

Maui County Arborist Committee

Meeting Minutes February 10, 2021

- I. Call to order at 1:42pm by Chris Reynolds, Chair, when it was determined that quorum was present.
- II. New Committee Business –
 - a. Approval of minutes – Approval of minutes for the committee meeting of January 13, 2021: motion to approve by Jack Patnode, seconded by Barbara Fernandez and unanimously approved.
 - b. Introduction of new Arborist Committee Member- Chair Reynolds opens the floor to Jake Musson for introduction. Jake Musson introduces himself saying he has a strong appreciation for trees, formerly studied forestry, and has previously worked with lumber operations in Kula.
 - c. Ho’aloha Park Replant (1 East Ka’ahumanau Ave. Kahului) – Chair Reynolds questions committee if there are any information or updates on the matter. Jack Patnode asks if any information was provided. Chair Reynolds responded saying he has not seen anything. Barbara Fernandez interjects saying Maui Green and Beautiful provided to the Arborist Committee that the trees were taken down. Reason being, “homeless people were sleeping underneath them.” Trees were then cut down. Homeless moved to the next set of trees. The county is aware. Trees were supposed to be replanted after the trees were cut down. However, no trees have been replanted.” Chair Reynolds poses to Tim Griffith if he is aware of any work that Parks is doing. Tim responds saying he moved to Maui after trees were removed. Tim says the District Supervisor or the Beautification supervisor would have authority to keep him in the loop on the matter. Chair Reynolds motions to write a letter to the Parks Department about the replanting of trees at the Ho’aloha Park after the trees were removed. Barbara Fernandez and Jack Patnode seconds and unanimously approved. As Vice President of Maui Green and Beautiful Barbara Fernandez requests that a copy of said letter be sent to her so she can update Maui Green and Beautiful as they initiated the matter. Chair Reynolds agrees.
 - d. Olowalu Tree Removal (Monkey pod in front of ‘Olowalu General Store) - Chair Reynolds questions committee if the tree was physically removed.

Chair Reynolds poses to Tim Griffith for any updates. Tim Griffith met with Josh from Imua and confirms that the trees were in fact removed. Tim Griffith states that those trees are maintained by the state who requested for the trees to be inspected and possibly removed with standards and roadway clearance in mind. Due to the location of the tree (corner of driveway & highway), full removal was advised. Imua recommended to the state that the tree be removed without being too impactful to the corridor as a whole. Chair Reynolds questions committee what should be done with the description of the exceptional tree grove. Barbara Fernandez interjects saying the process is to go to a committee (possibly Sinenci's committee) and tell them the reason. Barbara Fernandez volunteers to follow up and will report back. Chair Reynolds states he would like to know how to modify the exceptional trees, especially the groves.

III. Continued Committee Business –

- a. Review of Exceptional Tree Inspections – Chair Reynolds notifies the committee that he has not been able to inspect his assigned kamani trees in Hana but intends on going before next meeting in March. Chair Reynolds questions committee if anyone has been able to do their tree inspection that was assigned from last year. Chair Reynolds states there are no longer people assigned to inspect/assess trees due to committee members leaving. Chair Reynolds asks Tim Griffith if he has been able to do any inspections. Tim Griffith responds saying he has been able to do all of Lahaina's inspections last year but has not been able to do any this year. Chair Reynolds says this year's inspections do not start until March or April. Chair Reynolds advises Tim Griffith to give the inspections to Kalena Kaeo once completed. Chair Reynolds questions committee if anyone knows or has access to the DT Flemings Arboretum. Barbara Fernandez interjects saying she can do the trees in Pu'umahoe. Barbara Fernandez questions chair if inspections were not done last year if they could be carried over to this year. Chair Reynolds suggests to keep working on the inspections. Barbara asks if this can be tabled till next go around. Chair Reynolds responds saying inspections can still be done and will be attributed to 2021. Chair Reynolds notifies the committee that there are quite a few inspections to be done in Makawao and Kula. Jake Musson interjects saying he lives in Olinda and can do inspections in Makawao. Chair Reynolds says he can send the forms along with exceptional tree list to Jake Musson and have it sent to Kalena Kaeo. Chair Reynolds asks Barbara Fernandez to notify committee which trees will be inspected in the Arboretum. Barbara Fernandez responds saying they can make it a Maui Green and Beautiful event and invites all committee members to join if interested. Jake Musson states he would

love to go. Chair Reynolds intends on sending out the exceptional tree list and requests committee members to write their names next to the trees that they are willing to inspect and take pictures of. Chair Reynolds opens the floor to Douglas McBride to talk about the potential exceptional trees in Kihei. Douglas McBride proceeds to explain the state of the Banyan tree located on Ulunui Street in Kihei. Chair Reynolds asks if an application has been submitted. Barbara Fernandez responds saying she told Elaine to submit them, but they were not submitted. Jack Patnode suggests that a letter be drafted informing a fee would be charged to the person who chopped the branches off the tree. Tim Griffith interjects stating the tree is located on a state parcel. Jack Patnode states it would be illegal for them to do it from the state and someone from the state should inform them to stop. He continues to say, once they have been warned, fine or jail time will follow as stated in the code. Chair Reynolds states it's been difficult to get the right department involved but as a committee we can come together and have a letter written once contact for that private party is given. Jack Patnode motions to have Chair Reynolds write a letter. Barbara Fernandez seconds.

- b. Deletion of Exceptional Trees from Exceptional Tree List due to DOT project – Chair Reynolds asks Barbara Fernandez if similar to the Olowalu tree deletion if she can provide information/application regarding the trees in Waikapu. Barbara Fernandez believes the trees have been cut down and has gone to County Council. Tim Griffith interjects saying he has seen emails regarding the Waikapu trees and that it has gone to council and changes were adopted. Barbara Fernandez states she can double check. Chair Reynolds states he will remove Waikapu tree off of our list.
- c. Review of the “Rules of Practice and Procedures for the Maui County Arborist Committee and Maui County Code” – Chair Reynolds turns the time over to Daniel Kunkel for discussion. Daniel Kunkel says the changes that were previously made by David Galazin would have to be accessible to the public in order to be discussed in detail (board packet). These changes would have to be uploaded along with the agenda for the next meeting. Daniel Kunkel suggests to look over the current rules and to come up with specific changes that you would like to make. Such as addressing specific topics/issues. Daniel Kunkel continues saying the discussion of Maui County Code Section 2.41.090 could be a remedy to the attendance issue stated in parenthesis on today's agenda. The rules would have to be in the parameters of HRS Chapter 92 but the committee has leeway in making some changes. Chair Reynolds believes David

Galazin was trying to clean up the code and make it somewhat in line with other committee rules and such. Barbara Fernandez thanks Daniel Kunkel for taking a look at the codes and continues by saying the discussion of these rules were more for David Galazin rather than the committee. Barbara continues saying David Galazin went through The Department of Parks and Recreation Maui County Arborist Committee Rules on page 3-1-3; 10-3-20 Attendance: saying we are the type of committee that cannot require. That other county council and committees if you do not show up that you are off the committee. But was told that that does not apply to the Arborist committee. Barbara Fernandez then asks Daniel Kunkel if he has a draft available. Daniel Kunkel responds saying he has a copy of it but that it may not be appropriate to discuss in this open meeting until it is made as an agenda item and uploaded as an official ward packet for the meeting so that people can access it electronically along with the agenda. A vote can be made to proceed with the suggested changes by David Galazin or not. Barbara Fernandez interjects asking Daniel Kunkel if we are looking at the correct packet. Jack Patnode interjects asking if the attachment for today's meeting is what is being discussed. Jack Patnode votes to defer this to when it is on the agenda. Chair Reynolds says he will embed this draft into the agenda so it is one upload. Barbara asks if we can defer this till we can all come together in about 4 months. Chair Reynolds asks that we defer this till next meeting and have the rules be uploaded together with the agenda. Barbara Fernandez asks if the County ordinance 2.41.090 can also be uploaded. Jack Patnode asks Daniel Kunkel if, "It is his responsibility to let the chair know when he needs to be doing action based on attendance? Daniel Kunkel responds saying, "the chairperson of the board submits a letter to the mayor." Jack Patnode then asks, "Who lets the chair know that people have been negligent with their attendance?" Chair Reynolds interjects saying it is a matter of going through past minutes and doing a physical count. Barbara asks how she can get a copy of the ordinance 2.41.090. Daniel Kunkel says he can email Chris Reynolds a copy as well as Kalena Kaeo.

IV. Chairperson's Report

- a. Chair Reynolds is unsure if the trees near the Kihei Pool is within the Arborist Committee jurisdiction. He believes they were designated as parking lot shade trees but because of its location between private parking lot and the pool he does not believe the committee has jurisdiction. Doug McBride interjects saying every 5 parking spaces should have a tree and if trees were removed that they would have to be replaced. Tim Griffith interjects saying they do have the pv parking lot cover like Costco and that

a chunk of their parking lot is shaded. Possibly making it 25% covered which means they may not have a tree requirement even though they did plant trees.

- V. Agenda Development for Next Meeting –
 - a. Approve committee minutes
 - b. Review of “Exceptional Tree inspections”
 - c. Deletion of “Exceptional Trees” (Ex: ‘Olowalu Tree)
 - d. Follow up on Ho’aloha Park Tree Replant (Letter to be sent to County & MGB by Chair Reynolds)
 - e. Review of “Rules and Practice and Procedures for the Maui County Arborist Committee and Maui County Code”
 - f. Changes to the “Arborist Committee’s Rules of Practice and Procedure”
 - g. Discussion of Maui County Code Section 2.41.090
 - h. Election for new Chair

- VI. Announcements – No announcements.
Chair Reynolds asks committee members if possible to check out designated exceptional trees and fill out report before next meeting in March.

- VII. Next meeting to be held on March 10, 2021; 1:30 pm.

- VIII. Adjournment – Barbara Fernandez motions to adjourn, seconded by Douglas McBride at 2:32 pm

Respectfully drafted and submitted by:
Rebekah (Kawai) Hanohano

Those present: Chris Reynolds, Barbara Fernandez, Douglas McBride, Jack Patnode, Jake Musson members of the committee; Timothy Griffith, Arboriculturist; Daniel Kunkel, Corporation Counsel; Rebekah (Kawai) Hanohano, Department of Parks and Recreation staff. Those absent: Chris Haynes, Robert Burritt, Christopher Berquist, Lance DeSilva, members of the committee.