

**MOLOKAI PLANNING COMMISSION
REGULAR MEETING
JUNE 24, 2015**

*** All documents, including written testimony, that was submitted for or at this meeting are filed in the minutes' file and are available for public viewing at the Maui County Department of Planning, 2200 Main St., Suite 315, Wailuku, Maui, and at the Planning Commission Office at the Mitchell Pauole Center, Kaunakakai, Molokai. ***

A. CALL TO ORDER

The regular meeting of the Molokai Planning Commission was called to order by Clayton Yoshida, Planning Program Administrator, at 12:00 p.m., Wednesday, June 24, 2015, at the Department of Accounting and General Services (DAGS), Conference Room, State Building, 45 Makaena Street, Phase I, Kaunakakai, Molokai.

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

Mr. Clayton Yoshida: Okay, good afternoon. For the record, this is Clayton Yoshida, Administrator of the Current Planning Division of the Planning Department. I'd like to call the meeting of the Molokai Planning Commission, of June 24, 2015, to order. Let's see, let the record show that we do have a quorum present: Commissioners Buchanan, Dudoit, Lasua, Swenson, and Davis.

The first order of business is to elect a chair, someone to chair this meeting for today because both the Commission Chair, Mike Jennings, and the Vice-Chair, Doug Rogers, are unable to attend today's meeting, so are there nominations for chair for the day? Diane has been nominated. Is there a second? Second. So moved by Commissioner Davis, seconded by Commissioner Lasua. Any other nominations? Okay.

It has been nominated by Commissioner Davis, seconded by Commissioner Lasua, then unanimously

VOTED: that Commissioner Swenson serve as Chair, Pro Tem.

Mr. Yoshida: Okay, a silence is considered a vote in the majority so for the motion so congratulations, Diane.

B. PUBLIC TESTIMONY

C. RESOLUTION THANKING FORMER MEMBER SHERRY TANCAYO

Ms. Diane Swenson: So is there any public testimony? No. Well, then we'll go to C., Resolution thanking former member Sherry Tancayo.

Mr. Yoshida: Thank you, Madam Chair. Commissioner Tancayo did submit a letter of resignation to the Mayor's office, dated June 1, 2015, and the council was notified of her resignation on June 19, 2015, so we're not aware of any nominations yet for the replacement, but we do have a resolution from the Commission thanking Ms. Tancayo for her service as a member of the Molokai Planning Commission, so the resolution reads:

Whereas, Sherry Tancayo has served the County of Maui since January 2012 as a member of the Molokai Planning Commission; and

Whereas, Ms. Tancayo has served with distinction and has performed her duties in the highest professional manner with the Molokai Planning Commission; and

Whereas, Ms. Tancayo has resigned as of June 1, 2015; now, therefore,

Be it resolved that the Molokai Planning Commission hereby commends Ms. Tancayo for her dedication and untiring public service to the people of Maui County, especially the people of Molokai; and

Furthermore, be it resolved that the Molokai Planning Commission expresses their sincere appreciation for Ms. Tancayo's services and extends their best wishes in her future endeavors; and

Furthermore, be it resolved that copies of this Resolution be transmitted to the Honorable Alan M. Arakawa, Mayor of the County of Maui; and the Honorable Mike White, Council Chair of the Maui County Council.

Mr. Yoshida: So if the Members, those who are present today, can sign the resolution and we will forward it. Yeah, I guess we'll also note, on a side note, that our Molokai Planner, Sybil Lopez, it's kind of been a trying week, her father had a stroke on Wednesday, he had heart surgery at Queen's on, I guess, on Friday, and he passed on Sunday, Father's Day, so our thoughts and our prayers go out to Ms. Sybil Lopez. So with that, Madam Chair, under Director's Report, we have several SMA assessment, which the director is notifying the Commission, pursuant to its SMA rules, that the proposed actions located within the special management area are not developments and, therefore, exempt from the requirements of the Molokai Planning Commission's Special Management Area Rules.

Mr. Yoshida read the following agenda item into the record:

D. DIRECTOR'S REPORT

1. **MR. WILLIAM SPENCE, Planning Director notifying the Commission pursuant to the provisions of Section 12-302-13.1(a) of the Molokai Planning Commission's Special Management Area Rules that the following proposed actions located within the special management area are not "developments" and therefore exempt from the requirements of the Molokai Planning Commission's Special Management Area Rules:**
 - a. **MS. ESTRELITA CACATIAN submitting a Special Management Area Assessment (SMX) application for the enclosure of an existing garage and plumbing/electrical conveyances on property located at 365 Kupa Place, TMK: 5-3-011: 045, Kaunakakai, Island of Molokai (SMX 2015/0176) (Valuation: \$5,000) (S. Lopez)**

The Commission shall acknowledge receipt of the application. The Commission shall vote to either waive its review of the application or review the assessment application at the next available meeting after receiving notice.

Mr. Yoshida: So is this one of your -- no, it's not. So we're asking the Commission to waive its review.

Ms. Swenson: You know, I thought we talked about that we were at least going to get a map, or photo, or something on these ones that we're waiving. No?

Mr. Yoshida: I guess this is one the streamlining measures so we are trying to just provide the description, and if the Commission wants to review it, then, you know, they could vote as such, or if the Commission wants the map, but again, this is one of the streamlining measures.

Ms. Swenson: Anybody want to make a motion?

Ms. Zhantell Dudoit: Motion to waive.

Mr. Lawrence Lasua: Second.

It has been moved by Commissioner Dudoit, seconded by Commissioner Lasua, then unanimously

VOTED: to waive its review of this application.

Mr. Yoshida: Okay, motion carried.

Mr. Yoshida read the following agenda item into the record:

- b. **MR. PAUL BOSSEN** submitting a **Special Management Area Assessment (SMX)** application for interior renovations and 110 sq. ft. extension of storage structure located at 2225 Kepuhi Place, TMK: 5-1-003: 006-0055, Kaluakoi, Island of Molokai. (SMX 2015/0135) (Valuation: \$2,000) (S. Lopez)

The Commission shall acknowledge receipt of the application. The Commission shall vote to either waive its review of the application or review the assessment application at the next available meeting after receiving notice.

Mr. Yoshida: So, Luigi, is this one of yours? No. Okay.

Ms. Swenson: Anyone would like to make motion?

Ms. Dudoit: Motion to waive.

Ms. Swenson: Second?

Mr. Lasua: Second.

Ms. Swenson: Any discussion?

There being no discussion, the motion was put to a vote.

It has been moved by Commissioner Dudoit, seconded by Commissioner Lasua, then unanimously

VOTED: to waive its review of this application.

Mr. Yoshida: Okay, thank you.

Mr. Yoshida read the following agenda item into the record:

- c. **MR. ROY KENT BRYANT** submitting a **Special Management Area Assessment (SMX)** application for addition of a bathroom and 160 sq. ft. deck located at 315 Seaside Place, TMK: 5-3-007: 011, Kaunakakai, Island of Molokai (SMX 2015/0212) (Valuation: \$14,000) (S. Lopez)

The Commission shall acknowledge receipt of the application. The Commission shall vote to either waive its review of the application or review the assessment application at the next available meeting after receiving notice.

Mr. Yoshida: Luigi -- this is one of Luigi's applications so he's available for questions.

Ms. Swenson: Anyone would like to make a motion?

Ms. Dudoit: Motion to waive.

Ms. Swenson: Second?

Mr. Lasua: Second.

Ms. Swenson: Second. Any discussion?

There being no discussion, the motion was put to a vote.

It has been moved by Commissioner Dudoit, seconded by Commissioner Lasua, then unanimously

VOTED: to waive its review of this application.

Mr. Yoshida: Okay, thank you.

Mr. Yoshida read the following agenda item into the record:

- d. **MR. LUIGI MANERA** on behalf of **MOLOKAI OHANA HEALTH CARE** submitting a **Special Management Area Assessment (SMX)** application for repair on a twenty-foot (20') long by two foot (2') deep sewer line that will include repair of existing cast-iron pipe and the addition of a lift station to prevent future failures of the system located at 30 Oki Place, TMK: 5-3-006: 028, Kaunakakai, Island of Molokai. (SMX 2015/0134) (Valuation: \$40,000) (S. Lopez) SMA emergency permit was issued in March 2015

The Commission shall acknowledge receipt of the application. The Commission shall vote to either waive its review of the application or review the assessment application at the next available meeting after receiving notice.

Mr. Yoshida: And Mr. Manera is here.

Ms. Swenson: Would anyone like -- did you want to say anything, Luigi? Is there a motion?

Ms. Dudoit: Motion to waive.

Mr. Ron Davis: Second.

Ms. Swenson: Any discussion?

There being no discussion, the motion was put to a vote.

It has been moved by Commissioner Dudoit, seconded by Commissioner Davis, then unanimously

VOTED: to waive its review of this application.

Ms. Swenson: Passed.

Mr. Yoshida read the following agenda item into the record:

- e. **MR. CLIFT C. CULLEN submitting a Special Management Area Assessment (SMX) application for the installation of a utility pole and underground electrical services on property located at 0 Makolelau -Kamalo, TMK: 5-5-001: 032, Makolelau-Kamalo, Island of Molokai, (SMX 2015/0200) (Valuation: \$5,000) (S. Lopez)**

The Commission shall acknowledge receipt of the application. The Commission shall vote to either waive its review of the application or review the assessment application at the next available meeting after receiving notice.

Ms. Swenson: ...(inaudible - microphone was not turned on)... can I have a motion?

Ms. Dudoit: Motion to waive.

Mr. Davis: Second.

Ms. Swenson: Second.

There being no discussion, the motion was put to a vote.

It has been moved by Commissioner Dudoit, seconded by Commissioner Davis, then unanimously

VOTED: to waive its review of this application.

Mr. Yoshida: Okay, thank you.

Mr. Yoshida read the following agenda item into the record:

- f. **MR. ROBERT TAKEI submitting a Special Management Area Assessment (SMX) application for the installation of a 4-ft. wooden post and rail fence with mesh wire and lot clearing located at 9837 Kamehameha V Highway, TMK: 5-7-004: 055, Kainalu, Island of Molokai. (SMX 2015/0222) (Valuation: \$2,000) (S. Lopez)**

The Commission shall acknowledge receipt of the application. The Commission shall vote to either waive its review of the application or review the assessment application at the next available meeting after receiving notice.

Mr. Yoshida: Is this one of yours? This isn't one of yours? This is one of yours?

Mr. Luigi Manera: Yes.

Mr. Yoshida: Okay, so Luigi is the representative.

Ms. Dudoit: ...(inaudible - not speaking into the microphone)...

Ms. Swenson: Yeah, sure. Go ahead.

Ms. Dudoit: What is the mesh wire ...(inaudible - not speaking into the microphone)...

Mr. Manera: ...(inaudible - microphone was not turned on)... the property is located at Kainalu and at Kam Highway ...(inaudible)... I guess he want to prevent people to go in.

Ms. Dudoit: ...(inaudible - not speaking into the microphone)... four feet high?

Mr. Manera: Yeah. Four feet. Four feet high with posts, yeah, and the rail.

Ms. Swenson: Yeah, I mean it sounds like he might have a dog or something. Okay, if anyone would like to make a motion.

Ms. Dudoit: Motion to waive.

Mr. Davis: Second.

Ms. Swenson: Second.

It has been moved by Commissioner Dudoit, seconded by Commissioner Davis, then unanimously

VOTED: to waive its review of this application.

Ms. Swenson: Okay, it's passed.

Mr. Yoshida: Okay, thank you very much.

Mr. Yoshida read the following agenda item into the record:

E. COMMUNICATIONS

- 1. MS. CATHLEEN DAGHER, Senior Archaeologist of SCIENTIFIC CONSULTANT SERVICES, INC. requesting comments for the Cultural Impact Assessment for the proposed Kualapuu Well No. 2 Project located at TMK: 5-2-012: 022 (por.) , Kahanui, Kona, Island of Molokai. (S. Lopez)**

The Commission may provide its comments.

Mr. Yoshida: I did receive a call from Ms. Dagher yesterday, who informed me that the client, the state, is kinda put a hold on the project 'cause they're not -- they haven't determined if this is going to be the actual site for the well, so this is somewhat premature because I guess we need to know specifically where the well is going to be located in order for the Commission to offer any comments. So we would ask that the matter be filed and that the state and their consultant will submit a revised request for comments once they have determined where the well will be located.

Ms. Swenson: Zhantell?

Ms. Dudoit: Hi. Okay, so, Clayton, just so that we're prepared for it the next time though, how do we get information on what we should comment on, I mean when they come to us asking us for our comment on a well project like this, and then expect comments from us, but I haven't heard anything about that? So do we get information prior to the project being on the agenda for our comments?

Ms. Swenson: Clayton, can you notify her that if she's going to come like this again, that she have -- that she submit some information to us about the project so we know what they're talking about?

Ms. Dudoit: And I think at least if we knew ahead of time that we were going to be asked to make comments, that we could do our own research if we knew what the project was about or where. Wells in Kualapuu is a big deal.

Mr. Yoshida: Yeah, I think they're -- they're -- well, her client is trying to determine exactly where the well would be located 'cause they -- they had a location but then they asked Ms. Dagher to put kind of a hold on her development of the cultural impact assessment report pending their final determination as to where the well will be located.

Ms. Dudoit: But information like who's her client, what the well is for, all those kind of things, I mean would probably help us to make better comments.

Mr. Yoshida: I guess for the future -- future request for comments from the Commission, we can ask for, you know, that information relative to maps, and so forth, so everybody is clear as to where the well will be located.

Ms. Swenson: Where the well will be, and who the client is, and what the water will be used for, yeah.

Mr. Yoshida: ...(inaudible - not speaking into the microphone)... that information.

Ms. Swenson: Okay. Okay, so you're going to submit that request to her?

Mr. Yoshida: Yes.

Ms. Swenson: Okay. Orientation Workshop. Is there anyone here who hasn't had the workshop? I think we've all -- I know I've done it.

Mr. Yoshida: Well, I think we're -- you know, we try to offer an annual review of some of these items, like the Sunshine Law, ethics, and so forth, the planning framework and so forth. Unfortunately, I'm not the high tech person so my powerpoint will not be available, but I guess Richelle can probably address, you know, some of the basics relative to items F.3., F.4., and F.5., and then we can defer the other items to a future meeting.

Ms. Dudoit: Clayton, can we go back to item E? Do we need a motion to file this?

Mr. Yoshida: Yeah, I think just because Ms. Dagher is stating that they're not real -- her client is not real certain as to where the well will be located so it's going to be hard for the

Commission to provide comments if they don't know the specific location of the well, so she will submit, in the future, another request for comments.

Ms. Dudoit: No, so I'm asking do we need to make a motion to file this or take it off the agenda or what -- whatever the wording is?

Mr. Yoshida: I think that can be -- I mean, Richelle, that can be done, right?

Ms. Dudoit: I'd like to move to file the communication item E.1.

Ms. Swenson: Go ahead.

Mr. Lasua: Second.

Ms. Swenson: You want to restate that, Zhantell? Did you want to specify exactly what we want, we want to know who the client is and what they're going to use the water for?

Ms. Dudoit: I'd like to make a motion to file item E.1., Ms. Cathleen - how do you say her last name? Dagher, Senior Archaeologist of Scientific Consultant Services, and per Clayton, from Planning, the request was to pull out this item from agenda to -- for the Commission to make comments so that they could have a confirmed area of where they were planning to do the well.

Ms. Swenson: And who the client is.

Ms. Dudoit: ...(inaudible - not speaking into the microphone)...

Ms. Swenson: No, but you want to put that in the motion? Yeah.

Ms. Richelle Thomson: It's probably not necessary but, you know, you conveyed to staff that that's what you want to see when it comes back, and if it comes back without all that stuff, you could always defer, and send them on their way, and have them come back.

Ms. Swenson: Okay. Is there a second?

Mr. Lasua: Second.

Ms. Swenson: Okay, discussion?

Mr. Lasua: Yes, I'd like to include the necessary reports that will go with this location in the future from staff to be included when they submit their information.

Ms. Swenson: Zhantell, you want to incorporate that into your motion or --

Mr. Lasua: No, that's not included as --

Ms. Dudoit: No, I think -- I think it's already on the record --

Ms. Swenson: Okay.

Ms. Dudoit: So we can just leave it on and then --

There being no further discussion, the motion was put to a vote.

It has been moved by Commissioner Dudoit, seconded by Commissioner Lasua, then unanimously

VOTED: to file item E.1.

Ms. Swenson: Motion passed.

F. ORIENTATION WORKSHOP NO. 1

- 1. Opening Remarks**
- 2. County's Policy Against Sexual Harassment**
- 3. The Sunshine Law**
- 4. Ethics**
- 5. Legal Issues**
- 6. The Planning Framework**
- 7. Zoning**
- 8. Bed and Breakfasts and Short-Term Rental Homes Permitting**
- 9. Environmental Assessments (EA) and Environmental Impact Statements (EIS) Chapter 343, HRS**

Mr. Yoshida: Okay, so we're back to Orientation Workshop then. I guess --

Ms. Dudoit: So before we start the workshop though, is it possible for us, just to save everybody time and go over it again, since the Mayor has to make a decision on an appointment in 60 days, can we just defer the workshop till the new person is appointed?

Ms. Thomson: We'll have to do one individually with that person or --

Ms. Dudoit: You going have to do 'um anyway, right? And if a person doesn't get, you know, in an adequate amount of time, we could always do it, right?

Ms. Thomson: It's completely fine with me whatever you want to choose to defer it or to have -- I can give you the really quick version right now or we can -- or we can just defer it because that does make sense.

Ms. Swenson: Would you like to, just quickly, hit the things that you know that we should know?

Ms. Thomson: Okay, so we'll just kinda quickly go through this handout, so the first -- the first few sections and slides deal with the Sunshine Law, the open meetings law. So the basic reminder is to not discuss board business with other Commissioners outside of a meeting, so outside of these meetings, don't, you know, meet and discuss anything that's going to be on a future agenda that you know about. You're welcome, obviously, to talk to each other about anything else, but just, you know, the basic rule is just try not to talk about board business outside of any regularly scheduled meetings. And if you have any questions on things, you're always free to call me or email me about anything. You can talk to staff, and you can talk to, you know, me about board business outside of a meeting if you have questions, so if you do, just feel free to call.

I'm going to skip over the permitted interactions. So there are certain exceptions to the Sunshine Law, but we can really talk about those as they come up. Sometimes you may want to nominate, it would be less than quorum, to be in a permitted investigative group to go and look into something that's happening that will be board business that you feel needs additional attention from the board. So if that comes up, we can -- we can discuss how that -- how they're setup and what the formalities are with those kinds of groups.

Robert's Rules of Order, you folks all know those real well. In small boards, and if it's the custom of the board, the chairperson can make motions, obviously, speak and debate, and vote, and especially like today where we have bare quorum, the chair does vote. And you know that silence or refusal to vote is considered an affirmative vote, under your rules. So if you don't vote on the motion, it's considered a vote for that motion.

Things to remember, you know, basic conduct at meetings, is, you know, try to be impartial; you know, treat all the applicants the same; base your decision on the evidence, not on who the applicant is or isn't, or the emotions surrounding it, and, you know, obviously stay away from any comments about race, sex, gender, or their religion.

So skipping over to page 7 now, ethics, you know, don't accept gifts or if you have any business activities or transactions with an applicant, the best thing to do is, you know, talk to me or staff and we can help you figure out whether or not that would rise to a conflict of interest, you know, and you can disclose the conflict of interest on the record and if you need anymore formal opinion, you can always go to the Board of Ethics and they give you a formal opinion, and if you follow their advice, then you are in the clear.

Case law review, starting on page 8. What we're mainly concerned with would be permit conditions so, for example, when you're discussing or granting special management area minor or use permits, you can attach conditions to those permits. The conditions need to relate to the law that you're applying, and they also need to be roughly proportional, so they can't exceed the hard that you're trying to mitigate, they need to be related both to the law, and then they need to be tailored so that they're addressing the concerns that are raised in the -- in the application or the project and as applying the law. So those are the things that we can -- we can talk about as you're trying to craft conditions on permits, you know, as they come up, but those are the discussion points that you really want to make sure that you get onto the record when you're formulating conditions, and the reason that's important is that if someone wanted to challenge your decision, and take it to circuit court, the just only has the record from the meeting, the transcripts, so he has to look at the information that you had, and read through the transcript, and see whether or not your decision is supported by the law, or whether it's excessive and exceeds the law, so that's why we, you know, nag and, you know, remind you to really take a look at the conditions and make sure that they are clearly applying the law. So that's where the term "essential nexus," it means connection -- connection to the law and connection to the project's impacts, and "rough proportionality" means that the conditions that you're placing on a permit or approval, that those are related to the project's impacts. And the sections on SMA law, I used those really to -- to kinda show how conditions meet -- how they're used in the special management area law. So if you have, you know, any questions on that, I'm very happy to answer them or to talk more about it.

And the last page, last couple of pages, are discussing cultural resources, and it's the duty of the Commission to look at and protect cultural resources, so those are the territory and questions that you can, you know, you can ask and ask staff and applicants to provide you sufficient information on any cultural resources that may be in the vicinity of a project area so that you can fully understand potential effects and then craft conditions that will address and mitigate those effects.

So that is the quick, a quick summary, but I'm happy to answer questions or, you know, we'll also go through this again when we get the new Commission member. Thank you.

Ms. Swenson: Thank you. Clayton, you want to do the Director's Report?

G. DIRECTOR'S REPORT

- 1. Notification of the resignation of Sherry Tancayo as a Molokai Planning Commissioner**
- 2. Changing of the meeting start time to 11am.**

The Commission may discuss and act on whether it wants to change the meeting start time to 11 am.

Mr. Yoshida: Okay, thank you, Madam Chair. Again, we had noted the resignation of Sherry Tancayo as a member of this Commission. At some point, I'd like to have a discussion about maybe changing the meeting start time to 11 a.m. because I'm here from 8:00, and the people who take the boat or ferry, the Molokai Princess, are here from 9:15, so sometimes we do have fairly controversial or lengthy discussions on an item, like we had at the last the meeting, and so that we're, you know, not necessarily rushing to catch the boat, or rushing to catch the plan, but maybe the discussion should be held once we have a permanent meeting facility because we're still kind of finding -- we've been meeting at the Kualapuu Community Center but we're preempted in using that for the summer because they have the Summer Pals program there and they're still not finished on the work on the Mitchell Pauole Center, so that's why we have this facility today, and they're not going to be finished for the July 8th meeting so we have that meeting scheduled for the DHHL conference room at Kalamaula. So I don't know what other activities they have -- will have at the Mitchell Pauole Center once we start using it again on a regular basis because before they had that Tutu & Me program in the main hall, and then we had a meeting at 12.

Ms. Dudoit: So we can't have that discussion now because it's not on the agenda?

Mr. Yoshida: Well, if you folks want to discuss it now or you want to wait until we have a permanent meeting facility.

Ms. Dudoit: What would be the difference -- difference?

Ms. Swenson: How do you guys feel about starting at 11?

Ms. Dudoit: The earlier the better. I mean for me, the earlier the better - 12:00 takes up your whole afternoon.

Ms. Swenson: Can I show -- raise your hands if you're okay with it 11:00.

Ms. Dudoit: Well, can we --

Ms. Swenson: Yeah, go ahead.

Ms. Dudoit: Are you saying 11 because there's some kind of law or regulation that says 11, or if you're here from the morning, can it be at 10?

Mr. Yoshida: You know, going through the history of this, I remember way back when, when this Commission was first started, we met at 1:00.

Ms. Dudoit: Yep.

Mr. Yoshida: Then sometimes Island Air kind of moved their return flight to Maui up to 4:00, and sometimes we were having to rush to catch a plane but in the middle of discussion on some controversial matter, so kinda hard to walk out on the Commission, at that point in time. And then Island Air kept moving their return flight back to Maui earlier and earlier, and now I guess they're not flying to Molokai so --

Ms. Dudoit: Clayton, what time are you guys here in the morning?

Mr. Yoshida: Well, my -- well, currently, under the current schedule, I'm here till --

Ms. Dudoit: No, what time do you get here?

Mr. Yoshida: What time do I get here? I take the 7:25 flight, so I get here by --

Ms. Dudoit: And boat reaches in by?

Mr. Yoshida: The boat will come in about 9:15.

Ms. Swenson: You know, from personal experience, from myself, to have the staff available for an hour or two before the meeting starts, if you're in the planning process or doing a project, it's about the only time that you can talk to them face-to-face, you know, is in the morning when they're in their office there behind the county building, but I don't know. That's why I was thinking 11 was good but --

Ms. Dudoit: Okay. So I going agree with whatever the majority agrees with, but I think that any discussion we going have them on an agenda item on the day of should probably be done anyways whenever everybody's here so that, you know --

Ms. Swenson: No, I mean -- I mean like the public that's doing a project, or like people in Ranch Camp that are doing an SMA, they can go in, and see the staff, and talk to them and get help with their paperwork. I don't know. Do you guys still do that? I know we've done that. And so I'm just thinking that to have the staff here available for people who need them.

Mr. Yoshida: I guess, as it stands now, since we have Sybil, you know, she's here maybe one or two days a week, so she could do -- she could meet with the public; she could do site inspections if it just requires the planner.

Ms. Dudoit: Okay. So for me, 10:00 would probably be better. The earlier the better so I no waste my whole afternoon in this meeting, but whatever everybody decides.

Mr. Lawrence Lasua: What time does the boat get in - 9:15?

Ms. Dudoit: 9:15

Mr. Lasua: So that's 45 minutes before the meeting. Is that enough time to -- well, Clayton, you're already setting up when you get here, no? Or are you picking them up first and then coming here?

Ms. Swenson: They go to breakfast.

Mr. Lasua: Oh. So is that enough time if we do it at 10?

Ms. Dudoit: How does the staff feel? I mean what is your preference?

Mr. Yoshida: Well, you know, I just don't want to walk out of the Commission meeting in the middle of some -- yeah, heated discussion because I have to catch a plane.

Ms. Dudoit: No, how early do you want to ...(inaudible - not speaking into the microphone)... 10:30, 10, 10:30, 11:00?

Mr. Yoshida: I think 11. We've had meetings at -- sometimes we've had meetings at 11, like we had the meeting on the rules here at 11, we had that meeting at Kualapuu Community Center in September on the Chopra Hale, Molokai High School, and other matters. Oh, I think that was the Kamehameha Schools one at Keawanui at 11. So -- but, you know, those were times when we had a lot on the agenda and some of the items were fairly controversial.

Ms. Swenson: Did that answer your question? No. Let's see, okay, let's have a show of hands. Go ahead.

Mr. Davis: Can -- my feeling is the closer to lunch I think would be better for the public. A lot of people are passionate about, you know, our island, our culture, our environment, our community. If we make it real early, you know, people at work may not be able to come to the meeting, but if it's closer to lunch, you know, a lot of people take off on their lunch and can attend the meeting. Anyways, it's just my feeling.

Ms. Swenson: Okay.

Mr. Davis: So I would prefer 11 rather than 10.

Ms. Swenson: Okay, let's see a show of hands for 11? Okay, you're on for 11.

- 3. Agenda items for future meetings**
 - a. July 8, 2015 meeting**
- 4. Pending Molokai Applications Report generated by the Planning Department (Appendix A)**
- 5. Closed Molokai Applications Report generated by the Planning Department (Appendix B)**

Mr. Yoshida: Let's see, our next meeting is on July 8, we have the continuation of the orientation workshop and any SMXs that are ready, SMA assessments that are ready to go to the Commission at that time; if there's anything else you want to discuss or have on that agenda. We did circulate our list of pending and closed Molokai applications if there are any questions.

Ms. Dudoit: Yeah, I have a question. So I was trying to kinda follow the Malama Park issue and all of those permitting stuff, and, all of a sudden, it's just kinda like dropped out of the wayside, and then I saw construction going on over there this weekend. So I was just wondering what was going on with that project.

Mr. Yoshida: Well, I think -- is that for the canoe hale?

Ms. Dudoit: Yeah.

Mr. Yoshida: Yeah, I think we're waiting -- I think we're waiting for the final environmental assessment.

Ms. Dudoit: So what is the construction going on over there? There's construction going at the canoe hale.

Mr. Yoshida: Malama Cultural Park.

Ms. Dudoit: At Malama Cultural Park.

Mr. Yoshida: I think --

Ms. Dudoit: That's the same -- it's the same -- yeah. So it's the same project. I mean, well, it's not the same project, but it's the same parcel, yeah, so I was just wondering 'cause they started, I saw them start, and so I was just wondering 'cause they're framing and it looks like a canoe hale, so I was just wondering 'cause it dropped off of this list and

then, all of a sudden, there was construction, and it's right by the ocean so there was no review for that that I saw.

Mr. Yoshida: Okay, we can take a look on the -- on the way to wharf, but, initially, I guess it was, way back when, an SMA major permit and a shoreline setback variance for them to construct a canoe hale, but because it's on public lands, they have to -- they're subject to having to do -- go through the environmental assessment process, and that has not been completed. The Cultural Resources Commission was here maybe about four years ago to have a public meeting, look at the site and have a public meeting on Molokai, and provide their comments, but we can't bring the SMA application forward until they complete the chapter three -- environmental assessment process. Any other questions on either the open or closed applications project report?

H. NEXT SCHEDULED MEETING DATE: July 8, 2015

I. ADJOURNMENT

Mr. Yoshida: Okay, with that, our next meeting is scheduled for July 8, if you have other items, and it would be at the DHHL Conference Room at Kalamaula.

Ms. Dudoit: At 11?

Mr. Yoshida: Yeah, let me check with Nina if we had it reserved for -- if we can use it at 11. And that's all.

Ms. Swenson: Does anyone have any other business or wanna move for adjournment.

Ms. Dudoit: I move to adjourn.

Ms. Swenson: Second.

Mr. Lasua: Second.

Ms. Swenson: Okay, thank you all for coming.

There being no further business brought before the Commission, the meeting was adjourned at 12:41 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present:

Diane Swenson, Chair Pro Tem
Billy Buchanan
Ron Davis
Zhantell Dudoit
Lawrence Lasua

Excused:

Michael Jennings, Chairperson
Douglas Rogers, Vice-Chairperson
Marshall Racine

Others:

Clayton Yoshida, Planning Program Administrator
Richelle Thomson, Deputy Corporation Counsel