

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

**MINUTES**

**April 20, 2015**

**Council Chamber, 8<sup>th</sup> Floor**

**CONVENE:** 2:30 p.m.

**PRESENT:** Councilmember Michael P. Victorino, Chair  
Councilmember Gladys C. Baisa, Member  
Councilmember Robert Carroll, Member  
Councilmember Stacy Crivello, Member  
Councilmember Don S. Guzman, Member  
Councilmember Riki Hokama, Member  
Councilmember Mike White, Member

**EXCUSED:** Councilmember Don Couch, Vice-Chair  
Councilmember Elle Cochran, Member

**STAFF:** Kimberley Willenbrink, Legislative Analyst  
Tammy M. Frias, Committee Secretary  
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:** Michael J. Molina, Executive Assistant, Office of the Mayor  
Jennifer Oana, Deputy Corporation Counsel, Department of the Corporation Counsel  
Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation Counsel

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

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CHAIR VICTORINO: . . .*(gavel)*. . . Good afternoon. The Policy and Intergovernmental Affairs Committee will come to order. This is our meeting of April 20, 2015, and the time is now 2:30 on the nose. To start off the meeting, I'd like to request everyone turn off their cellphones and then decorum will be followed in the Chamber. Let me introduce the Members that are present at this time. I would like to introduce the young lady from Molokai, Ms. Stacy Crivello.

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COUNCILMEMBER CRIVELLO: Aloha, Chair.

CHAIR VICTORINO: Aloha. The man from Lanai, Mr. Riki Hokama.

COUNCILMEMBER HOKAMA: Chairman.

CHAIR VICTORINO: The young lady from Upcountry who is presently heading to her seat, Ms. Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR VICTORINO: Good afternoon. The young man from Kahului, Mr. Don Guzman, Vice-Chair of the Council.

COUNCILMEMBER GUZMAN: Chair, good afternoon.

CHAIR VICTORINO: And, of course, our Council Chair Mr. Mike White from the Makawao-Haiku-Paia area.

COUNCILMEMBER WHITE: Aloha.

CHAIR VICTORINO: All right. So we've got everybody here. Mr. Molina should be here shortly. If not, we're going to proceed without him. And then now Mr. Kushi should be here but I have a young lady here. Would you introduce yourself? You're standing in for Mr. Kushi.

MS. OANA: Good morning, I'm Jennifer Oana from the Department of the Corporation Counsel.

CHAIR VICTORINO: Thank you, Jennifer, for being here. Our Committee staff, they're very invaluable – Ms. Kim Willenbrink, our Legislative Analyst, and Ms. Tammy Frias, our Committee Secretary. And I'd also like to recognize the attendance of our East Maui representative, Mr. Robert Carroll.

COUNCILMEMBER CARROLL: Good afternoon, Chair.

CHAIR VICTORINO: Good afternoon. Mr. Couch, Ms. Cochran and . . . are both excused for today's proceedings. All right. Also, our district offices I will start . . . oh, thank you, Mr. Molina.

MR. MOLINA: Thank you, sir.

CHAIR VICTORINO: All right. No problem, Mr. Molina. Mike Molina is here also. Thank you. Let me check with our district offices if we have interactive

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communication. Dawn Lono from the Hana Office. By the way, Dawn, do you have anyone wishing to testify?

MS. LONO: Good morning or good afternoon, Chair, this is Dawn Lono at the Hana Office and there is no one waiting to testify. .

CHAIR VICTORINO: Denise Fernandez from the Lanai Office, do you have anyone wishing to testify?

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

CHAIR VICTORINO: Thank you. And Ella Alcon from the Molokai Office. Ella, do you have anyone wishing to testify?

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

CHAIR VICTORINO: You know we only have one item relating to the Boards, Committees, and Commissions today. Do we have anyone in the Chamber that wishes to testify?

MS. WILLENBRINK: No, Chair.

CHAIR VICTORINO: Okay. Seeing no one wishing to testify both here in the Chambers and at our District Offices, with no objections I'll close public testimony.

COUNCILMEMBERS: No objections.

CHAIR VICTORINO: Thank you, ladies. Have a great day.

**ITEM PIA-2(5): NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS**  
**(VARIOUS)** (CC 15-5)

CHAIR VICTORINO: Okay. All right. So let us proceed. We are on Item No. 1 – Nominations to Boards, Committees, and Commissions – PIA-2(5). The Committee received a correspondence dated March 13, 2015, from the Mayor, transmitting a proposed resolution entitled “APPOINTMENT OF MEMBERS TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI”. The purpose of the proposed resolution is to approve or disapprove the Mayor’s nominations of Juanita Reyher-Colon from Molokai, and Max Kincaid Jr., from Lanai to the Board of Variances and Appeals for a term beginning April 1, 2015, and expiring March 31, 2020. You may recall the Board disapproved or this body disapproved the previous nominees because neither of them met the

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criteria requiring the nominees be from Molokai and Lanai. There's no requests from any of the . . . for the nominees to be present so I took it as nobody wanted them, needed to speak to them. So, Mr. Molina, thank you and welcome. Would you provide a little background on each nominee?

MR. MOLINA: Sure.

CHAIR VICTORINO: And then I will turn to the district representatives of these areas for some comments. Mr. Molina?

MR. MOLINA: Okay. Thank you very much, Mr. Chairman, and good afternoon, Committee Members. We'll start with the Molokai nominee – Juanita Reyher Colon. She is currently a Kawela Plantation Homeowners' Association general manager, and she's expressed an interest in serving our community in this area. And if you'll note on her application she's also quite involved and well-versed in water issues as well just as a side note. She is a graduate of University of Hawaii – West Oahu. And also she attended Maui Community College as well. And she's indicated to us that once a month commitment to the meetings held here on Maui would not be a problem for her. So with that being said we'd like your Committee's consideration for her nomination.

And next, the Lanai nominee – Max Kincaid, Jr., is retired from the Maui Police Department and formerly worked for Dole Company as well, and he possesses roughly 20 years of managerial skills both in the Police Department and also in the hotel industry. And he's been an active member in the community with several organizations – the Lanai Harbor Planning Commission and also the Lanai Heritage Substance Abuse Program, just to name a few. And I believe he still also works part-time as a substitute teacher for both Lanai High and Elementary School. So with that being said, Mr. Chairman, I'll be open for any questions. Thank you.

CHAIR VICTORINO: Thank you. Before I start with questions I will go to the district representative first. I'll start with Molokai. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. Thank you, Mr. Molina, for being here. I wholeheartedly support the nomination of Juanita Reyher Colon. She's sort of blossomed into the community quite a bit for a young woman and I appreciate her taking this step forward to participate in the County level of Board and Variances. She's quite qualified. With her work with the Kawela Subdivision on Molokai that gives her I think lot of bearing as to how she can handle the different challenges that may come before in making decisions for our County. So I hope my Members will also support her nomination at this time. Thank you.

CHAIR VICTORINO: Thank you very much. And I'll just open the floor – does anyone have any specific questions about the nominee herself? Seeing none. And I will

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also interject that I have had a chance to work with Juanita over the last five years on water issues and, yes, I know that's a private system but the County and the private system have worked closely on some issues and continue to look at some well development in the areas of Kawela at this time. But anyhow, so I've had the experience of working with her and I agree with you, Ms. Crivello, very qualified and I think she'll bring a good, good character to the Board of Variances and Appeals. Then I'll turn to Mr. Hokama for Mr. Kincaid on Lanai. Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, thank you. Mr. Kincaid is a, comes from a family that's been on Lanai for generations. He still has a sizeable amount of family on the island. I know Mr. Kincaid from high school days so I can tell you he has a passion on what is happening on our island. It's his home. He takes it seriously to be a responsible community member. I think what Mr. Kincaid brings as part of his disciplinarian as a police officer is that he understands the role of the Code, and as a Board of Variances and Appeals member I think he can appreciate and help make the determinations on whether for Lanai applications being strict to the Code or granting a variance that it makes sense for the Lanai situation. I think he can speak well for our people. He can speak well for our situation and its history on why we prefer certain things. And I think he can communicate to the rest of our variance board the benefits of having that input from a community such as Lanai so I'm in full support of providing Mr. Kincaid his opportunity to give back and serve the whole County. Thank you.

CHAIR VICTORINO: Thank you, Mr. Hokama. Anybody have any questions in regards to Mr. Kincaid on Lanai? I'll also note that I know Mr. Kincaid. I've dealt with him on a number of issues on Lanai and this gentleman is also very, very astute to what's going on in the community. So I think the two nominees will bring a lot of what I call the local flavor and the knowledge of their island to the Board along with other issues they have been in practice in the past. So you're absolutely correct, Mr. Hokama. Thank you very, very much. Is there any more discussion? Seeing none. I'll make my recommendations.

COUNCILMEMBER BAISA: Recommendation?

CHAIR VICTORINO: Thank you. The Chair would like to entertain a motion to approve Juanita Reyher Colon from Molokai and Max Kincaid, Jr. of Lanai to the Board of Variances and Appeals for a term beginning April 1, 2015 and expiring March 31, 2020. Mr. Carroll?

COUNCILMEMBER CARROLL: So moved.

CHAIR VICTORINO: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Second.

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CHAIR VICTORINO: Thank you. It's been moved by Mr. Carroll and seconded by Ms. Crivello to approve the nominees to the Board of Variances and Appeals. Any more discussion? Seeing none. All those in favor signify by saying "aye"?

COUNCILMEMBERS: Aye.

CHAIR VICTORINO: Opposed? Let the record show seven ayes, two excused – Ms. Cochran and Mr. Couch.

**VOTE: AYES: Chair Victorino and Councilmembers Baisa, Carroll, Crivello, Guzman, Hokama, and White.**

**NOES: None.**

**EXC.: Vice-Chair Couch and Councilmember Cochran.**

**ABSENT: None.**

**ABSTAIN: None.**

**MOTION CARRIED**

**ACTION: Recommending ADOPTION of revised resolution approving the nominations.**

CHAIR VICTORINO: Next on the agenda we have correspondence dated March 13, 2015, from the Mayor, transmitting a proposed resolution entitled "APPOINTMENT OF A MEMBER TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION". The purpose of the proposed resolution is to approve or disapprove the Mayor's nomination of Jarrett Wong to the Maui County Cultural Resources Commission, for a term beginning April 1, 2015, and expiring March 31, 2020. There was no request also for this nominee to be present so at this time I would like to call again on Mr. Molina to give a little background on the nominee. Mr. Molina?

MR. MOLINA: Thank you very much, Mr. Chairman and Committee Members. Mr. Wong is currently an account manager for ABM, I guess family of services it's listed as. And in interviewing Mr. Wong he certainly has a passion for our history and culture. He's had a wide array of employment experiences. He's also presently serving as a tour bus driver for Robert's Hawaii and is also a substitute teacher over at the Department of Education, and worked for the former Aloha Airlines as a customer service manager. So, he's a very people-oriented person and has shown a very, very deep appreciation for our culture here. And he has also served as a high school football coach as well. So

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certainly a man of many talents, and he certainly wants to give back to his community in this capacity so we'd like to ask for your consideration of Mr. Wong to the Cultural Resources Commission. Thank you, Chairman.

CHAIR VICTORINO: Thank you. Any questions from anyone in the . . . Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chairman. Mr. Molina, how long has Mr. Wong been in our County?

MR. MOLINA: That is a good question, Mr. Chairman, uh, excuse me, Councilmember Hokama. I never really had a chance honestly to ask him how long he's been here but I believe he resided on Oahu for some time. I could get that information for you at a later point.

COUNCILMEMBER HOKAMA: Thank you, Mr. Molina. Chairman, I ask that dedication is one component that we all look for. But for Cultural Resources I get more comfortable and I have a sense that they understood the area, the County, or the district that a cultural concern comes up. So if it's like Lanai, I would hope that a Lanai kupuna would be the one sought for guidance and advice. You know we use the word "ma`a". You should be ma`a about what you have jurisdiction or kuleana over. And so, for me, I just bring this up because as part of culture those are part of the cultural practices and qualities we look forward in our representatives, if you can appreciate what I'm trying to say, Mr. Molina, from a cultural aspect that we've either been taught or we practice ourselves. So I would appreciate if you could get a little bit more background from him especially how we can feel that connection to our County, I would appreciate that.

MR. MOLINA: Will do, Mr. Hokama. And Mr. Chairman, with your permission I could get you that information some time later today --

COUNCILMEMBER HOKAMA: Okay, thank you.

MR. MOLINA: --to all the Members.

COUNCILMEMBER HOKAMA: Thank you, Mr. Molina. Chairman, thank you so much.

CHAIR VICTORINO: Okay. No problem. I know of this gentleman and I've had crossings with this gentleman. When I say crossings, I mean in the professional rinks and I've always found him very culturally in tune to what's going around us. And part of his work as a Robert's bus driver was, you know, taking people throughout the County and explaining the significant cultural sites here in the County of Maui. But that's all I know about 'em. I haven't

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dealt with him in any other way other than that. And so but I can, if you want, I can defer this matter to our next . . .

MS. WILLENBRINK: No. Cannot.

CHAIR VICTORINO: Cannot? Oh, cannot. Oh, excuse me. All right. Cannot defer this. Has to be done today. Time sensitive. Okay, time sensitive. Well, Mr. Hokama, I'm going to have to take a gamble and say, you know . . .

COUNCILMEMBER HOKAMA: Chairman, I don't mean to hold up the process.

CHAIR VICTORINO: I know. Understood.

COUNCILMEMBER HOKAMA: I will have my opportunity. If Committee moves this to Council, then I still have my opportunity to review additional information that Mr. Molina may be able to access for us before our final decision. So I'm fine with that decision.

CHAIR VICTORINO: Oh, okay.

COUNCILMEMBER HOKAMA: So I'm fine with that.

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: I don't mean to hold up anything.

CHAIR VICTORINO: Yeah, no, no. Again, these are time sensitive that's the only challenge I face, yeah. So any other questions? Yes, Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much. I don't have a question per se but I do realize that this gentleman lives in my district. I don't know him personally so I can't really vouch for him. But looking at his application there's few things that gives me comfort. One is that he was educated at University of Hawaii West Oahu so it tells me he's kind of ma'a with, you know, at least that. He's a high school football coach at various schools so he's involved in our community. He's working with the kids. And also he worked with Aloha Airlines and all of us know about customer service at Aloha Airlines, and to me, that this a very, very strong recommendation because we still miss them today. And so I am fairly comfortable with supporting this. Thank you very much.

CHAIR VICTORINO: Okay. Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. I, like the others, are willing to support this nomination. One of the things that I've noticed on this application is that it doesn't seem to be the involvement in cultural activities. We normally had people coming before us for the Cultural Resources Commission that have



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a little more depth of cultural knowledge either by being involved in a hula halau or canoeing or some sort of historical context, and so I would also appreciate a little more information as to his cultural activities that provide him as Mr. Hokama said the ability to really be ma`a about what the Cultural Resources Commission does. So I appreciate your willingness to have Mr. Molina provide us that information.

CHAIR VICTORINO: Thank you, Mr. White. And I have no problem with that if Mr. Molina you could that?

MR. MOLINA: Of course.

CHAIR VICTORINO: At your earliest convenience. That way, before first reading we would, you know, before we bring this to full Council I mean, we'll bring it to full Council then we'll be able to make a decision based upon additional information, yeah.

MR. MOLINA: Will do, Mr. Chairman. I'll make sure I get this to you by the end of the week.

CHAIR VICTORINO: Okay. Thank you very much. So is there any other questions? Seeing none. The Chair would like to make his recommendation.

COUNCILMEMBERS: Recommendation?

CHAIR VICTORINO: The Chair would like to entertain a motion to approve Jarrett Wong to the Maui County Cultural Resources Commission for a term beginning April 1, 2015 and expiring March 31, 2020. Mr. Carroll?

COUNCILMEMBER CARROLL: So moved.

COUNCILMEMBER BAISA: Second.

CHAIR VICTORINO: It's been moved by Mr. Carroll, seconded by Ms. Baisa to approve the nomination of Jarrett Wong to the Maui County Cultural Resources Commission. All those in favor, signify by saying "aye"?

COUNCILMEMBERS: Aye.

CHAIR VICTORINO: All those opposed? Let the record show seven ayes, and two excused – Ms. Cochran and Mr. Couch.

**VOTE: AYES: Chair Victorino and Councilmembers Baisa,  
Carroll, Crivello, Guzman, Hokama, and White.**

**NOES: None.**

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**EXC.:** Vice-Chair Couch and Councilmember Cochran.

**ABSENT:** None.

**ABSTAIN:** None.

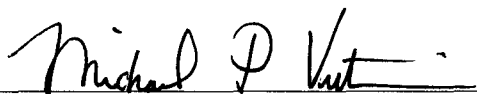
**MOTION CARRIED**

**ACTION:** Recommending **ADOPTION** of revised resolution approving the nomination.

CHAIR VICTORINO: And let me say in closing I have said today April 1<sup>st</sup> because technically the term starts April 1<sup>st</sup> 2015 even though this is April 20, 2015. But that is the way it reads on the terms of these two commissions. So just in case somebody out there was wondering why I kept saying April 1<sup>st</sup> is because that's what it says on the actual appointment. So no further discussion. I know we have a 6:30 meeting at Lihikai School and I know dinner is going to be provided by Mr. Guzman and myself so please come early, Members. Anyhow it's our call. Anyhow, the meeting of the Policy and Intergovernmental Affairs Committee for April 20, 2015 is now adjourned. . . .(gavel). . .

**ADJOURN:** 2:47 p.m.

APPROVED:



MICHAEL P. VICTORINO, Chair  
Policy and Intergovernmental Affairs  
Committee

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Transcribed by: Jo-Ann Sato