

PURSUANT TO CHAPTERS 91 AND 92, HAWAII REVISED STATUTES, AS AMENDED; NOTICE IS HEREBY GIVEN OF A PUBLIC MEETING OF THE MAUI COUNTY BOARD OF VARIANCES AND APPEALS (BVA)

Members: Stephen West (Chairman), Trisha Egge (Vice-Chairman), Raymond Sung, Jeffrey Borge, William Kamai, Ray Shimabuku, Emmanuel Baltazar, Ivan Lay, Caron Green

AGENDA
(HYPERLINKS TO MEETING MATERIALS ADDED)

DATE: August 26, 2020 (Wednesday)
TIME: 12:00 pm
PLACE: Online only via BlueJeans; Meeting ID: 271 715 790

A. CALL TO ORDER

Public testimony will be taken at the beginning of the meeting. **Testimony will be limited to a maximum of three (3) minutes.** To listen to the meeting via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter code 271 715 790

To watch the meeting, use meeting link:
<https://bluejeans.com/271715790>

ALL PARTICIPANTS MUST KEEP THEIR MICROPHONE AND CAMERA/VIDEO MUTED/OFF AT ALL TIMES, EXCEPT WHEN THE CHAIR OR BOARD SECRETARY CALLS UPON YOU TO TESTIFY OR SPEAK. WHEN FINISHED SPEAKING, PLEASE REMEMBER TO MUTE/TURN OFF YOUR MICROPHONE AND CAMERA/VIDEO.

Public testimony will be allowed on each item. TO TESTIFY BY VIDEO, please click on the CHAT button, select DIRECT MESSAGE, and send a direct message to Chalsey Kwon (Board Secretary) STATING YOUR NAME and that you would like to testify. The Board Secretary will acknowledge your request, and the Chair or Board Secretary will call upon you when it's your turn. TO TESTIFY BY PHONE, please wait until the Chair or Board Secretary calls upon you by the last four digits of your phone number.

The CHAT function may only be used to contact the Board Secretary to 1) request to testify; or 2) notify the Board Secretary of difficulty requesting to testify. The CHAT function may not be used for any other purpose, including contacting Board Members or other meeting participants, or commenting on the agenda items or other matters.

B. STATUS UPDATE ON APPEAL

1. **AOAO OF MAUI SUNSET** appealing the decision of the Director of Environmental Management dated June 5, 2018 related to the use of R1 recycled water for property located at 1032 South Kihei Road, Kihei, Maui, Hawaii; TMK: (2) 3-9-001:002 (BVAA 2019/0010) (D. Dias)
No public testimony will be received.

[Status Update Letter](#)

C. DISCUSSION

1. Board discussion of Board powers, duties, and/or procedures, including without limitation regarding: contested hearing procedures; hearing officer assignments; status of and anticipated timetable for availability of written minutes (including substantially full transcripts of portions relevant to, and in advance of, anticipated D&O review and discussion and approval) of previous Board meetings; timing and method of distribution of relevant materials to Board members for review in advance of meetings; issues relating to quorum (or lack thereof); miscellaneous questions & answers and/or feedback with Staff and Corporation Counsel.

Public testimony may be received.

D. NEXT REGULAR MEETING DATE: September 10, 2020

E. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5 (a)(4), HRS.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE BOARD MUST CONFORM TO RULE 12-801-18, RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF VARIANCES AND APPEALS, AND BE FILED WITH THE BOARD AND SERVED UPON THE APPLICANT WITHIN A REASONABLE TIME BEFORE THE MEETING IN WHICH THE SUBJECT MATTER OF THE INTERVENTION IS TO BE HEARD. THE ADDRESS OF THE BOARD IS NOTED BELOW.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (MAUI) OR 1-800-272-0117 (MOLOKAI) OR 1-800-272-0125 (LANAI) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR BY FAX NUMBER 270-7634 AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

PLEASE NOTE: If any member of the Board is unable to attend the scheduled meeting, please contact the Department of Planning at least one day prior to the meeting date. Thank you for your cooperation.

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