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LIQUOR CONTROL COMMISSION
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held via Blue Jeans video conference, commencing at
9:03 a.m., on November 18, 2020.

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

COMMISSION MEMBERS PRESENT:

- CHAIRPERSON: NANE ALULI
- VICE CHAIR: LEON BOLOSAN
- COMMISSIONERS: ROBERTO ANDRION, JR (in 9:07)
- JAMIE BECRAFT
- AARON BOSWELL
- JERRYBETH DE MELLO
- STANLEY RUIDAS
- BRUCE U'U
- LESLIE ANN YOKOUCHI

STAFF PRESENT:

- DEPUTY CORPORATION COUNSEL: MIMI DESJARDINS
- DIRECTOR: LAYNE N. SILVA
- LIQUOR CONTROL OFFICER III: JARRETT KAHOOHANO
- LIQUOR CONTROL OFFICER III: MARC WEISENFELD
- COMMISSION SECRETARY: MARIA KHANGSENGSING

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(November 18, 2020, 9:03 a.m.)

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CHAIR ALULI: All right. Let's call the meeting to order. I'd like to call the meeting, the liquor commission meeting for Wednesday, November 18th, 2020, to order. Let me start with the roll call. Jamie Becraft.

COMMISSIONER BECRAFT: Sorry. Present.

CHAIR ALULI: Okay. Leon Bolosan.

VICE CHAIR BOLOSAN: Present.

CHAIR ALULI: Aaron Boswell.

COMMISSIONER BOSWELL: Present.

CHAIR ALULI: Jerrybeth De Mello.

COMMISSIONER DE MELLO: Present.

CHAIR ALULI: Stan Ruidas.

COMMISSIONER RUIDAS: Present.

CHAIR ALULI: Bruce U'u.

COMMISSIONER U'U: Present.

CHAIR ALULI: Leslie Ann -- Leslie Ann Yokouchi.

COMMISSIONER YOKOUCHI: Present.

CHAIR ALULI: Roberto Andrion.

(No response.)

CHAIR ALULI: Okay. Roberto is not here.

Layne Silva. Oh, I can see you. Okay. Is Kari on.

COMMISSIONER BECRAFT: You've gotta unmute yourself,

Layne.

1 CHAIR ALULI: Yeah, unmute yourself. Layne, unmute
2 yourself.

3 DIRECTOR LAYNE N. SILVA: Okay. Can you hear me
4 now?

5 CHAIR ALULI: Yes.

6 DIRECTOR LAYNE N. SILVA: Okay. Thanks, Lianne.

7 No, Kari won't be joining us today. It will be
8 Jarrett Kahooohanohano and Marc Weisenfeld will be reading the
9 reports today.

10 CHAIR ALULI: Okay. So Jarrett, Jarrett's present;
11 right?

12 LCO KAHOOHANOANO: Present.

13 CHAIR ALULI: Okay. And Marc Weisenfeld.

14 LCO WEISENFELD: Present.

15 CHAIR ALULI: Okay. Great. All right. We're all
16 present and accounted for. Bobbie should be joining us
17 shortly.

18 Okay. So I'd like to get a motion for approval for
19 our agenda for today, November 18th. Can I have a motion for
20 approval?

21 COMMISSIONER DE MELLO: I make a motion to approve
22 the agenda.

23 CHAIR ALULI: Okay. Jerrybeth. Do I have a second?

24 VICE CHAIR BOLOSAN: Second. Leon Bolosan.

25 CHAIR ALULI: Leon Bolosan. Okay. All in favor?

1 (Response.)

2 CHAIR ALULI: Okay. Motion carries.

3 Okay. Let's move on to the minutes. I'd like
4 approval for the liquor commission meeting minutes of
5 October 14th, 2020. Can I have a motion for approval for
6 those minutes?

7 COMMISSIONER U'U: Motion for approval. Bruce U'u.

8 COMMISSIONER DE MELLO: Jerrybeth De Mello. Second.

9 CHAIR ALULI: Moved and seconded. All in -- or any
10 discussion on those minutes?

11 (No response.)

12 CHAIR ALULI: Okay. All in favor?

13 (Response.)

14 CHAIR ALULI: Any opposed?

15 (No response.)

16 CHAIR ALULI: Motion carries. Thank you.

17 Okay. I'd like to move on to General Licensing
18 Matters, but before we do that, I just want to mention that,
19 again, this -- we'll have public testimony before each section
20 where we're gonna ask for the public testimony to be provided
21 for the applicants, so I will ask for public testimony at that
22 time.

23 Okay. So let's move on now to Item 6, General
24 Licensing Matters. I'd like a motion for approval for Items A
25 through N.

1 CORP COUNSEL DESJARDINS: Chair. Chair, this is
2 Mimi.

3 CHAIR ALULI: Yes, yes.

4 CORP COUNSEL DESJARDINS: Are you going to take
5 public testimony for Section 6? Before you ask for a motion
6 to approve.

7 CHAIR ALULI: Sorry. Yes, Mimi. Thank you.

8 Okay. So is there any -- you know what, if any --
9 let me just -- sorry, I didn't mention this at the beginning.
10 If there is anybody that wants to provide public testimony for
11 any of the items on the agenda, would you please sign up in
12 the chat area so that I can recognize you and I will call you
13 by name out of the chat area. So if there -- again, if there
14 are any individuals, if there's anybody out in the public who
15 wants to provide testimony, would you please sign up, again,
16 in the chat area. Thank you.

17 And I just want to acknowledge that Roberto Andrion,
18 Commissioner Andrion has now joined the meeting.

19 Okay. So is there any public testimony for Item 6,
20 General Licensing Matters?

21 (No response.)

22 CHAIR ALULI: And I don't see anybody signed up in
23 chat. Okay. So let's -- I'll ask for a motion for approval
24 for General Licensing Matters A through O -- or, I'm sorry, A
25 through N. Do I have a motion for approval?

1 COMMISSIONER BECRAFT: Jamie Becraft. I make a
2 motion for approval.

3 CHAIR ALULI: Thank you, Jamie.

4 A second?

5 COMMISSIONER DE MELLO: Jerrybeth De Mello. Second.

6 CHAIR ALULI: Jerrybeth De Mello seconds. Okay.

7 Any further discussion?

8 (No response.)

9 CHAIR ALULI: All in favor?

10 (Response.)

11 CHAIR ALULI: Any opposed?

12 (No response.)

13 CHAIR ALULI: Thank you. Motion carries. All
14 righty. Let's move on to Item 7, Licensing, Public Hearing.
15 Application No. 02, is there any representative for Valley
16 Isle Distilling? Who's --

17 MR. HORCAJO: Yes. Yes, sir. Yes, there is. Hey,
18 guys. This is Kainoa Horcajo here.

19 CHAIR ALULI: Oh, okay, Kainoa. Kainoa, would you
20 unmute your -- oh, I can see you have -- your video so we can
21 see you --

22 MR. HORCAJO: Yes.

23 CHAIR ALULI: -- if possible.

24 MR. HORCAJO: Yep. Can you -- can you see me?

25 CHAIR ALULI: Nope.

1 COMMISSIONER DE MELLO: Yes.

2 COMMISSIONER BECRAFT: I got him.

3 CHAIR ALULI: Oh, there we go. Yeah, now we can.
4 Great. Okay, Kainoa.

5 CORP COUNSEL DESJARDINS: Chair.

6 CHAIR ALULI: All right.

7 COMMISSIONER BECRAFT: Mimi has a question, Chair.

8 CORP COUNSEL DESJARDINS: Chair.

9 CHAIR ALULI: Yes, Mimi.

10 CORP COUNSEL DESJARDINS: Chair, are you going to
11 take public testimony for this Item 7 --

12 CHAIR ALULI: Sorry.

13 CORP COUNSEL DESJARDINS: -- prior to or are you
14 going to ask for public testimony on each item --

15 CHAIR ALULI: Yeah.

16 CORP COUNSEL DESJARDINS: -- or just at the
17 beginning of the section?

18 CHAIR ALULI: I was gonna do it for each at --
19 before asking for approval on the motion -- or asking for a
20 motion, when I -- after we've heard from the applicant.

21 CORP COUNSEL DESJARDINS: Okay. The only -- if
22 you're gonna do it that way, the only caveat is that there
23 can't be any questions from the commissioners --

24 CHAIR ALULI: Oh, there can't?

25 CORP COUNSEL DESJARDINS: -- unless you take the

1 public testimony first.

2 CHAIR ALULI: Oh, okay.

3 CORP COUNSEL DESJARDINS: So if you want to do it
4 the simple way --

5 CHAIR ALULI: Sorry.

6 CORP COUNSEL DESJARDINS: -- just ask if there's any
7 public testimony.

8 CHAIR ALULI: Okay.

9 CORP COUNSEL DESJARDINS: And then proceed from
10 there. Thank you.

11 CHAIR ALULI: All right. Thank you.

12 All right. So for Application No. 92, Valley Isle
13 Distilling, is there any -- again, I -- I don't see anybody
14 in -- in the chat area, so I'm going to assume that nobody
15 wants to provide public testimony, because I don't see anybody
16 signed up in the chat area. And not seeing anyone, okay, I
17 would like to move forward on Application No. 92, Valley Isle
18 Distilling. Kainoa Horcajo is present.

19 So, Marc Weisenfeld, you've got the floor.

20 LCO WEISENFELD: Yes. We have Application No. 02.
21 The applicant is Valley Isle Distilling Company, LLC; Valley
22 Isle Distilling Company, LLC. The premises is located at 873
23 Haliimaile Road, Makawao, Maui, Hawaii. This is a public
24 hearing for a new Manufacturer (D), Other Specified Liquor.

25 The documents necessary for completing the remaining

1 application requirements for a liquor license are listed in
2 the summary report.

3 Notice of public hearing was published in the Maui
4 News on November 23rd and 30th, 2020.

5 There are a total of two owners and lessees situated
6 within 500 feet of the proposed premises.

7 The department did not receive any protests.

8 CHAIR ALULI: Okay. Thank you very much, Marc.

9 Kainoa, do you have anything further to add to that?

10 MR. HORCAJO: Nothing further. John LeVecke is also
11 on.

12 CHAIR ALULI: Right.

13 MR. HORCAJO: He's the other partner --

14 CHAIR ALULI: Right.

15 MR. HORCAJO: -- in Valley Isle Distilling.

16 CHAIR ALULI: Okay.

17 MR. HORCAJO: And we're just -- we're happy to be at
18 this stage of the process. Thank you.

19 CHAIR ALULI: All right. John, do you have anything
20 to add? Unmute your mic if you want to say anything.

21 MR. LeVECKE: Thank you. Thank you, Mr. Chairman.
22 No, I have nothing to add. Just an aloha, greetings.

23 CHAIR ALULI: Okay. Thank you very much.

24 Commissioners, do you have any questions for the
25 applicants?

1 (No response.)

2 CHAIR ALULI: Okay. Since I don't have any -- see
3 any hands up to ask any questions of the --

4 Again, I'd like to ask for those of you that are not
5 providing any kind of testimony, are just here to observe,
6 would you please mute your microphones. We're getting
7 feedback. Again, please mute your microphones.

8 Okay. Again, let me ask, Commissioners, any
9 question by any of the commissioners?

10 (No response.)

11 CHAIR ALULI: Okay. Not seeing any hands up, can I
12 get a motion for approval on this applicant? This
13 application.

14 COMMISSIONER U'U: (Gesturing.)

15 CHAIR ALULI: Bruce U'u, you move -- you make the
16 motion to approve?

17 COMMISSIONER U'U: Motion to approve, yes.

18 CHAIR ALULI: Okay. Do I have a second?

19 COMMISSIONER YOKOUCHI: Second.

20 CHAIR ALULI: Okay. Jerrybeth seconded it.

21 COMMISSIONER YOKOUCHI: No. Leslie. Leslie.

22 CHAIR ALULI: Oh, Leslie. Sorry. Leslie seconded
23 it. Okay. All in favor?

24 (Response.)

25 CHAIR ALULI: Any opposed?

1 (No response.)

2 CHAIR ALULI: Okay. Motion carries. Thank you very
3 much.

4 MR. HORCAJO: Thank you.

5 MR. LeVECKE: Mahalo nui loa.

6 MR. HORCAJO: Thank you, Commissioners. Thank you,
7 Chair.

8 CHAIR ALULI: All right. Thank you very much, John
9 and Kainoa.

10 Okay. Let's move on to Item B, Aloha Mixed Plate.
11 Is there anybody here for Aloha Mixed Plate?

12 MS. AKI: Yes.

13 CHAIR ALULI: And who is that?

14 MS. AKI: Judee Mae Aki.

15 CHAIR ALULI: Oh, great.

16 MS. AKI: Judee Mae Aki.

17 CHAIR ALULI: Oh, great. Okay, Judee. Yes, I see
18 you. Thank you, Judee.

19 MS. AKI: Good morning.

20 CHAIR ALULI: All right. Jarrett, you've got the
21 floor.

22 LCO KAHOOHANO: Okay. The applicant is Aloha
23 Mixed Plate, LLC db -- doing business as Aloha Mixed Plate. A
24 Dispenser General License, Category C(ii).

25 Officers, directors, and stockholders of the

1 corporation are listed in the investigator's report.

2 The licensee is requesting commission approval to
3 change to a Class C Restaurant, Category B(ii).

4 A financial report was submitted by the licensee on
5 October 5th, 2020. The department reviewed the 12-month
6 financial report. It is found that the licensee does meet the
7 requirements in which at least 30 percent of the
8 establishment's gross revenue is derived from the sale of food
9 for the A Class 2 Restaurant License.

10 And all other requirements have been met.

11 CHAIR ALULI: Okay. Thank you, Jarrett.

12 Judee, do you have anything further to add to that?

13 MS. AKI: Nope.

14 CHAIR ALULI: Okay. That being said, are there any
15 questions by any of the commissioners?

16 (No response.)

17 CHAIR ALULI: I do have a question. Judee, this is
18 just a relocation; correct?

19 MS. AKI: Correct.

20 CHAIR ALULI: So you're relocating to where?

21 MS. AKI: The address is the 1285 --

22 CHAIR ALULI: Front Street.

23 MS. AKI: -- Front Street.

24 CHAIR ALULI: Same place -- isn't that where you're
25 located now?

1 MS. AKI: It's actually Aloha Mixed Plate, so the
2 new thing is Aloha Mixed Plate, LLC doing business as --

3 CHAIR ALULI: Oh.

4 MS. AKI: -- Star Noodle.

5 CHAIR ALULI: Oh, okay. That's right. Okay, all
6 right. I just wanted some clarification on that. I thought I
7 read that in the newspaper. Okay. Thank you.

8 Any questions by any of the other -- by any of the
9 commissioners?

10 (No response.)

11 CHAIR ALULI: Not having any -- not seeing any
12 further questions, can I get a motion for approval?

13 COMMISSIONER DE MELLO: I make a motion to approve
14 the Aloha Mixed Plate.

15 CHAIR ALULI: Do I have a second?

16 VICE CHAIR BOLOSAN: Second. Leon Bolosan.

17 CHAIR ALULI: Okay. Any further discussion?

18 (No response.)

19 CHAIR ALULI: Not having any, all in favor?

20 (Response.)

21 CHAIR ALULI: Any opposed?

22 (No response.)

23 CHAIR ALULI: Motion carries. No opposition. Thank
24 you very much.

25 MS. AKI: Thank you.

1 CHAIR ALULI: Thank you, Judee.

2 MS. AKI: Thank you very much, guys.

3 CHAIR ALULI: Good luck. Yep.

4 MS. AKI: Thank you.

5 CHAIR ALULI: Glad to see you guys opening up again.

6 MS. AKI: Yes. Thank you. Thanks for the support.

7 CHAIR ALULI: All righty.

8 Okay. Let's move on to Preliminary Hearings,

9 Item A, Application No. 06, Mahalo Brewing Company, LLC. So

10 who do we have for the applicant?

11 MR. KOPF: That's me.

12 CHAIR ALULI: Ben.

13 MR. KOPF: Ben Kopf. Hi.

14 CHAIR ALULI: Ben Kopf. All right, Ben. Thank you

15 very much.

16 MR. KOPF: Good morning.

17 CHAIR ALULI: Good morning, Ben.

18 Okay. Marc, you've got the floor.

19 LCO WEISENFELD: Yes. The applicant Mahalo Brewing

20 Company, LLC doing business as Mahalo Aleworks applying for a

21 Small Craft Producer Pub License Category B.

22 The member, manager, agent, and organizer of the

23 limited liability company is listed in the investigator's

24 report. Benjamin Kopf, IV, member manager, agent, organizer.

25 The applicant has submitted a commercial lease

1 letter of intent between Mahalo Brewing Company and Ben and
2 Geraldine Kopf, lessor, effective July 1st, 2020.

3 The proposed premises is situated within an area of
4 3,450 square feet, which consists of two adjoining commercial
5 condominium units located in a building in the Ulumalu Town
6 Center. It consists of a two-story taproom with a bar and
7 indoor seating and additional outdoor seating on the lanai and
8 balconies.

9 The brewery area is on the first floor and consists
10 of steel and oak tanks, a brewhouse with -- with ancillary
11 equipment as well as storage areas, two walk-in cold rooms.

12 There are two bathrooms for customers in the retail
13 area.

14 The building is located at 30 Kupaoa Street, No. 101
15 and 201, Makawao, Hawaii.

16 There are no churches, schools, licensees of the
17 same kind located within a radius of 500 feet.

18 There are three licenses of this kind and kind --
19 this class and kind currently issued within Maui County.

20 The applicant initially plans to be open seven days
21 a week from 8:00 a.m. to 2:00 a.m. the following day for on-
22 premises consumption and liquor sales, any hours of the day
23 for manufacturing wholesale, and 6:00 a.m. to 11:00 p.m. for
24 off-premises retail sales.

25 Mahalo Brewing Company, LLC doing business as Mahalo

1 Aleworks plans to produce beer.

2 A site inspection was conducted of the proposed
3 premises on September 28th, 2020. The premises is currently
4 under going construction.

5 Information contained within the DLC 006 form
6 submitted by Benjamin Kopf indicated that he had been
7 convicted for a violation of law. Benjamin Kopf has submitted
8 a letter of explanation.

9 Information received during the initial criminal
10 history background checks revealed that Benjamin Kopf had not
11 been convicted for a violation of law.

12 All documents necessary for the issuance of a liquor
13 license have not been submitted. The items are listed in the
14 investigator's report.

15 The applicant has not filed a department of public
16 works miscellaneous inspection, a department of public works
17 certificate of occupancy, department of fire and public safety
18 fire prevention bureau's clearance, department of
19 environmental management and wastewater reclamation clearance,
20 liquor liability insurance, license fee, or final inspection.

21 CHAIR ALULI: Okay. Thank you, Marc.

22 Do you have anything further to add, Ben?

23 MR. KOPF: No. Thank you. We're just excited to be
24 at this point. We, my wife and I have been working on this
25 for a while and are excited to offer a place for the community

1 to kind of have as a place to hang out Upcountry.

2 CHAIR ALULI: Okay. Commissioners, any questions of
3 Mr. Kopf?

4 (No response.)

5 CHAIR ALULI: Okay. Since I do not see any hands
6 up, can I get a motion for approval?

7 COMMISSIONER ANDRION: Roberto Andrion. Motion to
8 approve.

9 CHAIR ALULI: Okay. Thank you, Roberto.

10 Do I have a second?

11 VICE CHAIR BOLOSAN: I do second. Leon Bolosan.

12 CHAIR ALULI: Leon Bolosan. Any further discussion?

13 (No response.)

14 CHAIR ALULI: Okay. All in favor?

15 (Response.)

16 CHAIR ALULI: Any opposed?

17 (No response.)

18 CHAIR ALULI: No opposition. Motion carries. Thank
19 you very much. Your application is approved. Thank you.

20 MR. KOPF: Thank you. Thank you, Everyone.

21 CHAIR ALULI: Thanks, Ben.

22 MR. KOPF: Have a nice day.

23 CHAIR ALULI: And good luck.

24 MR. KOPF: Thank you.

25 CHAIR ALULI: Wish you the best.

1 MR. KOPF: Thanks so much. Take care.

2 CHAIR ALULI: Okay. Let's move on to Item B,
3 Application No. 07, Asian Cuisine & Sushi Bar. Is there
4 someone here for that applicant?

5 MR. ING: Good morning, Mr. Chairman and Members of
6 the Commission. I am Lawrence Ing via telephone because I
7 don't know how to use the video.

8 (Laughter.)

9 CHAIR ALULI: Okay. Too bad.

10 MR. ING: (Inaudible) the sole shareholder, officer,
11 and director of the applicant corporation.

12 CHAIR ALULI: Okay, Lawrence. Thank you very much.
13 Jarrett, you've got the floor.

14 LCO KAHOOHANOHANO: Application No. 7, the applicant
15 is Asian Cuisine & Sushi Bar, Inc. doing business as Kelly's
16 Restaurant & Sushi Bar applying for a Restaurant General
17 License, Category B(ii).

18 Officer, director, agent, and stockholder of the
19 corporation; personal history statements; criminal history
20 statements; and lease agreement are all listed in the
21 investigator's report.

22 The proposed premises consists of approximately
23 3,120 square feet located within the Kahului Shopping Center
24 at 65 West Kaahumanu Avenue, Space No. 23 and 24, Kahului,
25 Maui, Hawaii.

1 There are no schools or churches located within a
2 radius of 500 feet.

3 There are no licenses of the same class and kind
4 located within a radius of 500 feet.

5 There is one dispenser general, one restaurant beer
6 and wine and one retail licenses located within a radius of
7 500 feet.

8 There are 84 licenses of this class and kind
9 currently issued within Maui County.

10 The applicant initially plans to open from 8:00 a.m.
11 to 2:00 a.m. the following day seven days week.

12 A site inspection was conducted of the proposed
13 premises on October 16th, 2020.

14 Information obtained within DLC 006 Form submitted
15 by Andrew James Abrincia Callo indicated that he had been
16 not -- had not been convicted for a violation of law.

17 Information received during the criminal history
18 background check revealed that Andrew James Abrincia Callo
19 did -- had not been convicted for a violation of law.

20 Andrew James Abrincia Callo has submitted a letter
21 of explanation.

22 All documents necessary for the issuance of this
23 license that have not been submitted are all listed in the
24 investigator's report.

25 CHAIR ALULI: Okay, Jarrett. Thank you.

1 Lawrence, do you have anything further to add to
2 that?

3 MR. ING: I want to thank Jarrett for working with
4 us during this difficult COVID-19 pandemic time and, Jarrett,
5 thank you very much. No further comments.

6 CHAIR ALULI: Okay, Lawrence. Thank you very much.
7 Commissioners, any questions for Mr. Ing?

8 (No response.)

9 CHAIR ALULI: All right. Not seeing that there are
10 any, can I have a motion for approval for this applicant?

11 COMMISSIONER U'U: Approval.

12 CHAIR ALULI: Okay. Bruce U'u. And then second?
13 Leon, you second.

14 COMMISSIONER DE MELLO: Second.

15 CHAIR ALULI: Oh.

16 VICE CHAIR BOLOSAN: Yes.

17 CHAIR ALULI: Jerrybeth, you second?

18 COMMISSIONER DE MELLO: (Gesturing.)

19 VICE CHAIR BOLOSAN: Okay.

20 CHAIR ALULI: Jerrybeth seconds it. Okay.

21 Jerrybeth is the second.

22 Any further discussion?

23 (No response.)

24 CHAIR ALULI: Okay. All in favor?

25 (Response.)

1 CHAIR ALULI: Any opposed?

2 (No response.)

3 CHAIR ALULI: No opposition. Motion carries.

4 Lawrence, thank you very much.

5 MR. ING: Okay. Thank you.

6 CHAIR ALULI: All right. Let's move on to Item
7 No. 8, Administrative Affairs, Director's Monthly Report, and
8 I'd like to turn it over to our new director of the liquor
9 department, Mr. Layne Silva. Layne.

10 DIRECTOR LAYNE N. SILVA: Okay. Thank you, Nane.
11 Yeah, the first thing, Item A on the Director's Monthly Report
12 was the governing -- governance ethics and transparency
13 committee, we were invited to attend. I attended. There were
14 two hearings, one of which were held yesterday. I believe
15 that the -- a copy of the proposal is -- was within your
16 packets. And one of the things that they requested is that it
17 be provided to the liquor commission and possible discussion,
18 if you guys had a chance to take a look at it, what you think
19 or feel about it.

20 Some things that I can point out is that it's the
21 social host liability bill. As far as the department goes, we
22 really have no jurisdiction and we're excluded from any type
23 of enforcement of this bill; however, it is a bill that is
24 focusing on keeping liquor out of the hands of minors, which
25 definitely does coincide with our goal, so --

1 And I believe you -- we provided you guys that in
2 your packet. If you -- if there's any comment, I believe
3 that's what they're looking for. The meeting yesterday got --
4 there was no decision made, there was still some discussion as
5 far as the language in the bill, and that it has been deferred
6 to a future meeting. So it's a good opportunity if you do
7 have any input or feedback in regards to this, that's what
8 they're asking for.

9 CHAIR ALULI: And I would like to add that -- and
10 I'd like to hear if there's any -- if there are any comments
11 from any of the commissioners. I think that it would be
12 appropriate for the commission to -- as a whole, to write a
13 letter to Councilmember Molina in support of this bill,
14 because I think it is -- my personal opinion is I think it's a
15 very good effort to try to stem any kind of issues that arise
16 from minors drinking within a private premises. And at the
17 end of the day, the police have jurisdiction over those kinds
18 of -- of issues, so -- but I think what Councilmember Molina
19 was looking for was the support from the commission.

20 And I'd like to hear if there are any comments from
21 any of the commissioners that we, as a commission, write a
22 letter to Councilmember Molina in support of this -- this
23 regulation that he is pushing forward on. Any comments on
24 that?

25 COMMISSIONER YOKOUCHI: Chair.

1 CHAIR ALULI: Yes. Go ahead, Maria.

2 COMMISSIONER YOKOUCHI: I totally agree with you. I
3 think this is --

4 CHAIR ALULI: Oh, sorry. Leslie.

5 COMMISSIONER YOKOUCHI: Yeah. I totally agree. I
6 think this is a very good start to thwart underage drinking.
7 'Cause I myself have heard that a lot of parents allow this,
8 so I think this law might start people thinking. And maybe
9 this letter -- do we have to do it individually or can we do
10 one letter and -- as a whole, the commission agrees.

11 CHAIR ALULI: My suggestion that we do it as a -- as
12 the commission. I would maybe ask Mimi, that can be done;
13 right, Mimi? There's not a problem with that; correct? We
14 could have Maria, as the secretary for the commission, put a
15 letter together. I can perhaps author it with your help,
16 Mimi, to send to Councilmember Molina. We could do that;
17 right?

18 CORP COUNSEL DESJARDINS: So, yes, if you're going
19 to collectively make a recommendation or support or anything,
20 it has done by motion. And you have to have --

21 CHAIR ALULI: Oh.

22 CORP COUNSEL DESJARDINS: -- you know, majority
23 vote. You could -- your options are you can look at this bill
24 and make suggestions if anybody sees something in there that
25 they have questions about or don't like or like, or you could

1 entertain a motion to allow you to author a letter just saying
2 collectively we support this bill, period. That's fine, too.

3 No individual member of the commission can represent
4 the commission in front of the GET committee, but everybody
5 here could certainly come in as their own individual and say
6 what they'd like to say about the bill. But if you're gonna
7 take a stand as the commission, yes, you would vote on that.

8 CHAIR ALULI: Okay. So I would entertain a motion
9 to support Councilmember Molina's bill that he is -- is
10 putting before the county council. I would entertain a motion
11 to send a letter from the commission in support of that.
12 Would anybody like to make a motion in that regard?

13 COMMISSIONER YOKOUCHI: I so move.

14 CHAIR ALULI: Do I have a second?

15 COMMISSIONER U'U: Second.

16 CHAIR ALULI: Bruce, you second.

17 Okay. Do we -- it has been moved and seconded. Is
18 there any further discussion? I would like -- if not, then I
19 will -- I will author the letter or I will -- well, let me
20 ask, is there any further discussion on the -- on the issue?

21 (No response.)

22 CHAIR ALULI: Okay. Not seeing any, do -- can I get
23 a motion for approval to author that letter and forward it to
24 Councilmember Molina?

25 COMMISSIONER ANDRION: Roberto Andrion. Motion

1 to --

2 CORP COUNSEL DESJARDINS: Chair. Chair.

3 CHAIR ALULI: I'm sorry. The motion's already
4 been --

5 CORP COUNSEL DESJARDINS: You already have a motion.

6 CHAIR ALULI: Yeah. Right, right, right. Sorry.

7 Okay. All in favor of me authoring that letter and
8 forwarding on behalf of the commission to Councilmember
9 Molina? All in favor?

10 (Response.)

11 CHAIR ALULI: Any opposed?

12 (No response.)

13 CHAIR ALULI: No opposition. Motion carries. Thank
14 you very much. I will do that.

15 Okay. Layne, Item -- you've got the floor again.

16 DIRECTOR LAYNE N. SILVA: Okay. Item No. 2 is the
17 Fiscal Year 2022 budget. At this point what we're looking at
18 going forward with -- we're not adding anything to the budget,
19 we're not asking for anything new or different. The only
20 increase that there is are based on the collective bargaining
21 agreements, the raises that were allowed for next fiscal. And
22 I guess basically where we're at right now, I have very little
23 information other than the department's operating budget
24 request were due to the budget office on November 13th, which
25 was submitted, and the department's capital budget request due

1 to the budget office on November 25th. So I guess that's the
2 process it takes in steps and then when it comes forward for
3 final approval, then we'll -- we'll provide and notify you
4 guys for that.

5 CHAIR ALULI: I have a question, Layne, and I --
6 and, Mimi, maybe you can answer or help -- assist in answer
7 for this. I really do think it would be appropriate for all
8 of the commissioners to have a copy of that budget, since it
9 is an approval requirement that the commission has. Isn't
10 that correct; Layne? The commissioner -- the commission has
11 to approve that budget before it goes forward, doesn't it?

12 DIRECTOR LAYNE N. SILVA: Yes.

13 CHAIR ALULI: Okay. In light of that, I suggest we
14 get that budget out because I don't think any of the
15 commissioners have seen that '22 budget, that 2022 budget yet,
16 have they?

17 DIRECTOR LAYNE N. SILVA: I don't believe so, no. I
18 don't know if it's complete or prepared to the point to
19 provide it right now, but, yeah, I do believe you are gonna
20 have to receive something in order to vote on it and approve
21 it, absolutely.

22 CHAIR ALULI: Yeah. And since we're in the
23 preliminary -- yeah.

24 DIRECTOR LAYNE N. SILVA: Mimi, maybe you can weigh
25 in, too. Is that correct?

1 CORP COUNSEL DESJARDINS: Sure. Yeah. So what
2 the -- what the charter says is under 8-13.2, it says, The
3 liquor control commission shall prepare and submit a request
4 for an annual appropriation for the operation of the
5 department. So what you probably -- the way to do it
6 probably, Director, would be to submit to -- when you're ready
7 with your final, what you plan on submitting to the budget
8 office, would be to submit that final version and then have a
9 public hearing on it here before the commission and then you
10 folks would vote on that.

11 DIRECTOR LAYNE N. SILVA: Right. And I believe that
12 is the intention, that is going to happen.

13 CORP COUNSEL DESJARDINS: Yes.

14 CHAIR ALULI: You know, and the only -- I guess the
15 question I have, if any of the commissioners have questions on
16 the budget, we can't be at the final stage. We've still gotta
17 be in deliberation, that's why I -- it seems we're putting the
18 cart before the horse here. You know, I mean, in all budget
19 deliberations, at least that I've been through in my career,
20 you always go through the process of looking at the budget,
21 you know, make the changes before you submit any final budget
22 for review and approval, so -- and we've not even seen the
23 budget, so is -- I'm confused.

24 CORP COUNSEL DESJARDINS: No. Chair, can I clarify?

25 CHAIR ALULI: Yes.

1 CORP COUNSEL DESJARDINS: If this -- if the
2 department's intent is to give you something in final form,
3 then I guess then the risk that the department runs is that
4 you folks say, Wait a minute. We have a lot of questions. We
5 want to see this and that. So on the other side, you know,
6 too much preliminary budget, you know, I don't know how much
7 of that the department wishes to share, you know, in a -- in
8 open meetings, which, frankly, it would be in open meeting.
9 So I think you folks need to come up with a way of dealing
10 with it, but, ultimately, you have the authority under the
11 charter to prepare and submit it. So I appreciate what you're
12 saying, but you folks just probably should just come up with a
13 system with the director on how you want to proceed this
14 budget session.

15 CHAIR ALULI: Okay. You know what, let me meet --
16 Layne, why don't you and I, maybe, sit down and talk about
17 this and then we can determine how to move forward. I do
18 think that the commissioners definitely should have an
19 opportunity to see that budget before it, you know, gets to
20 any kind of a final stage. At least to have an idea of what
21 that budget looks like, even though, as Layne said, it hasn't
22 changed. And I'm assuming, Layne, that you're -- that
23 change -- there is no change '21 to '22? Because nobody has
24 seen a '22 budget yet.

25 DIRECTOR LAYNE N. SILVA: Yeah.

1 CHAIR ALULI: Except for the increases?

2 DIRECTOR LAYNE N. SILVA: There has been pay
3 increases.

4 CHAIR ALULI: Yes.

5 DIRECTOR LAYNE N. SILVA: I also noted there is
6 going to be some expense involved in a move that's coming up
7 sometime in the beginning of next year, but I -- I think the
8 move is all included in this fiscal, so I don't think that's
9 gonna affect next year's budget at all.

10 CHAIR ALULI: Oh.

11 DIRECTOR LAYNE N. SILVA: I think the only increase
12 we're looking at are the collective bargaining agreements
13 going to '22. But I absolutely agree with you, we should
14 meet. I do think that there needs to be something that comes
15 out to you guys so you can at least review it and if you have
16 any input, you know, that's -- that's -- if I'm hearing Mimi
17 correctly, based on charter, that's really what does need to
18 happen.

19 CHAIR ALULI: Okay. Yeah, Roberto.

20 COMMISSIONER ANDRION: Mr. Chair, just a question.
21 I don't know if that's been covered, but when is this budget
22 due to be submitted? What is the final deadline?

23 CHAIR ALULI: I thought that all department budgets
24 were due in April, because the final -- the budget is due in
25 June; right? Do you know, Mimi, what the schedule is for

1 department submissions?

2 CORP COUNSEL DESJARDINS: Yeah. So I know that the
3 budget office gives the department the deadline that they
4 would like their proposed budget submitted, but then council
5 starts deliberating on the budget -- they have to be done by
6 June, so they go through -- from March to June --

7 CHAIR ALULI: Right.

8 CORP COUNSEL DESJARDINS: -- there are no committee
9 meetings, that all takes place. So I'm not sure what the
10 budget office has provided to the liquor department as to what
11 deadline they want their proposed budget, but that's what you
12 folks are gonna be involved in.

13 DIRECTOR LAYNE N. SILVA: Right.

14 CHAIR ALULI: You know, Layne, maybe that would
15 be --

16 CORP COUNSEL DESJARDINS: That might --

17 CHAIR ALULI: Yeah, Layne, it would be helpful,
18 maybe, if you could find out from the budget office what are
19 the deadlines for the -- or do you know what the deadlines for
20 the liquor budget, liquor department budget?

21 DIRECTOR LAYNE N. SILVA: As of right now, I -- I do
22 not know.

23 CHAIR ALULI: Okay.

24 DIRECTOR LAYNE N. SILVA: I do need to -- I'm gonna
25 try and contact Michele Yoshimura, if I'm able to, I believe

1 she's the budget director, and try to get some definite
2 answers as far as timeline goes.

3 CHAIR ALULI: Okay. You know, it would be
4 helpful -- and I -- he can do this; right, Mimi? At least
5 find out what the budget schedule deadlines are and email that
6 to the commissioners, just the deadlines.

7 CORP COUNSEL DESJARDINS: I think that's
8 appropriate.

9 CHAIR ALULI: Yeah, okay.

10 CORP COUNSEL DESJARDINS: And then if you folks --
11 if you, Chair Aluli, and director can get together --

12 CHAIR ALULI: Yeah.

13 CORP COUNSEL DESJARDINS: -- and come up with a plan
14 and talk --

15 CHAIR ALULI: That would be --

16 CORP COUNSEL DESJARDINS: -- with Michelle, that
17 would be great, yeah.

18 CHAIR ALULI: That would be great, yeah.

19 CORP COUNSEL DESJARDINS: That's a good point.

20 CHAIR ALULI: So, yeah, if you could find out the --
21 the timelines on deadlines for budget submission and
22 approvals, Layne, and then email that to all the
23 commissioners. You and I can meet, review the budgets, and
24 then we'll respond according to that timeline.

25 DIRECTOR LAYNE N. SILVA: Absolutely. Yeah, sounds

1 good.

2 CHAIR ALULI: Okay. Great. All right. Thank you.

3 Any questions -- any of the commissioners have any
4 questions -- any further questions on the -- on that item?

5 (No response.)

6 CHAIR ALULI: Okay. I don't see anybody with a
7 raised hand.

8 All right. Mimi -- Item No. 3.

9 DIRECTOR LAYNE N. SILVA: Item No. 3, which is the
10 meeting schedule, I believe you all received that in your
11 packet as well.

12 CHAIR ALULI: Yep.

13 DIRECTOR LAYNE N. SILVA: So, basically, it's, you
14 know, business as usual. Those are just giving you the dates
15 of the commission, liquor commission meetings.

16 CHAIR ALULI: Well, you know what, this was -- this
17 is -- oh, yeah, 2021, yeah. I was thinking 2022 because of
18 the budget. No, no. 2021, yep. Okay.

19 All right. Any questions on the schedule?

20 (No response.)

21 CHAIR ALULI: Okay. There was a liquor adjudication
22 board meeting, 'cause I did see that there were some -- yeah,
23 there was a summary. That's just FYI, I think. Yep.

24 All right. Layne, you have anything more?

25 DIRECTOR LAYNE N. SILVA: Not -- no, not really,

1 not -- I believe that's what's left on the agenda.

2 CHAIR ALULI: Right. Okay.

3 DIRECTOR LAYNE N. SILVA: Other than, you know,
4 we've very busy working towards improvement, as we said we
5 were going to, and -- yeah, we've been dealing with a whole
6 lot of stuff in a very short amount of time.

7 CHAIR ALULI: Okay. Yeah. Good. That means you're
8 moving forward. Forward motion is always good.

9 Yes, Jamie.

10 DIRECTOR LAYNE N. SILVA: That's the goal.

11 COMMISSIONER BECRAFT: Layne, congratulations.

12 DIRECTOR LAYNE N. SILVA: Thank you, Jamie.

13 COMMISSIONER BECRAFT: Director Layne. I know you
14 guys have plenty stuff, but is it gonna be possible in the
15 future like to kind of get like updates if we're updating
16 computer stuff or whatever you guys are updating, just so we
17 know and let the public know what changes we're making, would
18 be terrific. I know it's a short time already, you didn't
19 have a lot of time to make -- you know, I know you're just
20 planning right now, so I'm not gonna ask you what you've
21 changed, but -- and I -- the only other thing I had was do we
22 know -- do we know who No. 2 is right -- as of yet?

23 DIRECTOR LAYNE N. SILVA: No. Yeah, we're still
24 real early in the game as far as that goes. Not at this time,
25 no.

1 COMMISSIONER BECRAFT: Okay. So is Georgette still
2 No. 2?

3 DIRECTOR LAYNE N. SILVA: Right now there is no
4 No. 2.

5 COMMISSIONER BECRAFT: Oh, I see. Okay. Well, good
6 luck to you, brother. I know you've gotta lot of work to do.

7 DIRECTOR LAYNE N. SILVA: Thank you. I appreciate
8 it. And, yeah, I'll -- what I'll do is I'll create a summary
9 that -- that I can provide to you guys, you know, as we got
10 forward in our meetings we can discuss.

11 COMMISSIONER BECRAFT: Yeah. Is there anything you
12 need that we can help you with like going over logs or
13 anything? If you think any of us can help, let us know.

14 DIRECTOR LAYNE N. SILVA: I'm working on that as
15 well, but if I do, I will definitely let you know. Thank you.

16 COMMISSIONER BECRAFT: Thank you.

17 CHAIR ALULI: Okay. Thank you, Layne.

18 Anybody else?

19 (No response.)

20 CHAIR ALULI: All right. Our next meeting is
21 December 9th. Usually that's our holiday gathering, so we
22 will have a virtual champagne glass clicking on the 9th to
23 celebrate the holidays. Okay? Bring your own turkey bones
24 and your champagne flutes. All right.

25 All right. Can I get a motion -- not having further

1 on the agenda, can I get a motion for adjournment?

2 COMMISSIONER DE MELLO: Motion to adjourn.

3 CHAIR ALULI: A second?

4 VICE CHAIR BOLOSAN: (Gesturing.)

5 CHAIR ALULI: All in favor?

6 (Response.)

7 CHAIR ALULI: Thank you very -- thank you very much.

8 Meeting's adjourned.

9 (The proceedings were adjourned at 9:44 a.m.)

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C E R T I F I C A T E

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

I, Sandra J. Gran, Certified Shorthand Reporter for the State of Hawaii, hereby certify that on November 18, 2020, at 9:03 the proceedings was taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 28th day of November, 2020, in Maui, Hawaii.



Sandra J. Gran, RPR
Hawaii CSR 424