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FIRE AND PUBLIC SAFETY COMMISSION

COUNTY OF MAUI

TRANSCRIPT OF PROCEEDINGS

REGULAR MEETING

Held via BlueJeans, commencing at 10:00 a.m., on
August 30, 2021.

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

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ATTENDANCE

COMMISSION MEMBERS PRESENT:

- Kyle Ginoza, Chair
- Lisa Vares, Vice Chair
- Gregg Lundberg, Member
- Dwight Burns, Member
- Donna Sterling, Member
- Punahuele Alcon, Member
- Dylan Andrion, Member

STAFF:

- Richelle Thomson, Deputy Corporation Counsel
- Moana Lutey, Corporation Counsel
- Richelle Wakamatsu, Commission Secretary

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(August 30, 2021, 10:00 a.m.)

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CHAIR GINOZA: Okay. Welcome, everybody. My name is Kyle Ginoza, chair of the fire and public safety commission meeting. It is August 30th, and it's ten o'clock, so I'd like to call this meeting to order. Let's start off with roll call of commissioners.

Vice Chair Lisa Vares. I don't see her yet.

Gregg Lundberg. Gregg, are you still here?

COMMISSIONER STERLING: He's muted.

CHAIR GINOZA: Dwight Burns.

COMMISSIONER BURNS: Here.

CHAIR GINOZA: Thank you, Dwight.

Donna Sterling.

COMMISSIONER STERLING: Here.

CHAIR GINOZA: Hi, Donna.

Punahuele Alcon.

COMMISSIONER ALCON: Here.

CHAIR GINOZA: Hi, Punahuele.

COMMISSIONER ALCON: Howzit.

CHAIR GINOZA: Max Kincaid, Jr. No Max.

Dylan Andrion.

COMMISSIONER ANDRION: Here. Aloha, Chair. Aloha, Commissioners.

CHAIR GINOZA: Hi, Dylan.

1 And Doradeen Makalapua Kanuha. You're on mute.

2 You're on mute. Makalapua, you're on mute.

3 COMMISSIONER KANUHA: Aloha kakahiaka, Chair, and
4 the rest of our commissioners. Yeah, please feel free; going
5 forward, you can call Makalapua. Mahalo nui.

6 CHAIR GINOZA: Welcome to the commission.

7 COMMISSIONER KANUHA: Mahalo, thank you.

8 CHAIR GINOZA: Vice Chair Lisa Vares. I saw her
9 come on.

10 VICE CHAIR VARES: I'm here. Hi.

11 CHAIR GINOZA: Hi.

12 And then Gregg Lundberg. I don't see Gregg, but --
13 well, we at least have quorum.

14 And from fire department, who do we have?

15 MS. WAKAMATSU: Just me, Richelle.

16 CHAIR GINOZA: Richelle. Okay.

17 And from corp. counsel we have Richelle Thomson and
18 Moana Lutey.

19 Anybody else that I need to recognize?

20 (No response.)

21 CHAIR GINOZA: All right. Seeing none, I'd like to
22 move on to public testimony on agenda items.

23 Richelle, do you have anyone signed up to testify?

24 MS. WAKAMATSU: I do not.

25 CHAIR GINOZA: Okay. Is there anyone that is on

1 that wishes to testify? Please unmute yourself and be
2 recognized.

3 COMMISSIONER LUNDBERG: Hey, Kyle. It's Gregg
4 Lundberg.

5 CHAIR GINOZA: Oh, hi. I assume you're just saying
6 you're here and not wanting to testify?

7 COMMISSIONER LUNDBERG: Yeah. No, sorry, I'm here.

8 CHAIR GINOZA: Okay. Anyone else -- or anyone
9 wishing to testify?

10 (No response.)

11 CHAIR GINOZA: All right. Seeing none, I'd like to
12 close public testimony.

13 Let's move on to the next item -- oh, before -- oh,
14 yeah, let's move on to the next item, which is the Discussion
15 and Approval of Interview Dates and Logistics For Fire Chief
16 Selection. So part of it is to approve the -- the qualified
17 applicants that we had received, the recommended list from
18 last week, so, Lisa, would you like to kind of go over the
19 current status of affairs?

20 VICE CHAIR VARES: Sure. I'm going to go off video
21 so you can definitely hear me. Okay?

22 Can you hear me all right?

23 CHAIR GINOZA: Yes.

24 VICE CHAIR VARES: Okay. Oh, nothing.

25 CHAIR GINOZA: Okay. Go ahead.

1 VICE CHAIR VARES: Can you guys hear me at all?

2 CHAIR GINOZA: Yes.

3 VICE CHAIR VARES: You can, yes?

4 CHAIR GINOZA: Yes.

5 VICE CHAIR VARES: Okay, good. Sorry. Regarding
6 the interviews, I think the -- the best information that we
7 can give so far, we obviously don't have our date chosen yet,
8 but we do have the process worked out a little bit better.
9 Gary Murai was able to request of the mayor that we are able
10 to do a hybrid-style interview process. The mayor had
11 (inaudible) all commission meetings (inaudible) had to be via
12 BlueJeans. Our interviews for fire chief, we have been given
13 permission to do it hybrid style, so this commission
14 (inaudible) attend in person (inaudible).

15 CHAIR GINOZA: Lisa. You kind of cut out here and
16 there. I got that the mayor had agreed that we could have a
17 hybrid interview session with some people in person and some
18 remotely.

19 VICE CHAIR VARES: Correct. I've gone off video.
20 Can you guys -- can you hear me better now?

21 CHAIR GINOZA: Yes.

22 VICE CHAIR VARES: All right. So we can have in-
23 person interviews, the commissioners that would like to attend
24 in-person interviews are absolutely encouraged to. If you
25 prefer to stay remotely via Zoom -- or via BlueJeans,

1 absolutely, it's not a problem as well. We can also -- we
2 would encourage the candidates to attend in person, but we
3 probably need to discuss that with the candidates themselves
4 in case they have a personal preference as well. But as it
5 stands out right now, if the candidates are interested in
6 (inaudible). Now we just need to figure out when we would
7 like to have the interviews. Anyway --

8 CHAIR GINOZA: Before we go to the actual picking of
9 dates, can we -- can I have a motion to approve the qualified
10 candidates? And can you say who -- who the candidates are and
11 can somebody put a motion --

12 VICE CHAIR VARES: Yeah, absolutely.

13 CHAIR GINOZA: Okay.

14 VICE CHAIR VARES: Previously, we did have -- we
15 started with four candidates. I'm just gonna kind of go --
16 review this again. We started with four candidates. One was
17 disqualified for not meeting minimum requirements. We had
18 three that were approved to be candidates for the position.
19 We were contacted by one of the three last week and told that
20 he has accepted a position with another fire department. So
21 now we do have two approved candidates for this position, that
22 being Bradley Ventura and Amos Lonokailua-Hewett, and those
23 are our two candidates.

24 COMMISSIONER LUNDBERG: Do you need a motion, Kyle?

25 VICE CHAIR VARES: Yes, Gregg.

1 Oh, Kyle, you're muted still.

2 COMMISSIONER LUNDBERG: Can you hear me? So I'll
3 make a motion to approve the two candidates as presented by
4 the TIG.

5 CHAIR GINOZA: Okay. Thank you. So Gregg makes a
6 motion to approve the recommendations of the TIG for the two
7 candidates. Could I have a second?

8 COMMISSIONER STERLING: I second. Commissioner
9 Sterling.

10 CHAIR GINOZA: Thank you. Thank you, Donna. All in
11 favor -- I guess it's hard with this, so I'll just go one by
12 one.

13 So, Lisa, yes or no on the motion?

14 VICE CHAIR VARES: Yes.

15 CHAIR GINOZA: Okay. Gregg made the motion.
16 Dwight.

17 COMMISSIONER BURNS: Yes.

18 CHAIR GINOZA: Okay. Donna made the second.
19 Punahale.

20 COMMISSIONER ALCON: Yes.

21 CHAIR GINOZA: Max isn't here.
22 Dylan.

23 COMMISSIONER ANDRION: Yes.

24 CHAIR GINOZA: Okay. And Makalapua.

25 COMMISSIONER KANUHA: Yes.

1 CHAIR GINOZA: Okay. Motion -- motion is approved.
2 So let's go on to a discussion on when we would have
3 interviews. So my -- my recommendation is that we have a
4 meeting where we accept public testimony, and not knowing how
5 long public testimony is, we might schedule it on different
6 days. But perhaps before we get into dates, could --
7 Richelle, could you go over what the police
8 commission is doing since they have a parallel path?
9 MS. THOMSON: Sure. And so, as I'm sure most of you
10 are all aware, the police commission has several more
11 candidates that they are vetting, so their process is going to
12 be longer than I would anticipate yours will be. They're
13 doing public testimony on one date, and then they're going to
14 recess that meeting to a different date, and then they're
15 going to start with their interviews. And basically, I
16 believe they have five candidates, and they're doing their
17 interviews -- I think they're going to be doing them all on
18 that -- either the same day or over a span of two days.
19 They're doing those in executive session, so they'll be going
20 over the interview questions with each of the candidates in
21 executive session. They're gonna complete all of that -- with
22 some breaks in between, complete that process and then, you
23 know, come back into -- basically, their second of it will be
24 in open session.
25 So, yeah, I think that -- I think it's probably a

1 good idea to, like Kyle said, to hold your public testimony on
2 one date, you know, so that you're not constrained by time,
3 and there may be quite a few public testifiers, and then have
4 another date where you do both interviews and perhaps give
5 yourself, you know, a break in between, especially since
6 you'll be doing them in person, you know, so that there's not,
7 you know, overlap of the candidates and things like that and
8 so you can have lunch maybe.

9 Any -- any questions on any of that?

10 CHAIR GINOZA: No.

11 MS. THOMSON: One, one quick thing, too, I know Gary
12 mentioned to me that there are a couple of venues that we
13 could use here at the county building. I know he talked about
14 either doing it on -- you know, on a weekend, that's open.
15 The planning conference room, which probably most of you have
16 been in at some point, it's downstairs in the small building
17 that's in part of the big county building, the Kalana Pakui
18 Building. But, at any rate, we can -- you know, we can make
19 that available. It does have microphones, it's, you know, big
20 enough so that everyone can spread out and have, you know,
21 distancing between you, but also have the candidate there as
22 well if they're able to appear in person.

23 CHAIR GINOZA: Okay. Any questions for Richelle?

24 COMMISSIONER STERLING: Yes, Chair.

25 CHAIR GINOZA: Yes, Donna.

1 COMMISSIONER STERLING: So let me -- can you
2 clarify, Richelle, so we would have the -- the candidates --
3 the public testimony first on one meeting, perhaps, and then
4 we could absorb some of the information and come back in two
5 days. At those two days, would we -- when does the -- when
6 can we physically come down to meet, those that choose to do
7 the hybrid in the county building? Is the first meeting -- go
8 ahead.

9 MS. THOMSON: So the only constraint is that --
10 because you're essentially (inaudible), you'll need to public
11 your agenda, so that's, of course, six days in advance is the
12 minimum timeframe on it. What you can do is publish your
13 agenda with those other dates in it, so you don't have to
14 publish, you know, subsequent agendas for, you know, the
15 other -- the interview date. So I think you would do one
16 agenda with two dates in it, and you can put in there that you
17 intend to recess -- you know, following public testimony,
18 you're gonna recess to the second date. The reason that you
19 don't just do it (inaudible) is that if you had just a
20 brand-new meeting, you would have to do public testimony
21 again, so that's why you recess.

22 COMMISSIONER STERLING: Got it. Okay. I
23 understand. Thank you.

24 COMMISSIONER LUNDBERG: So we could -- we could
25 theoretically do this all in one day, right? Is that --

1 MS. THOMSON: Yes.

2 COMMISSIONER LUNDBERG: We could open the session in
3 the morning, take public testimony, assume that takes an hour,
4 depending on how many people come in, then we go into exec
5 session, do -- do our interviews, if we come to consensus and
6 majority rules, then we can come out of exec session and make
7 the notification right then and there.

8 MS. THOMSON: Right. There's -- there's no reason
9 that you can't do that. And then, you know, to plan it all on
10 one day, you know, if that's what -- what you all want to do.
11 And, you know, if it turns out that you have public testimony
12 that goes for four or five hours and, you know, it's just a
13 lot to absorb and take in in one day, you can recess to a
14 different day at that point, so it's not like your hands are
15 tied to one or the other.

16 COMMISSIONER LUNDBERG: So we could recess to the --
17 to the following day?

18 MS. THOMSON: Sure. To the following day or to a
19 different day, yeah.

20 CHAIR GINOZA: We do have to make sure that we know
21 the date.

22 MS. THOMSON: I didn't catch that, Kyle.

23 CHAIR GINOZA: Don't we have to just kind of figure
24 out the date so that we can put that in the agenda?

25 MS. THOMSON: You do if you're gonna go ahead and do

1 it on two separate days. You could also put it in that, you
2 know, if you need to recess, you're gonna recess to this --
3 this certain day as a backup, yeah, you could do that.

4 COMMISSIONER LUNDBERG: Well, I guess the question,
5 Kyle, for the commission is: Does everybody feel comfortable
6 that they've had the opportunity to review the resumes and --
7 does everybody feel comfortable that we go into exec session
8 or when?

9 CHAIR GINOZA: Yeah. I mean, to me -- to me, it's a
10 matter of, one, if people are comfortable just having the --
11 like one, if people are comfortable doing it like on a
12 Saturday, say like next week Saturday, so that people have the
13 opportunity to review all the material and then perhaps, like
14 you said, have the public testimony sometime in the morning.
15 And, actually, we -- yeah, and then just making sure
16 candidates would be available on Saturday if people want to do
17 it Saturday. Or if the weekend doesn't work and we want to do
18 it on a weekday, then that works as well. For me, next week,
19 I just can't Thursday morning, but I'm pretty flexible. So
20 maybe, if you don't mind, we just kind of go around to see
21 what people's preference and availability -- preference and
22 availability are. So maybe start with Lisa.

23 VICE CHAIR VARES: I can be available whenever and
24 that does include weekends. I'm actually (inaudible).

25 CHAIR GINOZA: You keep cutting off. Maybe you have

1 to take off your camera again.

2 VICE CHAIR VARES: So frustrating. Yes, I'm
3 available whenever.

4 CHAIR GINOZA: Okay. What about you, Dwight?

5 COMMISSIONER BURNS: I can be available during the
6 weekdays, but the weekends come up, I am not gonna be
7 available.

8 CHAIR GINOZA: Okay.

9 COMMISSIONER BURNS: I gotta travel. I gotta
10 travel, that's why.

11 CHAIR GINOZA: What about you, Donna?

12 COMMISSIONER STERLING: Saturday is good, and the
13 rest of the week is open for me. Monday through -- next week,
14 is all good, even Saturday.

15 CHAIR GINOZA: Okay. Makalapua?

16 COMMISSIONER KANUHA: Okay. So my week is -- I'm
17 available. And on Saturday, is that the 11th?

18 CHAIR GINOZA: Oh, yeah.

19 COMMISSIONER KANUHA: Yeah. Is that September 11th?
20 'Cause I had an invitation, so I just wanted to --

21 COMMISSIONER STERLING: The 4th.

22 CHAIR GINOZA: Thanks for bringing it up.

23 COMMISSIONER KANUHA: Or is it this Saturday?

24 CHAIR GINOZA: Oh, no, the following Saturday.

25 COMMISSIONER KANUHA: The following.

1 CHAIR GINOZA: Yeah.

2 COMMISSIONER KANUHA: Okay. So the following
3 Saturday would be the 18th. I actually have a board meeting
4 in Kaupo on the 18th. However, I -- yeah.

5 CHAIR GINOZA: Okay.

6 COMMISSIONER KANUHA: On the weekday --

7 CHAIR GINOZA: Punahale.

8 COMMISSIONER ALCON: I'm available on Saturdays and
9 then I can be available during the week around my actual work
10 schedule.

11 CHAIR GINOZA: Okay. And, Dylan, are you back?

12 Dylan said Thursdays and Sundays are hard for him.

13 COMMISSIONER ANDRION: But Saturdays are good. This
14 Saturday wouldn't -- wouldn't work for me, and I don't know
15 that we would want to do something on the 11th, but the 18th
16 would work, or the 25th would work as well.

17 COMMISSIONER STERLING: Chair, we've got the 11th
18 ceremony, 9/11, at Station 10.

19 CHAIR GINOZA: Yes. Would it be possible for people
20 to do like a Wednesday sometime just having to -- trying to --
21 like Wednesday at 10:00 having public testimony, and then
22 Friday -- so next week Wednesday public testimony, and the
23 following Friday, either morning or afternoon, we have the
24 interviews? Does that -- let's see. Does that not work for
25 everybody?

1 COMMISSIONER STERLING: That works.

2 CHAIR GINOZA: And then from there, we can pick a --
3 pick a venue, yeah. And at least if -- you know, I just want
4 to make sure that everybody who wants to participate is able
5 to since Dwight said he's not available on Saturdays. So if
6 we did like a Wednesday at 10:00 and a Friday at 10:00 as well
7 and we just break it at lunch and have the second one in the
8 afternoon, or we could go like 8:00 to 12:00, and then have --
9 any preference?

10 COMMISSIONER ANDRION: That would work for me, Kyle.

11 CHAIR GINOZA: Wait.

12 COMMISSIONER STERLING: Good with me.

13 CHAIR GINOZA: Okay.

14 COMMISSIONER STERLING: Wednesday and Friday, 10:00,
15 10:00. Make it simple, 10:00, 10:00, you know.

16 COMMISSIONER ANDRION: Chair, I would prefer having
17 it all done in the morning time versus the afternoon on
18 Wednesday. I typically fly out of Maui on Wednesdays to Kona.

19 CHAIR GINOZA: So if we had the testimony Wednesday
20 morning, and then you'd like it on Friday morning then, Dylan?

21 COMMISSIONER ANDRION: Sure, that could work.

22 CHAIR GINOZA: Does that work for others? So like
23 say 10:00 a.m. Wednesday and 8:00 a.m. Friday? Would that
24 work?

25 COMMISSIONER STERLING: Yeah. That's good, Chair.

1 CHAIR GINOZA: Punahеле, is that fine for you?

2 COMMISSIONER ALCON: Are you talking about the 8th
3 and the 10th?

4 CHAIR GINOZA: No -- oh, yes, the 8th and the 10th.

5 COMMISSIONER ALCON: I have to get back to that on
6 that. I have two things on my calendar for the hospital, and
7 I'm not at work today, so I'll double-check, and I'll get back
8 to you. But I'll try to make it work.

9 CHAIR GINOZA: Okay. So as you know, we -- it seems
10 like commissioners are pretty flexible on Wednesday or Friday,
11 so we can kind of pick a time and --

12 COMMISSIONER ALCON: That's good.

13 CHAIR GINOZA: Let's plan on that. I mean, the main
14 thing is that we set kind of the first one because then we can
15 put the date on the second -- I mean, if you just do Wednesday
16 and Friday, that would be great.

17 Okay. Richelle, did you want to talk about the --
18 this -- the letter of support section?

19 MS. THOMSON: Yes, thank you. And, of course, we'll
20 invite Commissioner Kanuha to also talk about this. So,
21 basically, as I understand it from Gary, there was a letter of
22 support written by Commissioner Kanuha; this was prior to her
23 being nominated for the fire commission. It was for one of
24 the two candidates. And so the question is whether that rises
25 to a level that it would be a conflict of interest for her to

1 continue on in the selection process.

2 Let me just read you guys your fire commission rule
3 regarding disclosure of conflicts. So whenever -- this is
4 Rule 6-102-20, Disclosure of Conflict. Whenever a conflict of
5 interest or other ethical question is raised by anyone
6 regarding any member of the commission, the affected member
7 shall promptly make a full disclosure of the circumstances to
8 the commission. When a member is deemed by the commission or
9 the board of ethics to have a conflict of interest, that
10 member shall be disqualified from voting in all actions
11 related to such matter.

12 The purpose -- the purpose of bringing this up and
13 the context in which it could come up is that when -- and I'm
14 speaking generally. When a board takes action on an item,
15 whatever it happens to be, and a member of the board is known
16 to have a particular bias that might affect the decision-
17 making either of the board or of the commissioner, that can be
18 used by someone who does not like the board's decision to
19 challenge it later, so -- and it wouldn't simply be just
20 cancelation of the affected member's vote, it is -- typically
21 would result in a -- basically a do-over of the process. So
22 that's the -- that's the context in which we wanted to bring
23 this up.

24 So what I would recommend, though, is that
25 Commissioner Kanuha let -- tell you about, you know, the

1 letter and the situation, and then the board should take
2 formal action, so I think that you should vote as a board
3 whether or not you believe that Commissioner Kanuha does have
4 a conflict of interest such that she should be recused from
5 this process.

6 If you have more detailed questions that, you know,
7 need to be discussed in executive session -- I can let you
8 know if any of the questions come up that I think we should
9 not talk about publicly because it does affect the board's --
10 you know, potential liability toward the board, you know, we
11 can go into executive session. Thank you.

12 CHAIR GINOZA: Thank you, Richelle.

13 Makalapua, would you like to express your thoughts?

14 COMMISSIONER KANUHA: Thank you for this opportunity
15 to express my thoughts. I was well aware -- when I was asked
16 if I would submit a letter of recommendation, I agreed, and so
17 I did it. And then the admin. reached out to me, I don't
18 know, maybe about a month later, and -- because they were
19 having a hard time finding any representation from Lahaina to
20 sit on the fire commission. So the mayor's office asked me if
21 I would sit on a very important commission, and I said, well,
22 it really depends, because to me, a commission, every
23 commission is important. And then when they -- I said what
24 board, and they said fire, and I said, well, I really gotta
25 think about this. And then what I've learned is that there

1 was no representation for Lahaina, so that really catapulted
2 me to make my decision. Because as we all know in this
3 meeting when Lahaina has fires, we really have fires, and I
4 know -- I don't want to like keep talking about 2018, but many
5 of us know what happened in 2018, so --

6 However, like I shared with Gary is I don't even --
7 I don't have any application reviews, I don't have -- I don't
8 even know who the candidates are. And like we're talking
9 about things on the agenda, and I don't even have an agenda of
10 what we're talking about right now, so -- what is currently on
11 the agenda. So that is my -- and many who know me, like Gregg
12 Lundberg, I'm able to stand and make good, sound decisions
13 based on experiences and qualifications. Like I -- I believe
14 all of us would make our decision based on the candidate who
15 is qualified for it. So whether I sent in a letter of
16 recommendation for an applicant, that's not my final decision.
17 However, I do want to be supportive to this body, and so it's
18 really up to this governing body to make the decision.
19 Meaning that it is a letter of recommendation; as you read,
20 many of you've seen my letter of recommendation, and if I
21 recuse myself, then that means I really wasn't writing the
22 letter of recommendation. My decision doesn't change, but it
23 doesn't cloud my mind of making that decision. And I was only
24 basing my recommendation on what happened in Lahaina as a
25 community resident, as a community member, evacuating my house

1 like 12:00 midnight with the rest of the Lahaina community, so
2 that is what I was basing my recommendation letter on.

3 So mahalo for this opportunity to share, yeah.

4 CHAIR GINOZA: Great. Thank you very much,
5 Makalapua.

6 Does any commissioner have any questions or
7 comments? I believe Dylan has a question. Yes, Dylan.

8 COMMISSIONER ANDRION: Thank you, Chair, and thank
9 you, Commissioner Kanuha. I'm gonna turn my video off because
10 I think my connection is better when it's off. I do want to
11 welcome Auntie Maka, and I want to vouch for her ability to
12 make discerning decisions and to speak on someone's behalf and
13 their character. I've worked with Makalapua for a long time
14 in the hotel industry and can vouch for her integrity and her
15 decision-making skills, but I also wanted to offer another
16 perspective here in our duty to operate above reproach and to
17 serve our community and being diligent with our work. And I
18 believe that is what Richelle was referring to, in that if
19 there's ever a circumstance where one might recuse themself
20 from the decision-making process, it would then allow us to
21 not have to redo the process because a community member would
22 find reason, because we didn't operate above reproach, to
23 challenge the process or to challenge the decision that was
24 being made.

25 So with that, I just wanted to let our commissioners

1 consider that as well as Richelle has so wisely advised. And
2 so for Auntie Maka, I know she wrote that recommendation prior
3 to her being a part of the commission, and it sounds like she
4 is standing by that decision, and so it may be -- I believe --
5 I think I would support if Auntie Maka was wanting to continue
6 with that recommendation while also recusing herself from the
7 process so that we can honor her recommendation and the public
8 wouldn't have any reason to challenge her recommendation while
9 she's still a voting member of the process if that makes
10 sense.

11 So that's just my manao; I 100 percent love Auntie
12 Maka because I've worked with her for so long, and I know she
13 is, you know, always seeing the best in people, and I trust
14 her recommendation and her decision-making abilities and her
15 leadership, but especially, you know, to be a part of the
16 commission without any kind of -- how do you say this the
17 right way? Anyway, to operate above reproach. I know that
18 that's what we're called to do, and it may be worth
19 considering, which is why I'm speaking in support of accepting
20 her recommendation while also possibly recusing herself from
21 the decision-making process. Thank you, Chair.

22 CHAIR GINOZA: Thank you, Dylan.

23 Any other questions or comments from commissioners?

24 COMMISSIONER LUNDBERG: Kyle, it's Gregg.

25 CHAIR GINOZA: Yes, Gregg.

1 COMMISSIONER LUNDBERG: Dylan could not have said it
2 more perfectly, so thank you for being articulated and detail-
3 oriented and personal, Dylan, you did a great job. I, too,
4 have had a longstanding relationship with Makalapua; we've
5 worked together at several hotels. And I read her
6 recommendation a couple of times just to make sure that I
7 understood what she was recommending and what her thoughts
8 were on it. Like Dylan, I have no issue accepting the
9 recommendation. I do, unfortunately, think that having her
10 vote could be problematic down the line and we just need to be
11 cautious of that.

12 But as far as Makalapua's decision-making process
13 or -- even her ability to articulate why she thought that
14 candidate was good at the time -- and she didn't know who the
15 other players were in the game at that time, either. So, you
16 know, she kind of got put between a rock and a hard place,
17 unfortunately. I feel bad for her for being put in this
18 position that her first meeting with us has to start off with
19 a little bit of controversy, which I guess sprinkled on top of
20 the truth is a -- is a tasty morsel. So like I said, Dylan
21 did a great job covering the bases, so I support Dylan's
22 recommendation.

23 COMMISSIONER STERLING: (Gesturing.)

24 CHAIR GINOZA: Yes, Donna.

25 COMMISSIONER STERLING: You know, again, Dylan

1 explained very important processing. I've known Makalapua
2 years and years. I think to fix this; I think we should
3 include her in the process of both candidates paper-wise,
4 researching for the week coming up, and ask that when the
5 vote, final vote comes to vote for the candidate, recuse
6 herself. But I think she needs to be brought in to the
7 applicants -- the nominee's applications, that process if
8 that's possible. But, great, Dylan and I agree with just
9 recuse and let her come with the process.

10 CHAIR GINOZA: Thank you, Donna.

11 Punahale.

12 MS. THOMSON: Chair, could I offer just a quick
13 thought?

14 CHAIR GINOZA: Okay.

15 MS. THOMSON: Just on Commissioner Sterling's
16 comments.

17 CHAIR GINOZA: Okay.

18 MS. THOMSON: So if -- if the decision is -- you
19 know, if either Commissioner Kanuha recuses herself or if the
20 commission does decide that she has a conflict and thus she's
21 recused, I would recommend that she not be involved in the
22 process. So basically, once you're recused, you recuse
23 yourself both from discussion and decision-making. But, of
24 course, like all of us, we're free to exercise our own, you
25 know, First Amendment, you know, freedoms of speech and

1 submission of testimony, you know, things like that. So as a
2 private citizen, not as a board member -- a commission member,
3 continue to -- you know, she could submit public testimony.

4 CHAIR GINOZA: Okay. So before I go to Punahale,
5 does that mean we -- after we get all the comments, I would
6 take a motion to either allow Makalapua to participate or
7 disallow based on potential conflict? It's one or the other,
8 right?

9 MS. THOMSON: Right.

10 CHAIR GINOZA: (Inaudible.)

11 MS. THOMSON: Right. I think that, you know, once
12 you've heard from the other commissioners, you might offer
13 Commissioner Kanuha the opportunity to respond, you know, and
14 then take it from there.

15 CHAIR GINOZA: Okay. Thank you, Richelle.

16 Punahale.

17 COMMISSIONER ALCON: I was gonna say exactly what
18 Richelle just said. I think it's a conflict of interest. She
19 already feels a certain way, and as a group, we already know
20 that she's, you know, trying to support one of the candidates,
21 so it would be unfair to the other candidate. And if I was
22 the other candidate and I didn't get the job, I would probably
23 want to sue the county because of that. So we open ourselves
24 up to litigation, and then we might have to go through this
25 entire process all over again because of that.

1 I have a completely separate question. A Molokai
2 community member asked me to find out if we -- if the county
3 does a check to make sure that none of us related to the
4 applicants before we start this process to make sure that we
5 are not family members of the applicants, and I didn't have an
6 answer for that.

7 MS. THOMSON: Do you mean in term of -- so once you
8 know who your final -- now you know who your final two
9 candidates are, whether any of you are related either by
10 marriage or otherwise?

11 COMMISSIONER ALCON: And I didn't have an answer, so
12 is that checked and taken into account?

13 MS. THOMSON: There's no -- there's no external
14 mechanism for that, but it's incumbent upon each of the
15 commissioners to make those disclosures. You know, if the --
16 if that's any of your circumstances, you know, that you are
17 related by blood, marriage, or otherwise, you know, it's
18 important to make those disclosures.

19 COMMISSIONER ALCON: Thank you.

20 CHAIR GINOZA: Thank you, Punahale.

21 Any other commissioners have any comments or
22 questions?

23 (No response.)

24 CHAIR GINOZA: All right. Seeing none, before I ask
25 for a motion, Makalapua, would you like to provide any

1 response?

2 COMMISSIONER KANUHA: I just want to -- I appreciate
3 this meeting because this is a very important position that we
4 are putting this person into, so like I said, I am a -- you
5 know, IN this governing body, I want to ensure that we as a
6 body are successful and whoever we choose as the
7 commissioners. So I'm okay. So thank you for everybody's
8 feedback, and please do what this body needs to do, and I'm
9 okay with it.

10 CHAIR GINOZA: Great. Thank you very much,
11 Makalapua.

12 Could I have a motion to either -- for this body to
13 allow Makalapua to participate in the process or to have her
14 recused from the proceedings that follow regarding the
15 selection of the fire chief?

16 COMMISSIONER ANDRION: Chair, this is Commissioner
17 Andrion. I move for Commissioner Kanuha to be recused from
18 the fire chief selection process.

19 CHAIR GINOZA: Thank you, Dylan.

20 COMMISSIONER BURNS: I second.

21 CHAIR GINOZA: Second by Dwight. Okay. And let me
22 just go through the list so that we have affirmative or not.

23 So, Vice Chair Vares, do you support the motion or
24 not support?

25 VICE CHAIR VARES: Support.

1 CHAIR GINOZA: Okay. Gregg Lundberg.

2 COMMISSIONER LUNDBERG: Kyle, I have a question.
3 When we say recuse her from the whole process, does that mean
4 that she's not available -- not allowed to be in any of the
5 discussions, or were we gonna ask her to go -- to be
6 participatory up until the point of vote?

7 CHAIR GINOZA: My understanding is it's all or
8 nothing. So if we have her recuse, then she doesn't
9 participate from now on on executive session matters or on the
10 interview process.

11 COMMISSIONER LUNDBERG: Does that mean she's cut out
12 of the executive committee meetings regardless of what's being
13 talked about? That's not fair, is it? Being held from
14 executive committee to have decision-making in other areas?

15 MS. THOMSON: I can answer that. So that is -- as I
16 understand it, the motion is strictly regarding the selection
17 of the fire chief and that process, so it's not any broader
18 than that. It's simply limited to this, this matter
19 specifically.

20 COMMISSIONER LUNDBERG: And, Richelle, we can't --
21 we can't have her part of the process up until the point of
22 vote; it's either all in or all out?

23 MS. THOMSON: Yes, that's what I would recommend.

24 CHAIR GINOZA: What do you say, Gregg?

25 COMMISSIONER LUNDBERG: Agreed.

1 CHAIR GINOZA: Okay. Dwight. Dwight, do you
2 support --

3 COMMISSIONER BURNS: Sorry. Yes, I do. I support.

4 CHAIR GINOZA: Okay. Donna.

5 COMMISSIONER STERLING: I support the motion on the
6 table, Chair.

7 CHAIR GINOZA: Punahale.

8 COMMISSIONER ALCON: Support. Thank you.

9 CHAIR GINOZA: And -- well, I guess Makalapua.

10 COMMISSIONER KANUHA: Oh, I'm sorry. Am I voting
11 myself out?

12 CHAIR GINOZA: I guess -- you can say yes or no,
13 I -- I figured I need to ask everybody.

14 COMMISSIONER KANUHA: Okay.

15 CHAIR GINOZA: So I assume you do not support it,
16 but I figured I would just ask.

17 COMMISSIONER KANUHA: No, I support it. As a body,
18 I support it.

19 CHAIR GINOZA: Okay. Thank you. So the motion
20 carries. Any further discussion on that item?

21 COMMISSIONER LUNDBERG: I guess I just want to be on
22 record, Kyle, for thinking that we could have done part and
23 parcel. So I think having Makalapua's voice for Lahaina and
24 her wisdom of years of living on these islands, she would be a
25 benefit for all of us to hear her perspective. I do

1 definitely agree that the vote is a different subject, but I
2 just want to go on record saying that.

3 CHAIR GINOZA: Sure. Thank you, Gregg.

4 And as Richelle had mentioned, Makalapua is now
5 really kind of as a member of the public since she's excluded
6 from the chief discussion. So she's still able to weigh in on
7 providing testimony and further information as a member of the
8 public.

9 COMMISSIONER ANDRION: Chair, this is Commissioner
10 Andrion.

11 CHAIR GINOZA: Go ahead, Dylan.

12 COMMISSIONER ANDRION: I just wanted to mahalo
13 Commissioner Kanuha because it's a big deal for her to have
14 even allowed her name to be considered. But she's doing that
15 because she knows the value that she can bring to this,
16 commission, and she knows her heart for her community. And
17 what Commissioner Lundberg said and her manao and her wisdom
18 being a value to this commission is 100 percent accurate. And
19 I just want to almost speak a blessing because this -- you
20 know, her contribution to the commission is gonna go beyond
21 the fire chief selection. And I wrote that in the chat.
22 There's so much more to what this body does, and really, I
23 think this will enable Commissioner Kanuha to -- to be a
24 contributing member to this commission with a clean -- a clean
25 slate on it. So mahalo, Commissioner Kanuha, mahalo to all

1 the commissioners for their input on this and to the chair.
2 I'm looking forward to working with Commissioner Kanuha
3 because of how wonderful and awesome she is already, so
4 mahalo.

5 CHAIR GINOZA: Thank you, Dylan.

6 Unless anyone -- any other commissioners have any --
7 has any comments, I would like to move from these -- this
8 agenda item about the date and logistics on the fire chief
9 selection.

10 The next item we have is anticipated executive
11 session, which, if members are in agreement, if someone could
12 have -- could give a motion or propose a motion to go into
13 executive session to discuss the interview questions, scoring
14 sheets, and interview format.

15 VICE CHAIR VARES: Chair.

16 COMMISSIONER LUNDBERG: Did we formalize the dates
17 first, or should we formalize the dates or --

18 CHAIR GINOZA: Oh, I -- I thought everyone was in
19 agreement with Wednesday and Friday next week.

20 COMMISSIONER LUNDBERG: Okay. Okay, so that's it.
21 So we're gonna try to do it all on Wednesday, and if not,
22 carry over to Friday? Or are we just gonna do one part
23 Wednesday and --

24 CHAIR GINOZA: I would prefer doing like a Wednesday
25 at 10:00 and just seeing how much public testimony we have,

1 and then reconvene, say, Friday at 8:00, and maybe at 8:00 and
2 at 10:00 we could have the two interviews.

3 COMMISSIONER LUNDBERG: Okay.

4 CHAIR GINOZA: Is that -- is that fine, or does
5 anybody have an issue with that?

6 VICE CHAIR VARES: Chair, this is Commissioner
7 Vares.

8 CHAIR GINOZA: Yes, Lisa.

9 VICE CHAIR VARES: I think because the second
10 portion of this is the interview, we're going to need to give
11 our candidates a solid date. So it's either going to be
12 Wednesday or it's going to be Friday because we have more than
13 just the nine of us to consider, we need to be able to tell
14 these candidates what date they need to be there prepared for
15 their interview. That's all.

16 CHAIR GINOZA: Great. Thank you. That's an
17 excellent point.

18 So would that be fine with everyone, Wednesday at
19 10:00 for the public testimony, and then reconvene Friday at
20 8:00 and have one candidate at 8:00, one candidate at 10:00?
21 And Punahuele needs to check on her availability, but we'll
22 hopefully be able to do that.

23 COMMISSIONER STERLING: Sounds good, Chair.
24 Commissioner Sterling.

25 CHAIR GINOZA: Okay. And -- and once we get further

1 confirmation, we will have it as -- we'll post the agenda and
2 that -- that'll set it in stone.

3 Any other comments about that agenda item about the
4 dates and logistics?

5 COMMISSIONER LUNDBERG: Do you need a motion, Kyle?

6 CHAIR GINOZA: I guess -- I mean, I didn't think so.
7 Let's just go with that, then. Can I have a motion that we
8 have the public -- I mean, the regular meeting at 10:00 next
9 week Wednesday, and then recess that meeting until the
10 following -- next week Friday to have the interviews in the
11 morning.

12 COMMISSIONER STERLING: I'll make the motion, Chair.
13 Donna Sterling. That we --

14 COMMISSIONER LUNDBERG: Second.

15 COMMISSIONER STERLING: Yeah.

16 CHAIR GINOZA: Thank you, Donna.

17 COMMISSIONER LUNDBERG: Oh, sorry. Sorry, Donna.

18 COMMISSIONER STERLING: That's okay.

19 COMMISSIONER LUNDBERG: I was agreeing with you.

20 COMMISSIONER STERLING: Okay.

21 CHAIR GINOZA: Okay. Motion by Donna, second by
22 Gregg?

23 COMMISSIONER LUNDBERG: Sure.

24 CHAIR GINOZA: Okay. And I guess I'll just go
25 through again everybody.

1 Lisa, do you support that?

2 VICE CHAIR VARES: Support it.

3 CHAIR GINOZA: Dwight.

4 COMMISSIONER BURNS: Yeah, support it.

5 CHAIR GINOZA: Okay. Punahuele.

6 COMMISSIONER ALCON: Yep.

7 CHAIR GINOZA: And Dylan.

8 COMMISSIONER ANDRION: Yes.

9 CHAIR GINOZA: Okay. Thank you. So is there a --

10 could I have a motion to go into executive session regarding

11 the items I -- the next agenda item?

12 VICE CHAIR VARES: Yes, Chair, I move that we go to

13 executive.

14 CHAIR GINOZA: Thank you, Lisa.

15 COMMISSIONER BURNS: Second.

16 CHAIR GINOZA: Thank you, Dwight. And I guess I'll

17 go through again.

18 Gregg.

19 COMMISSIONER LUNDBERG: Aye.

20 CHAIR GINOZA: Support that. Okay.

21 Dwight.

22 COMMISSIONER BURNS: Aye.

23 CHAIR GINOZA: Oh, you seconded.

24 Donna.

25 COMMISSIONER STERLING: Yes.

1 CHAIR GINOZA: Punahale.

2 COMMISSIONER ALCON: Yes.

3 CHAIR GINOZA: Dylan.

4 COMMISSIONER ANDRION: Yes.

5 CHAIR GINOZA: Okay. Thank you. So motion carries.

6 So I'll recess this portion of the meeting so that we can go

7 to executive session. It's 10:49.

8 (Pause in Proceedings: 10:49 a.m.-12:08 p.m.)

9 CHAIR GINOZA: Okay. Thank you, everyone. So it's
10 12:08 on August 30th, and I would like to reconvene out of
11 recess the fire and public safety commission meeting. We've
12 exited executive session, and I'd like to announce the
13 schedule that we'll have for continuing the fire chief
14 selection process. So on Wednesday, September 8th, at 10:00
15 a.m., we'll convene the commission to accept public testimony
16 for any of the candidates, and then we will have candidate
17 interviews on Friday, September 10th, starting with Amos
18 Lonokailua-Hewett at 8:00 a.m., followed by Bradford Ventura
19 at 10:30 a.m. with an announcement of who we -- who we will
20 vote for for fire chief at 2:00 p.m. on Friday, September
21 10th. Does anyone have any questions about that? Any
22 commissioner have any questions about that?

23 (No response.)

24 CHAIR GINOZA: Okay. And I will work with corp.
25 counsel and with Misty to send -- to email the candidates

1 their times. Again, Friday, September 10th, at 8:00 a.m. for
2 Amos Lonokailua-Hewett and Friday, September 10th, at
3 10:30 a.m. for Bradford Ventura.

4 Unless any commissioners have any questions -- does
5 any commissioner have any questions or comments?

6 COMMISSIONER LUNDBERG: No.

7 COMMISSIONER ANDRION: No, thank you.

8 CHAIR GINOZA: Okay. Seeing none, thank you,
9 everyone, for your time today, and we'll adjourn this meeting
10 of the fire and public safety commission. Thank you, and have
11 a good day.

12 (The proceedings were adjourned at 12:10 p.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 August 30, 2021, at 10:00 a.m., the proceedings were 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 17th day of September, 2021, in Maui, Hawaii.



Sandra J. Gran, RPR
Hawaii CSR 424