

1 FIRE AND PUBLIC SAFETY COMMISSION
 2 COUNTY OF MAUI
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 7 TRANSCRIPT OF PROCEEDINGS
 8 REGULAR MEETING
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 13 Held at Maui Fire Department Prevention Bureau, 313
 14 Manea Place, Wailuku, Hawaii, commencing at 10:05 a.m., on
 15 May 16, 2019.
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 20 REPORTED BY: SANDRA J. GRAN, RPR/CSR #424
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1 (May 16, 2019, 10:05 a.m.)
 2 * * *
 3 CHAIR MISAKI: Okay. (Gavel.) So it's 10:05 and I
 4 want to start the May 16th department of fire and public
 5 safety commission meeting. So it's -- like I say, it's 10:05.
 6 The first thing we need to do is to approve the minutes and I
 7 would like to -- I would like to approve the executive session
 8 minutes first because we have to hand that back to Jill, so do
 9 I have a motion to approve?
 10 COMMISSIONER BURNS: Motion to approve.
 11 COMMISSIONER GINOZA: Second.
 12 CHAIR MISAKI: Okay. Thank you.
 13 Can we all hand in your minutes and --
 14 MS. OANA: Oh. All in favor?
 15 CHAIR MISAKI: Oh. All in favor?
 16 (Response.)
 17 CHAIR MISAKI: Anybody opposed?
 18 (No response.)
 19 CHAIR MISAKI: Sorry, I'm getting ahead of myself,
 20 but, anyway, if you guys can hand in your executive session
 21 minutes and give it back to Jill.
 22 COMMISSIONERS: (Complying.)
 23 CHAIR MISAKI: Thank you for that.
 24 The next item is our normal commission meeting
 25 minutes, I would like to entertain a motion. Or anybody have

1 ATTENDANCE
 2 COMMISSION MEMBERS PRESENT:
 3 Edwin Misaki, Chair
 4 Kyle Ginoza, Vice-Chair
 5 Dwight Burns, Member
 6 Lisa Vares, Member
 7 Donna Sterling, Member
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 10 STAFF:
 11 David Thyne, Fire Chief
 12 Bradford Ventura, Deputy Fire Chief
 13 Richard Kawasaki, Assistant Fire Chief
 14 Valeriano Martin, Assistant Fire Chief
 15 Michael McDonald, Captain
 16 Jennifer Oana, Deputy Corporation Counsel
 17 Jill Matsui Peterson, Commission Secretary
 18 Misty Cordeiro, Office Operations Assistant
 19 Herman Andaya, Maui Emergency Management Agency (out at 11:00)
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1 any discussion or corrections?
 2 COMMISSIONER GINOZA: I'll move to accept the
 3 minutes, the regular session minutes.
 4 CHAIR MISAKI: Okay. Anybody second?
 5 COMMISSIONER BURNS: Second.
 6 CHAIR MISAKI: Okay. It has been moved and
 7 seconded. All those in favor?
 8 (Response.)
 9 CHAIR MISAKI: All those -- anybody opposed?
 10 (No response.)
 11 CHAIR MISAKI: Okay. Great. Motion carried. You
 12 can keep your minutes.
 13 So the next item on the agenda is I'd like to
 14 introduce Donna Sterling and Donna is now occupying what was
 15 William Kennison's position and so I believe William and Greg
 16 came in the same time, so I believe your term goes to 2022.
 17 COMMISSIONER STERLING: Correct.
 18 CHAIR MISAKI: Thank you for serving.
 19 COMMISSIONER STERLING: Thank you for introducing
 20 me. Thank you.
 21 CHAIR MISAKI: I'm Ed Misaki, the chair.
 22 And if we can just go a quick introduction.
 23 CHIEF THYNE: Hi, Donna. I said hello on the way
 24 in.
 25 COMMISSIONER STERLING: Hi, Dave.

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1 CHIEF THYNE: THE last time I saw Donna was out at
 2 Kahikinui after the big fire, we did an after action and had
 3 some folks come in and work with the community. And we thank
 4 you, Donna.
 5 COMMISSIONER STERLING: You're welcome.
 6 CHIEF THYNE: It's good to see you again and thank
 7 for serving as a commissioner as well and our county as well.
 8 COMMISSIONER STERLING: Next to see you again. A
 9 different environment.
 10 CHIEF THYNE: Yeah.
 11 DEPUTY CHIEF VENTURA: Good morning. I'm Brad, his
 12 deputy. Thanks for being here. We appreciate everybody's
 13 input and involvement, so thanks.
 14 COMMISSIONER STERLING: Nice to meet you.
 15 MEMA OFFICER ANDAYA: Good morning. My name is
 16 Herman Andaya, I'm the --
 17 COMMISSIONER STERLING: Hi. How do you do?
 18 MEMA OFFICER ANDAYA: -- administrator of --
 19 COMMISSIONER STERLING: I talked to him on the phone
 20 for an emergency I was trying to get involved in.
 21 MEMA OFFICER ANDAYA: Yeah, yeah.
 22 COMMISSIONER STERLING: Nice to see you.
 23 MEMA OFFICER ANDAYA: Good to see you. Thank you
 24 very much.
 25 COMMISSIONER GINOZA: I'm Kyle Ginoza, a fellow

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1 commissioner.
 2 CHAIR MISAKI: He's the vice chair.
 3 COMMISSIONER STERLING: Vice Chair, good to meet
 4 you.
 5 COMMISSIONER VARES: I'm Lisa Vares, also a
 6 commissioner.
 7 COMMISSIONER STERLING: Nice to meet you.
 8 COMMISSIONER BURNS: Dwight Burns, also a
 9 commissioner.
 10 COMMISSIONER STERLING: And a cousin.
 11 COMMISSIONER BURNS: A cousin.
 12 COMMISSIONER STERLING: He is my cousin, but --
 13 yeah.
 14 CHAIR MISAKI: This is Maui.
 15 COMMISSIONER STERLING: We will see, so Sunshine
 16 stuff --
 17 ASSISTANT CHIEF MARTIN: Val Martin, assistant
 18 chief.
 19 COMMISSIONER STERLING: Hi. Nice to see you.
 20 ASSISTANT CHIEF KAWASAKI: Rick Kawasaki, the other
 21 assistant chief.
 22 COMMISSIONER STERLING: Nice to see you, Rick.
 23 CHAIR MISAKI: You know Misty and Jill.
 24 COMMISSIONER STERLING: Yes.
 25 CHAIR MISAKI: Thank you.

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1 COMMISSIONER STERLING: Thank you.
 2 CHAIR MISAKI: And thank you for serving.
 3 So we'll move on to our next item. Is there any
 4 public testimony?
 5 (No response.)
 6 CHAIR MISAKI: I don't see that there's any, so we
 7 can move on to our correspondence. Have you guys looked at
 8 the correspondence from Yolanda Dizon, a Kuleana land owner.
 9 COMMISSIONER STERLING: Yes.
 10 CHAIR MISAKI: So I guess what we're tasked with
 11 is -- the commission is tasked with is what -- what do we as a
 12 the commission want to recommend about, you know -- if we do
 13 want to recommend action or anything for this correspondence.
 14 (No response.)
 15 CHAIR MISAKI: Anybody?
 16 COMMISSIONER STERLING: So I had a question. I did
 17 have an opportunity late at night to read this. How much I
 18 absorbed, I'm not sure, but it seems that we got testimony
 19 from the people affected by the fire that's documented here.
 20 Correct? And then -- so we would be coming to a decision
 21 based on what the fire department came up with from the
 22 testimonies or --
 23 CHAIR MISAKI: There is no testimony today.
 24 COMMISSIONER STERLING: No. What I'm saying is in
 25 the document.

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1 CHAIR MISAKI: Yeah.
 2 COMMISSIONER STERLING: So you had asked for
 3 comments, we would be commenting on the documents here
 4 submitted and also what the fire department conclusion was; is
 5 that correct?
 6 CHAIR MISAKI: Okay. I would like to ask legal
 7 counsel.
 8 MS. OANA: So from what I understand, this kind of
 9 correspondence is kind of unusual for this commission, so I
 10 did read it too and I read your rules. I'm not the usual
 11 corporation counsel on this commission, so I recently read the
 12 rules. And basically you have your powers and duties and
 13 functions spelled out to you in the charter as well as in the
 14 rules of practice and procedure and it's listed right there.
 15 So whatever you folks as a commission want to do has to fall
 16 into that list of powers, duties, and functions. You're not
 17 allowed to go beyond that, you don't have authority. You can
 18 get in trouble for going beyond your authority.
 19 So I would point you guys out to the charter -- and
 20 I made copies with regard to the fire commission section. You
 21 guys should have your rules, I didn't print out copies 'cause
 22 it's kind of thick, but the rules are here in 6-102-16 and it
 23 might follow the charter. Let me double-check on that.
 24 So it's for your discussion to decide what, if
 25 anything, you want to do. Is there anything in the charter or

1 the rules that allow you to do something that you want to do?
2 If not and if you guys can't think of anything you want to do
3 or anything you should do, you really can just file this
4 matter.

5 COMMISSIONER STERLING: Okay. That's -- you
6 answered my question.

7 COMMISSIONER GINOZA: So I looked through the report
8 as well by Mr. Purdy and, I mean, it basically said that it's
9 indeterminable. Right? And the complaine or the testifier
10 or whatever had asked for like a more CSI kind of
11 investigation, which I felt like was kind of not warranted. I
12 mean, it's undeterminable. I mean, it's unfortunate that it
13 happened, but I didn't think that we needed to do any more on
14 this issue, that the current staff kind of exhausted what they
15 should have done.

16 My bigger concern, maybe, kind of going forward is
17 they're rebuilding and there still isn't any kind of
18 provisions for fire protection, as far as I can tell, 'cause
19 they -- as far as I can tell, they're going without permits,
20 so that's -- kind of going forward, I don't know how we would,
21 we would deal with this. It's more the department dealing
22 with any kind of building in outside areas.

23 But as far as what the -- they're asking about on
24 the investigation, I don't think we should devote any more
25 resources to something that -- it was just kind of a freak

1 as -- and maybe he can tell us a little bit more about what's
2 been happening, but this is kind of a peculiar situation that
3 we're -- that he's in because at the time of the fire, there
4 was an interim fire chair, right, and your rank and file was a
5 different makeup at the time, so it was a very different
6 makeup. I mean, this is the first time in, what, 15 years we
7 had to hire a new fire chief, right, so -- so it was kind of a
8 transitional time.

9 And so I don't know if you would like to add any
10 input to this correspondence.

11 CHIEF THYNE: I would -- I would. Thank you, Chair.
12 And what I can share with you folks is that we did meet with
13 Yolanda and her family. They had worked through the mayor's
14 office liaison to get some questions answered and there was
15 some communication. And in talking with our executive staff,
16 we said -- and it was actually a suggestion I'll give credit
17 Chief Martin, he spent many years in the fire prevention and
18 did a lot of investigations and said, You know what, we can
19 send messages back and forth and things are gonna get lost in
20 translation, why don't we just meet with them?

21 And we did. And we had what I felt was a very
22 productive meeting. We explained, you know, some of the
23 misspellings that were alluded to in the correspondence, we
24 explained -- they had initially taken some offense to
25 reference to a camp versus it's somebody's home and that was

1 accident.

2 CHAIR MISAKI: Go ahead.

3 MS. OANA: Chair, if I may. I just want to point to
4 the commission I just quickly reviewed the rules and the
5 charter and they're identical except for the -- you know, they
6 spell out department of fire and public safety, so it's sort
7 of -- except as an agency and they just use department and
8 agency, so the language is similar. And I do want to point
9 out the very end of that section.

10 COMMISSIONER STERLING: Where are you?

11 MS. OANA: The charter.

12 COMMISSIONER STERLING: Yeah.

13 MS. OANA: At the very top of page 25, which is the
14 end of the fire and public safety commission section, it does
15 say, "Except for purposes of inquiry or as otherwise provided
16 in this charter, neither the commission nor its members shall
17 interfere in any way with the administrative affairs of the
18 department." So I just wanted to point that out, you can't
19 really dictate what they have to do. So maybe we could
20 suggest, but we can't dictate.

21 CHAIR MISAKI: Okay.

22 COMMISSIONER STERLING: Thank you.

23 CHAIR MISAKI: Yeah. I mean, my understanding of
24 the commission is we're not going to interfere with any of the
25 rank and file. We do have to deal with the fire chief as far

1 because that's how it was relayed to the investigator. Oh,
2 that's So-and-So's camp, you know, that's how we do talk;
3 right? That's Pump Camp, that's Whatever Camp, Rice Camp, you
4 know. And so it wasn't meant to be offensive and we assured
5 them of that.

6 And when we left the meeting -- it was about -- I'm
7 gonna say I think it was about 2 hours long, a lot of
8 give-and-take and we left feeling very positive. I think that
9 they expressed to us that now they had some answers that they
10 could take back to their community. And so I was a little bit
11 surprised that -- and I just assume that they got back
12 together and more conversations happened and -- and they
13 decided to go and, you know, and go with this format.

14 But we assured them, Any time you folks want to talk
15 to us, we'll come to you, you come to us, our door's open.
16 And we left that meeting feeling very, very good. And what we
17 did -- and we talked to the commission about this, if you look
18 back on the minutes, and we expressed to this group that, you
19 know, we will respond anywhere any time and -- and it
20 shouldn't be taken out of context, but I'll put it like this:
21 If we have a call for service for somebody that's having a
22 medical issue, we don't care if you're homeless, if you're on
23 the street, if you're on the beach, we don't -- there -- we
24 don't draw a line. We respond, we take care of the patient,
25 and -- and we get ready for service for the next alarm. So

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1 irregardless of, you know, the right to be there or whatever
 2 have you, we don't draw that line.
 3 And I personally worked in Lahaina for 15 years in
 4 my career and I responded many times to that particular valley
 5 for incidents and -- and so I don't know where the line is
 6 drawn with Kuleana lands and the right to be there and all of
 7 that, but I can assure this body that that -- all of that
 8 is -- is not a concern of ours. We're gonna respond and -- to
 9 the emergency and do all we can to protect life and property,
 10 so -- and they, actually, in that meeting, just to share a
 11 little bit, were very thankful for the response of the
 12 firefighters.

13 The last thing I wanted to add is that we stepped
 14 forward and I talked to one of our senior captains in Lahaina
 15 who was born and raised in that community and asked him to
 16 stay in contact with them. We told them -- the group, I
 17 should say, I shouldn't refer to them as them, but the group
 18 from Kauaula Valley that if -- as they rebuild and if they do
 19 rebuild, that, you know, here's a captain at Lahaina station.
 20 I said we're very respectful of people's private property and
 21 home sites and things like that, but if we know, you know,
 22 where things are being built and how we can get access, it's
 23 going to benefit us if there is another incident.

24 Again, regardless of the law, 'cause I don't know
 25 what -- I can't speak to you from a point -- a legal point of

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1 view and say if Kuleana lands -- if there's a statute that
 2 says they can't be there or not, I really don't know that.
 3 But we told them that -- and that captain reached out to some
 4 of the leadership in the valley and they've been in contact
 5 since. And so I feel that, you know, we have done our best to
 6 reassure them.

7 We have -- through our investigator's report, as was
 8 alluded to, it was undetermined because we have to exclude
 9 other sources, potential sources, and we couldn't exclude
 10 those; so, therefore, we can't say that it's that right there,
 11 because we haven't excluded those other things. And that's
 12 part of the scientific process that goes into our arson -- or
 13 our investigations of fires. And we as an agency want to
 14 investigate fires and determine cause primarily because we
 15 want to protect life and environment and we don't want it to
 16 happen again. If we can find out the cause and we can,
 17 hopefully, eliminate that cause, then it doesn't happen again.
 18 It may be another cause and we try to eliminate that cause,
 19 you know. And that's why we do fire prevention and Fire Wise
 20 Communities and get education out there.

21 So I don't want to ramble, but that's -- that's what
 22 I'd like to submit, Chair.

23 CHAIR MISAKI: Thank you very much. This makes me
 24 feel a lot better about your efforts and that it's being
 25 addressed and I'm really thankful of that. Like I say, I

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1 don't know how we could directly interact with the family
 2 because we -- our job is to assess the job of the fire chief
 3 and he's very engaged with the family, so I'm really thankful
 4 for that. Thank you.

5 COMMISSIONER STERLING: Chair.

6 CHAIR MISAKI: Yes.

7 COMMISSIONER STERLING: I too want to thank you for
 8 extending the service of the fire department and meeting with
 9 the families and if -- you need to, you know, redirect them to
 10 how we can prevent and you've done that and I want to thank
 11 you. That's all we're looking for there is where do we go so
 12 it doesn't happen again and you've done an excellent,
 13 excellent outreach. Thank you.

14 CHAIR MISAKI: I would like to make one
 15 recommendation, though. I would like for our commission to
 16 write a letter to them saying that we did receive their
 17 correspondence, we did have a good dialogue with the fire
 18 chief during our commission meeting, and we understand that,
 19 you know, you are in direct communication with the fire chief
 20 and that's where it needs to be, so -- yeah, so --

21 COMMISSIONER STERLING: Excellent. Yeah.

22 CHAIR MISAKI: Yeah, so if -- I would depend on Jill
 23 to draft a letter with the chief's help so that we can get it
 24 right and then send them the letter from the fire commission.

25 And I guess you and I can sign the letter, Kyle.

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1 COMMISSIONER GINOZA: Sure. Sounds good.

2 CHAIR MISAKI: Yeah. Is that okay?

3 COMMISSIONER STERLING: Yes.

4 CHAIR MISAKI: So do I have to make a motion on
 5 that?

6 MS. OANA: Do you want to review the letter before
 7 it comes out or do you want to just depend on the chair to --

8 COMMISSIONER STERLING: I think it's been a year
 9 since this came -- it happened, maybe we can just kind of wrap
 10 it up and trust you.

11 CHAIR MISAKI: I think the main intent of the letter
 12 is that we did receive, we did discuss, it's in the hand of
 13 the fire chief and we'll --

14 COMMISSIONER STERLING: Yeah.

15 CHAIR MISAKI: Yeah.

16 COMMISSIONER STERLING: Acknowledge and just get it
 17 out.

18 CHAIR MISAKI: Okay. So that's a motion?

19 MS. OANA: Yeah. Anybody want to move to authorized
 20 this letter and --

21 COMMISSIONER VARES: Moved.

22 COMMISSIONER BURNS: Second.

23 CHAIR MISAKI: All those in favor?
 24 (Response.)

25 CHAIR MISAKI: Anybody opposed?

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1 (No response.)
 2 CHAIR MISAKI: Okay. Thank you.
 3 COMMISSIONER STERLING: Good. Thank you.
 4 CHAIR MISAKI: Thank you, Fire Chief.
 5 CHIEF THYNE: You're welcome, Chair.
 6 CHAIR MISAKI: You -- it must've been really
 7 effective because nobody showed up.
 8 (Laughter.)
 9 CHAIR MISAKI: Okay. Now we're going to have a
 10 presentation on the Sunshine Law.
 11 MS. OANA: A short presentation. So in front of you
 12 you guys should all have the Open Meetings Guide to the
 13 Sunshine Law that was created by the office of information
 14 practices, they're the agency who administers this law. This
 15 guide is updated pretty often and it's available online at the
 16 OIP website. Really, any question you have about the Sunshine
 17 Law, this document could pretty much answer. And if you're in
 18 a gray area, you should always err on the side of open
 19 meetings as opposed to closed-door meetings away from the
 20 public.
 21 So I'm just going to go over just some things in
 22 this handout. On page 6 it says, "What is the general policy
 23 and intent of the Sunshine Law?"
 24 "The intent of the Sunshine Law is to open up
 25 governmental processes to public scrutiny and participation by

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1 requiring State and county boards to conduct their business as
 2 openly as possible. The Legislature expressly declared in the
 3 statute that 'it is the policy of this State that the
 4 formation and conduct of public policy -- the discussions,
 5 deliberations, decisions, and actions of governmental
 6 agencies -- shall be conducted as openly as possible."
 7 So the Sunshine Law governs how state and county
 8 boards and commissions can meet, what are meetings, how are
 9 meetings -- what are required of meetings, as well as a big
 10 thing of -- in the Sunshine Law is how you guys can interact
 11 with each other. So basically the premise of the Sunshine Law
 12 is no board business can be discussed outside of a public
 13 meeting, outside of this meeting. And so what is a meeting?
 14 Well, it's a meeting convened with an agenda posted six days
 15 before the meeting that gives the public an idea of what you
 16 guys are going to talk about so they can choose on their own
 17 whether to come and participate via public testimony or not.
 18 It also -- so there's a notice requirement of what's going to
 19 be at the meeting and when is the meeting, so that has to be
 20 posted six days prior.
 21 With regard to interactions, so the board really can
 22 only discuss board business in this meeting, but there are
 23 some situations where you can discuss outside of this meeting
 24 board business and that is contained on page 19 -- I'm sorry,
 25 21, permitted -- it's called permitted interactions and

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1 sometimes you hear the term "PIG" or permitted interaction, or
 2 TIG, temporary interactive group or something like that. So
 3 starting from page 21 it does outline the different times
 4 where board members can discuss.
 5 And the first one is: "Two Board Members. Two
 6 board members may discuss board business outside of a meeting
 7 as long as no commitment to vote is made or sought.
 8 Nevertheless, it would be a serial communication contrary to
 9 the Sunshine Law for a board member to discuss the same board
 10 business with more than one other board member through a
 11 series of one-on-one meetings."
 12 So that kind of makes sense; right? You know, Kyle
 13 can't tell Ed something and then Kyle tell, you know, Donna
 14 something.
 15 CHAIR MISAKI: So I have an example of that because,
 16 as you guys know, there are two board members from Molokai and
 17 Travis and I travel together. And so we were unclear about
 18 this one, so we asked counsel and we were -- we became very
 19 clear. And one thing the counsel Jeff told us is that: If
 20 you're not clear, just don't do it, you know, and that's a
 21 good practice. So Travis and I do talk about fire department
 22 things, but not about commission agenda items. And that's the
 23 key: What's on the agenda to -- don't discuss it, that's the
 24 safest thing, yeah.
 25 MS. OANA: That's the safest --

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1 COMMISSIONER VERAS: And if it's not on the agenda,
 2 don't discuss it?
 3 MS. OANA: Yeah. I think board business -- any kind
 4 of business that is either before the board or reasonably
 5 likely to come before the board. So, you know, that could be
 6 really -- I don't know, whatever; right? So I guess it is
 7 best to if you can just avoid talking about it, avoid it,
 8 because it really is also the appearance of impropriety.
 9 Someone from the outside could see you guys talking, someone
 10 says "fire" and they're like, Oh, they're talking -- you know,
 11 so it's just best avoid that appearance.
 12 CHAIR MISAKI: I mean, this is an example of board
 13 business that we do discuss: Hey, Travis, what time was the
 14 flight? You know, because we're traveling together; right? I
 15 mean, that -- it is board business, but it is not on the
 16 agenda; right?
 17 COMMISSIONER VERAS: I have a question since I'm new
 18 to the whole deal. And this is perfectly timed, because I've
 19 been wondering about it. Is it ever a possibility for either
 20 a commissioner or commissioners to have a project that they
 21 want to work towards? You know, you get -- you see all these
 22 wonderful presentations and you get an idea and say, Oh, I
 23 think I would like to see if I can help that move forward.
 24 And find someone on the commission and say, Hey, I think our
 25 two talents or our two resources would work well together, are

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1 you interested in moving this idea forward?
2 CHAIR MISAKI: I have an example of that. So you
3 can do subcommittees and we did do that when we hired the new
4 fire chief. We met not as a public meeting, but we met to
5 discuss the process, how we're going to hire the new chief, so
6 you can do stuff like that.

7 COMMISSIONER VERAS: And then if you've got a
8 subcommittee and an idea or a project that you'd like to work
9 for, do we just present it in a --

10 CHAIR MISAKI: You have to make sure it's on the
11 agenda first to discuss it, yeah.

12 MS. OANA: Okay. So let's get to your situation,
13 'cause that's the very next one under "Investigations."

14 "A board can designate two or more board members,
15 but less than the number of members that would constitute a
16 quorum of the board, to investigate matters concerning board
17 business. The board members designated by the board are
18 required to report their resulting findings and
19 recommendations to the entire board at a properly noticed
20 meeting. This permitted interaction can be used by a board to
21 allow some of its members (numbering less than a quorum) to
22 participate in, for instance, a site inspection outside of a
23 meeting or to gather information relevant to a matter before
24 the board."

25 So if you have a project, I would suggest, you know,

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1 can say, Results and findings of the PIG or whatever. So at
2 that meeting, that's when you present your results and
3 findings to the board, to the commission, but it's only to
4 accept the information, no action is taken.

5 It's only until the next meeting that, you know,
6 action on whatever, whatever. It's just to give the public
7 the opportunity to also receive that information and process
8 it and choose to participate in public testimony at the next
9 time when you guys are actually making a decision and an
10 action.

11 So exactly you can do what you -- you know, you
12 mentioned, but it takes three meetings, so always keep that in
13 mind in terms of time. Is this a fast thing you want to do
14 or --

15 COMMISSIONER VARES: No. I have five years.

16 MS. OANA: You have five years to do it.

17 CHAIR MISAKI: So, again, the example was the
18 process we used for the fire chief, hiring of the fire chief.
19 I believe it was the August -- it was August of last year and
20 we actually had three meetings in August and one of the
21 meetings was we had to bring up this idea of setting the
22 process, the next meeting we had to bring up possible dates
23 and had -- it had to be approved, and then when we came to the
24 next meeting, then we could move forward, so there's a process
25 involved.

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1 contacting the chair to put it on the agenda first --

2 CHAIR MISAKI: It has to be a written.

3 MS. OANA: -- for discussion.

4 COMMISSIONER VARES: Okay.

5 MS. OANA: And then during the discussion, you can
6 talk about, I think we should form a PIG for the purposes of
7 whatever you want to do.

8 CHAIR MISAKI: Yeah.

9 MS. OANA: So I just want to kind of go over the
10 PIGs and TIGs because sometimes people think, Oh, if we give
11 it to the side group, the business will be done faster and
12 they can just report to us and we can just decide. It takes,
13 actually, three meetings to actually come and do an action.

14 So the first meeting, like today say something's on
15 the agenda and you want to create a PIG to investigate or to
16 research whatever, so at the meeting you say, Okay, I want to
17 create a PIG. At that meeting the scope of the authority of
18 the PIG is stated, who is going to be in the PIG is stated,
19 and, you know, what kind of things you're going to do, so
20 basically everything you're going to do and who's gonna to do
21 it is laid out at the first meeting.

22 Then you guys go out and you do it. Right? When
23 you have your results and findings that you want to present to
24 the board, you notify the chair and you put it back on the
25 agenda, We've got our results and findings. And the agenda

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1 COMMISSIONER VERAS: How far apart are your
2 meetings?

3 CHAIR MISAKI: It was all one week apart when we
4 scheduled it. And then we even had to meet -- we even --
5 somebody had to propose, Okay, when is the interview dates?
6 And so at one of the meetings -- we couldn't just say, Okay,
7 that's the interview dates, we had to have a meeting so that
8 it was -- it's a public meeting and then we had to approve
9 those interview dates. So, you know, it's a -- it's a very
10 meticulous process that you've got to go through. The key is
11 you've got to -- you've got to pretty much contact me and --
12 if you want something on the agenda and I have to make sure
13 Jill gets it on the agenda in time; otherwise, we can't
14 discuss it if it's not on the agenda.

15 MS. OANA: So remember it's a six-day rule, so
16 notify Jill, you know, eight days before, at least, you know.

17 COMMISSIONER VERAS: Okay. Thanks.

18 MS. OANA: Okay. So moving on the third permitted
19 interactions, "Presentations/Negotiations/Discussion."

20 "The board can assign two or more members of its,
21 but less than the number of members that would constitute a
22 quorum of the board, to present, discuss, or negotiate any
23 position that the board has adopted."

24 I'm not sure if you guys will ever get in that
25 situation, but just, you know, what if the council has

1 questions and so you guys want to designate two people to go
 2 to a council meeting and talk about what you guys have decided
 3 on an action or something.
 4 "Selection of Board Officers" is the next one.
 5 "Two or more board members, but less than the number
 6 of members that would constitute a quorum of the board, can
 7 discuss between themselves the selection of the board's
 8 officers."
 9 This next one can happen and it happens kind of more
 10 frequently, I think, than others, "Acceptance of Testimony at
 11 Cancelled Meetings."
 12 "If a board meeting must be cancelled due to lack of
 13 quorum or conference technology problems, the board members
 14 present may still receive testimony and presentations on
 15 agenda items from members of the public and may question them,
 16 so long as no deliberation or decision-making at the cancelled
 17 meeting. The members present must create a record of the oral
 18 testimony or presentations. At the next duly noticed meeting
 19 of the board, the members who were present at the cancelled
 20 meeting must provide the record and copies of the testimony or
 21 presentations received at the cancelled meeting. Deliberation
 22 and decision-making on any item, for which testimony or
 23 presentation were received at the cancelled meeting, can only
 24 occur at a subsequent duly noticed meeting of the board."
 25 So I'm not sure in this commission's situation, but

1 sometimes in other commissions we have applicants coming in
 2 for a certain request of like maybe the planning commission or
 3 something. Let's say the planning commission, three people
 4 showed up, we didn't have quorum, we can't have a meeting, but
 5 these applicants flew in from Oahu and they don't really want
 6 to come back to do this again. So the people present, the
 7 three present, can actually accept their presentation,
 8 whatever they were going to present at the meeting, they can
 9 accept it. Also anyone present from the public there to give
 10 public testimony can also give their testimony. Again,
 11 questions can happen, but no decision-making, that can only
 12 happen at the next meeting. So that kind of happens
 13 frequently 'cause, you know, you never know about having a
 14 conform and things like that.
 15 CHAIR MISAKI: We had an example of that, somebody
 16 was -- wanted to give a presentation, but we didn't have
 17 quorum, but we allowed them to give their presentation, that
 18 happened before.
 19 MS. OANA: Yeah. So whenever that happens, if you
 20 guys can designate one member to just take notes and that way
 21 that member can kind of repeat the notes back at the next
 22 meeting to all the other members not present.
 23 COMMISSIONER VERAS: So the minutes wouldn't
 24 suffice?
 25 MS. OANA: The law specifically says that a member

1 should -- has to do this, so --
 2 COMMISSIONER VERAS: So somebody has to pay
 3 attention.
 4 MS. OANA: Yeah. The minutes are usually very --
 5 you know, Sandra's here, word for word, but the law does say a
 6 member has to do this, so --
 7 CHAIR MISAKI: So we'll designate you.
 8 (Laughter.)
 9 MS. OANA: So you take the minutes and read it off.
 10 COMMISSIONER STERLING: Why would -- why would we
 11 have to take minutes? What's the legality?
 12 CHAIR MISAKI: Why would we what?
 13 COMMISSIONER STERLING: Why do we have to take
 14 minutes of a presentation?
 15 MS. OANA: It's not really minutes, it's more just a
 16 report.
 17 COMMISSIONER STERLING: A report.
 18 CHAIR MISAKI: So that --
 19 MS. OANA: And I really don't know. Maybe -- well,
 20 sometimes now minutes aren't required to be transcribed in
 21 lots of boards and commissions and right now minutes don't
 22 have to be verbatim, it can just be action minutes.
 23 COMMISSIONER STERLING: Action, yeah.
 24 MS. OANA: So minutes may not have every detail that
 25 you want to, you know, tell the other board members.

1 COMMISSIONER VERAS: Okay.
 2 CHAIR MISAKI: Because the item will probably be on
 3 the next agenda and, you know, I think the three or four board
 4 that was there can update the -- when we have a quorum, yeah.
 5 MS. OANA: "Discussions with the Governor," you're
 6 probably not going to do that; right?
 7 CHAIR MISAKI: What was that?
 8 MS. OANA: The next permitted interaction is
 9 "Discussions with the Governor." I'm going to skip that one.
 10 "Administrative Matters. Certain routine
 11 administrative matters, such as board budget or employment
 12 matters, can be discussed between two or more members of a
 13 board and the head of the department to which the board is
 14 administratively assigned."
 15 And then "Attendance at Informational Meetings Or
 16 Presentations. Sunshine Law allows two or more members of a
 17 board, but less than a quorum, to attend an informational
 18 meeting. The board members may participate in discussions,
 19 even among themselves, so long as the discussions occur as
 20 part of the informational meeting or presentation and no
 21 commitment relating to a vote on the matter is made or sought.
 22 At the next duly noticed meeting of the board, the members who
 23 attended the informational meeting or presentation must report
 24 their attendance and the matters presented and discussed that
 25 related to official board business."

1 I'm not really sure about this commission again, but
2 in terms of, let's say, for example, the planning commission,
3 right now they're required to take Native Hawaiian law
4 training, so, you know, more than -- you know, a bunch of
5 members from the planning commission can go to this
6 informational Native Hawaiian law training.

7 So that's basically the main things about the
8 Sunshine Law. I would recommend that you guys all kind of
9 read through this word for word at least once and probably do
10 it more than once because it's really, really good
11 information. And like I said, pretty much any question you
12 have about the Sunshine Law you can find in here. And if it's
13 a gray area, err on the side of don't talk to your friend
14 outside this meeting.

15 On page 48 I just want to point out to you the
16 actual Hawaii Revised Statute. So the beginning of this is
17 just a guide and it kind of explains what the lay is, from 48
18 on is the actual law if you wanted to read the law. And it's
19 pretty much -- they did a good job in explaining it in the
20 first part of the guide.

21 Does anybody have any questions?

22 CHAIR MISAKI: I have a couple input. So there's
23 something interesting I read in here and we had to exercise
24 that. There was a time when we wanted to go to the county
25 council meeting to take part in an informational meeting, but

1 COMMISSIONER STERLING: Just before you walked in
2 the door, I told -- I asked Dwight -- Duane?

3 COMMISSIONER BURNS: Dwight.

4 COMMISSIONER STERLING: -- Dwight, "Where is the
5 wahine?" And you walked through the door.

6 CHAIR MISAKI: Actually, there's another wahine,
7 there's three on the board, the one from Lanai.

8 COMMISSIONER STERLING: Lanai.

9 CHAIR MISAKI: And then the last input I wanted to
10 give, because sometimes the commission goes to other islands
11 or there's three of us from off island, we can actually attend
12 the meeting remotely, but you have to -- if you plan to do
13 that, you have to do it in a public facility where public
14 people testimony can come too. So if I wanted to be part of a
15 meeting from Molokai, I would probably do it at the liaison's
16 office on Molokai, the county gym, where the public can come.
17 And it has to be on our agenda that, yeah, to let the public
18 know they can -- if they want to testify, to come to this
19 facility or -- yeah.

20 Go ahead.

21 MS. OANA: And I just want to say that we don't
22 really recommend doing that, if at all possible. There's
23 law -- in the Sunshine Law it does say that if the audio, you
24 know, the technology shuts out, the meeting is cancelled.
25 Even if we have quorum here and Ed's over there by himself,

1 we couldn't have conform in the meeting, so we had to be four
2 or less of us. So keep that in mind, if there's anything that
3 we want to go before the council, we have to assign who goes
4 and make sure there's not five of us.

5 MS. OANA: Yeah.

6 CHAIR MISAKI: The other thing is that I noted in
7 here the executive session, in all cases -- almost all cases
8 has to be put on the agenda in order for us to go into
9 executive session. There is one exception and I was prepared
10 to do that today if we needed to seek legal counsel and I
11 was -- I was prepared to call an executive session to go into
12 a legal session with our legal counsel if we ran across a
13 legal roadblock here today, so -- that's the only exception,
14 though.

15 MS. OANA: Yeah. So if we --

16 COMMISSIONER VERAS: Quorum is five?

17 CHAIR MISAKI: Yes.

18 COMMISSIONER VERAS: Including the chair or --

19 CHAIR MISAKI: Yes. Yes, including the chair;
20 otherwise, we couldn't have the meeting today.

21 COMMISSIONER VERAS: Yeah, 'cause you guys were
22 really excited when I got here. I was like, Oh, my God.

23 CHAIR MISAKI: I am included in the quorum, I'm not
24 above you guys.

25 COMMISSIONER VARES: Okay.

1 the meeting is cancelled. So we don't encourage that, we
2 encourage everybody to actually come, because then we can just
3 talk instead of worrying about, you know, technology problems.

4 CHAIR MISAKI: There might be some unusual
5 circumstances that, you know, if there's only four here and
6 I'm the fifth, then, you know, it makes sense, but otherwise,
7 like you said, try not to.

8 So thank you for that input. Thank you for
9 explaining.

10 MS. OANA: Thank you.

11 CHAIR MISAKI: Any questions?

12 (No response.)

13 CHAIR MISAKI: If not, then I would like to go to
14 Item No. 7, MEMA.

15 And Herman.

16 MEMA OFFICER ANDAYA: Mr. Chair, Commissioners, I'll
17 just give you -- you have my report in front of you, I'll just
18 do some -- a little bit of highlights. We had our Redbook
19 meeting about two weeks ago. So the Redbook meeting is all
20 the administrators from different counties as well as the
21 state, we all get together and we kind of fight for these
22 grant monies, which is the Homeland Security grant program.
23 And there are about \$4 million out there and -- and so we were
24 able to get \$700,000 from that, so we're very fortunate.
25 Maui Fire Department -- well, let me just explain.

1 The \$700,000, most of it was cyber security. So this year
 2 there was a directive from Homeland Security that they want
 3 to -- they want us to focus more on cyber security and so
 4 because of that, about half of it was for cyber, for ITS,
 5 cyber security. But Maui Fire Department did submit three
 6 investments and they were able to get all three.
 7 And so this is the haz. mat. detection equipment,
 8 they had actually for 25,000, we were -- we were able to get
 9 50. We wanted them to get better -- better equipment, so we
 10 upped it to 50,000.
 11 The Rescue Systems 1 -- right now we're certified
 12 Rescue Systems 1, with this 25,000 we'll be able to get more
 13 training so that our firefighters will get promoted to Rescue
 14 Systems 2 and it's more -- I guess, more advanced rescue
 15 techniques.
 16 And then our third is the all hazard, the incident
 17 management training program, so that was another 25,000. We
 18 were able to find some monies for that. Originally we were
 19 going to take 25 from the haz. mat., but I was able to
 20 decrease the department's allotment and so we're able to fund
 21 the IMT.
 22 So they got all three of their investments. I want
 23 to thank Chief -- Battalion Chief Barut, he wrote this year's
 24 investments and he did a really good job. I didn't have to
 25 make any changes to it. It was really well done. He really

1 had compelling arguments in there, I think that played a big
 2 part in being able to get these monies. And I also want to
 3 thank Deputy Chief Ventura as well. So before the Redbook, I
 4 met with both Chief Ventura and Chief Barut and they kind of
 5 prepared me. Since I have to go in there by myself, prepared
 6 me like what to say and, you know, prepare, I guess, our
 7 argument for these monies. And so they spent a lot of time
 8 with me and because of that, I was able to speak to why we
 9 needed these monies for county -- for the county, and so I
 10 just want to thank them for doing that for us.
 11 Let's see. The other thing I want to bring up is
 12 the hurricane season is starting, it's going to start on June
 13 1st. So hurricane season goes from June 1st until November
 14 30th and so we're already preparing in our office. We're
 15 having trainings and workshops and exercises. And there's a
 16 big one that's going to be happening with the state and that's
 17 the Makani Pahili, it's a yearly exercise and there's a
 18 year -- there's a week-long of like different workshops and
 19 exercises and then it culminates at the very end with a
 20 tabletop exercise that's designed by the Naval Postgraduate
 21 School and both the mayor and I will be attending that. And
 22 so it's all the mayors, their administrators, and the
 23 governor. And so they conduct this like what will we do
 24 during a -- during a hurricane.
 25 Because of hurricane season, we are also preparing

1 with public preparedness, emergency preparedness for the
 2 public, so we're doing various, you know, radio spots, TV ads,
 3 as well as website, social media, public presentations --
 4 we've been doing a lot of public presentations lately. And
 5 we'll be also having our own Akaku show, so it would be a one-
 6 hour show dedicated to emergency preparedness and we will be
 7 having different guests in our show. So I think the first
 8 show we'll have the American Red Cross, hopefully we can have
 9 the chiefs on one of our shows one day to talk about emergency
 10 preparedness.
 11 That's all I have.
 12 CHAIR MISAKI: Any questions for Herman?
 13 COMMISSIONER STERLING: I do, Chair.
 14 Question: What is Makani Pahili?
 15 MEMA OFFICER ANDAYA: Makani Pahili? I'm sorry, I
 16 don't know the translation, but it's an exercise.
 17 COMMISSIONER STERLING: Oh.
 18 MEMA OFFICER ANDAYA: It's a state -- it's an
 19 exercise put together by the Hawaii Emergency Management
 20 Agency.
 21 COMMISSIONER VERAS: Is that here on Maui or Oahu?
 22 MEMA OFFICER ANDAYA: It's going to be on Oahu, but
 23 we have -- we've been having -- like just yesterday we had a
 24 workshop, so we had a debris management workshop. In fact, we
 25 tried a number of workshops on that and that's connected to

1 Makani Pahili, so...we know that last year one of our -- one
 2 of our shortfalls was debris management and so -- and
 3 recovery, and so because of that, that's the reason why the
 4 state wanted to focus on debris management. It's kind of
 5 complex because we -- the name of the game is we're trying to
 6 get FEMA reimbursement, but we have to follow certain rules in
 7 order to get -- in order to get that. And so that's the
 8 reason why -- the reason why we have to be trained and, you
 9 know, be knowledgeable about like what kind of rules there are
 10 out there, yeah.
 11 COMMISSIONER VARES: Is that a -- is it only for
 12 administrators or is it a public workshop?
 13 MEMA OFFICER ANDAYA: So the workshop yesterday, the
 14 debris management workshop, that was -- it was a -- various
 15 agencies were there, so state and county agencies, so those
 16 that's involved with debris management, you know. So we had
 17 about 50 that was in the room yesterday, yeah.
 18 CHAIR MISAKI: I have a question. So, you know,
 19 with today's technology, the public can see when hurricanes
 20 are coming, right, or where they're generated, has there been
 21 a trend because of global warming or whatever that there's
 22 more incidents now or is it just our technology is better?
 23 MEMA OFFICER ANDAYA: So -- and maybe I can tell
 24 you, so next week there's going to be a National Weather
 25 Service hurricane outlook briefing, but it looks like we're

1 still in the El Nino phase, so that means warmer waters.
 2 Warmer waters is good for hurricanes, you know, those are one
 3 of the things that it thrives on, and so it looks like we may
 4 have an active hurricane season this year.
 5 CHAIR MISAKI: Because of that El Nino.
 6 MEMA OFFICER ANDAYA: Because of that, yeah, because
 7 of this. So we're hoping we move on to La Nina, which is
 8 cooler waters, but it looks like it's continued to be El Nino,
 9 so...
 10 CHAIR MISAKI: Yeah.
 11 MEMA OFFICER ANDAYA: For that reason we're
 12 preparing, we're trying to prepare more and, you know, we're
 13 looking at like where -- what is it that we fell short on, so
 14 that's the reason why debris management was one. And then
 15 there was recovery, so I -- we asked the council for another
 16 position and they -- they approved it and so we'll be having a
 17 recovery specialist.
 18 There's four phases to an emergency, there's
 19 preparedness, response, recovery, and mitigation. We have
 20 positions that cover every phase except for recovery,
 21 specifically recovery, you know, and so that's the reason why
 22 we're asking for another position so that that person can help
 23 coordinate our recovery efforts.
 24 COMMISSIONER VERAS: Is recovery meaning cleanup or
 25 is that response?

1 MEMA OFFICER ANDAYA: So there's response --
 2 COMMISSIONER VARES: Right.
 3 MEMA OFFICER ANDAYA: So response is what happens
 4 during -- during the activation, they activate the emergency
 5 operations center, there's things going on in an event, in,
 6 say, a hurricane, and so responding to that, that event.
 7 After, after that event, that's where whether it be
 8 cleanups --
 9 COMMISSIONER VERAS: Right.
 10 MEMA OFFICER ANDAYA: -- or it could be housing,
 11 people have lost their housing, you know, so it's that --
 12 that's what we would be focusing on on that.
 13 The other thing, too, is that, you know, we --
 14 government can't -- government like say cleanups and all that,
 15 oftentimes we have like volunteers that help, you know, and so
 16 that person would help like coordinate some of that, you know.
 17 And dealing with the community like year-round and, you know,
 18 because there's -- there's community organizations out there
 19 who want to help and so they can -- that person can help
 20 coordinate that year-round so that when an emergency occurs,
 21 then, you know, we can call on those people for assistance.
 22 COMMISSIONER VERAS: Yeah.
 23 COMMISSIONER STERLING: I was thinking Kaupo and the
 24 isolation they have out there.
 25 MEMA OFFICER ANDAYA: Yeah. Back in 2007?

1 COMMISSIONER STERLING: Yeah.
 2 MEMA OFFICER ANDAYA: Yeah. So we had -- I was -- I
 3 was in the mayor's office at the time that that occurred and
 4 so, yeah, we -- we actually had somebody out there and we had
 5 to bring -- using Chinooks, we had to bring in supplies and
 6 other things there, yeah, so...
 7 COMMISSIONER STERLING: Right.
 8 COMMISSIONER VERAS: I have a question regarding
 9 hurricane season.
 10 MEMA OFFICER ANDAYA: Sure.
 11 COMMISSIONER VARES: Do you -- it would actually be
 12 for the public safety side. Are there more incidents of
 13 wave -- wave-caused drownings or wave-caused at least near
 14 drownings during a more active hurricane season or is it just
 15 all -- now just all the time?
 16 CHIEF THYNE: We don't necessarily see an uptick in
 17 incidents and I -- I guess we can all pay attention to our --
 18 our report that we give you every month --
 19 COMMISSIONER VARES: Yeah, I did.
 20 CHIEF THYNE: -- and see if we do see a trend.
 21 'Cause we pay attention to these trends and we look at, you
 22 know, how we approach our training program to, you know,
 23 adjust during certain times of the year, as I mentioned when
 24 I --
 25 I don't want to -- sorry, Herman, I don't want to

1 jump in on --
 2 MEMA OFFICER ANDAYA: No, no, no. Please. No.
 3 CHIEF THYNE: -- your part there, but as we talk
 4 about our training and -- I'll talk a little bit about our
 5 wildland training that we do and that's pre-wildland season.
 6 Because we're getting into hurricane season, we're also
 7 getting into brush fire season --
 8 COMMISSIONER VARES: Right.
 9 CHIEF THYNE: -- where we see uptick because of the
 10 heat, you know, the drying of the fuels and -- and so we try
 11 to get ahead of it by doing, you know, wildland training
 12 pre-season.
 13 Same thing if we get into hurricane season, it kind
 14 of almost concurrently after wildfire season, we get into our
 15 rain events. Right?
 16 COMMISSIONER VARES: Mm-hmm.
 17 CHIEF THYNE: We get into our winters here, which
 18 are our rain events, and so we do a whole dam safety program.
 19 That's not a swear word, that's the dam that meaning
 20 reservoirs and -- because we are -- we assist police in
 21 evacuating areas if they have a reservoir that starts
 22 overtopping or because of rain events. And so we do a
 23 preparedness there in our training program to get our folks
 24 out in the field looking at the reservoirs, game planning if
 25 it was to overtop, because they have spillways and things like

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1 that. So that's kind of how we react, if you will, or
 2 prepare, prepare to react, more appropriately.
 3 So in regards to your question, we don't necessarily
 4 see an uptick when it's a hurricane event 'cause folks here
 5 are pretty akamai, I think, you know, and there's been events
 6 in Indonesia and whatnot where even the hotel folks, the
 7 visitors, they get notifications, so less and less people are
 8 kind of roaming around on the --
 9 COMMISSIONER VARES: Yeah.
 10 CHIEF THYNE: -- on the beaches. And we do close --
 11 we work with parks and whatnot to close beach parks and so
 12 that kind of lessens that impact, I think, so -- but we do pay
 13 attention to that, Lisa. Thank you.
 14 CHAIR MISAKI: Final question, I'm just curious:
 15 Has there been any progress on MEMA's presence in the
 16 Kaunakakai Station? Remember, you guys --
 17 MEMA OFFICER ANDAYA: Oh, yes. Yeah. So I'm not a
 18 sure if -- we just waiting now on the fire department
 19 completing that.
 20 DEPUTY CHIEF VENTURA: So our Fire Service Officer
 21 Rylan Yatsushiro, he works on our projects, and this is kind
 22 of a joint project because it's EOC, but it's in the fire
 23 station on Molokai. So he's just finishing up the spec for
 24 the bid and then it'll go out to bid and then we'll see which
 25 contractors bid the job. Essentially what it is, is it's an

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1 unfinished big room in the fire station that's completely
 2 raw -- no ceiling, no plumbing, nothing -- and it needs to be
 3 turned into an EOC.
 4 COMMISSIONER STERLING: EOC is?
 5 DEPUTY CHIEF VENTURA: Emergency operations center,
 6 so it's a satellite center for emergency management. One of
 7 the challenges of our community is logistics, right, we have
 8 three islands, four if you count Kahoolawe, we have isolated
 9 communities everywhere. So they'll run emergency operation
 10 centers in Hana, Lanai, Molokai, Wailuku all at the same time
 11 during a big event. So Molokai's one is at our fire station
 12 and right now it's just an empty room.
 13 CHAIR MISAKI: So just to give you guys a little
 14 background, when they built the new Kaunakakai Fire Station,
 15 they built this huge room as a -- for a conference room, but
 16 it was -- the funds ran out, so we could not finish that room.
 17 Secondly, the police department is looking at moving, so in
 18 the meantime they moved their dispatchers into the Kaunakakai
 19 Fire Station because it's out of the inundation zone. So
 20 when -- so two things are happening: I'm glad that EOC will
 21 have a presence on Molokai once that's done, and the second
 22 thing is once the police department moves out of there,
 23 there'll be more room in the Kaunakakai Fire Station.
 24 CHIEF THYNE: Ironically, they moved the dispatchers
 25 out, but they moved the policemen in to our old fire station,

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1 so...
 2 DEPUTY CHIEF VENTURA: Our old fire station is in a
 3 low-lying area and every time it rains --
 4 CHAIR MISAKI: It floods.
 5 DEPUTY CHIEF VENTURA: -- like waves of water come
 6 through there. So we had to find a way --
 7 CHAIR MISAKI: And that's why the Kaunakakai Station
 8 was moved in the first place --
 9 DEPUTY CHIEF VENTURA: Correct.
 10 CHAIR MISAKI: -- because of the flooding.
 11 DEPUTY CHIEF VENTURA: Right.
 12 COMMISSIONER STERLING: Oh, and we've got the
 13 weather --
 14 CHAIR MISAKI: So, I mean, I hope you guys can all
 15 come on the October field trip, because we're going to -- I'm
 16 going to try to focus it on visiting the Pukoo, but we can do
 17 a quick pass by the Kaunakakai Fire Station.
 18 COMMISSIONER STERLING: I'd like to see that.
 19 CHAIR MISAKI: Yeah.
 20 MEMA OFFICER ANDAYA: Yeah. We have Homeland
 21 Security monies, so we're just waiting for once it's complete,
 22 then we have Homeland Security monies to buy, you know,
 23 monitors and video telephone -- video teleconference
 24 equipment, and so that way we're able to keep in touch with
 25 Molokai. Well as other like radios and whatnot, yeah, so...

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1 CHAIR MISAKI: So thank you, Herman. Right on.
 2 MEMA OFFICER ANDAYA: Thank you.
 3 CHAIR MISAKI: Good to hear.
 4 COMMISSIONER STERLING: Chair, I have one more
 5 question. Sorry, I'm the new kid here, but gotta talk about
 6 it in here. So the question is: Is Kahoolawe in the
 7 jurisdiction of the fire department and MEMA.
 8 CHAIR MISAKI: That's more of a question for the
 9 chief.
 10 COMMISSIONER STERLING: Okay. And the sirens, I try
 11 to get sirens -- who's in charge of --
 12 MEMA OFFICER ANDAYA: So the sirens is a state, a
 13 state function, but we assist them in like, you know, not
 14 maintaining, but making sure they sound, you know. And so in
 15 your report I believe there's a -- yes, there's a -- like out
 16 of these 68 active sirens, you know, 58 were sounding. It
 17 doesn't mean that the other nine didn't sound, we just don't
 18 know, because no one was there to hear it, you know. Yeah.
 19 What happens is we send out a -- whenever we sound
 20 the sirens, we send out a text message to Makaala -- Makaala
 21 is the county alert system. So we send to certain people in
 22 the community and they report back if they were able to hear
 23 the siren. And then what we also do is those that do not text
 24 us back, we then call them. But there's times when people are
 25 not at home, they're out, you know, shopping or whatever the

1 case may be, and so because of that, no one is there to hear
 2 the siren.
 3 CHAIR MISAKI: So that's what your "no contact"
 4 means, you didn't get contact from somebody who was
 5 monitoring?
 6 MEMA OFFICER ANDAYA: Yes.
 7 CHAIR MISAKI: Okay. It doesn't mean the siren
 8 didn't sound.
 9 COMMISSIONER STERLING: Didn't sound, okay, to
 10 clarify. Thank you.
 11 CHAIR MISAKI: Thank you, Herman.
 12 MEMA OFFICER ANDAYA: Thank you.
 13 CHAIR MISAKI: Okay. Where are we on our agenda?
 14 We're on Item 8 and I'll turn it over to Chief Thyne.
 15 CHIEF THYNE: Thank you, Chair.
 16 (MEMA Officer Andaya left the room.)
 17 CHIEF THYNE: So to answer Commissioner Sterling's
 18 questions: Yes, Kahoolawe is our response area. I'm not sure
 19 exactly what year, I don't know if it was '07, but, you know,
 20 when it changed from the military back to the responsibility
 21 of the county, I actually went as a -- I think I was -- I
 22 don't think I was battalion chief yet, but I went as a group
 23 that went over and they kind of introduced us to the island
 24 and we went to the base camp that was there for the cleanup
 25 and then they took us from one end to the other and kind of

1 explained how the flagging system went and whatnot.
 2 And so I know there's quite a few community groups
 3 that go over there, but, you know, fortunately, we don't get a
 4 lot of incidents. I don't recall in the recent past any
 5 incidents, but I know there's been a few here and there where
 6 we've had to medevac -- well, we had to get rescuers in there
 7 and then -- and then bring people to a safe area to -- and I
 8 think we've had some -- some boaters that have come into some
 9 difficulties, but it's very rare, so we're thankful for that.
 10 But nobody checks in with us, so we don't know who's there,
 11 nobody has to, like, do a permit or anything through us to go
 12 to the island and there's none of that going on. So it more
 13 would come off a 911 call that said, Hey, we're in distress.
 14 We're off of Kahoolawe, we need help, kind of thing.
 15 COMMISSIONER STERLING: And that's ocean too?
 16 CHIEF THYNE: Yes, yes. So any and all of our
 17 normal range and then the Coast Guard is responsible after
 18 that, right, and we assist them. So, yes, I just wanted to
 19 answer your question and didn't want to leave it hanging
 20 there.
 21 COMMISSIONER STERLING: I appreciate it. Thank you.
 22 CHIEF THYNE: You bet.
 23 I did want to -- you know, we do a lot of acronyms
 24 and we talk about things -- Herman did one of them and that's
 25 Rescue Systems, so I just want to touch on that for about 30

1 seconds. And Rescue Systems for us is our firefighters, if we
 2 have a wind event or an earthquake or a tsunami, any kind of
 3 natural disaster where, you know, buildings could fall down or
 4 people could get trapped -- we had a concern many years ago as
 5 a collective group in our operations section, a division of
 6 our department, that we have had little to no training in what
 7 commonly would be referred to as USAR, urban search and
 8 rescue. And we see that on CNN and different places and --
 9 and we have very little training. We had our ongoing
 10 firefighter training and we do things with ropes and we're
 11 very proficient in the training that we do, but we had no
 12 training in, you know, searching collapsed structures. Very
 13 little, I shouldn't say no, we had very little.
 14 And it was primarily -- the training that we did
 15 have was center in our specialized units, being haz. mat. for
 16 confined space and then rescue, our rescue companies out of
 17 Kahului for what they do. Confined space as well, some ropes,
 18 you know, belaying people, doing different systems for raising
 19 heavy loads and things like that, but it was a very select
 20 group, a very small group of people, and what we felt was, is
 21 that we're going to be called to task. We're going to have
 22 911 calls coming in with, you know, people, you know, needing
 23 help, you know, So-and-So is trapped within a parking garage
 24 type of thing.
 25 And so we used the Makani Pahili exercise, which is

1 the annual hurricane exercise, to build a local exercise
 2 amongst ourselves here in Maui County to have the emergency
 3 management folks and our decision-makers at the county level
 4 understand that we don't have enough training or resources to
 5 take care of the problem. And what we did was a simulation
 6 down at our joint training center and we basically just took
 7 20 -- or, excuse me, 60 CERT volunteers and we also had
 8 mannequins for some of the more compromising situations, slabs
 9 on people, overturned vehicles. We don't want to put
 10 literally people in there, so we put mannequins. And we did
 11 this exercise to show them that this is how long it takes us
 12 to rescue 60 people in that simulation and that's what lead to
 13 us getting the funding for Rescue Systems 1.
 14 And Brad is one of our lead instructors in Rescue
 15 Systems 1 and we actually sent one of our other instructors
 16 over to the Philippines most recently to train some folks over
 17 there.
 18 So this is the kind of things that play off some of
 19 the exercises and things that we do, much like your --
 20 Jennifer referred to, your three meetings to get something
 21 moved through your commission, it takes a process for us to
 22 justify funding. And so that's what Rescue Systems is:
 23 Rescue Systems 2 gets more into breaching and breaking and
 24 chipping through slabs and more complex environments; and then
 25 Rescue Systems 3 really specializes in structural collapse,

1 pancake collapse.
 2 COMMISSIONER VERAS: And that's all part of USAR.
 3 CHIEF THYNE: It's part of the overall -- what would
 4 be considered the urban search and rescue program, but it --
 5 our training is primarily based out of the California system
 6 and that's Rescue Systems, is what it's called.

7 There's no USAR certification, that's a federal
 8 thing. Those teams are sponsored, they're trained, there's I
 9 think 15 or 16 of them, I'm just guessing, but they're
 10 geographically located. I believe there's five in California,
 11 I think one or two in the Puget Sound area, and then they're
 12 dispersed amongst the U.S. But they're federally mandated,
 13 trained, funded, all those types of things.

14 We're more like what a lot of jurisdictions would
 15 have and that's trained personnel in these disciplines, if you
 16 will, of Rescue Systems. So it's an established curriculum.
 17 So, anyway, I just wanted to touch on that.

18 The two reports you have before you, I mentioned the
 19 wildland training. You'll see on our training, you know, a
 20 large amount of our -- our resources there, 221 personnel went
 21 through our wildland refresher training. You know,
 22 unfortunately, it's difficult and one of our Hana captains
 23 just came in recently and he says, Hey, you know, when are you
 24 guys gonna get to us? And so we have to -- we have to, you
 25 know, deal with, as Chief Ventura mentioned, the logistics of

1 our county; right? So last year we did an extensive training
 2 on Molokai, this it was primarily centered -- ironically,
 3 believe it or not, we couldn't burn in West Maui, the field
 4 wouldn't burn. As dry as it is and whatnot, it just had --
 5 because of that burn just recently in August, you know, the
 6 fire we alluded to earlier, it didn't grow back consistent
 7 enough to carry the fire. You could start little clumps here
 8 and there, but it didn't produce this simulated wildfire. So
 9 we were over here in the central plains and we had all of our
 10 companies come in, we had mainland instructors come in.

11 And we're building this wildland program because we
 12 all know that the resources that we have and the abilities to
 13 access these areas are limited for the 40 or 50 thousand acres
 14 of former plantation and the potential for a wildfire to come
 15 through there with a vengeance. We use those techniques in
 16 Kahikinui to -- like what some people call back fires and
 17 things like that. That's firing operations, so we're getting
 18 people trained and certified. We're also subjecting our -- or
 19 training our line firefighters in how they interact with that
 20 type of tactic or strategy, so that's what that was. That was
 21 a big push headed up by Chief Kawasaki and I think it was well
 22 received by our personnel and we'll continue to move that
 23 program forward.

24 So, again, nothing real dynamic on our incidents.
 25 We do track it, though, police -- or Commissioner Vares, as

1 you -- as you mentioned about the drownings and the uptick in
 2 calls, we look at those upticks, we look at trends, and that's
 3 how we look at, you know, our resources, our training, and
 4 then we kind of pay attention to that. Obviously, it's always
 5 EMS is a primary response for us. Nationwide it's up in the
 6 60 to 70 percent call volume, so, obviously, we pay a lot of
 7 attention to our EMS training 'cause that's what we,
 8 obviously, are out there the most times for. But then it's
 9 also that high risk/low frequency events or incidents that,
 10 you know, we get tasked on as well, so -- anyway, we always
 11 give you those two reports and feel free to ask any questions.

12 I'll just jump into my quick -- and this is probably
 13 the briefest report I'll ever present before you and it's
 14 primarily because we were in budget and it was a very complex
 15 process. It was a new council, they had a different approach.
 16 I told the budget chair, though, Keani Rawlins-Fernandez, I
 17 said, Thank you. It's refreshing to have a different approach
 18 to the normal systemic process we went through in the past.
 19 And we don't know if it's better or worse until we do it, so
 20 let's do it.

21 And for us, I know we piled a whole bunch of
 22 paperwork on you and the chair asked me to report out on some
 23 of that and I'll answer any questions on the answers we
 24 provided to the council, but I don't necessarily want to go
 25 through every one because I know your time is valuable to you

1 folks, but I will answer any questions you may have.

2 But we does have a good interaction with the council
 3 and it was very -- first with the mayor and then with the
 4 council, and we're feeling pretty good about our budget. And
 5 hopefully within the next couple of weeks, we'll get the final
 6 decision on the budget from council and be able to discuss
 7 that a little bit more with you on the various projects and
 8 things that they awarded. But we did get some positions and
 9 all of those things.

10 So I'll just segue right to the 35th recruit class.
 11 We're excited about that, but we're also a little bit
 12 concerned in the sense that we had about I think almost 70
 13 mailings that went out -- 63, was it, Chief -- somewhere
 14 around that and it's been almost three years since they gave
 15 the exam and we only had I think it was 18 replies, the kind
 16 return to sender kind of thing. But we sent certified mail
 17 and we've never had a problem with recruitment and I don't
 18 think we still have a -- don't have a problem, but people
 19 move, they, you know, break up with the girlfriend, they
 20 decide to go to college. And so we got all these return to
 21 sender, so we requested more names.

22 We'll be doing the agility tomorrow and Saturday for
 23 the first group of folks. It's a very limited pool. We're
 24 looking at about 50 positions -- excuse me, 15 fire recruit
 25 positions in the upcoming class. Right now the list is pretty

1 small, though, and -- so we want a good cross-section of
2 folks, so we requested more names. We hope to have a good
3 report to you the next commission hearing that we did -- were
4 able to select like 15.

5 However, in the notes here in my report you'll see
6 that we did work with the state, they want to put ten recruits
7 in our recruit school. We've had that relationship and that's
8 a good relationship and we'll continue to maintain that. They
9 are providing some -- they have an instructor, a dedicated
10 instructor, as well as some of the instructional manuals,
11 which is a cost savings. However, we did advise them that we
12 may have to push it out to a start date of August 1st. So
13 we'll keep you updated on that, that's -- that's the short
14 version of that long story.

15 And then the last thing I had is we did have a
16 committee meeting regarding illegal fireworks. I know this
17 commission requested some information a couple of meetings ago
18 and we did have a town hall meeting. Mahina Martin hosted
19 that meeting, I guess. It was attended by about 50 folks, I
20 would think. I think you were there, Lisa. Did I see you
21 there?

22 COMMISSIONER VARES: Yes.

23 CHIEF THYNE: I thought you said there.

24 COMMISSIONER VERAS: Yeah.

25 CHIEF THYNE: Yeah. You should've said hello.

1 COMMISSIONER VERAS: It was very busy.

2 CHIEF THYNE: But, yeah, a lot of the -- a lot of
3 the frustration was -- well, I feel, anyway, was geared
4 towards the police department. They have a -- you know, a
5 task of going out and dealing with folks that are frustrated
6 with neighbors or people getting a little carried away with
7 the fireworks and their call volume is already high. And so
8 Chief Tivo was on the hot seat.

9 But I think the meeting was good to engage the
10 community and we'll just see what happens further from here.

11 They're -- they have a limited ability to really restrict what
12 comes in and inspect containers, which was a surprise to me --

13 COMMISSIONER VERAS: Yeah.

14 CHIEF THYNE: -- because of the Homeland Security
15 environment and everything. The harbor master was there,
16 Duane Kim, and he spoke to that. Paul Sensano was there from
17 the DOCARE folks, the DOBOR folks. And so we had a good
18 interaction. Don Guzman was there, the prosecuting attorney,
19 as well as Marvin Moniz from the airport, so -- so we'll just
20 see if there's future meetings and how we can get, you know,
21 hopefully less illegal fireworks coming through the system,
22 that's basically all that we can -- we can try to focus on.

23 So that's all I have unless you folks have
24 questions.

25 CHAIR MISAKI: I just have a comment and I really

1 want to thank you for this, you know. I mean, even though
2 it's very extensive and a lot of reading, we've never had
3 financial or budget reports like this before, so I really
4 thank you for this.

5 CHIEF THYNE: Absolutely. And I know it's a lot of
6 reading and I did write a cheat sheet on my notes here on
7 every single one and I just don't want to necessarily --
8 unless you have direct questions --

9 CHAIR MISAKI: Yeah.

10 CHIEF THYNE: -- I will answer them, but it was just
11 generally information-gathering by the council members to then
12 ask questions, further questions, because we sent a written
13 response to every single one, but -- so, anyway, I'll just
14 stop right there.

15 CHAIR MISAKI: Okay. Thank you.

16 CHIEF THYNE: If you do have questions or think of
17 something later, please let me know.

18 COMMISSIONER VERAS: Chief Thyne, I just want to
19 take a second to thank you for that community hall discussion.
20 That was really enlightening. I actually went because I
21 figured there would be questions or conversations about
22 fireworks or prevention of, you know, wildland fires due to
23 fireworks that would come up in this environment that -- you
24 know, I'm knew to this, so I didn't know if maybe it had
25 already been gone over, but there was stuff in that that I had

1 absolutely no idea that was an issue. Like not having any --
2 any oversight over what is brought in on containers like
3 period, because it's all Coast Guard, it's their jurisdiction,
4 and that's --

5 Anyway, I just want to thank you. I was really,
6 really impressed. It was very organized and you and Martin
7 did a great job and I can't believe the -- like the who's who
8 that was on the panel. It was really interesting. And I hope
9 you guys are able to do another one. I know it was a lot and
10 there was -- and, you know, there was about 50 people there
11 and they all seem to be from Kihei, they came up central, but
12 if you had that thing in Kihei, boy, like it would've gotten
13 feisty. But, anyway, thank you for that, that was really
14 quite interesting.

15 CHIEF THYNE: Absolutely.

16 CHAIR MISAKI: Okay. Deputy Ventura.

17 DEPUTY CHIEF VENTURA: Yes. Good morning.

18 COMMISSIONERS: Good morning.

19 DEPUTY CHIEF VENTURA: Thank you all for being here.
20 So we kind of have a format that we follow. Chief Thyne
21 reports on a variety of things, these are the four things that
22 I usually report on and sometimes it's a very dynamic month
23 and sometimes it's a very slow month.

24 So looking at the top of my report to you, the
25 Department Interviews and Promotions, this -- usually we try

1 to fill vacancies as soon as possible, that keeps many things
 2 in order. It keeps people who are on lists from getting
 3 promoted before lists expire, because that's a really bad
 4 thing. It -- because people, you know, they study and they
 5 spent hundreds of hours sometimes preparing for an exam, they
 6 take it, they finally pass, enough of them talk, they know
 7 where they are on the list, they know they might be up next
 8 for an interview, and then we sit on the process and the list
 9 expires, some very disappointed people. So the interview
 10 process and the promotions we're constantly working on and we
 11 do work hand in hand with department of personnel services, so
 12 a lot of it is out of our control, but we try to do as much as
 13 we can as quickly as we can.

14 So since the typing of this to -- yesterday, we did
 15 already promote the firefighter IV, which is a lieutenant, and
 16 he works in this building and he's a plan reviewer. It's a
 17 very unique position in our fire department because most of us
 18 sign up to be firefighters and then you find yourself sitting
 19 behind a desk with Kihei School blueprints that are about that
 20 big and you have to go through them and comb through them and,
 21 you know, work on all the building and fire code and with the
 22 planning department, and so it's a very unique position within
 23 our department. We have two of them currently that we're
 24 requesting and potentially going to get a third eventually,
 25 but we'll see how that goes.

1 COMMISSIONER GINOZA: Who is the person?
 2 DEPUTY CHIEF VENTURA: So the person that got
 3 promoted to that position, Oliver Voss, he has some
 4 construction background and he's -- he's been in this bureau
 5 now about -- a couple of years, so -- yeah, so he's in that
 6 position.

7 The battalion chiefs, it's -- we had a battalion
 8 chief retire back in the end of March, I want to say, and so
 9 that position has now been filled. I'm not sure if any of you
 10 know him, but Kaulana Kino is the selected battalion chief, so
 11 now all of -- all six of our 24-hour shift battalion chief's
 12 positions are currently filled.

13 CHAIR MISAKI: And which side is --
 14 DEPUTY CHIEF VENTURA: So the position he's going to
 15 fill is going to be on the west side, which is our 2nd
 16 battalion, and he'll be a battalion chief on the first watch,
 17 which is A watch, and he's in charge of west side: Molokai,
 18 Lanai, and Wailuku Fire Station.

19 COMMISSIONER STERLING: Wow.
 20 CHIEF THYNE: Chief, if I can -- do you folks -- I
 21 know Ed probably knows, but -- and maybe you all do. Are you
 22 aware of our shift schedule, how it works?

23 COMMISSIONER VERAS: No.
 24 COMMISSIONER STERLING: No.
 25 CHIEF THYNE: Okay. So we have three shifts and --

1 gosh, I wish there was a calendar here, but -- so generally
 2 speaking -- not generally speaking. We work 24 hours, so we
 3 have A, B, and C watch. And so basically when you're on duty,
 4 you're on duty for 24 hours. Jill will show you kind of an
 5 example. So red is first watch or A watch, blue is B, and
 6 then C is green, so you can see that your schedule is set.
 7 You can literally look at Christmas and say, Am I working
 8 Christmas this year, kind of thing.

9 COMMISSIONER VARES: Wow.
 10 CHIEF THYNE: And it's set for the whole year. And
 11 so we stay on duty 24 hours, 7:30 we report for duty, 7:30 the
 12 next morning we get off, and so that's how it works. And the
 13 shifts just tumble along one after another, one after -- and
 14 then you get four days off. So it's -- so just a generic
 15 schedule would be you work Monday 24 hours, you get off
 16 Tuesday morning. You're off all of Tuesday and go report for
 17 duty Wednesday. You work all Wednesday till Thursday morning,
 18 you're off all of Thursday. You work Friday you report for
 19 duty, you get off Saturday morning and then you're four days
 20 off and then you start again, one off/one on. And so it's set
 21 for the whole year. You can look and say, Oh, gee, do I work
 22 Halloween this year, do I work Thanksgiving, so you can plan
 23 your vacations, your family trips, your spring breaks, all of
 24 that. But I just wanted -- Sorry, Chief, I just wanted -- I
 25 wanted to give to you how our shift schedule work.

1 CHAIR MISAKI: And correct me if I'm wrong, but at
 2 your level and fire prevention is the only conventional work
 3 hours; right?

4 CHIEF THYNE: Correct. We're Monday through Friday,
 5 typically 8:00 to 4:30. 7:45, actually, officially. And the
 6 only kind of -- I shouldn't say weird, but you folks know what
 7 I mean. And we're the only folks in the state that do this
 8 and that's because of Hana and Lanai, we have what's a three
 9 day on/six off schedule. They don't do this Monday/Wednesday/
 10 Friday thing because they typically either have to fly in or
 11 drive in the Hana situation, so they stay on duty three days
 12 straight, 72 hours, and then they're off for six days.

13 CHAIR MISAKI: Aren't they experimenting with
 14 Molokai too?

15 CHIEF THYNE: We did on Molokai and it -- and so we
 16 did Hoolehua as a pilot project and the folks didn't care for
 17 it. And we didn't want to force it on our folks, on our
 18 firefighters, and so Chief Brad headed up that project and so
 19 we did surveys, we had communication, he flew over there, and
 20 the folks over there didn't want to do it. So we said okay.
 21 We just did a pilot, we wanted to try it, you know.

22 CHAIR MISAKI: Correct me if I'm wrong, but one of
 23 the reasons to try it on Molokai is 'cause there was a lot of
 24 Maui firefighters --

25 CHIEF THYNE: Correct.

1 CHAIR MISAKI: -- that go to Molokai, so try to give
 2 them a break, work three straight days and then they come home
 3 for four days, yeah.
 4 CHIEF THYNE: Well, the good news is for the --
 5 CHAIR MISAKI: Or six days.
 6 CHIEF THYNE: -- for the folks that live on Molokai,
 7 is they're very active in preparing the youth for getting a
 8 career in the fire service, so there's different trainings
 9 that are going on and workshops and -- in order to try to
 10 recruit the young folks that live there and say, Hey, you
 11 know --
 12 COMMISSIONER STERLING: Stay.
 13 CHIEF THYNE: -- you could get a good job with the
 14 fire department, you know, you just gotta work hard and study
 15 and prepare and then you can serve your community. So that's
 16 a good work by some of the folks on Molokai.
 17 CHAIR MISAKI: Thank you.
 18 DEPUTY CHIEF VENTURA: So that's a unique schedule.
 19 There's about seven different fire schedules in the country
 20 that I can think of off the top of my head, but -- so those
 21 are the two that we use. The reason we can get away with
 22 having a firefighter work 72 hours in those locations is
 23 they're generally slower. If you worked at Wailuku Fire
 24 Station and you're running 8 to 12, 15 calls a day, by the
 25 third day you'd need to go to the hospital, you would not be

1 able to survive being up three-quarters of the night going on
 2 calls. Those stations, Hana and Lanai, are generally slower,
 3 so they can recover from the day before or it's a quiet enough
 4 day that they can work the following day a little bit. So we
 5 couldn't do a three-six everywhere, but they're remote
 6 stations. And then as they alluded to, the transportation, I
 7 think you -- it's remote, so we have to send people on the
 8 boat or on airplanes to go to Lanai and we wouldn't want to be
 9 doing that every single day for five guys both directions.
 10 CHAIR MISAKI: Right.
 11 DEPUTY CHIEF VENTURA: It would just become a
 12 nightmare. So that's about our schedule.
 13 And then we talked briefly about our agility that
 14 we'll be doing with the recruits, that's their physical test,
 15 so it's two days swim, run, a stair climb, a ladder climb, and
 16 then a fire simulation. That will take place this weekend and
 17 we'll see how many people pass.
 18 Our departmental improvement committee is basically
 19 recommendations from anybody in our department who says, Hey,
 20 we should do this. And some of them were really simple and we
 21 can put them into action quickly and then some are very
 22 complex and they're going to take years of changing. And then
 23 some of them are also multi-agency, so it's a great idea, but
 24 we're gonna need to set up a committee so that they can deal
 25 with maybe police and Coast Guard and these agencies so we can

1 all get on the same page and create MOUs to make this thing
 2 happen.
 3 So as far as the things that are active in there
 4 right now, we're trying to kind of stand up our social media
 5 platform because, as you guys probably well see, it's just
 6 like wildfire, we always want try to be in front of it as much
 7 as possible and so we're trying to get that going. And then
 8 we have some other little things that we're working on, but
 9 nothing major.
 10 Unit interactions, as -- for those of you that are
 11 new, our two main unions are Hawaii Firefighters Association
 12 and that takes care of all of our uniformed firefighters, HGEA
 13 is where our 62, eventually, lifeguards come out of, and then
 14 we also have some smaller units including our admin. staff,
 15 clerical staff, our mechanics. So there's like three people
 16 in that, five people in that, seven people in that, they're
 17 smaller. Those are our two main, though, HFFA and HGEA, which
 18 we're constantly dealing with. Hey, we need to work on this,
 19 change this policy, work on an MOU or so on and so forth. So
 20 those are things that we've discussed this month.
 21 And then transmittals from the public, you know,
 22 it's always easier to report on the good. We don't always --
 23 we don't only report on the good, although we do have more
 24 good than bad, which is a good thing. But when bad things do
 25 occur, it's our responsibility to be as transparent as

1 possible and we'll let you guys know what we're aware of. And
 2 so, you know, this past month these are the couple of things
 3 that came up as far as -- you know, our firefighters are
 4 involved in community outreach constantly, whether it's a
 5 bazaar, a soccer tournament, a senior project, the Boy Scout
 6 and Girl Scout, Boys and Girls Club, etc., etc., we're there
 7 on the weekends, on our days off. And the firefighters are
 8 getting paid for it, but they're in constant contact in a
 9 different arena, so it's a good public relations thing, it's
 10 a -- we get a lot of interactions with the public. They're
 11 asking questions of these firefighters, they're able to talk
 12 to the people, educate them on what we do, you know, all the
 13 things that we talk about in here could also be topics that we
 14 talk about at a soccer game or the tennis court or wherever
 15 they're at, so we usually get good feedback from those
 16 organizers.
 17 The Molokai meeting that's on the bottom there, we
 18 are -- we have lots of big projects going on in the department
 19 and some of the bigger ones are the movement of fire stations
 20 out of inundation zones. So, for example, we have Pukoo Fire
 21 Station, which is on a state property that's ancient and the
 22 building just basically needs to be left and we need to move
 23 to a new location outside of the flood zone and all that sort
 24 of stuff. So we had a public meeting there two nights, so
 25 Chief Martin and myself flew over there and met with the

1 public and chair -- Commissioner Tancayo was there as well and
2 it was good. The community's always going to be split and so
3 we need to work with them and try to find the best solution we
4 can.

5 CHAIR MISAKE: Really? On Molokai the community is
6 split?

7 (Laughter.)

8 DEPUTY CHIEF VENTURA: Indeed. I knew you'd be
9 surprised.

10 CHAIR MISAKE: Anyway, Chief Martin's going to go
11 over that.

12 DEPUTY CHIEF VENTURA: Yeah. So I don't want to go
13 too in depth on that.

14 And then just since -- like I said from the typing
15 of this till today, we've gotten multiple other responses from
16 the community. MCCC and our response to helping them with
17 their incident that they had up there. I mean, tourists that
18 write us letters that say, Hey, I was involved in a car
19 accident and your fire crew out in Lahaina was fabulous on
20 this date. So we contact our firefighters because, you know,
21 they're -- they know they're appreciated, but at the same
22 time, they -- we should let them know when they get good
23 feedback from the public, so we kind of close the loop on that
24 to let them know.

25 I guess I'll go to any questions from you?

1 COMMISSIONER STERLING: I do. I don't know who to
2 ask, but I'll just throw it out. The issue with rescues of
3 community or tourists or visitors in a marked area that says
4 private and we, the community, have to do the helicopter
5 rescue, who in the fire department -- who in the fire
6 department oversees the -- that type of issue of charging --
7 or is that the counsel?

8 CHIEF THYNE: So that would be a counsel, that would
9 be something that would have to be added in as law or to my
10 understanding an ordinance of some sort. You know, the
11 attorney would be better to ask that, but -- our concerns with
12 that are the cost recovery piece to it, you know, how would we
13 bill and we don't have that mechanism in our agency, for sure.
14 And then you hear the arguments, you know, Commissioner, on
15 people won't call because they don't want to get charged
16 and -- you know, this has been a national debate, I guess, for
17 lack of a better description.

18 And I know our former chief, Chief Murray looked
19 into and testified before council when it was brought up a
20 couple of times in the past. And so we would definitely have
21 to have our counsel look into that, what statute would have to
22 be put in. And I know Chief Brad is a hunter and -- and I'm
23 trying to be brief, because I know chair wants to go to a
24 quick break, but the short version is, is that, you know,
25 certain places you go hunting, you pay a fee, a set fee for

1 your license that is, theoretically, like a search and rescue
2 fee. And it'd only be \$5 that is tacked on and it's for every
3 hunter, you know, and so maybe that's a charge that's put on.
4 And we don't want to bill our tourists too much, but, you
5 know, for everybody. If everybody's tacked on \$5 and it's
6 part of the TAT or something like that. And so then if you do
7 happen to have a search and rescue, some of that cost recovery
8 is there because it's already kind of a preloaded charge,
9 versus going, Hey, I'm going to bill you for a rescue because
10 you jumped the fence over here, you know. We still gotta do
11 some stuff in EMI if the guy said, Hey, I put signs and the
12 attorney said I have to put signs every so many feet, I -- you
13 know, a week later they're gone 'cause somebody used them and
14 did a campfire and so he couldn't keep up, you know. And so
15 just -- I mean, it's a tough one.

16 Sorry, Chair.

17 COMMISSIONER STERLING: Okay. I'm done.

18 CHAIR MISAKE: Anyway --

19 DEPUTY CHIEF VENTURA: Sorry. So council has
20 approached us a couple times, obviously, on the same topic and
21 it has to be kind of driven from them to turn it into law.
22 There is -- we have done public surveys in the past which
23 we'll be doing again next year and that is a topic that comes
24 up and a lot of times people will say, you know, don't bill
25 the tourists, it's part of our responsibility to provide a

1 safe place for them to come and visit and -- but then there's
2 the conversation if we -- if we do put a tax on every airplane
3 ticket coming in and it's a search and rescue -- just like the
4 rent a car facility that just opened yesterday that was paid
5 for by that concession fee, you know. There's different ways
6 to come up with the taxes to pay for these things, but right
7 now we will respond to everybody who makes a bad decision in
8 those situations and --

9 COMMISSIONER STERLING: Okay. That is well put.

10 DEPUTY CHIEF VENTURA: And we just -- actually, you
11 know, like I said, social media is crazy, but yesterday there
12 was an incident in Hana and our firefighters just went to an
13 area and got somebody to safety and then somebody who was
14 there was recording it and just hounding the poor tourist --
15 not us, you know, but basically saying, Why are you putting
16 our firefighters at risk? And he was defending us, but
17 he's -- has a valid point, right, so...

18 COMMISSIONER STERLING: Thank you.

19 CHAIR MISAKE: So, anyway, let's take a break and
20 give her a break. Let's come back in five minutes at 11:35.

21 (Pause in Proceedings: 11:29 a.m.-11:36 a.m.)

22 CHAIR MISAKE: So, Chief Kawasaki, I believe you're
23 up.

24 ASSISTANT CHIEF KAWASAKI: Okay. So you guys all
25 have this in your packets, there was a note sheet. So the

1 major incident summary, I want to go over all of those because
 2 you just see what kind of bigger events that we had.
 3 And currently we're involved in that missing person
 4 search. I have a timeline of what we've done for the last
 5 week if you guys want to hear it. If not, I can pass it out
 6 to you or whatever. Real quick, I'll just go over it real
 7 fast. So Thursday, May 9th is when it started, we initiated
 8 search on that day, so over all the past week we've been
 9 involved, you know, a bunch of off-duty, call-back personnel.
 10 We did stand up our IMT, which is the incident management
 11 team, for two of the days. After that, we scaled it back and
 12 then as new information came about, we put the appropriate
 13 resources in. We flew our helicopter -- I'm gonna say they're
 14 probably coming up on 18 hours of flight, flight time with
 15 personnel visually looking and also infrared technology, so
 16 far coming up with nothing. Let's see. Yeah. So today we
 17 have some call-back personnel, I believe 11 today, and we are
 18 scheduled for a media press conference at two o'clock this
 19 afternoon with the police. So we're basically assisting this,
 20 the police in this event.
 21 Okay. The next thing on the list is our standard
 22 operating guidelines committee, what that is the standard
 23 operating guidelines, SOGs, is just what we use for the
 24 department for all of the administrative things. So all of
 25 the things we respond to, you know, structure fire, this type

1 of missing person search, so we have basically a guideline of
 2 how we operate on all of the different things that we do, so
 3 we revise that every year. We're a little bit behind on this
 4 schedule, it was supposed to be completed, but our battalion
 5 chief that was heading the project retired, so right now I
 6 have the battalion chiefs, the current battalion chiefs
 7 working on it, so we'll be getting that done eventually.
 8 Apparatus and equipment committee, so for those of
 9 you who are not familiar, we do have five trucks that we got
 10 approved for: two engines, a ladder truck, and two wildland
 11 trucks. We did issue a notice to proceed, we'll be going up
 12 there in July for a preconstruction meeting with the
 13 manufacturer company.
 14 And on the -- under the training bureau we have a
 15 list of all the different trainings we had in April. One of
 16 that -- the big one was the wildland training that we had. We
 17 actually used -- burned live fire in the Mahi Pono Company
 18 property.
 19 And the last section, ocean safety, we do have ocean
 20 safety Battalion Chief Kevin McAfee set to retire next -- the
 21 end of this month. We do have a temporary assignment who will
 22 be one of our captains, Captain Geise, showed interest in
 23 applying for the position, so he'll be temporary assigned as
 24 of Monday next week.
 25 Other than that, that's about it.

1 CHAIR MISAKI: Thank you.
 2 Kyle, when do you have to leave?
 3 COMMISSIONER GINOZA: In like 10 minutes.
 4 CHAIR MISAKI: Okay. So if we wrap it up with Val
 5 and then --
 6 ASSISTANT CHIEF MARTIN: Good morning, Chair and
 7 Members of the Commission.
 8 COMMISSIONERS: Good morning.
 9 ASSISTANT CHIEF MARTIN: If you take a look at this
 10 handout, I'm not sure if you got it, recently we just did a
 11 2-day personnel investigation training for some of our
 12 personnel. As you can imagine, you know, in the employment
 13 we -- for personnel discipline, the processes we have to take
 14 and we also need to have retraining in making sure that we're
 15 doing it properly and so we did a hire attorney Sarah Wang to
 16 come in for a 2-day class and she's awesome and it just helps
 17 us.
 18 The Pukoo relocation, so like Chief Ventura
 19 mentioned, for a couple days we did go over, on May 4th and
 20 7th, and we had public meetings on a particular parcel, one of
 21 the parcels that the community had suggested several years ago
 22 that we should take a look at. So we did, we did a
 23 preliminary environmental assessment on the property, that was
 24 with some budgeted money from last year, presented it and had
 25 some discussion. And there's still more talk and more

1 discussion on where we're going to build it, but we're looking
 2 at a parcel by Kilohana School, next to Kilohana School on
 3 Molokai. So we're just taking one step at a time and it's not
 4 a final decision and it doesn't mean that it is going to be
 5 built there. There's many hurdles and obstacles and possible
 6 deal-breakers that could prevent us from building the fire
 7 station there, but we're moving.
 8 CHAIR MISAKI: So if I might want to add, the big --
 9 the big controversy on that property is that there's some
 10 arch. sites, so there's basically all Hawaiian families that
 11 are for and against it. And the ones that are not for it is
 12 because of the arch. sites, that's my basic understanding,
 13 so -- thanks.
 14 ASSISTANT CHIEF MARTIN: And thanks for that. And
 15 in any case, regardless of what happens, if a fire station is
 16 built there, we have to do a full-blown EIS and so it'll be
 17 in -- it'll be revealed to some extent.
 18 CHAIR MISAKI: And be taken care of.
 19 ASSISTANT CHIEF MARTIN: And taken care of or not
 20 built.
 21 CHAIR MISAKI: Yeah.
 22 ASSISTANT CHIEF MARTIN: That's a possibility.
 23 That's one of the deal-breakers that could happen.
 24 DEPUTY CHIEF VENTURA: And when they talk the
 25 archaeological sites there, sorry, some people look at a rock

1 wall that's 7 years old that was for cattle as something we
 2 shouldn't be touching and some people look at heiaus as
 3 something that shouldn't be touching and so they're very
 4 divided and they're very -- there's different levels of
 5 concern there and some of the concerned about do not touch any
 6 rock on that property, so, you know, how are you gonna build
 7 anything with that kind of restriction, so...

8 COMMISSIONER STERLING: Right.

9 ASSISTANT CHIEF MARTIN: And the land that we're
 10 interested, there's definitely no heiau there, but --

11 DEPUTY CHIEF VENTURA: Yeah.

12 CHAIR MISAKI: Okay.

13 ASSISTANT CHIEF MARTIN: There's definitely no heiau
 14 there, but...

15 I'd like to add, still going on in the fire
 16 prevention bureau, we do have a close relationship with the
 17 Maui Hotel Association, especially the security association
 18 with all the hotels in Maui County. It's a great avenue for
 19 us to get communication two ways: If they have questions and
 20 concerns, they contact us and then vice versa. We're also
 21 very close with them in disaster response. I just wanted to
 22 throw that in there because we do work with them. Even with
 23 fire prevention, we help them in the hotels and the
 24 employees -- some of the hotels have fairs for their
 25 employees. And a lot of times if we have an answer that many

1 hotels might be interested in, we can reach out, so that's our
 2 avenue.

3 We continue to work with the Workday software
 4 program, that was an HR program that the county had purchased
 5 which was multimillions of dollars and multi-years in the
 6 making, but we're finally on board and we've changed over.
 7 And we're still going through it, but it is a huge project
 8 that the entire county took on that also included the fire
 9 department.

10 As was already mentioned, we spent a lot of time on
 11 council budget topics. Just -- we renovated the kitchen at
 12 Paia, installed some smoke detectors, trained some Maui EMS in
 13 fire extinguisher use.

14 And regretfully inform you of the recent passing of
 15 Fire Captain Lance Wendel, he just passed. His services will
 16 be on June 22nd at the Holy Ghost. He has been retired
 17 approximately, I wanna say, about 7 or 8 years.

18 And we also had our firefighter safety guide
 19 luncheon that some of you may have attended.

20 And moving on to -- I do have budget stuff, but I
 21 don't think -- it's already something you guys know that was
 22 in the Maui -- the mayor's proposed budget, but we don't know
 23 what's going to shake out after the council does its final, so
 24 it might be just a moot point for us to discuss it.

25 And I'll save the rest of the time for our health

1 and safety captain, Mike McDonald.

2 CHAIR MISAKI: Well, this is -- this is what I've
 3 been advised by counsel: If Kyle leaves, we're going to have
 4 to cancel the meeting, so it's not going to be a legal
 5 meeting. I've been advised that we can defer his presentation
 6 to our next meeting and we can adjourn the meeting and this
 7 meeting will be legal. So my advice is that we adjourn and
 8 defer his presentation to the next meeting.

9 COMMISSIONER GINOZA: Well, how long is the
 10 presentation? Because I know he's been waiting and I know
 11 Captain McDonald doesn't want to come back.

12 CHAIR MISAKI: Yeah, but I don't want him -- I don't
 13 want his presentation to be 5 minutes if it's supposed to be
 14 15. And at our next meeting we might have more commission
 15 members that could benefit from his presentation. So that's
 16 what I would want to have happen. I don't want to cancel this
 17 meeting.

18 CAPTAIN McDONALD: When is the next meeting?

19 CHAIR MISAKI: June.

20 CHIEF THYNE: June 20th.

21 CAPTAIN McDONALD: I'm on vacation.

22 CHIEF THYNE: So here's a suggestion --

23 CHAIR MISAKI: We can -- we can have you in one of
 24 future meetings.

25 CHIEF THYNE: Yeah. We'll adjust.

1 CAPTAIN McDONALD: Sounds good.

2 CHIEF THYNE: He's always on vacation, so --
 3 (Laughter.)

4 CHIEF THYNE: I'm joking, I'm joking, I'm joking.
 5 He's always here, he's a great soldier.

6 CHAIR MISAKI: So if that's okay, I -- would
 7 somebody like to -- I mean, would you guys agree to that?

8 Do we have to take a vote?

9 MS. OANA: Any objections to deferring?

10 CHAIR MISAKI: Any objections?

11 COMMISSIONERS: No.

12 COMMISSIONER STERLING: I just move that we defer
 13 the last -- F to the next meeting, June 20th.

14 CHAIR MISAKI: Okay. Second, anybody second?

15 COMMISSIONER BURNS: Second.

16 CHAIR MISAKI: Okay. All those in favor?
 17 (Response.)

18 CHAIR MISAKI: All those -- anybody opposed?
 19 (No response.)

20 CHAIR MISAKI: Okay. Meeting's adjourned. Thank
 21 you.

22 Sorry, Mike.

23 (The proceedings were adjourned at 11:47 a.m.)

24

25

