. Lanai, do you have anyone waiting to give testimony?

MS. FERNANDEZ: There's no one waiting here on Lanai to testify.

CHAIR CARROLL: Thank you. With no objection, I will close public testimony.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (RC, MV, GB, EC, DC, SC, DG)

CHAIR CARROLL: Public testimony is now closed.

**ITEM NO. 18: CHANGE IN ZONING FOR KATO COMMERCIAL CENTER
(KIHEI) (CC 03-213)**

CHAIR CARROLL: Members, today we begin with County Communication 03-213, from the Planning Director, transmitting documents related to a Change in Zoning application submitted by Maria Kato for the Kato Commercial Center at 1156 and 1164 South Kihei Road, 12 Nohokai Street, Kihei, Maui, Hawaii. The Committee is in receipt of correspondence dated December 11, 2014, from Maria Kato expressing that she no longer is interested in concluding, continuing with the application. As the file confirms, this has been a long process for both the applicant and the Committee over the years. The Department of Planning originally recommended denial of the Change in Zoning requests, and the Maui Planning Commission voted to forward the Change in Zoning application to the Council with no recommendations. Over the past ten years, the applicant has considered revising the project, but these efforts did not come to fruition. I wish Ms. Kato and her family well. Is there any discussion on the filing of this motion?

COUNCILMEMBERS: No discussion.

CHAIR CARROLL: Hearing none, the Chair will give his recommendation.

COUNCILMEMBERS: Recommendation?

CHAIR CARROLL: The Chair will entertain a motion recommending filing of County Communication 03-213.

VICE-CHAIR VICTORINO: So move, Mr. Chair.

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COUNCILMEMBER COUCH: Second.

CHAIR CARROLL: It's been moved by Mr. Victorino, seconded by Mr. Couch. Discussion?
All in favor of the motion, signify by saying "aye".

COUNCILMEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carried.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

ACTION: FILING of communication.

**ITEM NO. 31: CONDITIONAL PERMIT FOR THE HAWAIIAN CEMENT
CONCRETE BATCHING PLANT (HONOKOWAI) (CC 14-284)**

CHAIR CARROLL: And we have with us this morning, Mr. White. Thank you for joining us today.

COUNCILMEMBER WHITE: Good morning, Chair.

CHAIR CARROLL: Members, the second and final item this afternoon is a request for Conditional Permit application submitted by Hawaiian Cement to allow the continued operation of a concrete batching plant in the R-3 Residential District on approximately 1.18 acres at Honokowai district of Lahaina. The Committee is in receipt of County Communication 14-284, from the Planning Director, transmitting a proposed bill entitled, A BILL FOR AN ORDINANCE GRANTING HAWAIIAN CEMENT A CONDITIONAL PERMIT TO OPERATE THE CONCRETE BATCHING PLANT AT HONOKOWAI, LAHAINA, ISLAND OF MAUI, WITHIN THE COUNTY'S R-3 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT TAX KEY MAP NUMBER (2) 4-4-002:039 (POR), HONOKOWAI, LAHAINA ISLAND OF MAUI, HAWAII. The purpose of the proposed bill is to grant a 20-year Conditional Permit for the operation of an existing batching plant. According to the Department of Planning's

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report, this is the first application for a Conditional Permit for this batching plant which has been in continuous operation at this location since 1987. The County did not enact legislation to implement additional permit process for uses not specifically permitted with a County zoning districts until 1988. Today we'll be hearing from the planner assigned to this project as well as the applicant's representative. I'll ask first whether the planner has any introductory remarks before we hear from the applicant. Ms. Callentine.

MS. CALLENTINE: Yes. Thank you, Mr. Chair, and good afternoon and Happy New Year to everyone. My name is Livit Callentine and I am a staff planner for this project with the Planning Department. The property which is the subject of this proposal is, the property is 108.6 acres, it's located mauka of the Honoapiilani Highway at Halawa Drive, Honokowai, West Maui, at Tax Map Key Number 4-4-002:039, and the project site itself is limited to approximately 1.18 acres of the entire parcel. This site is designated community plan, Project District 3, it lies within the State Agricultural District, it's zoned County R-3 Residential and is within the Maui Island Plan's Urban Growth Boundary, and the site is not in the Special Management Area. The proposed entitlement is for a Conditional Permit in order to continue operating a concrete batching plant in the R-3 Residential District. The request was initiated by Munekiyo & Hiraga, Inc. on behalf of Hawaiian Cement to allow for this continued operation of the existing batching plant. Activities on the site include mixing of concrete ingredients, where the ingredients are mixed to the specifications of a particular project. Approximately 75 percent of the raw materials are obtained from the Puunene quarry, and the remainder consists of stock-piled sand obtained elsewhere on the island. The Maui Planning Commission conducted a public hearing on the proposal on April 22, 2014, and voted to recommend approval with a 20-year term. The vote was, I'm sorry, that may be incorrect, we'll have to check the length of the term, but the vote was eight ayes and zero nays, the Chair did not vote. In addition to all of the letters that you've received in your packet, one additional letter of support was received by the Planning Department, beyond those already transmitted. This letter was distributed to you today and is from a neighbor, this is her second correspondence to the Department, uh, to the County, and it is from a neighbor who had earlier expressed opposition to the project and she is now expressing support for the project. At the public hearing, four individuals testified in support of the request and no one spoke in opposition. This concludes the Department's report. Thank you.

CHAIR CARROLL: Thank you. I'd like to know if applicant, Cheryl, would come down please. We have passed out the presentation in hard copy, you should all have that.

. . . BEGIN PRESENTATION . . .

MS. OKUMA: Good afternoon, Committee Chair Carroll, Committee members. Cheryl Okuma from Munekiyo & Hiraga, and we're here before you today on this Conditional Permit request for the Hawaiian Cement Honokowai Concrete Batching Plant. The project team that's here today is Mr. David Gomes, we also have our civil engineer, Kirk Tanaka, as well as myself as mentioned. The current concrete batch plant sits on

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approximately 1 acre or 1.1 acre of leased land and it's located adjacent or nearby the Honokowai light industrial area which is just off of Halawai Drive, and as mentioned we're here before you today, on a Conditional Permit for the continuation of an existing Honokowai concrete batch plant. Concrete has a setting time and is perishable, and so for that reason a batch plant that is near the construction sites as this plant is in the West Maui region, allows for the delivery of quality concrete in order to meet specifications of customers. I'm now on Page 5, Page 5 of the slides. This gives you a perspective in terms of the location of the project site, you can see that it's just off of Halawai --

COUNCILMEMBER COUCH: Excuse me, Mr. Chair.

MS. OKUMA --Halawai Drive.

COUNCILMEMBER COUCH: Pardon me. Can you please use the microphone?

MS. OKUMA: Oh, okay.

COUNCILMEMBER COUCH: We can hardly hear, thanks.

MS. OKUMA: In terms of this Slide 6, you can see that the 1-acre project area sits on a larger parcel that is approximately 108 acres owned by Kaanapali Land Management. In terms of the land entitlements, we were down at the Maui Planning Commission, back in April 22nd of last year, on the State Land Use Special Use Permit, due to the agricultural designation, and we are currently before you now today in terms of the request for a Conditional Permit given the zoning of R-3 Residential. Now on Slide 8, this facility has been in operation for approximately 30 years in the region and has been on this current site, where it is today for approximately 25 years. It's noted that with the original permit for this facility, a Conditional Permit was not required at that time. Here is some project information, I do have some slides coming up that will address site access as well as the equipment that's currently on site, and the sand and aggregate stockpiles, that'll be coming up in the next few slides here. Now on Slide 10, this is an aerial photo, in terms of access to this facility, it is up around, you come off of Honoapiilani Highway up further north at the intersection of Lower Honoapiilani, coming around the County Baseyard and the Ameron Batch Plant and down an access road past the Lahaina Wastewater Treatment Facility to the project site. Halawai Drive is not accessible for purposes of access to the project location due to utilities in that access roadway. This is an aerial photo of what currently exists on site, what you don't see here is there has been recycled asphalt that has been laid down on that access roadway into the site, as well as a 12-foot high dust fence that was put up as a result of a neighbor that you know had complained about that, and I'll address that a little bit further on as well. Now on Slide 12, this is the site plan, you see in the middle of the site plan the various equipment consisting of tanks, hoppers, silos and conveyor belt. There is dust-control equipment that sits on this location. The silos are designed to control and minimize fugitive dust as per Department of Health requirements, and there are dust barriers around the aggregate storage hopper. There are areas of stockpiles for sand and aggregate materials that you'll see located on this

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site map. And this is just a view of what exists today in terms of the concrete batch plant, this is the view looking from the entrance way. I, during the period of high demand for concrete, it's noted that there have been up to 55 truck trips to this Honokowai batch plant over a two-week period and up to about one-to-four truck trips per day over a two-week period during high demand. This is the dust fence that was put up by Hawaiian Cement, 12-foot high along the western boundary. As when a neighbor's complaint did come in, Hawaiian Cement reached out to that individual to mitigate the dust. Hawaiian Cement did engage in community coordination with the neighboring businesses as mentioned, the dust fence was installed along that western boundary and it's noted that the project site is approximately 1,000 feet away from the nearest residency. So in terms of this facility, it has been operating on this site for approximately 25 years, serving the community, providing product to public and private projects. It's also in an area that is surrounded by various industrial uses, such as the wastewater treatment plant, County Basesyards. The materials that are used in batching and that are stockpiled on-site are non-hazardous and inert by nature, and as mentioned, during high demand, truck traffic has averaged about one-to-four trips a day. It's noted that the Stormwater Pollution Control Plan is in place and is governed by the State NPDS permit program. And in order for, in terms of this particular facility being at the location that it's at, it provides flexibility to assure the delivery of high-quality concrete for various West Maui projects. and there have been a whole variety of projects over the years, you know certain Public Works projects such as the Lahaina Wastewater Treatment Plant, Lahaina Force Main, Countywide Wastewater as well as some private projects, Opukea Condominiums, hotels such as the Hyatt as an example, Lahaina Bypass is another example. So we thank you very much for your attention and I'm here to answer any questions that you may have. Thank you.

. . . END OF PRESENTATION . . .

CHAIR CARROLL: Thank you. I'll now open the floor for discussion.

VICE-CHAIR VICTORINO: Chair.

COUNCILMEMBER COCHRAN: Why don't we go just down the line.

VICE-CHAIR VICTORINO: Chair.

CHAIR CARROLL: We'll start with Mr. Victorino.

VICE-CHAIR VICTORINO: Thank you, Chair, and thank you, Ms. Okuma, for this update. I'm very familiar with the area, it's been there for an awful, awful long time, and growth has come around this area and it continues to grow. And I'm very happy to say that you know you mentioned earlier and I think this is a very responsible company, when a complaint about dust came forward, they went through their own expense and put up that barrier, 12-foot barrier across the front, frontage of the property to avoid any more dust problems with the neighbors, and I've heard good

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things about that also. So, Mr. Chair, I don't see there's anything, I think they've done their due diligence, they're in a very appropriate area for what it was designed for, and I can wait for your recommendation but I have no major questions for the applicants 'cause we've met in the past and they've done their due diligence so I appreciate that. Thank you, Mr. Chair.

CHAIR CARROLL: Thank you. Mr. Guzman, do you have anything?

COUNCILMEMBER GUZMAN: Was it just one...I apologize, can I refer to the...is it just one complaint or multiple complaints?

MS. OKUMA: There was one desk complaint and through the Maui Planning Commission process, there were two complaints, people who were concerned about the possible noise that they would be hearing. And so in order to address those two complaints, Hawaiian Cement did go out and take decibel readings, and they took decibel readings under two conditions: one is with the equipment operating, the trucks going, the equipment going, and the decibel readings were taken from the property of the condominium, Honokowai across the street to the west. And they, the second condition was, were decibel readings taken under natural conditions or ambient conditions, natural wind you know during traffic, and the data showed that the natural condition decibels were actually higher reading than when the equipment is running, and that data and information was sent to the two complainants and, Ms. Livit mentioned that one of those complainants did send us a second letter expressing her appreciation that, that effort had been made.

COUNCILMEMBER GUZMAN: Very good, thank you. Also on the, I'm going to do a quick follow-up, Chair, question. You mentioned that there were about in the busiest time hours of operations, there about 55 trucks that go through there or --

MS. OKUMA: Truck trips, right.

COUNCILMEMBER GUZMAN: --truck trips, so on the impact of the traffic does the, does--I noticed in the pictures it looks like gravel road--does that cause dust, is that part of the factors of the dust component that's being --

MS. OKUMA: You know what...

COUNCILMEMBER GUZMAN: --complained about? Because I noticed that the dust, I guess screen only surrounds your facility, but are they also talking about the dust that's generated from the gravel road?

MS. OKUMA: I don't know if it was specifically related to the gravel road, but in order to control and mitigate dust from the access road, there was recycled asphalt that has been laid down and there've been no dust complaints.

COUNCILMEMBER GUZMAN: Okay. So currently that, the photos are--

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MS. OKUMA: Right.

COUNCILMEMBER GUZMAN: --not the most current photos.

MS. OKUMA: It's not in its most current form.

COUNCILMEMBER GUZMAN: Okay. So...

MS. OKUMA: Unfortunately we don't have an aerial that shows the current asphalt.

COUNCILMEMBER GUZMAN: Oh so, okay, very good. Thank you, Chair.

CHAIR CARROLL: Thank you. Ms. Crivello, do you have anything?

COUNCILMEMBER CRIVELLO: No, I just wanted just clarify as far as the Special Use Permit. You would just at this time be in full compliance according to the requirements?

MS. OKUMA: In terms of the County Conditional Permit, the Special Use Permit? Yes.

COUNCILMEMBER CRIVELLO: Okay. Thank you.

CHAIR CARROLL: Thank you. Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Mr. Chair, and you know this is a question we ask that's been asked at quite a few Conditional Use Permit applicants. Have you considered just doing a Change in Zoning so we don't have to see this ever again once you change your zoning?

MS. OKUMA: Yeah. Okay. Understand. Well first of all the property, the location of eight acres is leased from Kaanapali Land Management so that's one acre on a much larger parcel which is about 108 acres. And you know given that it's owned by another entity and on a much larger parcel, I think would...

COUNCILMEMBER COUCH: Okay, but that lease is runs as long as the duration of this new Conditional Use Permit?

MS. OKUMA: The lease is currently on a month-to-month lease, there, my understanding is there is no end to that and time to that. We do, we did submit just before this meeting a letter from Kaanapali Land Management in support of this County Conditional Permit, and they also did sign the letter of authorization that was needed to process this permit.

COUNCILMEMBER COUCH: Okay. Thank you, Chair.

MS. OKUMA: May I make a, just a comment on Councilmember Crivello's question on compliance with the State's Special Use Permit. Ms. Livit had reminded me there was

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actually one condition that was placed on the, on that permit by the Maui Planning Commission, and that had to do with landscaping around the parcel and that's something that will be worked out with the Planning Department, the language reads that it will be to the satisfaction of the Department, and Hawaiian Cement will be discussing or looking into this further in order to comply with that condition. I just want to clarify that. Thank you.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR CARROLL: Mr. Couch?

COUNCILMEMBER COUCH: One follow-up. Do you know what the tax classification is of this? Are you being taxed at Commercial rate?

MS. OKUMA: Um, let's see, Dave, do you know?

MR. GOMES (*from the gallery*): I do not.

MS. OKUMA: No.

COUNCILMEMBER COUCH: Okay. Well, if we could find that out prior to second reading that would be nice.

MS. OKUMA: Okay.

CHAIR CARROLL: Thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And having a surf shop like practically I could throw a piece of gravel to their batching plant away, there's been no negative impacts from this plant and does run pretty fairly undetected as far as you know my firsthand experience and the neighbors. So I just had a question in your PowerPoint it says the closest residential neighbor is 1,000 feet away, is that Honua Kai or the coffee estates, where would that be?

MS. OKUMA: Honua Kai to the west and as well to the south, it's approximately.

COUNCILMEMBER COCHRAN: The residents on off Puukolii Road?

MS. OKUMA: Yes.

COUNCILMEMBER COCHRAN: Oh okay, alright. And yeah, as for traffic wise it doesn't seem to have a heavy impact. I think even Westin has their parking shuttle vans traverse back and forth for their employees. Amongst there Public Works and Wastewater all come out through that same subdivision, intersection, and so overall it has very, very minimal impact. So thank you for addressing the dust concerns too. So with that, Chair, I really have no issue and I think they, they're a positive asset to the West Side as in trying to get like she said, a perishable type of commodity to where

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it's needed versus coming all the way from Central across the Pali and everything so it's very convenient. So thank you, Chair.

CHAIR CARROLL: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Mr. Chair, and I totally agree with my colleague, Ms. Cochran here, I think it's really important that the location of this is where it is. Because you know having that convenience and close proximity is very important, particularly with an item like concrete and all of the traffic and all the things that we deal with every day. I had a very satisfactory meeting with the applicant and with the representative and I have no further questions, I'm in full support. Thank you.

CHAIR CARROLL: Thank you. Mr. White?

COUNCILMEMBER WHITE: No questions at this time. Thank you, Chair.

CHAIR CARROLL: Thank you. And I did not announce that we have Planning Director, Mr. Spence has been with us all this time. Thank you for being here.

MR. SPENCE: Good afternoon, Chair, and sorry I was late.

CHAIR CARROLL: I have one thing I'd like to bring up over here. The Department's Planning report contains the metes and bounds description of the property that's subject to the Conditional Permit request. The size and portion of the parcel is 1.18 acres and we need to adjust the bill accordingly from 1.0 acres. And I was asking, going to ask Corporation Counsel whether it might be helpful to attach the metes and bounds description in this case as an exhibit to the proposed bill. We don't usually do that but I think it might be helpful to have it included as part of the legislation. Corporation Counsel?

MR. HOPPER: Yes, Mr. Chair, if this Committee recommends that, we can certainly amend the bill to reflect the, it is approximately 1.0 acres but since the actual area is 1.182 and if there is a metes and bounds description that can be substituted, that may be a good idea, because most Conditional Permits are just taking place on a tax map key but this is a portion of a much larger parcel. So that metes and bounds description I think would probably be a good item, and with that recommendation I don't see a problem with amending the bill prior to first reading to reflect those changes if there's a metes and bounds description that can be readily made into an exhibit and attached to the ordinance.

CHAIR CARROLL: If there's no objection that would be included in the legislation.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (RC, MV, GB, EC, DC, SC, DG)

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CHAIR CARROLL: Thank you. Any further discussion before the Chair gives his recommendation?

COUNCILMEMBERS: Recommendation?

CHAIR CARROLL: The Chair will entertain a motion to recommend passage on first reading of the proposed bill entitled A BILL FOR AN ORDINANCE GRANTING HAWAIIAN CEMENT COMPANY A CONDITIONAL PERMIT TO OPERATE THE CONCRETE BATCHING PLANT AT HONOKOWAI, LAHAINA, ISLAND OF MAUI, WITHIN THE COUNTY'S R-3 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT TAX KEY NUMBER (2) 4-4-002:039 (POR), HONOKOWAI, LAHAINA, ISLAND OF MAUI, HAWAII; incorporating any nonsubstantial technical revisions; and filing of the County Communication.

COUNCILMEMBER COCHRAN: Chair, so move.

VICE-CHAIR VICTORINO: So move, Mr. Chair

CHAIR CARROLL: It's been moved by Ms. Cochran.

VICE-CHAIR VICTORINO: Second by me I guess.

CHAIR CARROLL: We've had two people speak at the same time, so since it's Lahaina District I'll recognize Ms. Cochran.

COUNCILMEMBER COCHRAN: Thanks.

CHAIR CARROLL: And seconded by –

VICE-CHAIR VICTORINO: That's fine, you know.

CHAIR CARROLL: --Mr. Victorino.

VICE-CHAIR VICTORINO: I didn't know, nobody asked me, so I'm sorry, if they tell me I know what's going on, I apologize, Mr. Chair.

CHAIR CARROLL: We have a motion seconded on the floor. Any further discussion? Hearing none, all in favor, signify by saying "aye".

COUNCILMEMBERS: Aye.

CHAIR CARROLL: Opposed? Motion carried, seven "ayes", no "noes".

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: FIRST READING of revised bill and FILING of
communication.**

CHAIR CARROLL: I will thank everybody for being here today, thank you for your attendance, thank you to all those in the audience and all in television land for being with us. This meeting of January 14, 2014 [sic] stands adjourned. . . .(gavel). . .

ADJOURN: 2:04 p.m.

APPROVED:



ROBERT CARROLL, Chair
Land Use Committee

lu:min:150114:cvk

Transcribed by: Cheryl von Kugler

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CERTIFICATE

I, Cheryl von Kugler, 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 2nd day of February, 2015, in Kihei, Hawaii

A handwritten signature in cursive script, appearing to read "Cheryl von Kugler", written over a horizontal line.

Cheryl von Kugler