



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

## Meeting Minutes

June 10, 2021

12:30 p.m.

Virtual Meeting via BlueJeans Video/Teleconference

Meeting Link: <https://bluejeans.com/219553819?src=calendarLink>

**Call to Order:** 12:40p.m.

**Commissioners Present:** Evalina Watanabe (Chair), Kimberly West (Vice Chair), Joseph D’Alessandro, Beverly Stanich, Sarah Collins, Ricky Sanches (by phone)

**Commissioners Absent:** Melody Uchimura (excused), Susan Lussier (excused); John Copeland (unexcused)

**Guests Present:** MEO: Patty Ann Copperfield and Gay Sibonga; Disability Communication Access Board (DCAB): Colin Whited, ADA Coordinator and Duane Buote, Facility Access Coordinator; State Department of Vocational Rehab: Colin Okamura; Interpreters: Kate Eifler and Mala Arkin

**County Staff Present:** Maui County Office on Aging (MCOA): Deborah Stone-Walls, Rae-Ann Pagatpatan, Sharon Nobriga, Claudette Medeiros, and James Mariano; County of Maui Deputy Corporation Counsel Jennifer Oana; Mayor’s Office: Ipo Mossman; Managing Director’s Office: Jason Moore, EEO Specialist/ADA Coordinator

<i>Agenda Item</i>	<i>Discussion</i>	<i>Action</i>
1. Call to Order and Roll Call	Meeting called to order by Chair Watanabe at 12:40 pm. Roll call taken: 6 members present, 2 members excused, 1 member unexcused.	There is quorum.
2. Public Testimony on Agenda Items	<p>There was one individual from the public who logged/called in to testify. Alohilani Hue Sing testified on the changes to the bus fares for the Maui County Bus system for persons with disabilities.</p> <ul style="list-style-type: none"> <li>She referred to an article titled, Starting in July, <i>Paratransit Monthly Pass Replaced by Coupon Book</i>, published on MauiNow.com on June 10, 2021</li> </ul>	



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

	<ul style="list-style-type: none"> <li>• Currently, paratransit riders such as herself are able to buy \$45 unlimited monthly passes through MEO. However, in July, this option was being replaced by a \$20 “ticket booklet” that will only cover 12 one-way trips.</li> <li>• Her concern was that persons with disabilities on a fixed income may experience further financial burden if they rely on the Paratransit bus system.</li> </ul> <p>At 10:18, testifier Alohilani, lost connect on BlueJeans. Contacted staff member James Mariano for instructions on how to call in by phone.</p> <p>Alohilani re-joined the group via phone at 1 hour 23 minutes. She would like the Commission to help with asking the County to not make these change yet as nobody was aware of it.</p> <p>Patti Ann Copperfield of MEO explained that she takes care of the ticket changes that MEO help subsidize. However, she will bring up the concern with the Department of Transportation. Either herself or DOT will contact Alohilani back.</p> <p>Another concern that Alohilani brought up was a bump in the sidewalk near Kihei Foodland. This is very dangerous for disabled individuals who frequent the area a lot.</p>	<p>By consensus, Public Testimony was closed after the single testifier concluded her testimony.</p>
<p>3. Approval of Meeting Minutes- May 13, 2021</p>	<p>Commissioners reviewed the meeting minutes of May 13, 2021.</p>	<p>Vice Chair Kimberly West moved to approve the minutes, seconded by Commissioner Sarah Collins. No discussion. All in favor 6-0 of approving the minutes; motion passed.</p>
<p>4. New Business</p>	<p>B. Presentation by the Disability Communication Access Board (DCAB): Colin Whited, ADA Coordinator, and Duane Buote, Facility Access Coordinator</p> <ul style="list-style-type: none"> <li>• Disability Communication Access Board (DCAB), board of 17 members appointed by the governor, provides state wide advocacy information</li> </ul>	



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

	<p>and referral technical assistance policy procedure that impacts people with disabilities.</p> <ul style="list-style-type: none"><li>• Mission is to advocate for equal access and quality of living for people with disabilities into access to society.</li><li>• Maui Rep – Marie Kimmey</li><li>• Areas of focus are:<ul style="list-style-type: none"><li>• ADA Coordination – serves as the primary resource for ADA compliance in State government and serves as an advocate for civil rights of persons with disabilities.</li><li>• Program &amp; Policy<ul style="list-style-type: none"><li>○ Parking Program - administers the statewide parking program for people with mobility disabilities under the federal and state law, which includes issuing agency for permits through the various placards that people get and then special license plates as well.</li><li>○ Communication Access – responsible for testing and credentialing sign language interpreters, plus establishing rules for the use of communication access through aids and services.</li></ul></li><li>• Special Parent Information Network (SPIN) – Partners with DOE to provide support and information to parents of students with disabilities</li><li>• Facility Access - responsible to provide technical assistance and review plans for state and county projects, projects on state or county land, and projects receiving money from the state or county for construction.<ul style="list-style-type: none"><li>○ DCAB is part of the State Department of Health and is not affiliated with the counties' building departments. They do not have the authority to enforce ADA or FHA violations. ADA violations would be addressed by the Department of Justice, while FHA violations would be addressed by Department of Housing and Urban Development. Violations are enforced through complaints or lawsuits.</li></ul></li></ul></li></ul>	
--	---	--



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

- Under HRS 103-50, state and county agencies are responsible to submit applicable projects to DCAB to review for advice and/or recommendations. It is then the state and counties' responsibility to utilize designers that are compliant with applicable federal laws.
- State of Hawaii does not have a government agency that enforces compliance of ADA or FHA regulations within private projects.
- Chair Watanabe posed a question regarding the misuse of Handicap Parking Permits.
  - The police department is responsible for enforcing the misuse of these permits.
  - DCAB has a slip that citizens/community members can place on vehicle windshields if they witness the misuse of these permits to serve as a warning.
- Chair Watanabe also asked if DCAB is responsible for certifying service animals.
  - If a person wants to certify their service animal, they can. However, there aren't any state nor federal laws requiring that service animals need to be certified.
  - You may contact DCAB for more information or get more resources on service animal requirements.
- Commissioner Joseph D'Alessandro wanted to clarify how ADA and FHA requirements are enforced against private developments like commercial facilities.
  - Buote explained that DCAB is not responsible, and theoretically a private building can be out of compliance until a lawsuit is brought up.
- Deputy Corporation Counsel Jennifer Oana inquired about Chapter 11, Accessibility, in the International Building Code, and why it's been deleted from the State and County laws.
  - Buote explained that once the state adopts a code, the counties have a time frame in which they can make changes or decide what



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

	<p>version of the code they want to adopt for their county codes. If no action is done within the given timeframe, the County will then absorb the version of the State.</p> <ul style="list-style-type: none"><li>○ All counties thus far, have not chosen to include Chapter 11 in their codes.</li><li>● Deputy Corporation Counsel Jennifer Oana also followed up on DCAB;s authority to review for ADA/FHA compliance if a developer wanted to build a shopping center open to the public.<ul style="list-style-type: none"><li>○ Buote explained that it depends if the shopping center was being built on private land or county/state-owned land.</li><li>○ If on private land, nothing because DCAB does not review anything on private land. There are consultants that designers can send their plans to but not any kind agency to review or certify plans for private development.</li><li>○ DCAB reviews plans only if it is connected to county or state in any way. Therefore, the developer will turn in a full set of plans with specifications for DCAB to review to ensure ADA compliance of the government-funded project.</li></ul></li><li>● Chair Nani Watanabe asked if a person with disability wants to file a complaint regarding a building or structure not being ADA assessible, who do they contact?<ul style="list-style-type: none"><li>○ Whited explained that if anyone feels as though they have been discriminated against for their disability, they should make a complaint with the Civil Rights Commission</li><li>○ If they want, they can contact DCAB who can refer them to the correct agency.</li></ul></li><li>● Commissioner D'Alessandro wanted more clarification on how DCAB is connected to the DOE.<ul style="list-style-type: none"><li>○ Whited of DCAB explained more on Special Parent Information Network (SPIN), a one stop shop for parents or families trying to navigate through Hawaii's DOE Special Education System.</li></ul></li></ul>	
--	--	--



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

- Services that SPIN provides include: An annual conference, periodic newsletter, phone line for people to call in with any question or need any advice and resources regarding the special education system in Hawaii.

C. Presentation by County of Maui ADA Coordinator Update: Jason Moore,  
County of Maui EEO Specialist/ADA Coordinator

- Mr. Moore briefed the Commission of the various responsibilities of his role: conduct EEO/Sexual harassment investigations, address reasonable accommodations, ensure ADA accessibility is put in place, update policies/affirmative action plans, and roll out iPad Transcription Project.
- Large project is the iPad Transcription Project:
  - Live transcription app that is accessible 24/7 on the iPad. It will support 50 different languages, including the deaf and hard of hearing.
  - Currently have 12 iPads ready. The goal is to have one in each of Maui County's buildings. For the time being, it will be placed in the heavily trafficked buildings.
  - It will allow customers to easily access county resources such as paying a water bill, etc.
- Also, as EEO specialist, he is helping promote mental wellbeing to County employees. Reminding them that we have resources such as Employee Assistance Program (EAP) for employees and their families, Hawaii Crisis Line which is statewide suicide prevention line, Cardiac Wellness App for police department, and CISM for the fire department.
- Commissioner Sarah Collins asked if there are any iPads already available in the Courthouse. According to Jason Moore, none of the iPads are set up yet but the Courthouse will be one of the priorities. Although deaf and hard of hearing individuals typically have similar translation apps on their phones, the County still wants to be able to provide iPads in their buildings for those who may not.
- Colin Whited asked if the deaf and hard of hearing community on Maui knows who to reach out to if they need an interpreter. Jason Moore



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

	<p>mentioned that he would also like to focus on making it easier to find an interpreter should an individual needs one.</p> <ul style="list-style-type: none"> <li>• Chair Nani Watanabe suggested that Jason Moore do outreach with Maui’s deaf and hard of hearing community to get feedback on the transcription app. Colin Whited of DCAB also offered to assist Mr. Moore with using the right practice and approach.</li> </ul>	
<p>5. Unfinished Business</p>	<p>A. Discussion on Memorandum from the County of Maui Charter Commission dated March 22, 2021 regarding its request for submittal of proposed charter amendments and/or recommendations.</p> <p>No comments from the commissioners</p> <p>B. Affordable/Accessible Housing Temporary Investigative Group (TIG) – Replacement of TIG members due to the resignation of Commissioner Copeland and term expiration of Commissioner Kapoi or Disbandment of TIG</p> <p>There were no Commissioners wishing to replace the outgoing TIG members. Commissioners discussed and voted to disband the TIG</p> <p>C. Open discussion with individuals who have disabilities on their need for affordable and accessible housing in Maui County.</p> <p>No comments from the public.</p>	<p>A. No comments from the Commissioners in regards to the Memorandum. No action taken.</p> <p>B. A motion to disband the TIG was made by Commissioner Sarah Collins, seconded by Commissioner Joseph D’Alessandro. All in favor 6-0 to disband the TIG.</p> <p>C. No comments. By consensus, the Commission will take no further action on the matter.</p>



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

6. Upcoming Events/ Announcements	No announcements made.	
7. Agenda Setting	<p>A. Presentation by David Nakama and Christopher Kish of the Homeless Program Division, County of Maui Department of Housing and Human Concerns (July)</p> <p>B. Presentation by Pam Eaton, County of Maui Planning Department on the Ka'ahumanu Avenue Corridor Project (August)</p> <p>C. Other items for future meetings</p> <p>Deborah Stone-Walls, Executive on Aging at Maui County Office on Aging, informed the Commission that the County Council is requesting feedback regarding a potential ordinance that would impact future grants provided by the County and is related to Self-Sufficiency and persons with disabilities.</p>	<p>Staff member Rae-Ann Pagatpatan to follow up with inviting/confirming the various speakers for Items 7A and 7B.</p> <p>Deborah Stone-Walls will provide Staff Member Rae-Ann Pagatpatan with the proposed ordinance so that the Commission can review and comment.</p>



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

8. Next Meeting Date	Meeting ended 1:56 pm.  The next meeting is scheduled for July 8, 2021 at 12:30 p.m. and will be virtual using BlueJeans.	Commissioner Beverly Stanich moved to adjourn meeting. Commissioner Sarah Collins seconded. All in favor 6-0. Motion passed.
----------------------	---	--

Submitted by Rae-Ann Pagatpatan, Secretary (Maui County Office on Aging)