

POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Council of the County of Maui

MINUTES

August 29, 2016

Council Chamber, 8th Floor

CONVENE: 9:02 a.m.

PRESENT: Councilmember Michael P. Victorino, Chair
Councilmember Don Couch, Vice-Chair (out 12:04 p.m.)
Councilmember Gladys C. Baisa, Member (out 12:02 p.m.)
Councilmember Robert Carroll, Member (out 11:53 a.m., in 12:14 p.m.)
Councilmember Elle Cochran, Member
Councilmember Stacy Crivello, Member
Councilmember Don S. Guzman, Member (in 10:05 a.m.)
Councilmember Riki Hokama, Member

EXCUSED: Councilmember Mike White, Member

STAFF: Kimberley Willenbrink, Legislative Analyst
Yvette Bouthillier, Substituting Committee Secretary
Jo-Ann Sato, Supervising 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 (Items PIA-2(29), PIA-2(30), PIA-2(31), PIA-2(32), PIA-2(33))
Jeffrey A. Murray, Fire Chief, Department of Fire and Public Safety (Item PIA-64)
Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Claro Romero, Sr. (PIA-2(29))
Joseph Aquino (PIA-2(29))
Sally Kaye (via telephone conference bridge from Lanai Council Office) (Item PIA-2(29))
Deborah dela Cruz (via telephone conference bridge from Lanai Council Office) (Item PIA-2(29))
John Ornellas (via telephone conference bridge from Lanai Council Office) (Items PIA-2(29), PIA-2(30), PIA-2(31))
Robin Kaye, Citizens United for Lanai (via telephone conference bridge from Lanai Council Office) (Item PIA-2(29))
Margaret Peary (via telephone conference bridge from Lanai Council Office) (Item PIA-2(29))

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Doreen "Pua" Canto (Items PIA-2(33) and PIA-2(31))
Adela Olbinado (via telephone conference bridge from Lanai Council Office)
(Item PIA-2(29))
Michael "Kaleo" Ropa (via telephone conference bridge from Lanai Council
Office) (Item PIA-2(30))
Kris McPhee (Item PIA-2(32))
Roberta "Bobbie" Patnode (Item PIA-2(33))

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

CHAIR VICTORINO: *... (gavel) ...* Good morning and welcome to the Policy and Intergovernmental Affairs Committee meeting for August 29, 2016. This meeting will come to order. Before I get started, I would ask all of us, including myself, just double-check on your cell phones, make sure they're either off or on silent. Decorum will be conducted in this Chamber at all times. Okay. Because I have such a, I've put in some new apps, Mr. Couch, I turn it off, I'm not sure, I haven't figured it all out yet. You know every time you get one new app, you think you understand what it does and all of a sudden it does something you weren't ready for, so just to avoid any discord in the Chambers itself. Thank you. I'd like to take a moment to introduce the Members of the Committee that are here this morning at this time. First of all, myself Michael Victorino, the Chair. Our Vice-Chair from South Maui, Mr. Don Couch.

VICE-CHAIR COUCH: Good morning, Mr. Chair.

CHAIR VICTORINO: Good morning. And our Member from East Maui, Mr. Robert Carroll.

COUNCILMEMBER CARROLL: Good morning, Chair.

CHAIR VICTORINO: Better known as Bob, but, you know, start out the right way. Our lovely young lady from Upcountry, Ms. Gladys Baisa.

COUNCILMEMBER BAISA: Good morning, Chair.

CHAIR VICTORINO: Good morning. And our young lady from West Maui, Ms. Elle Cochran.

COUNCILMEMBER COCHRAN: Yes. Aloha. Good morning, Chair.

CHAIR VICTORINO: Good. Aloha and good morning. Ms. Stacy Crivello from Molokai. Good morning, Madam Crivello.

COUNCILMEMBER CRIVELLO: Aloha. Good morning, Chair.

CHAIR VICTORINO: All right. And excused at this time is Don Guzman...oh, excuse me, wait a minute. I'm sorry, our...going down the line and I skipped. Our representative from the island of Lanai, the esteemed Mr. Riki Hokama.

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COUNCILMEMBER HOKAMA: Mr. Chairman.

CHAIR VICTORINO: Good morning. Sorry, Riki. And then excused is Don Guzman, our Vice-Chair at this time. And excused from the proceedings today is our Chair, Mr. Mike White. He had some other business he needed to attend to. Representing the Mayor this morning will be Mr. Mike Molina.

MR. MOLINA: Good morning, Mr. Chair and Committee Members.

CHAIR VICTORINO: Good morning, Michael. Welcome. And our First Deputy Corporation Counsel, Mr. Ed Kushi.

MR. KUSHI: Good morning.

CHAIR VICTORINO: Later on, we will have representatives either from the...from the Fire and Safety Division or our Fire Chief will be here to discuss the strategic plan later in the meeting. Also, Kim Willenbrink is here as our Legislative Analyst. And this morning Tammy is not feeling well, and, Tammy, I hope you get well real quickly. Yvette Bouthillier is here as our Committee Secretary. Good morning, Yvette.

MS. BOUTHILLIER: Good morning.

CHAIR VICTORINO: And we have Jo-Ann here too. Good morning, Jo-Ann.

MS. SATO: Good morning.

CHAIR VICTORINO: Let's check with our District Offices if I may so. Our Hana Office, Dawn Lono, Dawn, are you there?

MS. LONO: Yes. Good morning, Chair. This is Dawn Lono at the Hana Office.

CHAIR VICTORINO: Good morning, Dawn. Let's go to Lanai. Our Lanai Office, Denise Fernandez, are you there?

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

CHAIR VICTORINO: Thank you, Denise. And of course our lovely, young lady from Molokai Office, Ella Alcon. Ella, are you there?

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

CHAIR VICTORINO: Good morning, ladies. Okay, so we will go to our District Offices to start public testimony in a couple of minutes. Today we have eight items on our agenda so it's kind of a robust agenda. We have five board nominees, the Fire Department's Master Strategic Plan for the next four years, and the legislative package for Hawaii State Association of Counties and Maui County. Now I'd like all of you to think about

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this because at the break or just before the break, I will be asking for your help. I can have a special meeting on September 6th, Tuesday in the afternoon because COW has the morning. And I know some of you weren't available for COW. I'm going to ask you if you can really, really, really take a hard look at your schedule and help us out.

MS. WILLENBRINK: Excuse me, Chair?

CHAIR VICTORINO: I'm sorry, did I say the wrong date?

MS. WILLENBRINK: No, you have the date right but they can, you can poll for either slot.

CHAIR VICTORINO: Oh, COW's not having the morning?

MS. WILLENBRINK: No, they've chosen a different slot.

CHAIR VICTORINO: Oh, okay. I apologize. I thought COW was having the morning so whichever you think you'd be available for. I'd prefer the morning so that we could take the rest of the day and do whatever else you need to do. If that is possible, September 6th, 9:00 a.m. here. It's very important that we finish our HSAC package so that we can forward it on to the full Council and to our HSAC special meeting, well, it's actually the executive meeting which will be an all-day meeting on September 26, 2016. So that we can finalize our legislative package and really start in November, presenting that to our Legislators who have been elected and sent back to our, the State Legislature, yeah. So please look at that and I'll ask you just before the break. Ms. Willenbrink, don't let me forget please. At this time, I'd like to begin public testimony. Public testimony will be limited to the agenda items, the eight agenda items as shown. If you have not, there is a desk out in the 8th floor lobby that you may sign up at or at any of our District Offices. Testimony will be limited to three minutes, that's it. You have two and a half minutes, the light turns yellow which like Mr. Hokama says it's whoa, and on three minutes when it starts blinking red, that means you stop. If you don't, I will let you have one concluding sentence and move on for questions. Please state your name and any organization you're representing, very important. And we have established, as you saw, connections to our District Offices so we will rotate between the locations. So with no objections, I would like to start public testimony.

COUNCILMEMBERS: No objections.

. . .BEGIN PUBLIC TESTIMONY. . .

CHAIR VICTORINO: Thank you. Ms. Willenbrink, would you please call our first public, our first testifier in the Chamber?

MS. WILLENBRINK: Yes. Mr. Claro Romero, Sr.

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CHAIR VICTORINO: And then would you call the next name so they'll be closer to the podium? If you'd come and sit, you know, like that second row and be closer to the podium so we can continue public testimony expediently. Go ahead.

MS. WILLENBRINK: Yes. Our next testifier after him is Joseph Aquino.

CHAIR VICTORINO: Come up, Mr. Romero. Thank you.

MR. ROMERO: Hello, good morning and happy Monday.

CHAIR VICTORINO: Good morning.

MR. ROMERO: Well today is Monday and everybody is, look like everybody tired. Anyway, my name is Claro Romero and I am from Philippine Islands and I know Adela from a long, long time. I know the family, Agtarap family. Been getting party together and everything. And I hope you guys will approve her today. Anyway, again, I know Adela Olbinado a long, long time ago, especially the family, Agtarap. And she is from the Agtarap family. I thank you.

CHAIR VICTORINO: Thank you, Mr. Romero. Any questions for the testifier? Seeing none, moving right along, next testifier please?

MS. WILLENBRINK: There's only one more person signed up to testify in the Chamber and that is Mr. Joseph Aquino.

CHAIR VICTORINO: Good morning, Mr. Aquino.

MR. AQUINO: Good morning and aloha, Mr. Chair. My name is Joseph Aquino and I'm here to support Adela Olbinado. I think she's a very good and people person. I think she'd be a great choice for this. Thank you.

CHAIR VICTORINO: Thank you. Any questions for the testifier? Seeing none, thank you, Mr. Aquino. Let us go now, seeing nobody at the or anyone else wishing to testify in the Chamber right at this moment, let us go to the island or to our District Office in Hana. Dawn Lono, do you have anyone wishing to testify?

MS. LONO: There is no one waiting to testify in Hana.

CHAIR VICTORINO: Thank you, Dawn. Lanai, Denise Fernandez, do you have anyone wishing to testify?

MS. FERNANDEZ: Good morning, Chair. Yes, we have five testifiers. The first one to testify is Sally Kaye testifying on PIA-2(29).

CHAIR VICTORINO: Okay. So if...hang on, Sally. With your permission, I'm going to take all five from Lanai if you don't mind, Members. No objections?

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COUNCILMEMBERS: No objections.

CHAIR VICTORINO: Okay, go ahead, Sally.

MS. KAYE: Good morning, Chair Victorino and Members. As a former member and chair of the Lanai Planning Commission, I can't stress enough how important it is to have a cross section of community members to ensure a healthy tension of differing viewpoints and a robust discussion of and consideration for all matters that come before the Commission. This is the only home rule the community has and stacking the Commission with individuals that bring an inherent conflict of interest by virtue of their employment serves no one. In 2009, the LPC members were a retired attorney, a MECO employee, a retired DOT employee, a social services provider, a farmer, a County of Maui employee, two at-large community members, and one Castle and Cooke employee. A review of our minutes over several years confirms many robust and sometimes contentious discussions but not a single vote to disapprove a company application. The nomination you are considering today reflects the fourth attempt to seek an ILWU member on the LPC, three of whom have never previously attended a single community meeting. This is especially troubling when there still exists a variety in the pool of individuals who have formally applied to serve, but their applications have gone unacknowledged and they've been passed over for no discernible or transparently disclosed reason. If one does receive a letter from Mayor Arakawa acknowledging an application to serve on a board or commission, it clearly states "you may not meet the qualification needed for a particular board or commission on subject area expertise such as engineering, architecture or other professional expertise." And the applicant is urged to be patient during the selection process. Most of those that have applied over the last three years have received nothing. The growing lack of trust in government evident at the national and State level is growing locally. How can it not when the Planning Department is aware of an impending Planning Commission vacancy in May or June, but no one is nominated until July 8th, three days after a new application is abruptly submitted on July 5th, there is something very, very wrong with the process. I urge you to reject membership in the ILWU as sufficient qualification to serve on the Planning Commission. The appearance of impropriety and evident conflict of interest inherent in stacking the LPC may result in multiple ethics challenges. Thank you for this opportunity to testify remotely.

CHAIR VICTORINO: Thank you. Any questions for the testifier? Seeing none, thank you, Ms. Kaye. And next testifier please, Denise?

MS. FERNANDEZ: Our next testifier is Deborah dela Cruz testifying on PIA-2(29).

MS. dela CRUZ: Thank you, Chair Victorino and Members of the Policy and Intergovernmental Affairs Committee for this opportunity to testify. My name is Deborah dela Cruz and I'm a resident of Lanai. And in the interest of transparency, let me just say I wrote this whole testimony and then this morning my husband casually mentioned that he may have an application in for the Planning Commission but I did write the testimony first. I don't support the appointment of Adela Olbinado to the Lanai Planning Commission. This has nothing to do with Mrs. Olbinado herself, nor

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her union. I'm a signatory to the July 23, 2016 letter that was sent to the Mayor, Director Spence, and the Council. As you're all aware, Lanai is a very small island and so all matters considered by the Lanai Planning Commission impact all Lanaians, many in major ways. It's important that we have commissioners who are informed and independent, who look at issues subjectively, and then make decisions that are in the best interest of the entire community. Unless union officers have changed recently, the Lanai Planning Commission already has two officers, officers of ILWU Local 142, Unit 2509, and if appointed, Ms. Olbinado would be the third. Consider how your Committee would operate if a third of you were not only members of the same unit, union unit but officers of it as well. This would be entire blocks of issues you would not be able to address. Should she be appointed, there's real potential for the work of the Planning Commission to be impacted as described in the July 23rd letter as questions of conflicts of interest and recusing are raised. The Planning Commission has problems even convening without this further complication. Let me reiterate that this has nothing to do with Mrs. Olbinado herself, it's about ensuring the integrity of the Planning Commission. After I wrote that last sentence out, I thought that's kind of corny but then I decided to leave it in because integrity is not corny. Thank you.

CHAIR VICTORINO: Thank you, Ms. dela Cruz. Any questions for Ms. dela Cruz, the testifier? Seeing none, thank you. Next testifier please, Denise.

MS. FERNANDEZ: Our next testifier is John Ornellas testifying on PIA-2(29), PIA-2(30) and PIA-2(31).

MS. ORNELLAS: Good morning, Chair Victorino and Members.

CHAIR VICTORINO: Good morning, Mr. Ornellas.

MR. ORNELLAS: My name is John Ornellas. I've been a resident here for almost 30 years now. I'm a little upset over what the Mayor and Mr. Molina has done. They continually try to ram down our throats, union members, company members as well as...and with the Mayor's knowledge of this. It just continually seems like they're trying to hijack our Planning Commission. And like Debbie said, there's, this will be the third member from either the company or from the union to sit on the board, on the Planning Commission. We cannot allow them to hijack our LPC. It's important that we keep a balance, and having three members of the union sitting on the LPC just doesn't make it. So I would hope that you would reject this nominee for the Lanai Planning Commission. On Item 30, concerning Michael "Kaleo" Ropa to the CRC, I chair the Lanai Archeological Committee, and Mr. Roper [sic] has been an active member of our committee and he will be an excellent choice to sit on the CRC representing this island. This will probably be his first time volunteering for a government or an official commission or board, but we need young people to take the lead since most of us are old and decrepit that we require new blood now. And Mr. Kaleo would be an excellent choice to sit on the CRC representing Lanai. And then on Item No. 31, the appointment of Doreen Canto or Pua to the Maui Planning Commission, I support her 100 percent. She and I sat on the Police Commission together and she was the chair. She did an excellent job, very conscientious, and I think her sitting on the Maui

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Planning Commission only will make that Commission a lot better. So I hope that you would support her and 'cause I do. Thank you.

CHAIR VICTORINO: Thank you, Mr. Ornellas. Any questions for Mr. Ornellas? Seeing none, Denise, the next testifier please?

MS. FERNANDEZ: Sure. Our next testifier is Robin Kaye testifying on PIA-2(29).

MR. KAYE: Good morning, Chair Victorino and Councilmembers. My name is Robin Kaye. I'm speaking this morning on behalf of 25 residents of Lanai. We sent a letter to the Mayor, Director Spence, and all Councilmembers, about a month ago, and so I'd like to as my testimony utilize part of that letter. Dear Councilmembers, the Lanai Planning Commission's history, performance and composition have up until recently broadly reflected a reasonable profile of the Lanai community. Its nine members have traditionally presented a balanced perspective, one that reflects the interest of multiple employers in our community, from the majority landowner to State and nonprofit agencies, as well as long-time and retired but fully engaged residents. Unfortunately, the Mayor's last four appointments have attempted to completely derail this broad representation by selecting only ILWU Four Seasons or Pulama Lanai employees, three of whom have demonstrated little, if any interest whatsoever in community issues nor appeared at a single Lanai Planning Commission meeting. The Mayor's most recent nominee, also a hotel employee, further exemplifies this attempt to stack the Commission. Making the situation even more troublesome, we recently learned that Mayor Arakawa has directly and personally asked the senior executive at Pulama Lanai to recruit individuals for a Maui County commission, shattering any remaining pretense of objectivity and balance. We urge the Councilmembers to take the following steps. Number one, despite personally knowing and respecting Adela, we urge you to withdraw her nomination. Two, select --

MS. WILLENBRINK: Thirty seconds.

MR. KAYE: --from a pool of previous applicants or if an insufficient list exists, call for a new round of submittals immediately. Three, make a concerted and continuous effort to provide balance to those who serve on the LPC so that viewpoints and broad community interests are represented, not just those of one employer. We feel these are very reasonable requests that represent both a balanced, democratic process and ensuring transparency in Lanai's only form of "self-government." We also wish to make it clear that these kind of unbalanced nominations could bring the work of the LPC to a virtual halt. We will raise a conflict of interest issue with each vote the four Pulama, ILWU or Four Seasons' employees cast on agenda items submitted by Pulama Lanai. We will as is our right under Maui County Charter Article 10, request a Board of Ethics ruling which could invalidate any such vote or at the very least cause a significant delay in LPC work. We believe that any employee of Four Seasons, Pulama Lanai has a fundamental and inherent conflict of interest when reviewing and/or voting on for example a permit application from their employer. As Ms. Thomson from the Office of Corporation Counsel confirmed on July 15, 2015, "So the Maui County Charter has

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certain ethical restrictions...if you have financial interest or your spouse has a financial interest in an applicant's business. So say an application is before the --

MS. WILLENBRINK: Three minutes.

MR. KAYE: --board for an SMA application, and her husband works for the company, the applicant's company, you would want to disclose that on the record, and probably would recuse yourself from voting because you have a direct financial interest in the outcome."

CHAIR VICTORINO: Mr. Kaye, can you conclude your testimony?

MR. KAYE: Your, you know, husband will do better and his company will do better if the application is passed. So that would be a pretty clear instance of recusing yourself from voting."

CHAIR VICTORINO: Mr. Kaye, can you conclude your testimony?

MR. KAYE: We're concerned that the work of the LPC to come to a complete stop should the current nominee be approved and the next appointment follow the recent path and also being an employee of Pulama or ILWU --

MS. WILLENBRINK: Three and a half minutes.

MR. KAYE: --a clear majority of the Commission will have a conflict of interest.

CHAIR VICTORINO: Mister...

MR. KAYE: We will not allow that to go unchallenged and will seek --

CHAIR VICTORINO: Mr. Kaye?

MR. KAYE: --a Board of Ethics ruling on each and every vote --

CHAIR VICTORINO: Mr. Kaye?

MR. KAYE: --bringing the work of the LPC to a screeching and really avoidable halt.

CHAIR VICTORINO: Mr. Kaye?

MR. KAYE: You can easily ensure that this not happen by ensuring the appointment of representatives of the broader community and restoring balance to the Commission by not allowing the Mayor to simply nominate --

CHAIR VICTORINO: Mr. Kaye?

MR. KAYE: --only employees of the largest employer...

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CHAIR VICTORINO: Mr. Kaye, would you kindly stop? Thank you very much. You've gone on for four minutes. I've tried several occasions to stop you. Do we have any questions from the testifier...from...to the testifier? Seeing none, thank you very much, Mr. Kaye.

MR. KAYE: You're welcome.

MS. FERNANDEZ: Okay, our last testifier is Margaret Peary testifying on PIA-2(29).

CHAIR VICTORINO: Ms. Peary, go ahead.

MS. PEARY: Thank you. Thank you for the opportunity to testify today, and I'll keep my testimony very short. I do echo the previous statements made by Sally Kaye, Deborah dela Cruz, John Ornellas, and Robin Kaye regarding the proposed appointment of Adela Olbinado to the Lanai Planning Commission. It's nothing personal against Mrs. Olbinado, but I really don't see qualifications that would meet the standards that I hope the Mayor and the Council would want for our Lanai Planning Commission. I'm quite disappointed actually and surprised that someone who is seemingly unqualified would be nominated for such an important position. I myself also submitted an application about two years ago. I served as a planning board member in New Jersey for four years, and I felt that I met the qualifications to be on the Lanai Planning Commission. So again, I urge you to withdraw the nomination and bring in more suitable applicants that you can look at again and vote upon. Thank you so much.

CHAIR VICTORINO: Thank you very much, Ms. Peary. Any questions for the testifier? Seeing none, Denise, do you have anyone else wishing to testify?

MS. FERNANDEZ: There is no one else waiting to testify, but we do have Adela Olbinado and Michael Ropa here for Council interview.

CHAIR VICTORINO: Thank you. When I...when their nominee or their nominations come up, I will ask you to put them on the line to let them give a brief opening statement and be available for questions by the Councilmembers.

MS. FERNANDEZ: Okay, thank you, Chair.

CHAIR VICTORINO: Thank you. Moving on to Molokai, Ella, do you have anyone wishing to testify?

MS. ALCON: There's no one here on Molokai waiting to testify.

CHAIR VICTORINO: Thank you. Again, once more, Hana, do you have anyone wishing to testify?

MS. LONO: There is no one waiting to testify in Hana.

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CHAIR VICTORINO: Okay, thank you. Do we have any more testifiers wishing to testify in the Chamber?

MS. WILLENBRINK: Yes, Mr. Chair. Pua Canto.

CHAIR VICTORINO: Okay. Pua, will you come forward please? And let me say that you will have an opportunity for an interview by the Members. I will call all of you up, you, Bobbie and whoever is available to speak to them.

MS. CANTO: Okay.

CHAIR VICTORINO: So but you go right ahead please.

MS. CANTO: Unprepared. My name is Doreen Napua Canto and I was not prepared to offer support and testimony for Roberta Patnode. I would like to comment that I've had the opportunity to work with Roberta on the Kula Community Association board. I'm here testifying as an individual for her in support of her nomination.

CHAIR VICTORINO: Thank you. Any questions --

MS. CANTO: Thank you.

CHAIR VICTORINO: --for Ms. Canto? Seeing none, thank you. And you'll be available for interview in a few minutes, right?

MS. CANTO: I will. Thank you.

CHAIR VICTORINO: Thank you. So we have no more testifiers, Ms. Willenbrink?

MS. WILLENBRINK: No, Chair.

CHAIR VICTORINO: Thank you. Seeing none, and I'll give one more opportunity to anyone in the gallery who has not testified and wishes to sign up and testify to please come forward. Seeing none and hearing that no one else from our District Offices want to testify, with no objections, I'm going to close public testimony.

COUNCILMEMBERS: No objections.

. . .END OF PUBLIC TESTIMONY. . .

CHAIR VICTORINO: Thank you very, very much. Okay, let us get us started and...

. . .(audio from telephone conference bridge). . .

CHAIR VICTORINO: Okay. You want to...oh yeah, that's right, you have to have it on. That's correct. I apologize.

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ITEM PIA-2(29): NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(LANAI PLANNING COMMISSION) (CC 15-5)

CHAIR VICTORINO: In fact, we will start right off, with no objections, with the Lanai Planning Commission appointment.

COUNCILMEMBERS: No objections

CHAIR VICTORINO: The Committee is in receipt of correspondence dated July 8, 2016, received July 11, 2016, from the Mayor's Office, transmitting a proposed resolution, entitled Relating to the Appointment of Adela Olbinado to the Lanai Planning Commission, along with the completed application form from the nominee. The purpose of the proposed resolution is to approve or disapprove of Ms. Olbinado to the Lanai Planning Commission, and for a term expiring March 31, 2020, to fill a vacancy due to the resignation of Jarrod Barfield. First of all, I'd like to thank Mr. Barfield for his service and wish him continued success. I understand now he is an employee of the County of Maui and that was his reason for stepping down. At this time, Denise, is Adela there ready to give an introduction of herself?

MS. FERNANDEZ: Yes, she is. She's right here.

MS. OLBINADO: Good morning, Mr. Mayor. How are you?

CHAIR VICTORINO: No, this is not the Mayor. This is Councilman Victorino. So...

MS. OLBINADO: Hi, good morning. Hi, this is Adela Olbinado. Thank you for accepting my application as a Planning Commission. And yeah, I work at Four Season and am dining cashier. And I live on Lanai for 20 years. And I came from the Philippines.

CHAIR VICTORINO: Anything else? Is there anything else you'd like to add please, Adela? Denise, can you hear us?

MS. FERNANDEZ: She doesn't have anything else to say.

CHAIR VICTORINO: Okay, okay. Okay, but you folks can hear us?

MS. FERNANDEZ: Yes, we can. Yes.

CHAIR VICTORINO: Okay, so that's not the problem. Okay. Thank you. Let me also put forward that the deadline for approval or disapproval of this nominee is September 9, 2016, so that we will be...and we will not be able to report this out from the Committee in time for the, to meet the deadline. Therefore, this meeting is to discuss only and but not intended to defer this matter without taking action. In other words, it's a up or down today, and we have to have that. Then I can request...and not an up or down, I take that back. I retract what I just said. A feeling of what this

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Council wants to do or this Committee wants to do so that I can request a discharge at the Council meeting on September 2, 2016, so that we can act upon that in a timely manner. Mr. Molina, I will give you an opportunity to provide opening comments regarding the nominee. You've heard from her, but go ahead, Mr. Molina.

MR. MOLINA: Okay. Thank you very much, Mr. Chairman and Committee Members. I guess not much else to say other than what Ms. Olbinado made in her opening statements. She is an employee of the Four Seasons Hotel and also for the Pine Isle Market as well. So again, the Administration would like your consideration of Ms. Olbinado. And for the record, of the eight current sitting Lanai Planning Commission members, two of the members are employed with the Four Seasons Hotel. And if you were to confirm Ms. Olbinado, it would make it three, so there would still be a majority of non-ILWU members or hotel members on the Commission. Just for the record. Thank you.

CHAIR VICTORINO: Thank you very much for that clarification. I will start with the district representative, Mr. Hokama as far as questionings are concerned. I have a few questions but I will allow you to go first, Mr. Hokama, and then we'll go from there. Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, thank you. First, I would thank Ms. Olbinado for signing up to volunteer. I think Mr. Ornellas is right, we are looking for more of our younger people --

... (feedback from audio system) . . .

CHAIR VICTORINO: Sorry about that.

COUNCILMEMBER HOKAMA: --to participate in our community. So just a few procedural questions first if I can ask Mr. Molina or Mr. Kushi. I notice in Mr. Barfield's resignation he had it for May, so when does the clock officially start regarding the timing of how long the Mayor has to submit a name, the date of the resignation letter or the date that the Administration chooses to stamp as receipt of the letter?

CHAIR VICTORINO: Who would like to take that on? Mr. Kushi or...

COUNCILMEMBER HOKAMA: Because we're talking about over 30 days difference from the date --

CHAIR VICTORINO: Mr. Kushi?

COUNCILMEMBER HOKAMA: --of the letter to the time stamp.

MR. MOLINA: Mr. Chairman?

CHAIR VICTORINO: Yeah, okay, Mr. Molina --

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MR. MOLINA: . . .*(inaudible)*. . . I was just going to add something.

CHAIR VICTORINO: --while Mr. Kushi reads up on it, go ahead.

MR. MOLINA: Yes. So I would like to add to Councilmember Hokama's question. Typically, my understanding is from the date the Council, after taking action on the Council, County Clerk's Office sends a letter to us of the action taken by the Council and that's typically when the clock starts from my understanding, the 30 days from the date the letter is sent to the Mayor's Office. For example, if you took action on August 5, then the County Clerk's Office gets the letter to us by August 8th, then my understanding is the start of the 30 days would take place on the date of the notification from the Council or the County Clerk's Office letter to the Mayor's Office.

COUNCILMEMBER HOKAMA: My understanding, Chairman, is once a person resigns, the Mayor has a clock ticking to submit a name to Council to fill that vacancy by the individual's resignation and that is my question.

MR. MOLINA: Okay.

COUNCILMEMBER HOKAMA: That is my understanding of when the clock starts on the Mayor to submit a name within the time specified by Charter to recommend a nominee to Council. My question is whether or not that...when was that clock started and whether or not it is already part of the Council's responsibility now to make that determination and choice and not go with the nomination from the Mayor.

CHAIR VICTORINO: Mr. Kushi?

MR. KUSHI: Yes, Mr. Chair, Member Hokama, the Charter on Section 13-2, Paragraph 17 regarding vacancies just says within 30 days of the occurrence of a vacancy the Mayor shall submit to the Council a name of the Mayor's nominee to fill that vacancy. So it plainly says within 30 days of the occurrence. Now there's also a County Code section...one moment, Mr. Chair.

CHAIR VICTORINO: Yes, go ahead.

MR. KUSHI: Section 2.41.040, Maui County Code, notice of vacancy, the Mayor shall notify the Council in writing of any vacancy on any board, commission, or committee within five days of said vacancy. So there's two processes here. The Mayor shall notify the Council of any vacancy within five days.

COUNCILMEMBER HOKAMA: Okay, got it.

MR. KUSHI: But that date, five days, then he has 30 days from that, from the date of the vacancy to submit a replacement.

COUNCILMEMBER HOKAMA: Okay.

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MR. KUSHI: So I'm not sure what the fact pattern is here.

COUNCILMEMBER HOKAMA: Chairman, can you...

CHAIR VICTORINO: Can I...before you go any further, Mr. Hokama, I would like to show each one...I don't know, do they have a copy of this, Ms. Willenbrink? We are in receipt of a fax from Mr. Barfield to the Mayor dated June 16, 2016. Okay. And then I have a copy here and I can give it to you folks, it's not a problem. And which he basically states, unfortunately I'm submitting my letter of resignation, unable to continue serving on the Lanai Planning Commission due to a conflict of work schedule and being foster parent of three young children, it leaves me very little time. I have been honored to work and be able to take part in the CPAC and Planning Commission which fall...which helped me shape Lanai's, helped shape Lanai's proper, in a proper way. Thank you for the opportunity to serve. So and it was state damped...date stamped--excuse me, oh boy, this morning I'm tongue twisted a little--June 16, 2016 at 3:04 p.m. If you want copies, I'll make copies for all of you but it's here available to you. So, Mr. Hokama, just to say, he decided in May but no official notice was given according to my records here until June 16, 2016. And that's what I have here, so if you have something different then please I need it, I need it to be presented.

COUNCILMEMBER HOKAMA: I think it's easy, Chairman. This was faxed from the Lanai DMVL Office.

CHAIR VICTORINO: That's correct.

COUNCILMEMBER HOKAMA: Okay. So let's go look at what is the date on that top.

CHAIR VICTORINO: Two thousand sixteen. It says right here...

COUNCILMEMBER HOKAMA: At 1:08 p.m.

CHAIR VICTORINO: Yeah. At 1:08 p.m.--that is correct, Mr. Chair...Mr. Hokama, I should say--from our DMV Office.

MR. MOLINA: Mr. Chair?

CHAIR VICTORINO: Go ahead, mister...wait, I mean hang on. Mr. Hokama, further questions in this area? I don't know if Mr. Molina wants to add anything to this discussion.

COUNCILMEMBER HOKAMA: Chairman, no, more about, you know, it's interesting. I get a lot of questions when I go home about, especially about this one, and especially from our own company retirees, interesting enough, about who is serving on our Commission for community's benefit. And it's been interesting hearing the comments from our own retirees 'cause they're interestingly enough, they sit in the park but they pay a lot of attention to what goes on in the whole city and on the island. So they have been making comments to me individually, some collectively about their union.

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What I will say though, my understanding at this time is that there are currently without this consideration three people on company payroll. Okay. The company just shut down Mr. Ferguson's restaurant and then now has offered him employment so he works for the company also. Ms. Baltero is also part of that, and Ms. Badillo, so that's already three existing commissioners on company payroll. You know for me, Chairman and Members, I believe that they should have some representation on the Commission. They're still part of this community, they're a large part of our community, they should have a seat, they should have a voice. But I would agree, no one group should have a majority of the Commission seats. That is not healthy in our, for our community's needs, especially for me seeing how for certain things we're going backwards from 1954. You know I grew up in an era that you was not to be afraid of the employer. They had their rights, they had their issues, but you should be standing up for what was right for the community and what was right for labor. There was no marriage and sleeping in bed together. Well, times have changed. But the independence of the labor voice needs still to be presented and maintained in that manner, independent labor voice for the betterment of the community of those residents that they serve in. For me, I think the community has brought up a good point. I don't need to see every single company proposal end up in litigation because of the amount of members employed by the company. That's not healthy either. Nor is it enough that they have so many seats that they cannot override a decision by reconsideration of two-thirds vote, so for me it is a parliamentary procedure issue too. But the key one that I am asked over and over by those within the union, retirees, others is how have they participated in the community? Have they been at the meetings? Have they shared thoughts about what is important? Do they understand the role of a Special Management Area request and what is their jurisdiction and responsibility? And has it been explained to that prospective commissioner, you can be sued and financially held responsible for your decisions as an officer of this County by accepting this role. Has that been explained to those people, legal responsibility, financial responsibility? What's the difference between conditional permits and special use permits? I think commissioners should be aware of the magnitude of the responsibility that they are being asked to serve in, and this is not something to be taken lightly. Like I said, they can be taken to court for their decision. Has that been explained? But I think the key one for our community right now is how has the individual served? Have they been attending important public meetings? Have they been able to speak and share their thoughts about what they felt was important for the community? That is the questions that is asked to me. I don't think it's my job to speak for the nominee. I think the nominee or individual needs to speak for themselves why they're qualified, why they want to serve, and why this Council should prepare and give them that opportunity. I don't have a problem giving people opportunities, but I would hate to put them in a position that they're totally unaware of the magnitude and responsibilities they hold by being one of nine decision makers and at many times, the final decision maker on various applications before this Commission. So that's my comments at this time. I would ask Ms. Olbinado at, when she is ready at this meeting, to please give us some comment about why she would like to serve and how she has participated in our community so that we can be open to supporting this consideration, Chairman. Thank you.

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CHAIR VICTORINO: Thank you, Mr. Hokama. With no objections, I will ask Ms. Olbinado to please speak to his question, if that's, if the Members are okay with that?

COUNCILMEMBERS: No objections.

CHAIR VICTORINO: Okay, thank you. Denise?

MS. FERNANDEZ: Hi, Chair.

CHAIR VICTORINO: Did you hear the request from Mr. Hokama?

MS. FERNANDEZ: Yes, and Ms. Olbinado is right here.

CHAIR VICTORINO: Okay. Ms. Olbinado, please?

MS. OLBINADO: Hi.

CHAIR VICTORINO: Do you want that question restated?

MS. OLBINADO: Please do.

CHAIR VICTORINO: Mr. Hokama, would you restate your question?

COUNCILMEMBER HOKAMA: Okay. Adela, if you can tell the Committee this morning please what is your experience with community meetings, and have you participated at various public meetings stating your thoughts about what you thought was good or bad for the community regarding planning? And what are your other experiences so that you could share with us so we can be confident that you can do your job as a Planning Commissioner?

CHAIR VICTORINO: Go ahead, Adela.

MS. OLBINADO: Yes. I just want to get involved for the planning committee [sic] and also in the community like to help some kids and like, you know, to know like what's going on on Lanai. And well, it's my first time. Well, I went, I've been to some of the meetings, but I am not part of the planning committee [sic]. But from now that I have the, you know, I have a chance to be a part of the planning committee [sic] and, you know, I just wanted to get involved.

CHAIR VICTORINO: Yeah. I guess Mr. Hokama's question also asked if you have been involved in other areas, as well as the Planning Commission but other areas in the community, other community groups, or do you participate and take an active part in other groups within your community there on Lanai?

MS. OLBINADO: Yeah. Like well, I was active in the church, you know, like church, Catholic church, and as a community I was active, you know, part of that.

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CHAIR VICTORINO: Mr. Hokama, any more clarification?

COUNCILMEMBER HOKAMA: No, I know the reality of the island, Chairman.

CHAIR VICTORINO: Yeah, okay. Thank you. Any other questions for the nominee? I'll start with you, Ms. Crivello, and then work right down. Wait, hang on.

COUNCILMEMBER CRIVELLO: Thank you, Chair. My question I guess would be to Adela Olbinado, what do you see your role as a member of the Lanai Planning Commission? Or what do you see the purpose of the Lanai Planning Commission? Aside from you wanting to get involved, do you have an understanding of the role of the Lanai Planning Commission?

CHAIR VICTORINO: Adela, did you hear the question?

MS. FERNANDEZ: I'm sorry. She was unable to hear that. Can you kindly speak closer to the mic please?

CHAIR VICTORINO: Okay.

COUNCILMEMBER CRIVELLO: Thank you. I'd like to know if the applicant understands and knows the role of a Planning Commissioner. Do you understand what role you have as a member of the Lanai Planning Commission?

CHAIR VICTORINO: Adela?

UNIDENTIFIED SPEAKER: . . . *(inaudible)* . . .

CHAIR VICTORINO: Could you repeat that?

MS. OLBINADO: Sorry, I never really understand what she said. Can you repeat it again?

CHAIR VICTORINO: Ms. Crivello, one more time.

COUNCILMEMBER CRIVELLO: Do you understand what your job is as a member of the Lanai Planning Commission?

MS. OLBINADO: Yes.

CHAIR VICTORINO: Okay. And that is?

COUNCILMEMBER CRIVELLO: Do you know what you are responsible for and what decisions are, need to be made on the island's behalf? Do you know what sort of issues you would have to address?

CHAIR VICTORINO: Adela?

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MS. OLBINADO: Yes, I do.

CHAIR VICTORINO: No further questions? Okay, thank you. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you, Ms. Olbinado, for putting yourself out for being on a board and commission, the Lanai Planning Commission. I guess I want to follow up on Ms. Crivello's question. You say you understand what the Planning Commission's job or commissioner's job is. Can you give us a little bit more of an understanding of your understanding? Just that, you know, you say you understand, but what kind of things are you going to be asked to do on the Lanai Planning Commission?

CHAIR VICTORINO: Adela, did you get that question?

MS. OLBINADO: Sorry, the last part, I never really understand.

VICE-CHAIR COUCH: Do you know...can you give us some examples of what you'll be asked to do on the Lanai Planning Commission?

MS. OLBINADO: Yeah. Like I've been to two times of the planning committee [sic], like I said I'm never part of that but I just wanted to know what's going on on Lanai. And like some, like, you know, you said you gotta be like supportive to the island of Lanai and, you know, sometimes you cannot just say no or you cannot just say yes, but like I said, it's my first time to be a part of the planning committee [sic]. And I just want to get know like what's going on on Lanai and like, to be a part of the community.

VICE-CHAIR COUCH: Okay, thank you. And one last question is, it's a big commitment, are you able to make the meetings? Are you going to be able to make the meetings and do all the required homework before? 'Cause typically a Planning Commission meeting requires several days' worth of reading beforehand and then the actual meetings.

CHAIR VICTORINO: Adela?

MS. OLBINADO: Well, to be honest I always work like Wednesdays, but I can, you know, I can take off just for the meeting. But I cannot promise that like every month or every meeting that I can come. But I will try my best to go to the meeting.

VICE-CHAIR COUCH: Thank you, Mr. Chair.

CHAIR VICTORINO: Thank you. Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, Chair, I actually don't have any further questions for Ms. Olbinado. I do have questions for Corporation Counsel though.

CHAIR VICTORINO: Afterwards. Yeah, I want...

COUNCILMEMBER COCHRAN: So at this time --

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CHAIR VICTORINO: Yeah, please.

COUNCILMEMBER COCHRAN: --I mean just hearing the conversation between my past Members here, I don't have any further questions. Thank you, Chair.

CHAIR VICTORINO: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you, Chair. And thank you, Adela. I'd like to thank you for volunteering to serve on the Commission. I think you already have figured out this is a very big commitment.

... (feedback from audio system) ...

CHAIR VICTORINO: Okay, hang on. Hang on. Hang on. You...I mean, Denise, you need to turn your sound down I think. Okay.

... (feedback from audio system) ...

CHAIR VICTORINO: No, too close.

COUNCILMEMBER COCHRAN: It's feedback.

CHAIR VICTORINO: Okay. I'm going to ask the Members to speak more closely to their microphones if they don't mind please. Okay, go ahead, miss...hang on now, we're going to try again. Go ahead, Ms. Baisa.

COUNCILMEMBER BAISA: Okay, let me try again. Maybe I am too close and sometimes that causes this reverberation, but I wanted her to be able to hear me. Adela, I want to thank you for volunteering to be on the Planning Commission. You probably are not aware of all of the duties and responsibilities of this job, but often...

... (feedback from audio system) ...

CHAIR VICTORINO: Brief recess, subject to the call of the Chair. *... (gavel) ...*

RECESS: 9:54 a.m.

RECONVENE: 9:56 a.m.

CHAIR VICTORINO: *... (gavel) ...* The meeting of the Policy and Intergovernmental Affairs will reconvene. Ms. Baisa, you were asking a question so go ahead and repeat your question please.

COUNCILMEMBER BAISA: Okay, let me start all over. Adela, again I want to thank you for volunteering to be on the Planning Commission, and I have been listening with interest to the discussion here. And I understand that this is a very important

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commission, and I think you're beginning to understand that, listening to all of the discussion here today. And obviously your position, if I'm getting this correct and I want you to confirm this, is that while you do not totally understand what the Planning Commissioners do, you have some idea 'cause you sat in on a couple of meetings, and you are willing to learn from participating and from the other members what the duties are. Is that correct?

MS. OLBINADO: Yes.

COUNCILMEMBER BAISA: Okay. You know often we take on things and we're not fully sure about what we're going to be required to do. I think that happens even here on the Council. But I am excited that you want to do this. And if you have the time and the commitment to the people of Lanai then...and you're making that commitment, the time and the commitment, are you willing to commit to that?

MS. OLBINADO: Yes.

COUNCILMEMBER BAISA: Okay. Well, then I don't have any further questions for Ms. Olbinado, Chair.

CHAIR VICTORINO: Thank you. Mr. Carroll? No questions. Now that we have a clearer form of communication, I'll go back to Mr. Couch because I know you were having some real challenges with the questions. Adela, he's going to ask his questions again, if you have another answer, that's fine, 'cause I know we were having some transmission problems. Go ahead, Mr. Couch.

VICE-CHAIR COUCH: Thank you, Mr. Chair. Okay, let's try this again. My first and biggest question is the time commitment. You just said yes to Ms. Baisa, but it sounded like to me when you asked me a question or when you answered my question, you said you couldn't commit to every month and the extra nights of homework.

CHAIR VICTORINO: Adela?

MS. OLBINADO: Yes. Sorry, I never really understand the question.

VICE-CHAIR COUCH: It takes a lot of time, it takes a couple days' worth of homework reading before a meeting and then attending a meeting. My question to you is are you able to attend most of the meetings?

MS. OLBINADO: Yes.

VICE-CHAIR COUCH: Okay. And that's all. Thank you, Chair.

CHAIR VICTORINO: Okay, thank you. Ms. Crivello, I know again you were asking questions.

COUNCILMEMBER CRIVELLO: It's quite all right.

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CHAIR VICTORINO: It's quite all right. Okay. I'm just trying to make sure that now she can understand and we got a better connection. Okay. Mr. Hokama, do you have anything else you'd like to ask?

COUNCILMEMBER HOKAMA: Are you currently on the night shift at the hotel?

CHAIR VICTORINO: Adel? Adela, I should say.

COUNCILMEMBER HOKAMA: Isn't your assignment at night? Don't you work on the night shift for the hotel?

MS. OLBINADO: Can you repeat again? Sorry, just the last part I hear, just the hotel. I never understand what...

CHAIR VICTORINO: The question is are you working on the night shift at the hotel? Sorry, Mr. Hokama.

MS. OLBINADO: Yes.

CHAIR VICTORINO: Yes.

COUNCILMEMBER HOKAMA: So I'm confused by her various types of responses to the same type of question, Chairman, she can make the meetings, she cannot make the meetings. We know that she works at nights, that's her regular job assignment.

MS. FERNANDEZ: Riki, we have a hard time hearing.

CHAIR VICTORINO: Okay. If you'd go a little closer, Mr. Hokama, so they can hear your --

COUNCILMEMBER HOKAMA: Yeah.

CHAIR VICTORINO: --response.

COUNCILMEMBER HOKAMA: You need to be consistent on your responses. You gave us two different responses to the same basic question on whether you can attend meetings or not, and yet you also tell us you work at night. So what is the real answer? Can you commit to attend this very important Commission and its scheduled meetings or can you not make those meetings?

CHAIR VICTORINO: Adela, did you hear the question?

MS. OLBINADO: No, sorry.

CHAIR VICTORINO: Okay. The question is Mr. Hokama is asking because you work on the night shift, are you able to commit to attend most of these meetings which are held in the evening on Lanai?

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MS. OLBINADO: I'll try my best.

CHAIR VICTORINO: You're going to try your best is your answer? Am I correct, Adela?

MS. OLBINADO: Yes.

CHAIR VICTORINO: Okay, thank you. I just want to make sure it's on the record.
Mr. Hokama?

COUNCILMEMBER HOKAMA: You know it's a difficult thing for the nominee also, because I have attendance report of the last three years and I know who shows up and who doesn't show up at all our meetings. So I'm concerned about her requirement to work at night and the ability to attend those meetings especially with our Department who seems to cancel a lot of meetings for our island and our commissioners. If I may ask another question, Chairman?

CHAIR VICTORINO: Go ahead, Mr. Hokama.

COUNCILMEMBER HOKAMA: Ms. Olbinado, we just updated the Lanai Community Plan and we had concerns and various issues regarding the update. Can you tell me this morning what your thoughts are regarding the new updated community plan and whether or not you believe it is in the right direction for Lanai to move forward in the next 20 years from a planning perspective?

CHAIR VICTORINO: Adela, did you hear the question?

MS. OLBINADO: Yes. To be honest, I never go to the meeting so for now I cannot answer you to that question. But like I said I'll try my best to go to all the meetings so every, you know, like the community knows what's going on on Lanai.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR VICTORINO: Thank you very much. Mr. Hokama. Any further questions for Adela?

COUNCILMEMBER HOKAMA: One last one.

CHAIR VICTORINO: Oh, go ahead.

COUNCILMEMBER HOKAMA: Yeah. Ms. Olbinado, what made you want to apply for this position? Was it by your general interest? Were you requested to apply? And if you did want to serve, is only the Planning Commission your interest or did you want to serve in any type of community service whether it be Liquor Commissioner, Fire Commissioner, Civil Service Commissioner, Public Works Commissioner? Is there other areas of interest you had demonstrated a desire to serve or you were just asked to serve on Planning Commission?

CHAIR VICTORINO: Ms. Olbinado, did you understand that question?

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MS. OLBINADO: Yes.

CHAIR VICTORINO: And your response?

MS. OLBINADO: Yeah, and my...I mean my answer is because I work two jobs and I just wanted to involve on the planning committee [sic], so I...somebody asked me about the Liquor Commission but like I said, I told them that oh, I don't think I can because I work two jobs.

COUNCILMEMBER HOKAMA: Okay. And we thank you for, you know, we understand the realities of Lanai, it's expensive, there's limitations, and so I commend you working two jobs. Saying that, your, from your side working two jobs, you have another employer that gets impacted by your service to the Commission. What does your other employer say regarding your willingness to serve since you work for two employers?

CHAIR VICTORINO: Ms. Olbinado? Did you hear the question?

MS. OLBINADO: Yeah, I heard the question.

CHAIR VICTORINO: Okay.

MS. OLBINADO: Yeah. Nothing, it's just I can work it, you know.

CHAIR VICTORINO: So your response is you can work it out with your second employer?

MS. OLBINADO: Yes.

CHAIR VICTORINO: Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR VICTORINO: Okay. And I'd like to recognize the attendance of our Vice-Chair, Mr. Guzman. Thank you for being here.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR VICTORINO: Put 'em on.

COUNCILMEMBER GUZMAN: Thank you. Thank you, Chair. I had a doctor's appointment this morning. Thanks.

CHAIR VICTORINO: I know the feeling. I know the feeling. Okay, any other questions for the nominee? Okay. Seeing none, thank you very, very much. And hang in there, we'll be discussing in a few minutes and you can listen in what's going on. And then hopefully we will come to some resolution. Thank you very much. And thank you for, you know, your willingness to serve. You know like Ms. Baisa, I know it's always

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difficult to put yourself out in the public for scrutiny and also commitments. You know and we're interested in commitments and the ability to learn, especially learn the important issues that are going on in any community, especially in the area of planning. That is our future. The present teaches us that if we don't do the right thing, the future could be bleak. So I think, I just wanted that clarified why all the questions about your attendance, you know, being able to study, to be able to take time to understand the various aspects of the Planning Commission and the decisions that are made there. Are you okay with that, Adela?

MS. OLBINADO: Yes.

CHAIR VICTORINO: Thank you. Thank you. Okay. Seeing no more questions, you, Ms. Cochran, had a question for the Administration. Go ahead, Ms. Cochran.

COUNCILMEMBER COCHRAN: Yes. Thank you very much, Chair. I guess it's in regards...first of all, I just want to make sure that the first line of questioning via Mr. Hokama in regards to the posting, you know, the Mr. Barfield resignation date and then the memo sent and all of that. Is that all in line? I couldn't really follow the dates and the answers that Mr. Kushi gave us. I was trying to figure all that out, so just a direct answer from that.

CHAIR VICTORINO: Mr. Molina, I'll allow you to answer that.

MR. MOLINA: Thank you very much, Mr. Chair. And I had requested to speak on that earlier to make a clarification on Mr. Barfield's resignation. He did indicate to us via e-mail he wanted to resign. The Administration does not recognize unsigned resignation letters such that as an e-mail. We request either fax, a signed fax resignation letter or a hard-copy, signed resignation letter which is why the resignation was received by your Committee on June 16th on that fax. So that was the reason for the delay, because we do not recognize the resignation until it is actually signed by the board member.

COUNCILMEMBER COCHRAN: Okay. So that was the June 16th fax that Chair Victorino read to us.

MR. MOLINA: That is correct.

COUNCILMEMBER COCHRAN: And then that 5 days' notice and then 30 days thereafter, all those timelines were met?

MR. MOLINA: Yes.

COUNCILMEMBER COCHRAN: Okay, all right, very good. And, Chair, the next one is in regards to, it was via testimony, and I think also in opening comments from Mr. Hokama, alluding the fact of people, I guess, having conflict of interest on the Commission in regards to working for the company. Or I think this particular applicant's husband works for the company, and is there a relation in regards to

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conflict, gaining some type of monetary, you know, advantage via her decisions upon the Commission? Or even existing people...

CHAIR VICTORINO: Ms. Cochran, I want to correct you. She works for the company.

COUNCILMEMBER COCHRAN: Oh, okay.

CHAIR VICTORINO: I'm not sure about the husband but she works for the company. He was mentioning on the legal opinion given, if he or she, in other words, if a husband or wife worked for the company and let's say the husband was not the employee but the wife was, there could be a possible conflict of interest because again, the household depends on the income.

COUNCILMEMBER COCHRAN: Right.

CHAIR VICTORINO: I think that's what was being discussed. But she works for the company. I'm not sure about the husband but I know she definitely does work for the company.

COUNCILMEMBER COCHRAN: Okay. And so in that respect then, is there a potential of conflict? I mean will she be having to recuse any time, you know, Pulama is applying or having any type of decision upon their requests and what have you? Is that going to come up? Has that come up with existing sitting members that are part of the company?

CHAIR VICTORINO: I'll leave it to Mr. Molina or Mr. Kushi, 'cause I don't have minutes of all the meetings and so I couldn't answer that question. Mr. Kushi?

MR. KUSHI: Yes. Mr. Chair, Member Cochran, yes, it has come up. This is nothing new. There's several opinions by the Board of Ethics on this. But I think basically it's on a case-by-case basis and it involves "financial interests." So it will, you know, continue to come up.

COUNCILMEMBER COCHRAN: And so, Chair, a follow-up if I may? Mr. Kushi, financial interests could also mean employed, thereby you're receiving a paycheck, wages per se from the company, and you're making decisions for that company who pays your wages. Is that, I mean is there a tie there to deem it a conflict?

CHAIR VICTORINO: Mr. Hokama? I mean Mr. Kushi? Excuse me.

MR. KUSHI: The answer is yes, and it can go further than that. It could be one, two step removed. But again, it's on a case-by-case basis, depending on the application, depending on what status the member has in the organization, et cetera.

COUNCILMEMBER COCHRAN: Okay.

MR. KUSHI: But we always say when in doubt, get a ruling from the Board of Ethics.

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COUNCILMEMBER COCHRAN: Right. Okay.

MR. KUSHI: Mr. Couch was sitting on a lot of 'em.

COUNCILMEMBER COCHRAN: Thank you, Mr. Kushi. And I understand the case by case point.

CHAIR VICTORINO: Okay.

COUNCILMEMBER COCHRAN: And those are...yeah. Thank you, Chair. Those were some of my main points. Thank you.

CHAIR VICTORINO: Other questions for the Corporation Counsel or Mr. Molina? Ms. Crivello?

COUNCILMEMBER CRIVELLO: Yeah. So, Mr. Molina, are your...any other applicants that are not employed by the landowner?

MR. MOLINA: Yes, we do have several on file.

COUNCILMEMBER CRIVELLO: You do. And they were not taken into consideration?

MR. MOLINA: They were taken into consideration but the Administration decided to go with Ms. Olbinado.

COUNCILMEMBER CRIVELLO: Oh, I see. Only because there's all these questions of being employed. And so --

MR. MOLINA: And certainly a good question to ask.

COUNCILMEMBER CRIVELLO: --but you don't have much of a choice though yeah? Okay, thank you.

CHAIR VICTORINO: Other questions for the Administration? Yes, Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And I don't know if Mr. Molina or Mr. Kushi would know this, but have there been instances where basically somebody who works for either the Four Seasons or...which I understand she works for Four Seasons which is not Pulama. Is that correct?

MR. MOLINA: I believe what's listed on her application is the Four Seasons Resort, in-dining coordinator so I would assume she works, she's employed by the hotel itself.

VICE-CHAIR COUCH: Right.

MR. MOLINA: So yeah.

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VICE-CHAIR COUCH: Okay. So if an item from the Four Seasons comes up then that's when they have to determine whether or not they recuse themselves or some...well, not much would come up from the ILWU. How often has this happened that, you know, either Four Seasons or Pulama or ILWU members had to recuse themselves because of conflict?

MR. MOLINA: Councilmember, maybe I'll either yield to Mr. Kushi or I could get some information in writing to the Committee from the Planning Department who oversees this Commission. I'm sure the Commission Secretary would have minutes and quite possibly with the Corp. Counsel who was there, who's there at those particular meetings. Those issues I'm sure may have been raised in the past. But at this juncture, I cannot give you any clear-cut response to that question.

VICE-CHAIR COUCH: Okay. Mr. Chair, if we could get that before the Council meeting that we have to vote on this, that would be nice. My only question --

CHAIR VICTORINO: Yeah.

VICE-CHAIR COUCH: --my only concern is if one has to recuse themselves and there's three there so then all three may have to recuse and then it gets touchy.

CHAIR VICTORINO: Well, okay --

VICE-CHAIR COUCH: But that's, that --

CHAIR VICTORINO: --let me ask...

VICE-CHAIR COUCH: --would be a concern I have.

CHAIR VICTORINO: Well, okay, let me ask you this question. The other three, are they all working at Four Seasons? Because I just heard you say, Mr. Kushi, you mentioned Four Seasons and the question was brought up by you that she doesn't work for the company, she works for Four Seasons. That's maybe an indirect way of saying it, but you have a good point because Four Seasons operates as their own cooperation. They have the contract to manage the hotel, if I'm correct in saying that. Mr. Kushi, am I correct in saying that?

MR. KUSHI: Yes, Mr. Chair. And I don't know myself about the connection between --

CHAIR VICTORINO: Okay. Okay, so...

MR. KUSHI: --the company and Four Seasons, you know.

CHAIR VICTORINO: Yeah. You know again this becomes more grey in that respect, you know, so but I just want that clarification. Of the other two that are...or the other three who presently...and since you have it there right in front of you, Mr. Hokama, I'll

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ask you this question. Do they work for Four Seasons or do they work for other divisions or other parts of the Pulama corporation?

COUNCILMEMBER HOKAMA: I think...

CHAIR VICTORINO: And I'm sorry to put you out, but please.

COUNCILMEMBER HOKAMA: I believe currently Ms. Badillo works for the Four Seasons side.

CHAIR VICTORINO: Okay, that's two. Okay.

COUNCILMEMBER HOKAMA: And then Mr. Ferguson works for the Pulama's construction component.

CHAIR VICTORINO: Component.

COUNCILMEMBER HOKAMA: Yeah.

CHAIR VICTORINO: I thought there was another one. I thought you said there was four if we added...

COUNCILMEMBER HOKAMA: This would be the fourth.

CHAIR VICTORINO: This would be the fourth. So the one works...

COUNCILMEMBER HOKAMA: The three currently is Mr. Ferguson --

CHAIR VICTORINO: Okay, got it.

COUNCILMEMBER HOKAMA: --Ms. Badillo --

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: --and Ms. Baltero.

CHAIR VICTORINO: Okay, and Baltero is at?

COUNCILMEMBER HOKAMA: The hotel.

CHAIR VICTORINO: Four Seasons also or --

COUNCILMEMBER HOKAMA: Yes.

CHAIR VICTORINO: --the Lodge?

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COUNCILMEMBER HOKAMA: Yeah. So I think only Mr. Ferguson works for the construction side --

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: --of the...

CHAIR VICTORINO: Okay. So the possibility of three working for the hotel is what we're looking at right now?

COUNCILMEMBER HOKAMA: Or it's...

CHAIR VICTORINO: Possibly, yeah.

COUNCILMEMBER HOKAMA: Or associated to the landowner.

CHAIR VICTORINO: Yeah.

COUNCILMEMBER HOKAMA: Yeah.

CHAIR VICTORINO: Okay. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you, Chair. While I've been waiting, you know, some of what I was thinking about has been discussed.

CHAIR VICTORINO: Okay.

COUNCILMEMBER BAISA: But I was trying to get the math. I understand that if we were to confirm this woman that there would be four people with ties to, you know, the hotels or Pulama Lanai or whatever, and I keep hearing a majority. There's nine members on this Commission right? Or there should be. So four do not constitute a majority. So I just thought that was interesting math that we ought to note. Thank you.

CHAIR VICTORINO: Thank you. Yes, Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. One last question if Mr. Molina knows, there was a testimony stating that some of the appointees that we've put on there or we've approved have not shown up to a meeting once kind of thing. I'm not sure what...does that mean...and I probably should have asked the testifiers, but I saw the letter and it sounds like we've put some people on the Commission and they have not shown up for the meetings. Are you hearing that?

MR. MOLINA: Councilmember, only from what I've been hearing in testimony, and then of course some of the letters that have been sent as well. For me right now, I can't explain that or provide you an answer to that again, who actually goes to the meetings, and it's hard to say who, the Planning Department knows, other members of the community. And if these particular nominees do show up and participate, I

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currently don't have that information for you right now. I can make an effort to try and get that for you. I believe you're talking in this case of Ms. Olbinado and are you talking about possibly the other two current sitting members of the Commission prior to they were confirmed by you, if they had attended previous public meetings, would you like that, try to get that information as well or just related to Ms. Olbinado?

VICE-CHAIR COUCH: Maybe I misunderstood the testimony but it sounded like that if we...

CHAIR VICTORINO: Already on.

VICE-CHAIR COUCH: They were already on the Commission and they haven't shown up to the meetings.

MR. MOLINA: I've heard that as well. And if I may, Mr. Chair, just add one clarification. With regards to my earlier comment about for the record with regards to the numbers of who's tied to the hotel. I went off the applications with regards to Mr. Ferguson so on that, his application of course, we were unaware of the update with regards to his restaurant. So at the time, I was under the assumption he was just still the restaurant proprietor, but now that he sold and is now on the payroll so to speak of Pulama. So again I want to thank Councilmember Hokama for making that clarification. So if you do confirm this particular member, the number would stand at four. Thank you.

CHAIR VICTORINO: Which doesn't constitute a majority but yes, you know, you're getting very close. Before I recognize you, Ms. Baisa, I wanted to ask you, on this cancellation of meetings that I have been told has happened on numerous occasions by the Department, are these meetings being cancelled due to lack of quorum each and every time, is that the main reason? Or are there other reasons like unavailable staff? What is the specific reasons for these meetings being cancelled?

MR. MOLINA: Mr. Chairman and Committee Members, from what I've been told, the majority of the time when the meetings are cancelled is, are quorum issues. There may have been an occasion or two where there may not have been enough, I guess, agenda items to constitute a regular meeting. But it is my belief it's more related to quorum issues. However, I can get a response to the Committee from the Planning Department for more...to confirm my comments if you prefer, Mr. Chair.

CHAIR VICTORINO: Okay. Okay. Thank you. I think unless there's any...you have a question, Ms. Baisa?

COUNCILMEMBER BAISA: Essentially that was my question but I, if I remember correctly, earlier, Mr. Hokama held up some papers that were attendance sheets, and I don't know if that's what it is, if I got that correctly, Chair.

CHAIR VICTORINO: Is that attendance sheets or just the makeup of the Committee, Mr. Hokama?

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COUNCILMEMBER HOKAMA: It is my office's work to, how we kept track of who was attending --

CHAIR VICTORINO: Right.

COUNCILMEMBER HOKAMA: --what meetings, who was excused, who was absent, what was cancelled. So yeah, we got this from all public records, Chairman.

CHAIR VICTORINO: Okay. So can I ask you, does my statement hold any water as far as the cancellations due to quorum as being the main reason for most of these meetings...

COUNCILMEMBER HOKAMA: It doesn't state the reason for the cancelled meetings.

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: All I can tell you is from a period of like from February 2014 to what is that, June, four months, the Department cancelled every meeting. Okay. So we didn't meet for a whole quarter --

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: --our Commission.

CHAIR VICTORINO: But it doesn't state what the reason?

COUNCILMEMBER HOKAMA: It doesn't state the reason for the cancellation, but Mr. Molina is accurate, most of the time it is because of quorum --

CHAIR VICTORINO: Quorum issues.

COUNCILMEMBER HOKAMA: --issues.

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: So I know who has been attending and who hasn't been attending. And your at-large community members tend to always attend.

CHAIR VICTORINO: Okay. Any other questions for the Administration and/or...yes, Mr. Molina?

MR. MOLINA: Mr. Chairman, Committee Members, I'd like to offer, we could send you the attendance records of the Commission for if you prefer the last two or three years if that's something you would prefer just for, to help you make a decision...

CHAIR VICTORINO: I would prefer three years if I could.

MR. MOLINA: Over the last three years?

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CHAIR VICTORINO: Yeah, that would be my request.

MR. MOLINA: Okay.

CHAIR VICTORINO: Okay, yes, Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Mr. Molina. But, Mr. Molina, my thought is if you're hearing and seeing this occurring, what steps are you taking to avoid it and to rectify what's going on, if any?

MR. MOLINA: In terms of the selection?

COUNCILMEMBER COCHRAN: To making sure that people are showing up and look into the reasons why there's lack of quorum and why months on end, meetings are not happening. I mean to a certain extent we just can't put someone on and have them today say yeah, yeah I'm going to be there, do my best, and then they not show up and now the work of the island is not being done. I...

MR. MOLINA: Councilmember, that's certainly a good question to ask. I think in one of Councilmember Hokama's earlier responses to Chairman Victorino with regards to this question, I believe the plane crash that took place recently, I think that may have been one reason why the Department had maybe postponed meetings at the time, along with quorum possibly.

CHAIR VICTORINO: Well, I can tell you the actual date was February 26, 2014, so it correlates.

COUNCILMEMBER COCHRAN: Yeah, that's two years ago.

CHAIR VICTORINO: And again, I'm going to stop the questioning right here, because I think now we've gone into an area where I don't want to go to. Okay. I think I've got the picture. I believe I understand that in some of these cases the plane crash was part of it, and the period we're talking about may have been the big part of it. But since then, I guess what we need to know is how have the meetings being conducted? Are they having regular meetings or are they having quorum issues? I guess that's the question. I agree with Ms. Cochran, and if there is, then what remedies does the Administration hope to put together? Okay.

MR. MOLINA: Okay.

CHAIR VICTORINO: And I understand it's not an easy situation but we need to rectify this. Because we're depending on people to be there, and if they cannot be there then why appoint 'em? I mean that'd be my first response. Secondly, as far as people learning and understanding and getting better at something they do, I can remember 15 years ago when I started on the Board of Water Supply, I had very little knowledge of what water. But I can stack up with anybody today, anywhere in this State as far as water

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issues are concerned. But I taught myself, I learned, I studied, I made it a point to do all my homework, Mr. Couch. I did it. But, you know, again, are others committed? I don't know, I cannot speak for others. So it's your decision now whether we bring this forward or not, because we need an answer because it's gotta come on, I gotta bring it up on Friday to make a decision one way or the other. We're kind of running against the time clock. For all the reasons, whatever, it is right here, it shows that the thing...the fax was received on June 16th, so and our letter from the Mayor was dated July 15th. As far as I can see, all the timeframes from the Administration fell in line. Whose fault, what fault, I cannot put any fault with anybody, these are the facts that I have in front of me. So you're deciding whether this young lady is qualified or not or do you want her to be a part of the Lanai Planning Commission? I guess that's what we're coming down to now. Am I correct in my statement? So I'm going to make my recommendation and let the cookie crumble where it may. Well, I mean I'm asking, do you want me to do that?

VICE-CHAIR COUCH: Mr. Chair?

CHAIR VICTORINO: Yes?

VICE-CHAIR COUCH: Regardless, you're going to have to do that, because at the Council meeting we're going to have to vote whether to approve or disapprove.

CHAIR VICTORINO: If I defer this it becomes a no vote if, I've been told by...

VICE-CHAIR COUCH: Right.

CHAIR VICTORINO: Yeah, it's a no vote.

VICE-CHAIR COUCH: And we have to do it at the...if you don't discharge it then it becomes, she automatically gets on if you don't discharge it by September 9th, correct?

MS. WILLENBRINK: Chair?

CHAIR VICTORINO: I think I...okay, I...okay, go ahead.

MS. WILLENBRINK: Point of clarification.

CHAIR VICTORINO: Yes, please.

MS. WILLENBRINK: If...for her nomination and Mr. Ropa's nomination are on the Council agenda for September 2nd.

CHAIR VICTORINO: It's there already. So it's, so no matter what we do today, it'll still be on the Council agenda already.

MS. WILLENBRINK: Today you defer.

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VICE-CHAIR COUCH: Yeah. So it doesn't matter which way we go. What's going to happen is...

CHAIR VICTORINO: Well, then what I'm going to do just to stop the, you know, stop the discussion and move on. Then I will make my recommendation to defer this nomination of Adela Olbinado to the Planning Commission. That's my recommendation, to defer.

COUNCILMEMBER BAISA: No objection.

CHAIR VICTORINO: Any objections?

COUNCILMEMBERS VOICED NO OBJECTIONS

CHAIR VICTORINO: Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, I thank you for your recommendation. I think that is suitable for this morning's meeting. I will say though in advance of a Council decision that we've already posted regarding this item, one, timing-wise I would just say it puts our community, it puts this individual and this Committee in a difficult situation.

CHAIR VICTORINO: Yes.

COUNCILMEMBER HOKAMA: Because I would like a Committee decision preferably when time allows.

CHAIR VICTORINO: Right.

COUNCILMEMBER HOKAMA: And I appreciate Mr. Molina's willingness to assist the Committee and the Members in its effort to get more information to make the best informed decision regarding this nomination. I would also ask Mr. Molina when he does present this, some of it is of course maybe lack of quorum, but, you know, if it is also because the Department had nothing to post as far as topics--although I find that farfetched knowing our island and its various issues--that would be good to know from the Department's perspective why they chose not to schedule a meeting if it was not because of quorum issues, Mr. Molina. I would like to have the Committee at least be informed of that. But for me, Mr. Chair, I can go with this deferral, because I would like to really have Ms. Olbinado think about this responsibility she says she wants to accept, but I'm not sure she understands the breadth of this responsibility. You know in this County, the commissioners of the planning area are pretty much your, what I would call your "A" category. It is of great importance whatever they decide as commissioners. And again, whether it be Federal law or State law or County law, they're required on two things, findings of fact, conclusion of law. Okay. That's the principles of Planning Commissioners and for us too, findings of fact, conclusion of law. So for me, Chairman, I would prefer we defer this. I'm also going to consider prior to that meeting, asking Ms. Olbinado to reconsider certain things, because one, I

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want her to be understanding--and any Lanaian who wants to take this job--the magnitude of responsibilities, including the financial responsibility and the ability to be taken to court for those decisions. Second, I think it's important that this body has the time, and I understand the demands on your schedule, Mr. Chairman, we all have those demands so I understand the timing factor. But I would like a Committee recommendation and I would prefer at this point in time that we consider down the road a denial for resubmittal so that we can have the right timing. Because I would like to go back to Lanai with these kind of things, Chairman, if and when possible. This is a big thing for Lanai, just like it would be a big thing for Molokai or Maui if it regards to those island Planning Commissioners. The role of those nine individuals to me is of great demand and importance that I don't want us to be double questioned on why we put someone on. It should be just that they are qualified, they are able to do it, they can perform, and their interest is only the betterment of the community. Thank you.

CHAIR VICTORINO: Thank you. And I appreciate those comments. And with no...again, I think I've made it clear we're gonna defer this and I think I got an okay from all of you to defer this matter. And at this time, I would like to take our mid-morning break. I'd like everybody to be back by 10:40, 'cause we really have a lot to do and we've spent an hour and half on just one nominee. So please be back at 10:40 in the seats and ready to go. This meeting is now in recess. . . .(gavel). . .

ACTION: DEFER pending further discussion.

RECESS: 10:31 a.m.

RECONVENE: 10:40 a.m.

Item PIA-2(30): NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(MAUI COUNTY CULTURAL RESOURCES COMMISSION) (CC 15-5)

CHAIR VICTORINO: . . .(gavel). . . The meeting of the Policy and Intergovernmental Committee will come back to order. Moving on to our next nomination, the next nomination is to the Maui County Cultural Resources Commission. The Committee is in receipt of County Communication [sic] dated July 15, 2016, received on July 15, 2016, from the Mayor's Office, transmitting the proposed resolution, entitled Relating to the Appointment of Michael "Kaleo" Ropa to the Maui County Cultural Resources Commission, along with a completed application form of the nominee. Now I just stopped because I realized Mr. Molina guys are not here. What the...

COUNCILMEMBER BAISA: Be nice.

CHAIR VICTORINO: Okay. And let me read this and then maybe they'll show up by the time I get to the end. The purpose of the proposed resolution is to approve or disapprove the appointment of Michael "Kaleo" Ropa to the Cultural Resources Commission, for a

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term expiring March 31 2020, filling the vacancy due to the resignation of Mikala Enfield. I would like to thank Ms. Enfield for her services to the Commission and wish her well. Deadline of the approval or disapproval of this nomination is September 13, 2016, so we're not able to report this out to the Committee in the time to meet this deadline. Therefore, the meeting is to discuss only my intent to defer this matter without taking action and request that it be discharged to the Council for its, our September 2, 2016 meeting so that it can be acted upon at that time. I understand Mr. Roper [sic] is in the Lanai Office waiting to be interviewed. Is that correct, Denise?

MS. FERNANDEZ: That's correct. He's waiting right here.

CHAIR VICTORINO: Okay, thank you. Can we make it a little louder? Hang on.

VICE-CHAIR COUCH: The mic is on.

CHAIR VICTORINO: Is the mic on?

VICE-CHAIR COUCH: Yes, it is, Ross tested it.

UNIDENTIFIED SPEAKER: Where's the speaker?

CHAIR VICTORINO: Can you try again, Denise, to speak up?

MS. FERNANDEZ: Sure, can you hear me now?

CHAIR VICTORINO: Okay, very good. Thank you, Denise. Hang on.

MS. FERNANDEZ: Sure.

CHAIR VICTORINO: Before Mr. Roper [sic] speaks, I was going to have Mr. Molina give a little introduction about Mr. Roper [sic], but since Mr. Molina is not here at this time, I would like to call upon mister...oh, here comes Mr. Molina. I don't know, he went go run get cards now.

MR. MOLINA: Parking pass.

CHAIR VICTORINO: Oh, parking passes. Yeah, we would not want them to get a ticket. Okay, Mr. Molina, you still can jog pretty fast, very good. Mr. Molina, I would like to ask you to give a little introduction about Mr. Roper [sic], and then I will call upon the nominee to speak about himself. Mr. Molina?

MR. MOLINA: Yes. Thank you very much, Committee Chairman Victorino and Committee Members. My apologies for being a little late, I wanted to make sure we have our nominees taken care of with their parking concerns. With regards to Mr. Ropa who's the Mayor's nominee to the Maui County Cultural Resources Commission, he's expressed an interest in serving, and it somewhat ties to his employment as well or the type of work he does for the Lanai culture and historic preservation organization. And

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he's indicated to us that it would not be a problem for his employer to be, to serve and attend the meetings here on Maui. So we'd like to humbly ask for your consideration of Mr. Ropa. Thank you.

CHAIR VICTORINO: Thank you, Mr. Molina. Before I call upon Mr. Roper [sic], I'm going to make one quick statement. Ms. Willenbrink, can you make a note in our minutes that from this point forward, that anytime we have any nominees coming, that somehow we work it out with the Administration to make sure they have parking passes.

MS. WILLENBRINK: I can do that, Chair.

CHAIR VICTORINO: Yeah, please. 'Cause this is kind of really not the way we should be conducting the business. Mr. Roper [sic], are you there? Mr. Roper [sic]?

MR. ROPA: Yes, I am, sir.

CHAIR VICTORINO: Okay. Michael, good morning. Would you like to give a little introduction on yourself so the Members get to know you just a little bit better and also the public at large?

MR. ROPA: Good morning, Council Victorino and Councilmembers. Thank you for your time. A little background about myself is I grew up on the Big Island. I retired from the Navy in 2003. I tried to make a living on Oahu but it was too hectic so me and my family moved to Lanai. My mom's side of the family is from Lanai. Her family goes all the way back to Kamehameha I. When Kamehameha I used to come to Kaunolu for the summer, my family was the one that took care of the area. They grew up on Keamoku so for me this would be a benefit for me, because I'm back here on Lanai trying to take the responsibility of my family, to learn about Lanai and share its history.

CHAIR VICTORINO: Is that it, Michael?

MR. ROPA: Yes.

CHAIR VICTORINO: Okay, thank you. So at this point, I will start with you, Mr. Hokama, and work our way down again. As the district representative I will give you first opportunity to question Mr. Roper [sic].

COUNCILMEMBER HOKAMA: Thank you, Chairman. Mr. Ropa...and it's Ropa, Members, R-O-P-A, not Roper.

CHAIR VICTORINO: Oh, I said that. That's my fault. That's my fault.

COUNCILMEMBER HOKAMA: This is a local family --

CHAIR VICTORINO: I said Ropa and then I...

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COUNCILMEMBER HOKAMA: --and this not the 48 version, P-A, Ropa. Kaleo, thank you for volunteering. So one, just so we're clear and we understand, you work for Pulama Lanai currently as their cultural historic preservation representative. Is that correct?

MR. ROPA: Yes, sir, that's correct.

COUNCILMEMBER HOKAMA: Okay. Kaleo, is part of your work also at the Lanai Cultural and Historic Museum facility also, or is that part of your community service component, the time you give to the cultural center?

MR. ROPA: When there's nobody to work at the museum, I try to fill in as much as possible.

COUNCILMEMBER HOKAMA: Okay. Is that as a volunteer or is that part of your employment, Kaleo?

MR. ROPA: That would be volunteer, sir.

COUNCILMEMBER HOKAMA: Okay, thank you for that. You know not too many questions, Members, on this one. Again, as he mentioned earlier from on his mother's side, they're part of the Kaopuiki ohana who by our island lineage and history, that family has been part of our island alii line back to the old days of who had the water rights of the island. That was his tutu papa, Kaleo's tutu papa and others. So for me he still has a connection to the island. He still can rely on his great-grandmother or grandmother I should say, the Reverend Auntie Lei Kanipai who is 100-plus years old, still very sharp, can remember many, many things regarding Keamoku Town. Kaleo brought up Kaunolu which is Kamehameha I's summer home. So for me, Members, one, you helping the island stay connected through its own lineage of those that understand our culture and our history. Two, as his uncle, Uncle Sol Kaopuiki who has also served on this, and his other cousins, Nani Kwon who was also a Kaopuiki. It goes to show that for our island, those families take our history, our culture seriously in their willingness to reinvest back to share the information that makes our island very special. So I'm in full support of Mr. Ropa's nomination. You will see that there's also supporting testimony. When I went home, many people asked me to support Mr. Ropa's consideration, and so I share that with you, Mr. Chairman and Members of this Committee. Thank you.

CHAIR VICTORINO: Thank you, Mr. Hokama. And I think sometimes a gentleman like Mr. Ropa has gone off and--well, I guess the term I'll use--spread his wings and seen a different part of the world and the country and come back and willing to go back to their roots and contribute for what they have learned and what they hope to continue to make Lanai a better place for the future, their children, and other generations to come. And the lineage connection is very, very important in this area. And those families that you have mentioned, all of them through the years I've gotten to know many of them, and they are a big integral part of the island of Lanai and its cultural past and the preservation of it for the future. So I can speak very highly about this gentleman also. And I apologize for saying Roper, it should have been Ropa. You're absolutely correct. Thank you for that correction. Ms. Crivello?

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COUNCILMEMBER CRIVELLO: Thank you, Chair. I would...I really appreciate Councilmember Hokama's, I guess, lineal introduction of Mr. Ropa. You know that tells me he's a representative of Lanai's na kupuna, whether they're here today or of yesterday. And bringing that to the Maui County Council Resources Commission is of value not only for Lanai but for all of Maui County to make us mindful of what is of important value of our host culture from yesterday onto today for our future. Thank you, Mr. Ropa, for allowing us to have your lineage be part of this Cultural Resources Commission for Maui County. Thank you.

CHAIR VICTORINO: Thank you. Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. I believe Mr. Molina kind of answered the one question that I would have here, and that is...maybe I can have Mr. Ropa just put it on the record is your ability to attend the meetings, especially since most of them will be over here and your employer's willingness to let you make the meetings.

CHAIR VICTORINO: Mr. Ropa, you got the question?

MR. ROPA: Yes, sir. There will be no problem with me attending the meetings. This would be part of my responsibility so I will make sure that I will attend all the meetings.

CHAIR VICTORINO: Thank you very much.

VICE-CHAIR COUCH: Thank you very much. Thank you, Chair.

CHAIR VICTORINO: Okay. Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, thank you very much. And thank you, Mr. Ropa, for stepping up to volunteer for the services here. And I too appreciate Mr. Hokama's comments in regards to your lineage and see the importance of your commitment and participation in this decision making. So I don't really have any questions for you. I just want to also shed light that our previous discussion, Chair, our issue, you know, our concerns with Pulama Lanai. This is in a different sorts, he does work for them but he brings a lot to the table as in participation but especially the connection to the island. And so again, Mr. Ropa, appreciate your dedication to attendance in this too. So I have no questions but want to just thank you very much for stepping up to volunteer. Mahalo.

CHAIR VICTORINO: Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. I have no questions but I would like to thank Mr. Ropa for stepping up. Thank you.

CHAIR VICTORINO: Thank you. And, Mr. Carroll, anything? I like you. Just the hand wave, that's all I get. Thank you.

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COUNCILMEMBER GUZMAN: Chair?

CHAIR VICTORINO: But you do bring up a good point, miss...no, hang on. Hang on, before I recognize you. You do bring up a good point with Mr. Ropa's approval, now we have five members that are directly or indirectly working for the company, if I do my math right. If Mr. Ropa is approved...

VICE-CHAIR COUCH: This is a different commission.

COUNCILMEMBER BAISA: Different commission.

COUNCILMEMBER COCHRAN: CRC.

CHAIR VICTORINO: Oh yeah, that's right.

VICE-CHAIR COUCH: Mr. Chair, this is...

CHAIR VICTORINO: Yeah, I get it. But it's five...okay, sorry yeah. I'm thinking about membership. You mentioned that about membership and I was going along the same lines. I apologize. Thank you for confusing me, Ms. Cochran. She did a good job on that one. You got me on that one. I was thinking wait a minute, we just talked about that. But anyhow, Mr. Guzman, since I made a mistake I'm going to let you go ahead.

COUNCILMEMBER GUZMAN: Thank you, Chair. Of interest in his background, I was inquiring about the archeological committee and what role he played in the committee, and what did they...

CHAIR VICTORINO: Speak closer to the mic so he can hear you.

COUNCILMEMBER GUZMAN: Apology. What did they address on that committee.

CHAIR VICTORINO: Can you repeat the question please, from the beginning.

COUNCILMEMBER GUZMAN: Yeah. Of interest, I have a project in Lahaina, and I'm curious as whether this committee, this cultural committee would engage in archeological-type issues. It looks as though Mr. Ropa has an archeological committee meeting membership or what role did he play in that committee and what did they address.

CHAIR VICTORINO: Mr. Ropa, did you get that question from Mr. Guzman?

MR. ROPA: Yes. I've attended most of the meetings as a, you know, just someone that's, a concerned citizen, and we talked about areas on Lanai where people would just use their quads and go on the sand dunes or certain petroglyphs that are located on this island.

COUNCILMEMBER GUZMAN: What was the function of the committee?

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CHAIR VICTORINO: He's asking what was your direct function on the committee itself, Mr. Ropa?

MR. ROPA: Can you repeat that question again please?

COUNCILMEMBER GUZMAN: What was the function of the committee and what role did you play on it?

MR. ROPA: I actually wasn't on the committee. I was just sitting as someone that wanted to learn more about it.

COUNCILMEMBER GUZMAN: Oh, okay. Thank you, Chair.

CHAIR VICTORINO: You're clear with...now? Are you clear?

COUNCILMEMBER GUZMAN: Not really but I'll follow up with it.

CHAIR VICTORINO: Okay, okay.

COUNCILMEMBER GUZMAN: Yeah, thank you.

CHAIR VICTORINO: We'll follow up with a question on that one, Ms. Willenbrink, on his role with that committee. If he was just...

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR VICTORINO: Yeah. So I think yeah, I'm sorry. Go ahead, Mr. Hokama, maybe you can shed some light on this issue.

COUNCILMEMBER HOKAMA: Thank you, Chairman. Members, for Lanai with the onset of the land use approvals decades past, particularly through project districts and Lanai moving toward, away from pineapple or agricultural-based economy, the development started moving forward. Part of the issue was how to address Lanai's unique cultural and historical important sites as well as artifacts. This was Lanai community's version of how our own people would help monitor, locate, designate, work on preservation plans, because in the past, a lot of the things on Lanai left Lanai, went to Bishop Museum, Honolulu, went to someplace else. There's a concerted effort that those things need to remain on Lanai, documented but preserved and presented for Lanai's benefit. And this is our, one of the community's attempt to address those sensitive important areas by Lanai people, regarding Lanai sites and Lanai's artifacts. So I appreciate Mr. Guzman's question, because it showed how our community addressed their concern in this manner and how we've moved it forward in a positive way to take care of also other issues regarding access to cultural important sites, the impacts of quads, we already know the impact of Pokémon Go and other kind of things. And if you look at today's paper, even people's attitude towards their own parks.

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CHAIR VICTORINO: Right.

COUNCILMEMBER HOKAMA: If you read about what's happening in our own national parks and the disregard for safety precautions and preservation efforts is something that needs to be addressed. And so this is Lanai's way, Mr. Chairman, and I share that with you because it might be another model for other areas of Maui County to consider utilizing to address similar concerns. Thank you, Chairman.

CHAIR VICTORINO: Thank you, Mr. Hokama. And you're absolutely correct, you know, I read that article this morning, *The Maui News*, and it was quite astonishing to listen and to...to read that the amount of over 11,000 citations for abuse and vandalism and everything. You know these are national treasures and people seem to think that they're just another piece of property they can just dump on and it's kind of a shame, you know. And also the preservation of our wildlife. I mean we spend so much time and effort trying to stop people from building things, and preserving areas, yet in areas where we have preservation and conservation, the people that are a part of it abuse it. You know they're told to stay 25 feet away from certain wildlife, and they're right up on their nose and their face and petting it and doing other things that, you know, like the dolphins issue. I don't want to go there, enough. I've commentated enough, I'm sorry. You got me going, you should never get me going in that area. Any other questions for Mr. Ropa? Seeing none, I would thank Mr. Ropa for being there. If you want to just continue to listen in and if we have more discussion, but I'm going to say that in your case is another one that I will be deferring this, without objection, so that it can be brought up on Friday's agenda at our Council meeting, as a referral and so we can make a decision at that time. So unless there's other discussion that needs to be said today, I would like to defer this matter so that we can bring it up on Friday's agenda. Any objections?

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

CHAIR VICTORINO: Thank you very much. Thank you, Mr. Ropa. Have a great day.

Item PIA-2(31) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(MAUI PLANNING COMMISSION) (CC 15-5)

CHAIR VICTORINO: Okay, moving right along, item number three, Nominations to Boards, Committees, and Commissions. This is to the Maui Planning Commission, PIA-2(34)...(31), excuse me. The Committee is in receipt of correspondence dated August 12, 2016, received on August 12, 2016, from the Mayor's Office, transmitting a proposed resolution, entitled Relating to the Appointment of Doreen Canto to the Maui

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Planning Commission, along with a completed application form of the nominee, for the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Doreen Canto to the Maui Planning Commission, for a term that will be expiring March 31, 2018, to fill the vacancy due to the passing of Mr. Jason Medeiros. Again, I would like to pass my condolences, express my condolences to the Medeiros family for their loss. And he was and many of us knew him as an integral part of our community and a real funny guy. Ms. Canto is here today, and while she makes her way to the podium, Mr. Molina, would you like to provide some opening comments on, regarding the nominee?

MR. MOLINA: Certainly, Mr. Chairman.

CHAIR VICTORINO: Go ahead, mister...

MR. MOLINA: Committee Members...

CHAIR VICTORINO: I guess we can talk a little softer 'cause we don't have to talk loud 'cause they don't have to hear us again. Okay, go ahead.

MR. MOLINA: Like you, Mr. Chairman, we too, in the Administration pass on our condolences and sympathies to the family of the late Jason Medeiros. He certainly was a very involved person in the community and we certainly appreciate all of his efforts. Now as it relates to Ms. Canto, the Administration is, would like to certainly seek your support for her. As many of you know her, she's a very involved person in the community as well. And you confirmed her to the Maui Fire and Public Safety Commission back in 2012, and I would like to just share with you her attendance record has been very solid. Out of a possible 51 meetings, she's attended 45 or roughly 90 percent, and she is certainly very knowledgeable about what goes on in our community. And we would certainly see her as a very important asset on the Maui Planning Commission. And should you confirm her, she would basically be wearing two hats as a Planning Commissioner and Fire Commissioner for roughly seven months. Her term expires at the end of next March of 2017, and then after that, she would solely just be a Maui Planning Commissioner. Thank you, Mr. Chairman.

CHAIR VICTORINO: Thank you. Ms. Canto, you're ready. Now I'm going to ask you the question before you even start.

MS. CANTO: Yes.

CHAIR VICTORINO: Are you able to do both?

MS. CANTO: Yes.

CHAIR VICTORINO: Okay. I just... 'cause I know it's going to be asked and I guess, you know, and the public... and we've been reluctant in the past of approving commissions, commissioners to serve on two boards because of the fact --

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MS. CANTO: I understand.

CHAIR VICTORINO: --you know, with the time constraints as well as opportunities for others. But since it's a short period, you're talking seven months, right, Mr. Molina?

MR. MOLINA: Yes.

CHAIR VICTORINO: So since it's a very short span, by the time we go through, approve somebody else and get 'em on, I mean it would be almost the end of the term. So I guess that's the logic behind of that. Isn't that, Mr. Molina? Okay, so anyhow, it's your show. Go ahead, Doreen.

MS. CANTO: Okay. Before I go into a little short bio, I know it's been an awesome morning, I do want to share with the Chair as well as the Councilmembers that I am also a commissioner with the State under the Hawaiian Homes Commission with the Department of Home Lands. And I think it's, I believe it's indicated in my application as well. So...

CHAIR VICTORINO: Well, you know the old statement, give a busy person more to do and they find a way to get it done. You strike me as that type of person so I'm not too worried about that, but I'm glad you disclosed that. But go ahead.

MS. CANTO: Thank you, Chair. So being born and raised on Maui island, I feel that I bring local sensitivity to the Maui Planning Commission. I know a few of them and I know that I'll be able to work well with them, and I know pretty much all of you, and I'm sure that as a policymaking body, that the work that I would perform prior to items reaching this Council would be of great importance to me. And I'm just very, very committed. If I commit to a commission, I'm solid and I will, every I believe twice a month, Tuesdays and Thursdays a month is when they meet. So the other commissions that I belong to are not on the same day, if I may. I believe I meet with the Fire Department on Thursdays and I'll be able to commit to that as well. I want to commit to that. I want to finish up what I started with Chief Murray out there. But yes, so I'm ready. I want to be part of a real positive effort to work hard and stay focused.

CHAIR VICTORINO: Thank you, Ms. Canto.

MS. CANTO: Thank you, Chair.

CHAIR VICTORINO: I'll start with you, mister...no, I'll start with Mr. Couch because he...you just had to confuse me again. Ms. Baisa? Don't do that to me. I'll start with Ms. Baisa, if you don't mind, Mr. Couch?

VICE-CHAIR COUCH: All right.

CHAIR VICTORINO: And then we'll move on. Thank you.

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COUNCILMEMBER BAISA: Thank you very much, Chair. As district representative, I want to get my stuff in. I'm really excited to have Ms. Canto here before us this morning. I think it's a rare opportunity that we get somebody like her who is so well qualified to do this, and it's a pleasure to be here in support of her nomination. You know I've had the opportunity to work with her very, very closely in the Kula Community Association. She does an outstanding job there in making sure that an unruly group stays focused. And I just love her because when she says the meeting is an hour, it's an hour. She keeps everybody with their, you know, she keeps them in line, doesn't let us wander around, and make sure that things get done. I also have the pleasure of attending the Maui Native Hawaiian Chamber with her, and she also does an excellent job there, always has a good program and is very dedicated. You know it's unusual that anybody who volunteers to this extent gets it all done but Pua does. And I think that we're very lucky to have her and I'm sure Fire will be very happy to have her for the last seven months. But I am excited to have her on the Planning Commission. She's going to be an outstanding commissioner. And, Pua, I want to thank you very, very much for volunteering. And I'm not going to ask you about whether you're going to show up because I know you will. You know when she served on the special committee for the city manager or the county manager thing, she showed up and she did whatever she was supposed to do in an outstanding way. So again, thank you. We're lucky to have you in our community.

MS. CANTO: Thank you.

COUNCILMEMBER BAISA: Thank you, Chair.

MS. CANTO: Appreciate that.

CHAIR VICTORINO: Thank you. And let me clarify one thing, when I talk about district representation, I always talk about that particular Member being for that particular area. Ms. Canto is for all of Maui County but that's okay, Ms. Baisa.

COUNCILMEMBER BAISA: That's okay, she belongs to me.

CHAIR VICTORINO: She belongs to the entire County --

COUNCILMEMBER BAISA: She lives in Kula.

CHAIR VICTORINO: --of Maui but that's okay. We're going to get into a discussion, you want to go. Mr. Couch, please.

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you, Ms. Canto, for being, putting yourself out there for volunteering for both of the commissions. One thing I noticed in your application that from 2010 till now you are a third-party reviewer for Palekana Permits and Planning.

MS. CANTO: That is correct.

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VICE-CHAIR COUCH: Do you have any idea how many of your clients at this point are ready to come before the Planning Commission?

MS. CANTO: They do not. The jobs that I pull permits for are primarily small-scale, you know be it a business or an individual. Not that I'm aware of.

VICE-CHAIR COUCH: Okay.

MS. CANTO: No one coming before this Council.

VICE-CHAIR COUCH: Because I'm assuming you're going to have to recuse yourself if a client comes up?

MS. CANTO: That is correct.

VICE-CHAIR COUCH: Okay. And, you know, I ask this of everybody and I know Ms. Baisa didn't and I know your record, but this is twice a month on Tuesdays --

MS. CANTO: Right.

VICE-CHAIR COUCH: --every other Tuesday and you're going to get binders full of homework to do beforehand. That's the real, I just want to make sure you're aware that that's the real time-consuming thing is all the stuff you have to do beforehand.

MS. CANTO: I'm fully aware.

VICE-CHAIR COUCH: Okay, great. Thank you. Thank you, Chair.

MS. CANTO: Thank you.

CHAIR VICTORINO: And I'll go down to Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Ms. Canto, for your volunteerism on many levels. And my only thing here and it's for probably Administration more. I appreciate that you're here representing yes of course Countywide but the Upcountry District and I'm looking at the, no West Maui person on this list for one thing.

CHAIR VICTORINO: We'll wait for that. I'm going to stop you here if you're going to just ask that question. I want to keep it to the testifier itself please.

COUNCILMEMBER COCHRAN: Right. And but Mr. Couch asked the question that I was so thank you for addressing that.

MS. CANTO: Okay.

CHAIR VICTORINO: Thank you, miss...

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MS. CANTO: Thank you.

CHAIR VICTORINO: And you can ask the Administration after that. Mr. Carroll? No? Mr. Guzman?

COUNCILMEMBER GUZMAN: Oh, thank you, Chair. I have no questions for Doreen. I think she'll do a fabulous job. I've known her for quite some time and everything she's been able to be on or participate in has been very successful, so I'm very sure she will do a good job. Thank you.

CHAIR VICTORINO: Thank you, Mr. Guzman. Mr. Hokama?

COUNCILMEMBER HOKAMA: I'm just going by what you wrote down, so if confirmed, you're going to give up the chair of the Fire Commission?

MS. CANTO: If that would be required of me. I've already talked to Chief Murray and we've had a little bit of a conversation regarding that. But of course it's contingent on whether or not I'm confirmed or not, so.

COUNCILMEMBER HOKAMA: Okay, okay.

MS. CANTO: 'Cause I understand your feelings towards serving on two commissions under the County.

COUNCILMEMBER HOKAMA: Yeah. Thank you for saying that. Everybody knows my position on this, Mr. Chairman.

CHAIR VICTORINO: Yeah, we got it.

MS. CANTO: Right.

COUNCILMEMBER HOKAMA: I've been very consistent --

CHAIR VICTORINO: Yes.

COUNCILMEMBER HOKAMA: --through my terms of being a Member. So I appreciate your understanding of my basic philosophy, but I understand the unique situation you are in and your track record of being very productive and contributing to the various boards and commissions you volunteer on, including the State's board. So thank you so much. No, Chairman, I understand the situation she's in. I understand she is a benefit to the community, and of course I just have my issue with multiple County commissions. But other than that, I think she's an excellent nominee for consideration. Thank you.

CHAIR VICTORINO: Thank you. Ms. Crivello?

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COUNCILMEMBER CRIVELLO: Thank you. Aloha, Pua.

MS. CANTO: Aloha.

COUNCILMEMBER CRIVELLO: Mahalo for being here.

MS. CANTO: Aloha.

COUNCILMEMBER CRIVELLO: Of course the least to say, I'm going to ditto everyone else for your ongoing contributions to Maui County whether it's on the County level or the State level. I think we all benefit from your on-the-job training that you bring back to all of the different roles of commissions. You mentioned as far as chair of the Fire and Safety Commission and your conversation with Chief Murray, wouldn't this conversation be more with your fellow commissioners, not necessarily the Fire Chief?

MS. CANTO: That is correct. And I plan to have that conversation at our next Commission meeting very soon.

COUNCILMEMBER CRIVELLO: I only mention that because I don't believe he makes that decision.

MS. CANTO: No, I understand that.

COUNCILMEMBER CRIVELLO: It's the Commission, he reports to you and your commissioners --

MS. CANTO: Right. But as a matter --

COUNCILMEMBER CRIVELLO: --it's my understanding.

MS. CANTO: --of courtesy I did want to address it to the Chief. I didn't want him to be seated there and find out that I was going through this.

COUNCILMEMBER CRIVELLO: Thank you. I don't have any questions. I'd just like to extend my mahalos for extending your time to further serve us. So mahalo.

MS. CANTO: Thank you.

CHAIR VICTORINO: Thank you. Any other questions or comments for Ms. Canto? If not, I'd like to make my recommendation. Thank you.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER BAISA: Wait.

CHAIR VICTORINO: Oh, okay. Well, oh yeah, sorry. You may sit down now. Thank you.

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MS. CANTO: Oh, thank you.

CHAIR VICTORINO: Okay. Mr. Molina? Go ahead, miss...your question --

COUNCILMEMBER COCHRAN: Cochran, yeah.

CHAIR VICTORINO: --about West Maui again.

COUNCILMEMBER COCHRAN: Yeah. Just, Mr. Molina, I have the current listing of the Maui Planning Commissioners, and I'm showing four Wailuku, three...two Kahului, one Kihei, and a Pukalani, zero West Maui. This is a very, very important, crucial Commission I believe and really would like to see some type of representation from the West Maui District. So were there no applicants? Did you folks seek to even try to fill a position for that as we would like to be a balanced Commission.

MR. MOLINA: Okay. Mr. Chairman, Councilmember --

CHAIR VICTORINO: Yes, go ahead.

MR. MOLINA: --I can't tell you right off the top of my head if we had any specific applicants from West Maui; however, we'll certainly work towards that. And I, on a personal basis, I agree with you. Certainly West Maui is a big area and deserves some representation. And we will work towards that come our next round of vacancies. There will be two vacancies coming up in 2017 and I'm sure we, Administration will look at that. And I will emphasize your point as well. And if I could also add and I know things take a while for us to take your consideration. I know roughly maybe it's been about a year you've expressed, several of you have expressed concerns about gender balance on our commissions and this is a perfect example. The Planning Commission up until today has only one female member, and should you confirm Ms. Canto, we'd have two, so we're moving in that direction as well. And we certainly try our best to recognize your request. But we will certainly make an effort to try and fill the next vacancy with someone from West Maui.

COUNCILMEMBER COCHRAN: Thank you very much. And, Chair, also I know this was a sticking point of Ms. Baisa in past discussions here in regards to political affiliation. I'm showing four of the members here showing none and whether that was how they applied or it was just wasn't notated in your spreadsheet, I'm not sure.

MR. MOLINA: Yeah.

COUNCILMEMBER COCHRAN: But that's what's showing here currently.

MR. MOLINA: Yeah, they...

CHAIR VICTORINO: Mr. Molina?

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MR. MOLINA: They indicated to us that they have no political party affiliation so none, or I'm not sure if it's the more appropriate N/A or which is the preferred terminology I guess. But that is what was expressed to us, they have no party affiliation.

COUNCILMEMBER COCHRAN: And thank you very much. And lastly, Chair, this is a...it's on every page of all these commissions and boards as in the two ex officio members that are to be part of the Commission. It says members of Department of Public Works and Waste Management. I think that was once upon a time a department, and Director of Water Supply. So when I read this, it looks like three separate bodies need to be there. So I think...I don't know if that's just a housekeeping item to change that wording at the heading, because we're now Department of Public Works --

MR. MOLINA: Right.

COUNCILMEMBER COCHRAN: --and are separated out from DEM.

MR. MOLINA: That's certainly a good point to bring up. I guess maybe, I'm not sure if it needs to be changed via Charter or just an ordinance change, but that's something we can confer with Corp. Counsel on that matter to make that change.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR VICTORINO: Well, you know, we'll look into that. Could you make that a question please, Ms. Willenbrink? And we can look into that. Also the fact that Public Works and DEM have separated, I still think DEM has to be an ex officio in that respect. That would be my take.

COUNCILMEMBER COCHRAN: . . .*(inaudible)*. . . be three. Three.

CHAIR VICTORINO: So you're right, there would be three instead of two. But we'll look into the matter and get an answer to you.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR VICTORINO: And if it's a Charter change then maybe a Charter change or can it be done via ordinance. Ms. Baisa?

COUNCILMEMBER COCHRAN: Thank you, Chair.

COUNCILMEMBER BAISA: Thank you, Chair. Just a quick comment, I want to compliment Mr. Molina because I've been looking at the applications today and all of that political affiliations has been filled out. Thank you.

MR. MOLINA: Thank you, Councilmember. The reminders are certainly very helpful. Thank you.

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CHAIR VICTORINO: Thank you very much and congratulations.

Item PIA-2(32) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
URBAN DESIGN REVIEW BOARD (ALTERNATE)) (CC 15-5)

CHAIR VICTORINO: Moving on to item number four, Nominations to Boards, Committees, and Commissions, Urban Design Review Board (Alternate), and this is PIA-2(32). The Committee is in receipt of correspondence dated August 12, 2016, also received on August 12, 2016, from the Mayor, transmitting a proposed resolution, entitled Relating to the Appointment of Kris McPhee, Alternate, to the Urban Design Review Board, along with a completed application form to, from the nominee. The purpose of the proposed resolution is to approve or disapprove the appointment of Kris McPhee to the Urban Design Review Board, for the term expiring March 31, 2017, to fill a vacancy due to the resignation of Gerald...Gerard Steiner. I would like to thank Mr. Steiner for his service and wish him continued success. Mr. Molina, would you like to provide some opening comments on, regarding this nominee?

MR. MOLINA: Yes. Mr. Chairman, we are very fortunate to have Mr. McPhee making himself available to serve in this capacity. I think I've mentioned it before in previous meetings, it's somewhat difficult getting, having engineers find the time to serve on our various boards and commissions which are some requirements. Mr. McPhee is an employee of the Water Department in a civil engineering position, and he has received the green light to serve as an alternate on this commission. Now I've been told that the use of alternates are very rare. The current regular members on the Urban Design Review Board have a pretty good attendance record. So this appointment would be for roughly seven months till the end of March 31st of next year. So there is a slim chance Mr. McPhee may be called in to serve. But it is a requirement that we do provide an alternate member. I think, I believe there are four positions for alternates on this commission, but two of those positions require engineers or people with engineering background. So again, we'd like to ask for your consideration of supporting Mr. McPhee to serve as an alternate on this commission. Thank you, Mr. Chairman and Committee Members.

CHAIR VICTORINO: So and unfortunately Mr. McPhee could not be available today --

MS. WILLENBRINK: Chair?

CHAIR VICTORINO: --he was hoping...is he here?

MS. WILLENBRINK: Mr. McPhee is in the audience.

CHAIR VICTORINO: Oh he is. I'm sorry. I thought you left. Okay, Mr. McPhee, would you like to come up and say a few words? I apologize, I thought you had left. I'm sorry it

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took so long and you had to sit through much of this discussion. Thank you, Mr. McPhee --

MR. MCPHEE: Thank you.

CHAIR VICTORINO: --for being here. Go ahead.

MR. MCPHEE: Thank you, Council. I did leave just for the recess and I came back.

CHAIR VICTORINO: Oh okay.

MR. MCPHEE: A little bit about myself, I work for Department of Water Supply now for nine years in the position of Civil Engineer III. And we don't have any plans on moving. I plan to be here for quite a while. My wife is Rayo McPhee and she teaches several Zumba classes around the island. And I am from American Samoa, I was born there and spent many years there working at the American Samoa Power Authority in the wastewater division for ten years, one year with the water department, one year with the Environmental Protection Agency of American Samoa. And spent a couple years working, when we moved to Seattle, for a private engineering consulting firm. And now we're here, we've been here since 2007 enjoying Maui. We have one more of our children with us, two older boys in the Navy, and our daughter is a senior at Baldwin High School. And I do like to get involved and I am a board member with the Malama Pregnancy Center. I've been a board member there for about four years. Our doors have been open for two years and have served hundreds of clients and their families, and very pleased that, just good testimonies from the people that have been served there. Yes. Thank you.

CHAIR VICTORINO: Well thank you, Mr. McPhee, and I do admit you and your wife are very active in the community, not only with Zumba but with many nonprofit organizations, you know, Toys for Tots and others that you and your lovely wife participate in and have been really instrumental leaders. So I will say in the community at large here, I've seen them in action and I'm very thankful for their hard work and their contribution to the community. I've also known that, of you as in the Water Department, Mr. Taylor speaks very highly of you. And I guess the question begs to be answered, even though I heard Mr. Molina mention it, Mr. Taylor is willing to give you the time off if necessary, and again being an alternate, if necessary to attend these meetings if called upon?

MR. MCPHEE: Yes, he will. He said that he recommends that I try this out to pursue it and to learn more about the County government.

CHAIR VICTORINO: Well, that's good. I mean that encourages one of our employees to be an active participant. Thank you very much. So I will turn to Mr. Couch to ask the first questions if you have any, Mr. Couch, and move right along.

VICE-CHAIR COUCH: No questions, Mr. Chair.

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CHAIR VICTORINO: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: No questions, Chair, but just a comment to mahalo your participation.

CHAIR VICTORINO: Thank you. Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you for being here this morning. And I notice this is for about less than a year --

CHAIR VICTORINO: Seven months.

COUNCILMEMBER HOKAMA: --for Mr. McPhee. One of the things that this Council has discussed and Mr. Couch may know the term better than I, but it's some kind of free form design or planning.

VICE-CHAIR COUCH: Form based.

COUNCILMEMBER HOKAMA: Form based. Can you tell us this morning what your thoughts are about this new approach, form based, and whether or not you think it's something good for this County or not?

MR. MCPHEE: Honestly, I haven't heard of that term. What I know a little about this Board is what I've happened to get from Director, our Director Dave Taylor. He mentioned reviewing plans and reviewing them pertaining to visual impacts, and I think I can manage that. Some things he mentioned that we would be reviewing, yeah, I think I could learn more about it and also research, do my research and learn more about it quickly and be of benefit.

COUNCILMEMBER HOKAMA: Thank you.

CHAIR VICTORINO: Okay, thank you. Mr. Guzman?

COUNCILMEMBER GUZMAN: I just have the questions for the Administration on how the Urban Design Review Board, how it reviews, does it review the County designs or does it... 'cause I'm trying to figure out if --

CHAIR VICTORINO: Okay.

COUNCILMEMBER GUZMAN: --there's a conflict.

CHAIR VICTORINO: Why don't we wait till the --

COUNCILMEMBER GUZMAN: Yeah.

CHAIR VICTORINO: --he's done, then I'll go back to you.

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COUNCILMEMBER GUZMAN: Right, right.

CHAIR VICTORINO: How's that sound?

COUNCILMEMBER GUZMAN: Thank you.

CHAIR VICTORINO: Okay. Mr. Carroll? Nothing? Ms. Baisa?

COUNCILMEMBER BAISA: Nothing, but thank you very much for volunteering.

CHAIR VICTORINO: Ms. Cochran?

COUNCILMEMBER COCHRAN: Chair, no questions for Mr. McPhee. Thank you for your volunteering. I have questions for Administration.

CHAIR VICTORINO: Okay.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR VICTORINO: You seem to all the time so that's okay, I got it. I got it. Okay. Mr. McPhee, thank you very, very much. I have no questions for you. Like I said earlier, I'm very confident that as an alternate you'd do an excellent job. Thank you very much. Mr. Guzman, you can start off and then I'll go to Ms. Cochran.

COUNCILMEMBER GUZMAN: Thank you, Chair. Mr. Molina, can you explain the dynamics of the Urban Design Review Board and how it works with the County? Does it review the County plans or does it review third-party plans and then come through it? I'm just trying to figure out if there's a conflict between, you know, having to be an employee of the County and also on an independent commission reviewing designs from, that are drafted by the County. Yeah.

MR. MOLINA: Mr. Chairman? Councilmember --

CHAIR VICTORINO: Go ahead.

MR. MOLINA: --it's certainly a good question to bring up. With my limited knowledge about the, what the commission reviews, I guess maybe a little of both. I would guess third-party plans, private plans, along with County plans. There may be a question of if there are, if there is a County project and having a County board member on there, the possibility of conflict, but that would be I think something that would be best discussed amongst the members and Corporation Counsel of that Board. But I can get for you a response from the Department to give you a more detailed answer than I could give you if that would be your preference?

COUNCILMEMBER GUZMAN: Thank you. Does Mr. Kushi have any comment on that, what their...

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CHAIR VICTORINO: Mr. Kushi, would you like to add anything else to Mr. Guzman's --

COUNCILMEMBER GUZMAN: I think he knows where I'm going with it.

CHAIR VICTORINO: --question please?

MR. KUSHI: No, other than just to echo Mr. Molina's statements. Urban Design Review is found in the Maui County Code Chapter 2.26, and it basically is advisory to the Planning Commission. You know all design plans before the Commission, and the Planning Commission acts on it, are sent to the Urban Design Review Board. Mr. McPhee being a County employee does not preclude him from being on any board or commission. But again, you know, conflicts may arise. If the Water Department is doing something to, you know, with the plans, it'll go to the Review Board and Mr. McPhee would be advised to recuse himself. Yeah.

COUNCILMEMBER GUZMAN: Okay, thank you, Chair.

CHAIR VICTORINO: Okay, thank you. And again, that would probably hold true for many of these names if one of their clients or someone that they're actively working with would come up, they would have to recuse. Because some of the names are active engineers and partners in our community, so that would probably be no different than any of these that are in there. Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And so I have the list of current Urban Review Design Board members and --

CHAIR VICTORINO: And there's nobody from West Maui --

COUNCILMEMBER COCHRAN: --I'm showing no West Maui.

CHAIR VICTORINO: --again.

COUNCILMEMBER COCHRAN: As you, yes, you guessed correctly, Chair. I do see a Peter Jacobsen from Lahaina as an alternate. So I don't know how that could work, why could we not put a Lahaina representative in the ongoing board memberships versus on an alternate section? So I'm showing a real imbalance here again, Chair, and it just, I just wanted to shed light on that.

CHAIR VICTORINO: I'll take that as a note because again, Ms. Cochran, I know your questions are valid and I appreciate that and I do recognize and I did look over the list. I had that brought to me and I guess that's something that needs to be addressed as far as West Maui is concerned. But in, if you don't mind, in...I don't know what else he can answer other than looking into it, because we're moving...and we still have a number of issues to try to take care of. So I don't want to cut you off but I recognize the problem and you are correct, West Maui is not represented again in the Urban Design Review Board. And so I hope, Mr. Molina, you take note of this and take this back to the Mayor and the Administration, to look for qualified candidates to be

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represented of West Maui in all the various like Planning, Urban Review, all these very important committees. Why nobody from West Maui is beyond me also.

MR. MOLINA: Chair? Yes, sir, Mr. Chairman. And, Councilmember, certainly I know Mr. Jacobsen is from West Maui. That is something to possibly consider to see if, what the mechanism is to move an alternate if he chooses to, to be considered a regular member 'cause we are going to have another round of vacancies coming up in --

CHAIR VICTORINO: There you go.

MR. MOLINA: --January. So we'll certainly...I'll check with the Department and Corp. Counsel to see what we would have to do. I would only guess that if the alternate decides that he wants to be a regular member then I would only guess that he would have to resign his current term as an alternate, and then it would be pretty much up to the Council or depending on what Corp. Counsel says to put him in or make him eligible to serve as a permanent member representing the West Maui area. But we'll certainly look into that. And that, you know, that certainly is a valid, you know, request

CHAIR VICTORINO: Well, miss...and before you, Ms. Cochran...would you put a note and let's have a letter sent to the Administration and Corporation Counsel on that particular issue, if an alternate is presently serving, if, what is the mechanism that we can use to have that alternate upon an opening, be considered first for that position especially when it does either for gender or district representation or one of the above fulfill that obligation to the County. Okay?

COUNCILMEMBER COCHRAN: Yeah, thank you. Thank you very much. And thank you for that option, Mr. Molina, as long as he is willing to participate also.

CHAIR VICTORINO: Yeah.

COUNCILMEMBER COCHRAN: But if not then if we can seek I guess some applications from that district, that would be really nice.

MR. MOLINA: And if I may add, we certainly try our best to one, we have to find a person who's an engineer and we certainly hope that their geographic area residency is, can be of benefit to the commission as well. But sometimes you have to take whatever is out there, and they may not necessarily come from the area that we would have a preference for. But we do the best we can and certainly leave it in your hands for the final decision. Thank you.

COUNCILMEMBER COCHRAN: Thank you. Thank you, Chair.

CHAIR VICTORINO: You're okay with that, Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, I'm good. Thank you.

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Roberta Patnode to the Cost of Government Commission, along with a completed application form from the nominee. The proposed purpose...the purpose of the proposed resolution is to approve or disapprove the appointment of Roberta Patnode to the Cost of Government Commission, expiring on a term of March 31, 2018, to fill the vacancy due to the resignation of Gayle Long. I would also like to thank Ms. Long for her service and wish her nothing but continued success. At this time, Ms. Patnode is here today, and I would like to have her come up to the podium while Mr. Molina provides some opening comments regarding this nominee. Oh, she's standing there already. Ho, Bobbie, you move fast. Okay, Mr. Molina?

MR. MOLINA: Yeah, thank you very much, Mr. Chairman and Committee Members. The Administration would like to ask for your support of Ms. Patnode to serve on the Cost of Government Commission for roughly about a little over a year and a half commitment. She is the general partner for the Patnode Family Farm and also has served in management positions prior to that for I guess a Fortune 500 company as you can see on your, on her application, American Express. So she definitely has a lot of business experience that could certainly be an asset on this particular Commission. And with that being said, Mr. Chairman, I'll go ahead and yield the floor to Ms. Patnode for questioning from the members and background.

CHAIR VICTORINO: Ms. Patnode, you can open your comments now.

MS. PATNODE: Good morning, Chair, and good morning, Councilmembers. My name is Bobbie Patnode. Only my mother calls me Roberta.

CHAIR VICTORINO: Well, I have to 'cause it's legal names. I have to, sorry.

MS. PATNODE: I know. That's right. There are three reasons to appoint me to the Cost of Government Commission. Number one, I believe I have great qualifications. My past experience as an executive of American Express provided the training and know-how to analyze costs, budgets, and benefits, and I believe that experience will translate well to Maui County administrative processes. Number two, I believe that good government is a partnership between elected officials and the community. And Maui's volunteer commissions are an integral part of our functioning government. And number three, my current occupation affords me the flexibility to attend Commission meetings and schedule additional meetings when needed, to get the job done. I have the support of my family to fill in when I'm gone and now I ask for your support as well. Thank you.

CHAIR VICTORINO: Thank you. That was very well done, Ms. Patnode.

MS. PATNODE: Thank you.

CHAIR VICTORINO: Bobbie, I won't call you Roberta until I have to introduce you again. Thank you. I will start with our...okay, just because I know I'm going to catch heat if I don't do this, I'll start with you, Ms. Baisa, and then go from there.

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COUNCILMEMBER BAISA: Thank you very much for honoring the senior. I...Ms. Patnode lives in Kula and I've had the opportunity to work very closely with her now for at least ten years, very closely in the Kula Community Association. And I've had the opportunity to also participate with her in a lot of work of the Ag Working Group. And I have to tell you, I think that she'll make an outstanding commissioner. You know I'm really proud of the women that showed up here this morning. Bobbie shows up for meetings, does her homework, is always prepared, and is kind of fearless about chasing down information. And she shows up regularly, sticks to business, and will fight for what she believes is right. She brings a lot of knowledge and a lot of management experience. And Kula Community Association has been very, very lucky to have her on the board, because she takes a lot of the work there. So I am in full support of this nomination. I think she'll be an outstanding commissioner. And when she says she's going to be there or do it, she's going to be there and do it. Thank you.

CHAIR VICTORINO: Thank you very much. Mr. Couch?

VICE-CHAIR COUCH: No questions, just to say thank you for --

MS. PATNODE: Thank you.

VICE-CHAIR COUCH: --putting yourself out there.

CHAIR VICTORINO: Okay. Ms. Cochran?

COUNCILMEMBER COCHRAN: Yeah, thank you, Chair. I actually don't have any questions either for Ms. Patnode. We do see her frequently here, you know, advocating for things for the Upcountry area. But I do have comments for Administration again. Thank you, Chair.

CHAIR VICTORINO: I'm going to put a stamp over there, West Maui, West Maui. Mr. Carroll? Okay. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you. No questions, just a comment to mahalo your contributions. Thank you.

CHAIR VICTORINO: Okay. Mr. Hokama? And of course you, Mr. Guzman.

COUNCILMEMBER GUZMAN: I don't have any comments, Chair. I support the nomination. Ms. Patnode has worked very diligently and efficiently on the working group. She's been a moderator for the last three years. Very organized, very critical thinking, and has...is...probably has...is poised to be in this Cost of Government Commission due to her background and her experience. Thank you.

CHAIR VICTORINO: Thank you very much. I guess the only question I'd have for you, Bobbie, and again, no one asked you because they all know you're going to be able to do it but I want the public to hear. Because you're already on the working group, now the Cost of Government, and the Kula Community Association, and I'm not sure what

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your position is now but I know at one time you were the president. I don't think you are at this point, but I think an active board member if I'm not mistaken, along with your farm and other things. You know, like I said earlier, give a busy person more to do, and they find a way to get it done and that seems to be the truth in a lot of our lives. Can you fulfill all of these various obligations? I know your family is going to have to carry the ball and your husband is going to come chew me out afterwards but that's another story, I can handle that. But can you please answer that question?

MS. PATNODE: The answer is yes, I can fulfill all those obligations.

CHAIR VICTORINO: Okay, thank you. Anything else? Now you had a question for the Administration about West Maui.

COUNCILMEMBER COCHRAN: Actually, Chair, you're going to be shocked but no, we have a representation --

CHAIR VICTORINO: Hey.

COUNCILMEMBER COCHRAN: --for Lahaina here.

CHAIR VICTORINO: I knew that but I wanted to see.

COUNCILMEMBER COCHRAN: But I see five for Central. And nothing against Central Maui but this board --

CHAIR VICTORINO: Yeah, no offense to us.

COUNCILMEMBER COCHRAN: --has five representatives and no Molokai this time. So just wanting to point out the kind of imbalance here once again on this. Just a notation for the Administration, Chair. That's my comments.

CHAIR VICTORINO: Did you take a note, made a note on that?

MR. MOLINA: Yes, sir, Mr. Chairman. And, Councilmember, we'll certainly add that to the list and we'll look at what we can come up with for our next round of vacancies.

COUNCILMEMBER COCHRAN: Great.

MR. MOLINA: But thank you for the input. And I just want to say, you know, on behalf of the Administration, we certainly welcome the input, because I think it's a very healthy thing for the Executive Branch and the Legislative Branch to share ideas and opinions. And whereas we may not always find agreement but it's still a healthy thing and that's why it's a democracy. And, you know, I for myself having sat where you sat, understand where you folks are coming from and in trying to do the best you can in serving your community. So and thank you again for your good work. Thank you, Mr. Chairman.

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MS. WILLENBRINK: Mr. Chair?

CHAIR VICTORINO: Before I move onto that...hang on, before I move on, I'm going to cover the Department of Fire and Public Safety's Master Strategic Plan for 2016 to...through 2020, PIA-64. I will, with your permission defer the other aspects till that special meeting on September 6 where we take 'em all up. Again, I promised I'd ask you guys before the meeting, before our break, but nobody reminded me, thank you very much. Ms. Willenbrink, I asked you to remind me, I forgot, and I apologize. But before we end the meeting, I would need a commitment for those who can be here. I'd like to set it at 9:00 a.m. on the 6th of September just to cover the HSAC and the HSAC and Maui packages so that we can get that resolved, that we can move that on, and we can get that presented at our executive meeting on September 26. There's a definite deadline that I must meet. So I will ask you guys after we get through with this, please. Chief Murray, thank you very, very much. Let me start by saying the Committee is in receipt of County Communication 16-54, from the Fire Chief, transmitting a copy of the Maui County Department of Fire and Public Safety Master Strategic Plan for 2016 through 2020. The strategic master plan for the Fire, the Department of Fire and Public Safety sets the vision for the fire safety overall for the next five years in Maui County. Again, Chief, thank you for being here. And I will open the floor up for some overview by you and some...and then we'll open it up to questions. Chief Murray?

MS. MURRAY: Aloha, Chair, good morning, and, Councilmembers. Thank you for allowing us to be here and talk about our strategic plan and answer any questions that you may have. Hopefully, you have all of it in color in front of you.

CHAIR VICTORINO: You do have it right, Members? Thank you. Go ahead.

MR. MURRAY: And hopefully...

CHAIR VICTORINO: You don't have it? Okay, hang on. How come Ms. Crivello doesn't have one?

COUNCILMEMBER CRIVELLO: ...*(inaudible)*...

COUNCILMEMBER BAISA: Same Granicus.

CHAIR VICTORINO: It's on Granicus. I guess someone had brought their hard copies. I know I have mine on Granicus.

COUNCILMEMBER CRIVELLO: ...*(inaudible)*...

CHAIR VICTORINO: Okay. Okay, go ahead, Chief. And then, you know, as we look it up. Go ahead.

MR. MURRAY: All right.

CHAIR VICTORINO: I'm sorry.

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MR. MURRAY: As you know, our Department has had strategic plans since the early 2000s. And what we specifically did was take the opportunity to revisit again and align it to the whole process of accreditation. And this was one of our key points that we had to do as part of this process. And make the changes necessary, do the surveys and what have you. So hopefully you had an opportunity to take a look at that and we can move through this document, and we'll be, answer any questions that you may have.

CHAIR VICTORINO: Okay. I will start with the Vice-Chair, Mr. Couch and move right along. And can we limit it to just two questions and then if you have more that needs to be answered at the very end, then I will open the floor up for anyone with further questions. So, Mr. Couch?

VICE-CHAIR COUCH: Thank you, Mr. Chair. And thank you, Chief, for providing us this document. If you look on Page 15, I find it very interesting and I'd like to hear your comment on what the public's perception of the importance of basic Maui Fire Department programs ranked by external stakeholders. And that number two is emergency medical services. As you know, we kind of share that responsibility with, the major responsibility being with the State funding that. Can you talk to us a little bit about the potential of having the Fire Department do like paramedic duties that a lot of other fire departments do?

CHAIR VICTORINO: Mr. Couch?

VICE-CHAIR COUCH: Yeah?

CHAIR VICTORINO: I mean mister, Chief Murray. I said Mr. Couch, I was looking at you that's why. Sorry. Chief Murray?

MR. MURRAY: All right. Thank you, Chair. Very good question. That is a high percentage of our response throughout our County. I believe that it would take some intense study to see if that would benefit our community as we stand right now. I think the process that we have at the moment is an excellent process, we work very well together. You know there is only one other example in the State of Hawaii that a fire department provides medical services and that's on the Big Island. You know and part of that process would be to reach out to them and ask of their challenges, which they do have a lot. As stated earlier, you talked about the State having the major responsibility and how that works, and that could be hurdles as well because, you know, asking...for instance, the Big Island has asking for an extra ambulance in one of their jurisdictions for several years and it has to go through legislation for that to happen. So, you know, in one way being run by a County department is good and then in another, it may be not be. But like I said there would be an extensive study moving forward if that's something that you would want us to look into.

VICE-CHAIR COUCH: Okay, thank you, Chair.

CHAIR VICTORINO: Mr. Chair? Oh, okay. Ms. Crivello?

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COUNCILMEMBER CRIVELLO: Nothing right now, Chair.

CHAIR VICTORINO: Thank you. Mr. Hokama?

COUNCILMEMBER HOKAMA: Thank you, Chief, for being here. This plan that you have submitted to this Committee for review this morning, is this still based on trying to be accredited?

MR. MURRAY: Yes it is, sir.

COUNCILMEMBER HOKAMA: Because I've come to terms in my discussions with the Mayor that I can support a certified Department. I'm not necessarily willing to go and continue to spend the type of money to try and get accredited since we already failed that test, that I can support certified status for our County Department. And watching how we have gone through the last few years, Chief, I am also discussing with the Mayor whether or not we should continue to maintain a commission format. I'm happy to discuss as I have with the Mayor whether or not we should consider going back and have the Mayor make those appointments of Fire Chief. I'm not happy where the commissions are with their role in the hiring, firing, and review of department budgets, whether it be Civil Service, Fire Department Commission, Police Commission, Civil Service Commission, Public Works Commission. I know what our Charter says, and I know what gets and doesn't get done before budget. So coming from experience, Mr. Chairman, I'm looking at ways to see if some of the old practices is not warranted for review to be considered to reinstitute for the current situation we currently face. And so that's where I am with this plan. Thank you, Mr. Chairman.

CHAIR VICTORINO: Thank you. Mr. Guzman?

COUNCILMEMBER GUZMAN: Oh, thank you, Chair. Yeah, I'm actually in support of certification. Been very supportive of the plan here as well. One of the I guess ancillary issues that I've always been trying to figure out is the one that Mr. Couch had mentioned was the EMS responses, ambulatory responses. And if you could share just a little bit of light on how they do it in the Big Island, because the last I guess about three months ago, I was at a party and a person was having a heart attack and the, I called 911 and they sent you folks and the ambulance didn't show up. But then you guys took the patient to the hospital stabilized which I felt that you did a good job, but it should have been also the responsibility of the ambulatory company to stabilize. The billing of that would eventually go to the patient if the ambulatory responds, but you folks, the Fire Department responded so there was no billing on the emergency response. So if they were...so in Big Island do they bill the patient for the response?

MR. MURRAY: Yes, they do for medical response, yes.

COUNCILMEMBER GUZMAN: Okay. And I see in your survey here, it says should the County of Maui charge for the responsible party for service? And out of the categories,

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EMS has the highest in saying no, I guess 177 people say...out of 254 say no, we shouldn't be charging. So how much revenue is being generated or lost would have to be determined to see if it's worth it. I mean I know they do it in Orange County and they, because of the service, because the fire department picks up the EMS, they actually have enough revenue to buy a lot of their equipment and trucks because of the EMS service billing. So there could be a way that we should start going that route. But like you said, it's very political and we're going to have to move a lot of mountains at the State, legislation to even proposed something like that. So thank you, Chair. Did you have any comments, mister, Chief?

MR. MURRAY: Actually I do. I wanted to ask a question about that party. Not the party itself but...

COUNCILMEMBER GUZMAN: Yeah.

MR. MURRAY: So our people showed up --

COUNCILMEMBER GUZMAN: Yeah.

MR. MURRAY: --they did the work and the person got sent to the hospital?

COUNCILMEMBER GUZMAN: Right.

MR. MURRAY: And...well 'cause we don't do transport so it has to have been with an ambulance --

COUNCILMEMBER GUZMAN: Yeah, yeah.

MR. MURRAY: --of some...yeah.

COUNCILMEMBER GUZMAN: After, after. After stabilizing.

MR. MURRAY: So...

COUNCILMEMBER GUZMAN: But the ambulance didn't show up for a long period.

MR. MURRAY: Right.

COUNCILMEMBER GUZMAN: I mean long period, meaning in an emergency situation, a long period could be 30 minutes, you know.

MR. MURRAY: Right. Oh, absolutely. Actually three minutes could be a long time.

COUNCILMEMBER GUZMAN: Yeah, yeah. So I would estimate it was about a good 20-25, maybe almost 30 minutes until the ambulance showed up. But you guys did the first initial response and stabilized, so.

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MR. MURRAY: Right. And that's our role. We're at more places than the ambulances, and a lot of times, we do co-response as well. It's all based on the call. So that becomes a priority. And a lot of times ambulances are actually transporting people, you know, from Lahaina, where have you. So there's a lot of distance on the island of Maui as well that we cover. So, and so do they, but..

COUNCILMEMBER GUZMAN: My point was it's very interesting that a private company, an ambulatory response, they do the transport, but on the bill, they'll send the bill to the patient as part of their insurance right?

MR. MURRAY: Right.

COUNCILMEMBER GUZMAN: But you guys were the ones that were first on the scene, stabilized which actually did more than the ambulatory when they came. So --

MR. MURRAY: Right.

COUNCILMEMBER GUZMAN: --and you didn't bill at all, so.

MR. MURRAY: So that's true. One of the things moving throughout the country is the community paramedicine, and we looked into that so that we could gain funding on responses. But right now as it stands, the State law doesn't allow us to bill for that.

COUNCILMEMBER GUZMAN: Right.

MR. MURRAY: Yeah, so that needs to be changed if that needs to, you know, because we do a lot. And we were, we had a consultant come to one of our conferences, and we were about to hire that person when they did the State law research that we weren't allowed to do that because we looked into that hoping that we could, you know, provide some revenue as well.

COUNCILMEMBER GUZMAN: And it would be more of a billing to the insurance company --

MR. MURRAY: Right.

COUNCILMEMBER GUZMAN: --the medical insurance company. Okay. Thank you, Chair.

CHAIR VICTORINO: Well, let me make something real clear, Mr. Guzman. This is not only here, it happens all over the nation, because I had a situation in Vegas which the first responders were the fire department. They're more available. They're there to save lives. A lot of times the ambulance is not available, and the ambulance didn't show up till 45 minutes later. So and it was out on a dispatch taking a patient from an accident scene to the hospital and then came to help in my situation. So I understand what you're saying about billing, but when it comes to a life, I want to know that I know our Fire Departments are available because they're there. They've got what, how many stations throughout the County?

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MR. MURRAY: Fourteen.

CHAIR VICTORINO: Fourteen stations. How many ambulance stations do we have throughout the County?

MR. MURRAY: Nine.

CHAIR VICTORINO: Okay, do the math. And so I'm going to take that as 25 stations available whenever something happens. So I want to keep that in mind. You know billing and all that, we can discuss that more but this is not the time and place. But I agree with you, you know, I'd like to make sure that that 25 is always available instead of the 14 or 9 or one of them being bought up and so now we only have 14, let's say using that as an example. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. And thank you very much, Chief, for being here and for giving us the strat plan. You know I've taken a look at it and I can see that a whole lot of work went into this, and I know that it takes a lot of work and meetings and, you know, a lot of collating and writing and goodness knows to try to come to the recommendations that you find in a strat plan. So I'm kind of curious, I know that we are very limited in time here. But in your findings and your things that, your priorities that you'll be looking at as a result of this, can you share maybe at least number one with us?

CHAIR VICTORINO: Chief?

MR. MURRAY: Thank you for that question and thank you for that comment, I appreciate that. Yes, there was a lot of work that went in by a lot of people and they did a great job. If..

COUNCILMEMBER BAISA: I know it's hard to choose 'cause there's many, but, you know, what is it that you really feel we need to work on or you need to work on and we can work together on?

MR. MURRAY: Well, I think the number one thing is life safety and what helps with that push is training. So having our people train constantly and the right things as we have redeveloped our whole program starting from nothing to something, and we have moved forward with that. And I think we are much better than we were eight years ago, and it's because of our people, you know, really taking the opportunity to get better. And we have programs, we have set programs that are majority of are certifiable and everybody has a certificate in it. And it's super important for us to practice together as much as possible. And refresh our skills is super important as well. So there's a lot of investment that you folks have made over the years for us to move forward in that area, and we are doing really well. There's a few areas that we need more work and more training at and more funds to do. I think that's our bread and butter. You know Councilmember Guzman talked about our people responding EMS, we do that annually. We do not skip that at all because that's something that we do a lot. And it's also something that we do on each other when we have one of our

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members gets sick or feels ill or, you know, has symptoms, we take care of our own people as well. So I believe life safety is the number one thing and it always will be probably in our business and our profession, but we're making great strides moving forward with our training.

COUNCILMEMBER BAISA: Again, thank you very, very much. And I just also want to second what Chair Victorino mentioned and that was when I had my infamous fall a few years ago, it was the firemen that were there immediately, and I felt so comfortable knowing that they knew how to pick me up and move me, and the ambulance came later. So again, thank you very, very much for what you do for our community.

MR. MURRAY: Thank you and you're welcome.

CHAIR VICTORINO: Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Chief, for being here.

MR. MURRAY: Thank you.

COUNCILMEMBER COCHRAN: And I know we're really pushing our time limit here really quick so I'll speak very fast. But I appreciate Ms. Baisa's question to you because...and I love that you're, yeah, it's about safety and people's life, property, and what have you. And continue the training. If I recall though, I thought I did see some memos saying you were curbing that and cutting that back very recently.

MR. MURRAY: Yes.

COUNCILMEMBER COCHRAN: So that is not the case? You are moving full speed ahead with your training?

MR. MURRAY: There were anticipated training that we wanted to continue to do, so what we're trying to do is do it...majority of what we do is in house. So what we wanted to do was curb our overtime. But curbing that means less instructors. So we were trying to do our part, you know, to get with the budget. And you understand our situation that we're in. And we need to continue those things so we keep trying to find ways as best as possible to make that happen. So the training that is not necessary, that is a good tool to have, we put that on hold. But we will continue to do the certifications that are mandatory for us to do, that we will not stop.

COUNCILMEMBER COCHRAN: Very good. Thank you so much. And my second question, Chair, how this survey that you're basing this plan off of is done, is it a public mail-out to the entire population or how was this conducted?

MR. MURRAY: The external survey was done online as well as hard copy. It was produced, we had announcements in the paper and through other publications, and this is only the feedback that we got back within that period of time. Because we didn't want to leave it open for too long; if not, we wouldn't be able to press the data together. So but

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if you look at it, it's kind of a, you know, a broad base of areas where people had comments. So we took all the comments in and put it in good or bad just so that we could see what we're up against and what people see out there on a day-to-day basis.

COUNCILMEMBER COCHRAN: Okay, thank you. And just quickly the, I see a lot of no responses, that's why. So obviously that entry, that person responded to some questions, but these particular ones did not --

MR. MURRAY: Right.

COUNCILMEMBER COCHRAN: --comment on or...

MR. MURRAY: Yes.

COUNCILMEMBER COCHRAN: So that's kind of odd to me.

MR. MURRAY: That is odd. It's kind of like a no vote, right?

COUNCILMEMBER COCHRAN: Right.

MR. MURRAY: So you're going to actually show up but not say anything. So I think they had, they felt in some of the areas of question that they didn't have any comment so they left it blank. And then you can't really track that, because they're not, the individual doing the survey is not actually numbered so you can't really say which one answered and which one didn't.

COUNCILMEMBER COCHRAN: Right. Okay.

MR. MURRAY: Yeah.

COUNCILMEMBER COCHRAN: Just an odd...okay. Thank you, Chair.

CHAIR VICTORINO: Well, I don't think it's odd because I think a lot of times people don't understand or don't really relate to that particular part of the question or a part of like for example, I look at helicopter rescue. There was 49 that didn't answer at all, you know. And all of them always had a percentage. But I thought the funny one was other services, 123 never responded. This is on the external survey results. I went specifically to that because that's the public in general yeah. And so, you know, there are many reasons why do we have so many blank votes, how many, you know, no votes do we have on questions that people don't understand. I won't get into deep detail but I believe I have a little better understanding. But what I wanted to ask you, Chief, I thought was very interesting 'cause I went to the external survey results, you know, there was other results from internal and others. But I thought the two that was very interesting where the question should the County of Maui charge for responsible parties for the service, in other words, if they went out and did something and then got into trouble should we charge? And I thought the two high ones was helicopter rescue and mountain rescue. I thought that was really stood out, you

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know, compared to all the rest. And, Chief Murray, if you want to make quick comment on that. Because I believe a lot of people in their mind believe these are visitors that get into trouble. Although it's not always true because I just remember the last one that just happened was two residents from Lahaina that got in trouble up in Bamboo Forest --

MR. MURRAY: Yes.

CHAIR VICTORINO: --if I'm correct, and that was just this past week.

MR. MURRAY: Yes.

CHAIR VICTORINO: So, you know, so again, it's not always the visitors that gets in trouble. But go ahead, Chief, if you want to go ahead.

MR. MURRAY: Yeah, the comments on Page 21 --

CHAIR VICTORINO: Twenty one, yeah, I apologize.

MR. MURRAY: --are very interesting. And if you look at ocean rescue, it goes the opposite direction.

CHAIR VICTORINO: Yes.

MR. MURRAY: Because I believe that could be an assumption of who might be being rescued or on a boat or it's all dependent on what they think that means to them. But very good comment on your point that it is a wide base of people that we do rescue. We are trying to keep statistics for the last year now, on whether it's visitor versus resident, and those statistics will help us make further decisions on this. And yes, we do think about that but, you know, one of the comments, if you look on the second comment below that graph, is that people are fearful of not calling because the fear of getting charged. You know whether you could have got out on your own or not get out on your own, and then who makes the call, is it the person in trouble that makes the call or is it somebody else that makes the call. So there's a lot of different things that need to be looked at on the actual possibility of charging, and then who actually does that. Do we have another division that takes care of that? Do we have a third party that does that? And is there citations along with that? You know 'cause a lot of times we'll be on State property or Federal property, how does that work and how do we mesh those agencies together so that we can, you know, make a decision on where we're going to go? I think it's been a topic of discussion for many years. I think the amount of calls at this point in time wouldn't be cost effective I think, and that's just an opinion based on whether it's residents and/or visitors. How do you make that happen? So I think, you know, another study of some sort would be good. Like I said, we just started a little over a year ago doing the actual resident versus visitor count, and that was through talks about TAT revenue and all of these different things. So that was something that we worked on Statewide, all the departments are now doing it. So I know in a few years we'll be able to give you some really good data on that,

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and then we could probably take that up and see where we could move forward. But thank you for the opportunity for that question.

CHAIR VICTORINO: And thank you because I think you bring up a good point, you know, TAT is part of our discussion and your services, along as Police and other emergency services, along with Parks and Recreation, other areas are a real integral part of that. And with the, coming to the table with raises and other fringe benefits, you know, the visitor who utilizes your Department a lot--and I know 'cause I worked in the hotel and I realized how many times we had to call the Fire Department when we had a challenge--is really integral. And so some of that has to be borne in that respect and we're going to have to have the State have a better understanding on how much expense we've put out doing these safety-related, health-related issues throughout the County. So if there's no other further discussion, I would like to recommend the filing of Communication 16-54. So do I have a motion to file this communication?

COUNCILMEMBER COCHRAN: Chair, so move.

COUNCILMEMBER CRIVELLO: Second.

CHAIR VICTORINO: You gotta put on your...

COUNCILMEMBER COCHRAN: Sorry. Chair, so moved.

CHAIR VICTORINO: It's been moved by Ms. Cochran, seconded by Ms. Crivello. Any other discussion? Yes, Mr. Hokama?

COUNCILMEMBER HOKAMA: So we're clear, Mr. Chairman, and especially for the Chief to understand, by filing we're accepting this plan?

CHAIR VICTORINO: That's correct.

COUNCILMEMBER HOKAMA: I get hard time to support that today this afternoon, Chair. So I don't want to disturb because we're at bare quorum now.

CHAIR VICTORINO: I realize that, you know.

COUNCILMEMBER HOKAMA: But I, you know, I would like you to consider deferment, because I think the Chief brings up excellent points that we should have additional discussion. And one of the things that I would like more discussion is especially that point that he brought up about the Department not being able to currently transport by law. If that ambulance for whatever reason never showed up and the emergency doctor says you got 30 minutes to bring that individual to the ER room or we're past the time and we more than likely we're going to lose that individual. Is the Department still going to refuse to transport? Because now an ER doctor is making a determination without that person in the right facility that might be eminent. It shouldn't be their call to decide should we violate the law and transport or not transport. Right there we're dealing with life. As a firefighter, they're going to try and

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preserve and save that life so I think they would transport even if the law says no, because to wait for that so-called legal transport that may not show up in time, more than likely would have the death of the individual. So I see some strong philosophical issues that I would not like to put the firefighter in, because that's not their job to make a determination whether I should transport or not. Somebody else should already have that in the process to say if so and so doesn't occur, this is your next option or step of action and the key is to save the individual. And I don't want them in that position, Chairman, to make that call. I think we need that discussion, especially with that last point you brought up about should we or should we not charge for certain situations. But my thing is, if the Chief already made a safety decision backed up either by the Mayor through a declaration and then individuals still feel to violate that advice of hazard, I don't have a problem charging for that. Because now we're asking to put our own employees like the firefighter in jeopardy to save someone who was told not to enter a dangerous situation. And then what happens if our employee now either gets hurt or dies? I don't need more litigation and settlements for that kind of things, Chairman. So that's my rationale and I apologize for upsetting the, your --

CHAIR VICTORINO: No. No, no, it's not...

COUNCILMEMBER HOKAMA: --recommendation.

CHAIR VICTORINO: That's not upsetting the cart. You know it's difficult when you come to bare quorum like this and everybody --

COUNCILMEMBER HOKAMA: I understand, Chairman.

CHAIR VICTORINO: --gotta run --

COUNCILMEMBER HOKAMA: I understand, Chair.

CHAIR VICTORINO: --and I understand that. And, you know, and I need to ask you guys, especially the five that are here that can be at our next meeting, 'cause I can bring this back or I can wait till a later date to give, let the Chief get some more information. But let me cover a couple areas real quickly so you understand that no matter what you do you always have this challenge because Lahaina --

COUNCILMEMBER HOKAMA: Mr. Chairman, I understand.

CHAIR VICTORINO: --and South Maui, once an ambulance leaves the area, it is another...for West Maui, it's an hour and a half to two hours to get back.

COUNCILMEMBER HOKAMA: Understood, Chairman.

CHAIR VICTORINO: Once it leaves, even if it's flying over here and flying back it's still an hour and a half to get back minimum. I've been there, done that. I have waited for the ambulance to come back to transport. So to give them permission to transport would be...in extreme cases would be ideal. Now do they have the equipment and

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ability to transport? Now that's maybe more apparatus that we need to purchase right, Chief? And --

MR. MURRAY: Yes. That...

CHAIR VICTORINO: --your special, special equipment that needs to be purchased. It's not just a matter of transporting either 'cause we're talking safety issues yeah.

COUNCILMEMBER HOKAMA: I understand, Chair.

CHAIR VICTORINO: And South Maui is very similar. And if you go Upcountry and especially you go to the outlying districts like Ulupalakua and all those areas, same thing occurs. So that's one area that I not sure even if we change the law that we'd be willing to pick up the tab, because that's exactly what we're going to be looking at. The system on the Big Island I know because my brother-in-law works in it, it's not an easy system to work, they have a lot of challenges. They'd actually like to go back to what we're doing versus what they're doing. But that's, I shouldn't have said that, that's not my place to say something. Sorry. But, you know --

COUNCILMEMBER HOKAMA: No, thank you.

CHAIR VICTORINO: --I just know that there's challenges.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR VICTORINO: You know Honolulu right now has challenges. So anyhow, with all that being said, if you will withdraw your motion, Ms. Cochran --

COUNCILMEMBER COCHRAN: Chair?

CHAIR VICTORINO: --I will defer this matter to a later date so we can get, ascertain more information, but it's not easy. And I'd like to say, first of all, Chief, thank you very much for a very comprehensive report. I think this really covers a lot of areas that we discuss all the time and the financial aspects. And I hope when we go to the table, looking for more TAT and all that, that the fire departments and other areas will be coming with us as a partner looking for that additional funding for which we so...we deserve, we need, we should be getting it, yeah. So not to belabor the point but...so with no objections, I'm gonna defer item number six, item number seven, and item number eight which is the Legislative packages for the Hawaii State Association of Counties and the Maui package. If we have no objections, I'll defer those three matters.

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COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER pending further discussion.

Item PIA-3(2) HAWAII STATE ASSOCIATION OF COUNTIES (2017 HSAC LEGISLATIVE PACKAGE) (CC 15-157)

Item PIA-4(2) MAUI COUNTY LEGISLATIVE PACKAGE (2017 MAUI COUNTY LEGISLATIVE PACKAGE) (CC 15-158)

ACTION: DEFER, no discussion.

CHAIR VICTORINO: Okay, thank you.

COUNCILMEMBER COCHRAN: And, Chair?

CHAIR VICTORINO: Thank you very much, Members, for, you know, being so diligent. I do apologize that we have so many things coming up. Real quickly, can you make it on the 6th, Ms. Cochran? Nine o'clock?

COUNCILMEMBER COCHRAN: I'm...

CHAIR VICTORINO: I'm putting you on the spot, but I gotta get an answer pretty quick now.

COUNCILMEMBER COCHRAN: Yeah, it's just days after my surgery.

CHAIR VICTORINO: Oh, well.

COUNCILMEMBER COCHRAN: But I'll pop in if I can. I'll pop in just for that.

CHAIR VICTORINO: Okay, if you can, you cannot, you cannot. Ms. Crivello?

COUNCILMEMBER CRIVELLO: I will be here.

CHAIR VICTORINO: Thank you. Mr. Hokama?

COUNCILMEMBER HOKAMA: I'm not available, Chairman.

CHAIR VICTORINO: Okay.

COUNCILMEMBER HOKAMA: My apologies.

CHAIR VICTORINO: You're available, I'm available. I know Ms. Baisa said she'd be available. I didn't get a chance with Mr. Couch and the rest. So I have Mr. Carroll way back

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there. Are you available, Bob, on the 6th? He's gonna come down real quick to answer the question.

MS. WILLENBRINK: Mr. Chair?

CHAIR VICTORINO: Yeah

MS. WILLENBRINK: Mister...

CHAIR VICTORINO: I know you're polling too on top of that, right?

MS. WILLENBRINK: Mr. Couch is available.

CHAIR VICTORINO: Oh, Mr. Couch is available.

MS. WILLENBRINK: And Mr. White pretty sure.

CHAIR VICTORINO: Pretty sure. And here's mister...here comes Mr. Carroll. No, no. I'm waiting for you, sir. Did you pass it out to Mr. White...Mr. Carroll too, yeah? Okay, Mr. Carroll? That's a Tuesday.

COUNCILMEMBER CARROLL: September...

CHAIR VICTORINO: September 6th, Tuesday.

COUNCILMEMBER CARROLL: What time, 9:00?

CHAIR VICTORINO: Nine.

COUNCILMEMBER CARROLL: I can be here, but I might have to leave before
...*(inaudible)*...

CHAIR VICTORINO: Can you put your mic on. It's not on your mic. Sorry. Go ahead.

COUNCILMEMBER CARROLL: I'll be here at 9:00, but I might have to leave early.

CHAIR VICTORINO: Okay, well, we'll try to see what we can wrap up with you here. So we have from what I can hear right now, we pretty much will have at least more than quorum. I just don't want just bare quorum to make these decisions, okay. So if you can be here, and as far as I can see right now, we look like we have seven or eight, I'd be very, very pleased. Thank you, Members, for your understanding. And with no further ado I will remind everyone that at 1:30 we have IEM meeting with Ms. Cochran. So if there's no objections, I will adjourn the meeting.

COUNCILMEMBER COCHRAN: Chair?

CHAIR VICTORINO: Seeing none, all...this meeting is adjourned. ...*(gavel)*...

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ADJOURN: 12:15 p.m.

APPROVED:



MICHAEL P. VICTORINO, Chair
Policy and Intergovernmental Affairs Committee

pia:min:160829:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATE

I, Daniel Schoenbeck, 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 12th day of September, 2016, in Kula, Hawaii



Daniel Schoenbeck