

(APPROVED: 02/04/16)

**CULTURAL RESOURCES COMMISSION
REGULAR MEETING
SEPTEMBER 3, 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, One Main Plaza, 2200 Main Street, Suite 315, Wailuku, Maui, Hawai'i. ***

A. CALL TO ORDER

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Chairperson Janet Six, at approximately 11:57 a.m., Thursday, September 3, 2015, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Chair Janet Six: Okay, at this time, we'd like to call into session the Cultural Resources Commission meeting. We have a quorum.

B. PUBLIC TESTIMONY

Chair Six: At this time, is there any public testimony, anyone would like to come forward? You can always come back and put your testimony in later. Okay, agenda item C, which is New Business.

Chair Six read the following agenda item into the record:

C. NEW BUSINESS

- 1. Lahaina Town Action Committee requesting approval of an amendment to the 2015 Lahaina Banyan Tree Event Schedule for the month of September, changing the dates of the Emma Sharpe Hula Festival, Festivals of Aloha, and a scheduled rest day, Banyan Court Park, County Historic District No. 1, Lāhainā, Maui, Hawai'i, TMK (2) 4-6-001:009 (A. Kehler)**

The Commission may approve or disapprove the amendment.

Chair Six: Is there any discussion? Presentation. Sorry.

Ms. Michele McLean: We'll have staff do a presentation and then see if the applicant has anything to add.

Ms. Annalise Kehler: Actually, I'm just going to turn it over to the applicant, if they have anything to share about this agenda item.

Ms. McLean: And please introduce yourself for the record.

Ms. Lynn Donovan: My name is Lynn Donovan. I'm the Executive Director for Lahaina Town Action Committee. We had two things come up totally beyond our control. Number one, the Festivals of Aloha, which usually is the last week in September, changed their week to the third week in September, so we ask that the rest day, on the 19th, become the Festivals of Aloha. Then, another issue came up with the hula festival, where we were going up against - let's see if I can pull this out and pass it over - the festival that was going on at the MACC for three days, so both instances were totally out of our control. We'd like to move the rest day to the 12th, the Festivals to 19, and Emma to 27.

Chair Six: Is there any discussion?

Ms. Bridget Mowat: I just have a question. Is this just for the month of September?

Ms. Donovan: Yes. It's just for those two events.

Ms. Mowat: Thank you.

Chair Six: Is there any other questions? Would someone like to make a motion to approve this?

Ms. Mowat: I'll make the motion to approve the change in the calendar for September 2015.

Mr. Frank Skowronski: Second.

Chair Six: There's been a motion by Commissioner Mowat, and second by Commissioner Skowronski, and let's have a vote.

It has been moved by Commissioner Mowat, seconded by Commissioner Skowronski, then unanimously

VOTED: to approve the amendment in the 2015 Lahaina Banyan Tree Event Schedule for the month of September, as requested.

Chair Six: It passes. Moving right along.

Chair Six read the following agenda item into the record:

2. **Lahaina Arts Association requesting approval of an amendment to the 2015 Lahaina Banyan Tree Event Schedule, changing the date of an art fair originally scheduled for July 5, 2015 to October 25, 2015, Banyan Court Park, County Historic District No. 1, Lāhainā, Maui, Hawai'i, TMK (2) 4-6-001:009 (A. Kehler)**

The Commission may approve or disapprove the amendment.

Chair Six: Do we have a presentation on that?

Ms. Kehler: No. Again, I'd like to turn it over to the applicant if they have anything to say.

Ms. Erin Brothers: Hi. I'm Erin Brothers, I'm the Executive Director of Lahaina Arts Association. We weren't able to hold the Art Fair on July 5th because of conflict with our insurance policy that we're renewing, it wasn't renewed in time, so we're hoping to add a day in October, October 25th, it doesn't conflict with any current schedule under the Banyan Tree.

Chair Six: Is there -- I'm sorry, I mean to ask, is there any public testimony on this item? Is there any questions, discussion? Okay, do we have a motion to approve the changes from July 5th to October 25th, 2015?

Ms. Mowat: I'll make the motion. I move --

Mr. Skowronski: Second.

Ms. Mowat: Okay. Good.

Chair Six: It's been moved and seconded.

It has been moved by Commissioner Mowat, seconded by Commissioner Skowronski, then unanimously

VOTED: to approve the amendment in the 2015 Lahaina Banyan Tree Event Schedule moving the art fair from July 5, 2015 to October 25, 2015, as requested.

Chair Six: It passes. Thank you for your patience, those of you that came all this way. We really appreciate that. At this time, we're going to move on to item D, the Director's Report, update on hawking, enforcing the County Historic Districts 1 and 2, Lahaina, Maui, Hawaii.

D. DIRECTOR'S REPORT

**Update on hawking and enforcement in County Historic Districts 1 and 2,
Lāhainā, Maui, Hawai'i**

Ms. McLean: Thank you, Chair. I'll keep this very brief because I know we've been here for a while already. We -- when we posted this agenda, we did intend for our enforcement folks to be here to talk with you about this but, in fact, their enforcement has been so effective that it has resulted in some litigation, and so the Corporation Counsel's office has requested that we not go into detail about our enforcement efforts at this time, until that litigation gets to a point where we feel like we can discuss it. Rest assured, we have obviously taken enforcement action, and we think we might be able to post it for next month 'cause we're pretty much resolving on just a final ...(inaudible)... issues with the recipient of our enforcement actions so, hopefully, the next month we'll be able to tell you what we've been doing.

E. NEXT MEETING DATE: October 1, 2015

Chair Six: Okay. Now moving on to item E, which is the next meeting date of October 1st, and we've also decided, because five is a quorum, the minimum, and because we have people, like myself, coming from Hana and other Commissioners coming off-islands, that we would like to make it six people, that way, if someone has a delay or a problem or issue that we can still have a quorum, so we discussed that, so going forward, the next meeting is October 1st. Everyone's okay with that?

Ms. Mowat: Yep.

F. ADJOURNMENT

Chair Six: This meeting is adjourned.

There being no further business brought before the Commission, the meeting was adjourned at 12:03 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards & Commissions

RECORD OF ATTENDANCE

Present

Dr. Janet Six, Chairperson
Bridget Mowat, Vice-Chairperson
Mikala Enfield
Frank Skowronski
Jarrett Wong

Excused

Timothy Bailey
Christy Kajiwara-Gusman
Arleen Ricalde-Garcia
Owana Salazar

Others

Michele McLean, Deputy Planning Director
Annalise Kehler, Cultural Resources Planner
Jennifer Oana, Deputy Corporation Counsel