

SALARY COMMISSION

MINUTES

April 8, 2022

Remote Meeting: Online via Blue Jeans

Physical Location: Planning Department Conference Room

Kalana Pakui Building, 250 S. High St., Wailuku, HI 96793

1. Call to Order/Roll Call

The meeting was called to order by Chair Abbott at 8:36 a.m.

Present:

Clark Abbott, Chair*
Peter Martin*
Edwin Misaki
Grant Nakama
Scott Parker
Tambara Garrick
Andy Ho

Absent:

Stanford Lantias

Staff:

David Underwood, Director of Department of Personnel Services
Christie Trenholme, Deputy Corporation Counsel*
Stacy Takahashi, Administrative Officer*
Rochelle Ines, Secretary*
LeeAnn Nomura Matsui, Secretary*

*At the Planning Conference Room

2. Public Testimony

Deputy Managing Director Josiah Nishita testified for agenda item #7. Mahalo to you for bringing this back up for possible consideration. You know, we really echo the testimony received by the commission and as well as the testimony that we submitted previously from our managing director indicating our recommendation on the setting of the salary for the director and deputy. Just for consideration of the commission, we do have the positions currently posted for recruitment, they close May 9th. Currently we have it posted at the salary that you all approved previously with \$90,000 for the Director and \$70,000 for the Deputy Director, as I said, that closes on May 9th. The other consideration for your information is we're currently going through the budget process through Budget and Finance Economic Development Committee. They'll typically have decision making week at the last week of April, and then we'll have first and or second reading in May

and or June of the budget. So, if any changes are to be made to this you know, we'd appreciate kind of staying within those timeframes so that we can budget appropriately for the next fiscal year. I'd be happy to be here if anybody has any questions. We have a few different public meetings going on today so I can try to stay if there are any questions when the item comes up but I really appreciate all of your service to this county. Thank you.

Commissioner Misaki asked, is it too late to put in salary amounts for County Council and Mayor?

Deputy Managing Director Josiah Nishita replied if you're talking about is it too late as in terms of the budget process, is that what you're referring to?

Commissioner Misaki said yes.

Deputy Managing Director Josiah Nishita replied no. The Committee is still under consideration right now. They'll have as I indicated, decision making we probably the last week of April or so. They'll report out to then council and then the council will also have the opportunity at first reading of the budget which is held sometime in May and then second reading of the budget which could be held in May and or June depending on the timing of things. So, no, it is not too late for consideration of that.

Commissioner Parker - My questions have to do with the Department of Agriculture and the salaries of those two positions for the Director and Deputy Director. I believe you know at previous meetings when we were deliberating the salaries, we had asked for more information and I'm glad that the Council recently provided that. I believe at their last meeting when they stipulated a lot more of the expectations of the position, which of course, was after the fact when we had deliberated and set at least the initial salary figures. But you know in one conversation that we had with Director Underwood and with other members of the Commission was to try and identify potential like positions that existed in the State. Whether it was in other municipalities or other entities that would have similar kuleana to what we were expecting the Director and Deputy Director to have. And I think at this point, we haven't seen anything yet and in some of the deliberation, it was because whether the information was available or wasn't available but I think that some of the dilemma that we're facing too and so just to arbitrarily go with recommendation of Department of Transportation salaries as the benchmark was a little bit hard in our deliberations because, yes that should be a salary benchmark or could be a salary benchmark, but the job responsibilities aren't the same. And because this is a new department we wanted to see what else was out there within the State to at least look at. Like I said, responsibilities to get some kind of ideas of the expectations and I know people have talked about, you know this being similar to like the chairperson of the Department of Agriculture for the State and you know we deliberated that too just in the scope etc. So I don't know if we can continue to revisit that because I think it'll be helpful to continue conversations if we do get back to the point of

revising the salaries of both Director and Deputy Director but I don't know if you know you or the Mayor's office have any other insight into that because I think otherwise we're just kind of throwing numbers out there randomly and shooting in the dark or just arbitrarily saying it should be like the Department of Transportation for equity sake but not really anything other than that. So, I just kind of throw that out there for context and hope the we can get to a place of further discussion and you know go from there. But absent any kind of benchmarking to like position's and like responsibilities, it's kind of hard.

Deputy Managing Director Josiah Nishita - During your deliberation process, I can only imagine how difficult it is to determine these amounts and understanding that we are trying to be good stewards of taxpayer money and the resources that they provide so I appreciate the thought process that goes behind it. I guess what I'll say is in terms of like apples to apples comparison across Counties, that's not necessarily possible for the State of Hawaii because this is the first County Department of Agriculture that's been established. So, there's not similar positions in that sense in other counties in the State of Hawaii. Obviously, the State Department of Agriculture has some varying responsibilities, including regulation and other things of that mater. We respectfully disagree on the senses that the Department of Transportation isn't in essence a decent benchmark to look at just because the Department of Transportation, we look at the personnel that they manage, which is going to be similar in size, we look at the responsibilities of the department, so Department of Transportation manages a lot of federal grants, federal programs, which was a very high priority for the community in establishing this department. They have grants that they can distribute which is another high priority for this department. We have managed contracts, federal consultants which is another large piece of this program for the County. We do feel there's a lot of similarities there. I wasn't able to listen to your discussion on how it was determined that the \$90,000 and \$70,000 should be set. But I guess it posed the same question to that about how that numbers were benchmarked. I'll throw this out there like, we have a lot of private secretaries in the County, which there would be a position of this in the department and that average around sixty something thousand dollars a year. So, how can we ask the Deputy Director of Agriculture, which you know that's a qualification set forth if they're not held concurrently, it could be up to thirteen years of experience that you'll need specific in the fields of agriculture to even qualify, and yet you get paid, relatively small amount over the clerical staff in that department. We'll have civil service positions within here, and some of them will still have to go through pricing, so were unsure of where those will land. But some of the grant's management positions will get paid depending on the amount of years that they've had in the County, could get paid more than Deputy and then with cash over time, considerations they get paid more than the Director. We ask the committee for consideration of we want to pay them appropriately for the job duties that they're required to do and then as well as keep it in the context of incentivizing people to actually be willing to serve on this.

There's a lot of things outside of just running a department. There're community meetings, there's engaging with stakeholders, there's a lot of negative things as well that directors and deputies will have to go through significantly in the public eye to be able to do the County's work and centralizing in sense of the increasing responsibilities that are required of this versus civil service positions within the department. We do believe it will be difficult to either recruit and or retain competent individuals into the positions.

Chair Abbott - Given the beautiful perspectives as we were for the Department of Agriculture, this is the information we had to consider when we were doing our job and it says staff, there are only three. Director, Deputy Director and a Secretary, and there's no number of grant writers. We have no idea how many people are involved here and in according to the budget that was proposed in the paper, the Department of Agriculture has a budget of 1.371 million versus the Department of Transportation which is four point something million. We have no idea how many employees are involved in that, either. So, looking at apples and apples, if you've got four employees versus forty employees, there's a lot of difference involved.

Deputy Managing Director Josiah Nishita - With the Department of Transportation, they don't have forty employees. The commission was put at a hard place because you were under a time frame to pass it so that in accordance with kind of the budget schedules that were outlined and there's still decisions and community meetings that were happening to be able to develop what was going to be the ultimate proposal for the department. In there, I believe what we had indicated was the anticipated two grant individuals in the previous presentation we did for the committee, which would make it about five individuals in the department. Mayor's proposal includes three additional ones that are unfunded this year because they'll have to go through the class specification and pricing process so were anticipating a total of eight individuals in the budget request. There have been members in the Council that have indicated in their budget priorities possible increasing of personnel to that department. I believe there's about five or six positions being requested right now to be added to this department and that process probably won't be finalized until maybe around the ending of April or beginning of May to determine what is going to come out of the committee. We did indicate that early on that some of the existing programs and funding that is used for agriculture will be transferred to this department. And so, the budget proposal is about 1.371 million for this year, the amount of agriculture related funding that will ultimately get transferred to this department is around another seven million dollars. Our anticipation is that we want the department to be able to have a solid foundation off to start, to be able to grow into it organically and then to be able to provide cross training opportunities through our Office of Economic Development, Department of Housing and Human Concerns and other entities to be able to get the department. We don't want to overwhelm them immediately right off the beginning, so were going to administer existing programs through the existing departments and offices and then our expectation is in FY23, likely sometime in the first half of the calendar year. twenty

twenty-three, we'll be transferring those programs and you know grant opportunities to the department from our existing agencies which is approximately about \$7 million dollars in funding which would make the total department about 8.5 million dollars. One position from the Office of Economic Development is anticipated to transfer with those programs so that would be additional personnel being added to the department.

Chair Abbott – Thank you very much. I appreciate all of your information. You must realize of course the Salary Commission in the previous meeting, where the salary was set didn't have eighty five percent of the information you've just told us. So, it was very difficult to make a decision without any facts to really work with.

Commissioner Nakama – Thank you very much for your testimony. Very Helpful.

Jennifer Karaca testified for agenda item#7 - I'm here testifying on behalf of the Community Impact Working Group has been working helped develop the framework for the department of the communities, which this for past two years and I want to thank you guys, first of all, for you hearing the Department of Ag Deputy and Director salaries. I just wanted to echo kind of what Josiah was saying and that this is a new department and so I understand that before you guys didn't have all of the information when you --then but you know the director and deputy director of this department is going to be facing quite a bit of difficulty in setting this up because they don't have the framework to follow the pathways and inner workings of the department is not set up. So, they're not just walking into a department like a normal director would. It's going to take a lot of extra work and effort to get this department set up and running smoothly. They're going to take a lot of extra work and effort to get this department set up and running smoothly. They're gong to be responsible for overseeing training programs and things like that, that other directors right now aren't in charge off and like helping to build out databases and on top of what the Mayor's proposing, there are recommendations to hire additional staff. So, I believe there's Feral Animal Specialist that's being suggested and the Ag Park Coordinator that's being suggested, four grant writers, four access coordinators and a waste generation specialists that's also being suggested to the Council on top of add'l professional services funding to do third party studies that they would have to help manage and then the additional programs and services that are going to be transferred that might need additional staff so our community working group really want us to echo that we support the Mayor's original suggestion for the salaries for the Director and Deputy Director of Transportation and we feel that that's fair and reasonable for the amount of work and effort that's going to go into these positions that we need to have somebody good so we need to get competitive wages as well and seventy thousand and ninety thousand, I don't think goint to be enough to secure the positions. I have talked to folks that are interested and they were really disappointed that was the salary and it would be difficult for them to leave their current (unintelligible) and work at the county for that type of salary. Not really viable for people that have that type of education and experience because that takes years,

decades to build. So, I would humbly ask you guys to go with the Mayor's original suggestion and mirror the Department of Transportation salaries. Thank you.

Chair Abbott closed public testimony at 9:02 a.m.

3. Approval of the Minutes of the February 11, February 25 and March 11, 2022 Meetings.

Deputy Corporation Counsel Christie Trenholme said the February 11 minutes were circulated to the Committee, but the February 25th and March 11th will be posted soon. So, we'll just be looking at the February 11th minutes and defer the other two.

Chair Abbott said so were going to approve or disapprove the February 11th and the others are still in process.

Deputy Corporation Counsel Christie Trenholm replied yes.

Commissioner Nakama motioned to approve the February 11, 2022 minutes seconded by Commissioner Ho. The motion passed with 7 ayes.

4. Introduction of new member – Uvette J. Sakamoto

Chair Abbott welcomed new member Uvette J. Sakamoto

Taking agenda item out of order to agenda item #6

5. Election of New Chair and Vice Chair

Commissioner Garrick nominate Dr. Parker as chair, seconded by Commissioner Nakama. The motion passed unanimously.

Commissioner Garrick nominate Commissioner Nakama as vice-chair, seconded by Commissioner Martin. The motion passed unanimously.

Chair Abbott thanked the Commissioners for all their help.

Commissioner Nakama thanked Chair Abbott for leading the Committee the last couple of years that he's been on.

Commissioner Martin agrees with Commissioner Nakama and said Chair Abbott has been a part of the community and part of boards and the pay has not been the highest as we know and he's really a straight-talking guy which I like.

Commissioner Misaki said thank you for your service.

6. Consideration of salaries for the Mayor, County Council Chair, and County Councilmembers

Chair Abbott – Did you all get the letter from the Mayor?

Commissioner Martin – The Councilmembers were hired at a certain pay and it's been a year or number of years and there's been no increase and we all know that by not increase their pay we've actually lowered their pay because everything's gone up. Everybody understands that we don't have to go over that. I eventually want to make a motion for not this Council, but the next Council to have possibly a considerably lower pay. However, I think it's only fair that for these last eight months we grant a five percent immediate increase to the Councilmembers and including the Mayor, but mostly the Councilmembers. The Mayor actually said he was fine, I believe with two percent. But I think to keep the Councilmembers, they signed on for a job, they knew what they're going to get paid and they got their pay lowered by inflation. So, I would like to correct or try to fix that a little bit by giving them immediate five percent raise if that's possible till the end of their term. But, I also want to discuss the pay going forward the next cycle, because I want the Councilmembers running next time to realize if – I'm only one member, I'm not you know -- my position would be and arguing like Joe Kent said that their pay should be maybe way less going forward and see what kind of Council we get and who runs.

Commissioner Parker - I appreciate Commissioner Martin talking about Joe Kent because I'm looking through his documents that he provided on February 11th and I'll just share what he provided and his breakdown of Council and Mayor salaries for Maui and across the State is something that we need to continue to look at and I know there's arguments to be made from those impacted, but I'll just continue to reiterate here that, our population at roughly just about 170,000 and our Councilmembers being paid \$76,000 and the Chair \$82,000 is the highest in the State. And Honolulu's population at about a million, their Councilmembers are \$68,000 and their Council Chair is \$68,000. He also provided data that shows when compared nationally, Maui's Mayor and Councilmembers make well above average, even when adjusted for Hawaii's high cost of living. National average, full time Council salary for a population of three hundred thousand plus is \$72,690 and a part-time Council salary is \$42,725 and that is also already adjusted for cost of living. So, I mean, you got to take that data to heart when making decisions and although I truly appreciate Mayor Victorino's letter and you know every time the Councilmembers, whenever they do come advocating for increased salary, I mean, there's just data in front of us that speaks differently as well. So, I'm not saying I'm advocating for one thing or another just yet, but there's data out there that we need to consider when we make a decision as it relates to Mayor and Council also taking into account that they're the highest paid Councilmembers across the State and right now, with the exception of Kauai, we're the – well anyways, our population isn't the highest and they're the highest paid in the State.

Chair Abbott - It's been my opinion and after doing a lot of research myself and talking to several different people, including a couple of the Councilmembers, Commissioner Martin has an excellent idea. I don't think at this particular time, I think this is the time to discuss it. I agree that they do deserve the five percent cost of living, I think that's only fair because their expenses have gone up and has the Mayor's, I think it should be an across the board flat as we did before with everybody else. But as far as raising the salaries or discussing the salaries, I like Commissioner Parker, I find it very difficult to add more money to people that are already \$5,000 more than everybody else in the State for the same job. It just is very difficult for me to handle. That's my opinion.

Commissioner Nakama asked Director Underwood about the Mayor's salary in relation to the Managing Director Salary. Given the recent increases that we just approved at the last meeting, do you know when the Managing Director Salary will surpass that of the Mayor's?

Director Underwood replied we have not mapped out the salaries for the next upcoming three fiscal years. The Commission provided five percent increases obviously July 1st of the next three fiscal years. We have distributed the salaries scheduled for the first fiscal year, but we have not costed it out for the entire period. I believe the Commission indicated they were willing to revisit at any time, so we have not projected that far ahead.

Commissioner Nakama asked being that you've had the salary schedule created for next fiscal year, do you know if there is an inversion between the Mayor and the Managing Director for next fiscal year?

Deputy Managing Director Josiah Nishita replied the Managing Director currently makes \$148,714 and the Mayor is currently at \$151,979. The 148 is prior to the five percent increase from the Commission so the inversion would happen July 1st of this year.

Director Underwood said that's correct. I pulled up the pay rates and the Managing Director will be making \$156,149 July 1st this year, which will surpass the Mayor.

Commissioner Nakama said so in general effective July 1st the Managing Director will make about just shy of five thousand dollars a year more than the Mayor.

Director Underwood replied that's correct.

Commissioner Parker - If were talking about inversion with respect to the Mayor's office in particular, the Managing Director and the Mayor, I mean, currently the Chief of Police and Fire Chief make more than the Mayor right now so I don't know that the inversion conversation is necessarily relevant, but I respect that there is that

conversation happening. But in all reality both the Chief of Police and the Fire Chief make more than the Mayor right now currently.

Commissioner Martin – I agree with what you just said Dr. Parker and I do not think this and I've said this over and over I think this inversion is camouflaging it. In our companies, I have a number of different companies, not that you know like plus my construction has 70 – 80 guys that the head guy doesn't make the most money, I make the least of anybody, but I get an investor in the company. I think we should try to set the pay and the best pay we can. We should use the information -- it's one set of factors you take in, but if it's always inversion, I think it mixes everything up and confused it, it's not an axiom that the guy at the top has to get paid more than the next guy down. There're companies all over where the head of the company just gets paid less and I'm a perfect example. Anyway, I wish we would rethink how big a factor the inversion takes place. I have one other thought and this has been running through my mind. I am trying to figure out on the Council how to get the very best Councilmembers. I was thinking gosh, I wish we could -- I don't know how much freedom we have in Salary Commission. This one idea I would like to give, were not giving anybody anything, they're earning it the five percent immediate raise to Council and Mayor and I did hear what you said Dr. Parker, but in January, I really want to let the Councilmembers know -- again I'm only one member, there's not to me that were really going to lower the pay quite a bit now that hasn't been discussed enough to make a motion or anything. I've also been thinking of trying to see if we could get Councilmembers to voluntarily -- you know, and say, like when you hire people, you make an offer or you don't get anybody at fifty thousand or sixty thousand or seventy thousand, then you keep raising it. We just hired a great accountant she has her MBA -- girl and working out very well. We negotiated her pay and I believe she'll be getting way more eventually. So, my big takeaway on the Council is I'd like to know if we can set the salary today for one thing, which I want it to be five percent more. I'm just one of nine, but in the next, say January 1 or February 1, whenever it it's lowered, I think -- I don't know if that's possible. Thank you.

Commissioner Misaki asked Deputy Corporation Counsel Trenholme if it's possible to retain the base salaries? And because really the way to know how well the Mayor or Councilmembers are doing is that they get re-elected, right? That the people are saying they're doing a good job. Is there a way to retain base salaries and upon being re-elected, give them a one-time bonus?

Deputy Corporation Counsel Christie Trenholme replied I don't think there's any room in the charter for bonus to be appointed by the Salary Commission states under Section 8.17.1 that the *Commission shall determine the compensation of elected officials and appointed directors*. So, I think we just have to look at the salaries itself.

Commissioner Misaki said I just mention that because I know some companies, during bad times, they don't want to raise the base salary of their employees, but they give them a one-time bonus if they did a really good job. So, I was hoping that that's an option. Thank you.

Commissioner Nakama commented on Managing Director Salary. The reason why I asked and I agree that the Police Chief and the Fire Chief, both are jobs that are significantly different in responsibilities and in qualifications from what the Mayor and the Managing Director do. The reason why I asked for the Managing Director salary in particular is that the Mayor functions as the executive head of the county government and the Managing Director operates at the direction of the Mayor to oversee the day to day supervision and management of the executive branch. So, he's working directly under and is in charge of executing the Mayor's plan. So, if there is any, I guess, relationship where I feel like maybe an inversion wouldn't be warranted, it would be between the Mayor and the Managing Director. I totally get that and it's a very different relationship between the Fire Chief, Police Chief and the Mayor, that's totally understood. I think the Managing Director and the Mayor work a little bit more closely and are more closely aligned in terms of day to day duties and just being that the Managing Director works at the direction of the Mayor, I felt that that was a relevant question. So just for the group's consideration. Thanks.

Chair Abbott – Getting back to Commissioner Martin initial opening, would it be wise for the Salary Commission to schedule a specific meeting as he's pointed out either next month or the month after to establish a workable plan for these positions. That's up to the Salary Commission if they want to take them out individually rather than in groups because each one is different entirely. I would think it would be wiser to take each individual case and work it to a conclusion where the Salary Commission is happy all the way around. There are going to be -- it's got to be give and take, there's no way around that. I don't think this is the proper time to decide on the Mayor's salary or the Council salary or anything else. I do think as he pointed out, it's a good idea to make the five percent available to both the Council, the Mayor and the you know the ones we forgot but not forgot but were not included.

Commissioner Martin made a motion of 5% increase for the Mayor, County Council Chair and Councilmembers effective immediately.

Deputy Corporation Counsel Christie Trenholme said we would need a date. The department heads salary raise goes into effect at the start of the fiscal year 2023, which is July 1st.

Commissioner Martin asked if it could be earlier.

Deputy Corporation Counsel Christie Trenholme replied it could be earlier.

Commissioner Martin asked when would the earliest date be possible.

Deputy Corporation Counsel Christie Trenholme replied you could make it retroactive to whatever date the commission decides.

Commissioner Martin said I don't know about retroactive. I would like to make it as of – generally you try to do it at a cycle like a two week or something. But I'd say to make it effective today.

Deputy Corporation Counsel Christie Trenholme asked so effective as of April 8? And the other raises are going to into effect July 1st.

Commissioner Martin replied the other ones are but these, I -- those I believe were going to be probably permanent but this is just to cover this Council. Yes, that's my motion.

Deputy Corporation Counsel Christie Trenholme asked your motion is to make the raises effective until a certain start date, but with an end date.

Commissioner Martin replied yes. We can make the end date at another meeting. I just like this motion be a start date as soon as practical or pick a date. We need a specific date, April 8th.

Deputy Corporation Counsel Christie Trenholme said I believe you can make that motion.

Commissioner Misaki said so if you make that motion, your saying that it's going to go from April 8 and carry on until whenever we look at it again. Why don't you make it form April 8 to June 30 so that the new fiscal year we can talk about it again.

Commissioner Martin replied, no, I don't want to do that. I want to make it from April 8. I want that next Council going into the job to know what their pay is before they are elected. So, I'd like the salaries effective immediately April 8 to be increased five percent for the Mayor and the Council. My reasoning is that keeps their pay closer to the increase in cost of living we've all experienced.

Director Underwood commented that they can certainly implement the pay raise at any date that the commission chooses, but jut for the ease and the sanity of our payroll folks, it is much easier if you do it either on the 1st or 16th.

Commissioner Martin said the 16th.

Commissioner Nakama asked if we did an adjustment to the salary before July 1st with a budget amendment be needed?

Managing Director Sandy Baz replied because it's only a short period of time between now and end of fiscal year, and the effect is only for 10 individuals, the budget amendment would not be necessary.

Commissioner Nakama asked can we clarify exactly what the motion is.

Commissioner Martin replied the motion is for the Council and the Mayor to receive a 5% increase in their pay starting 4/16/22.

Commissioner Nakama asked just to clarify no end date in that motion.

Commissioner Martin said no. Just April 16th we start. We can always end it. The Salary Commission has very few things it can do but it can change salaries when we want, so we can increase it now and decide something else. I'm just trying to keep the motion simple.

Chair Abbott said I agree with you, but to save a lot of other futuristic language, let's include it with the one that starts with the fiscal year, simply because then we can do it at a one-year thing rather than every thirteen months or eight months or whatever else. Plus, the fact I made very, very certain that the salary commission was in charge of the salaries that everybody kind of expected this five percent to go automatically every year in the future. The five percent increase that I made it very, very certain that the salary commission had the control over whether it was three percent, five percent, whatever it had to go through us, it was not an automatic increase. So, we still have the power and I'm not being power hungry, but we still have the deciding vote as to what gets it. But if we keep it in a pattern of a yearly thing and discuss it at the end of the year, whether its going to be two, three four, five, six whatever but the time is then, not now. I think but to increase their five percent effective the fiscal year is the way to do it as this particular time. It just creates to many bookkeeping nightmares.

Commissioner Nakama said I would support that too Chair, thank you.

Commissioner Martin – you don't agree that we should increase, but not sure if I get this.

Chair Abbott said I'm just saying give the five percent at fiscal year, not April 16th.

Commissioner Martin asked and fiscal year is?

Chair Abbott replied July 1st, were only talking two months.

Commissioner Martin said it didn't look like I had a second to my last motion.

Deputy Corporation Counsel Christie Trenholme said she didn't see a second.

Commissioner Martin made a motion of 5% increase for the Mayor, County Council Chair and Councilmembers effective July 1, 2022, seconded by Commissioner Nakama. The motion carried with 5 ayes, 2 no's, 1 excused.

7. Consideration of salaries for the Department of Agriculture Director and Deputy Director

Commissioner Nakama – I think Deputy Director Nishita made a very compelling case outlining the similarities between every department head and their job duties. He definitely made a strong case for why it's a good basis or at least a good starting point for consideration of a new department heads salary. I definitely appreciated that testimony.

Chair Abbott – Does anyone have a suggestion as to the beginning salary if they want to change it?

Commissioner Parker – I want to echo what Commissioner Nakama had shared and I do appreciate the additional information and context that we've been provided since the last meeting and I think you shared this too Chair you know that we were going through conversations and deliberations absent a lot of the information that we've had since then. My only consideration that I would throw out to the commission as we potentially look at adjusting the salary is that based on our increases that we set for the next, definitely the next fiscal year, but potentially the next three fiscal years, I would be of the mindset and this is just me, but I'll throw it out there that we exempt the Department of Agriculture from those increases because it would be a completely new department but at least get the salary set and rectify or correct I should say potentially the initial salary that we set and make a change. But I do have a questions as to whether they should get the five percent come July 1st and given that it is completely new and an even potentially the five percent in the next two years because it would just still be a beginning department and those five percent increases that we've been talking about have really been trying to address things that have been long term historical things, which this department wouldn't necessarily have been a part of, given that it's only starting come July 1st of this fiscal year. So, I just throw that out for consideration as we potentially talk about adjusting the salary that we set at the last meeting.

Chair Abbott - I think it's an excellent suggestion. Because it is a beginning – we have no track record as it were.

Commissioner Martin – I very much appreciate these letters and Bobbie Patnode, Sydney Smith, Jenner Karaca and I don't know who aknranch, but you could tell these people are all of these folks are all very interested in our community and we all love that we are still --when I say still in a community it's part of life, agriculture and we are -- it's the beauty of it. You know my story, I came in 71, I was a pineapple

picker, I love the cane fields and pineapple fields and all the farming. I'm very excited about Mahi Pono coming back and every -- you see in the green shoots all over the place now, again I think they have 59,000 acres to come put with some ideas and so agriculture is just -- who doesn't love agriculture. My belief is that when you start a pay, you see how many people come. I don't think it's -- I don't agree that it's insulting, like one person said, I agree it's a salary and we should see what happens. It's not an insulting salary, it's paid better than teachers and better than many of the folks that work hard for my company, don't get that much. My field guys are starting at 20, I don't know, they probably start at 18 and they work up, but that's not a bad start. I wouldn't think and then we'll see if it turns out to not be enough. I thought a little bit when I read this this morning about -- because the Mayor, I go we should respect the Mayor and he suggested more and these well written letters but I don't think it was a mistake, so, that's my comments.

Commissioner Ho - I have to say that I'm not as experienced or knowledgeable as a lot of the people of the commission so I'd like to ask a question if I could get some help. I'm all in agreement that we should pay a person commensurate with their duties and responsibilities. Could the others on the commission tell me what they think for the duties and responsibilities for the Ag Chair? What would be a fair dollar amount.

Commissioner Nakama - Going back to Commissioner Parker's suggestion I would start the initial salary at the current salary or equivalent salary of the transportation director without the five percent increase that would me my -- I would totally agree with that suggestion that's made by Commissioner Parker.

Commissioner Garrick - I would as well

Chair Abbott -- My thoughts on the matter are it's a brand-new position. We have no idea as to exactly what lots of dreams and things are made of and it's an important position. But to start somebody at that high a salary unknown is a little high for me. I would be willing to increase the eighty and the ninety thousand to a hundred thousand, but remember, we can readjust and re-change the salary as we go along, this commission has that ability to change it, if the job is being done and is being done as proposed, we can certainly increase it. But I think as a standard start, that's a lot of money. And as Peter pointed out, a lot of people don't make that kind of money, even with the same credentials in training or in education. That's my feeling.

Commissioner Parker made a motion to set the salary of the director and deputy director of the Department of Agriculture at the present level of the Director and Deputy Director of the Department of Transportation, with the exception that the salaries of the Director and Deputy Director of the Department of Agriculture be exempt from the increase set by the Salary Commission for Fiscal Year 23, 24, and 25. Seconded by Commissioner Nakama.

Commissioner Garrick -- If we exempt for those next three years, are we able to revisit that?

Chair Abbott and Deputy Corporation Counsel Christie Trenholme replied yes.

Commissioner Nakama – Just a clarification, yeah, I seconded it with the intent of revisiting it.

Deputy Corporation Counsel Christie Trenholme – Just to clarify this is the salary for the Department of Transportation effective immediately, but they're exempt from the five percent raises that will go into effect at fiscal year twenty twenty-three and moving forward.

Commissioner Garrick – But for Department of Agriculture, Director and Deputy Director.

Deputy Corporation Counsel Christie Trenholm – For Department of Agriculture, Director and Deputy Director.

Commissioner Parker – Yes correct so it would be the present salaries right now before – so fiscal year 2022 salaries, prior to the fiscal year 2023 increase.

Deputy Corporation Counsel Christie Trenholme – And I believe based on we have that information from personnel services provided that so the Director of Transportation is at \$126,386 and the Deputy Director is \$113,747.

Commissioner Martin – I'm opposed to this motion, I was intent at the last salary we said. I believe that's the correct and if needed and there's no great applicants, I would listen to what happens, so, I'm going to vote no on changing to the higher pay. I'm explaining myself. Thank you.

Roll call vote. 4 yes, 2 nos', 1 abstain, 1 excused

Chair Abbott – The motion has carried.

Deputy Corporation Counsel Trenholm – Let me confirm that and consult the salary commission rules.

The Commission took a five-minute recess.

Chair Abbott – Calling the meeting back to order.

Deputy Corporation Counsel Christie Trenholm – I double checked and in this instance an abstention would be considered a no vote. So, in this case we have 4 yes votes, 2 no's, 1 abstention and 1 excuse. So, I just want to clarify that I don't know if Chair wants to do another vote or another roll call vote just now that everybody has that clarification.

Chair Abbott – We'll call for another vote or

Deputy Corporation Counsel Christie Trenholme – Yes, yes since every ones' clear now that what was a n abstention would mean no. In this instance we need five affirmative yes votes for the motion to carry.

Chair Abbott – Calling the meeting back to order and could we rephrase and reiterate the motion as it is to make sure everybody understands what it is and then we'll vote again.

Deputy Corporation Counsel Christie Trenholme – Does anyone have any clarification on the motion or want to amend the motion.

Commissioner Misaki – Why do we have to vote again?

Deputy Corporation Counsel Christie Trenholme – We don't need to vote again. I'm just saying that we only have four yeses so the motion has not carried.

Commissioner Garrick – So the abstention is a no and Commissioners good with that.

Commissioner Misaki – I don't look at my abstention as a no, although I'm really confused and in the dark about this whole thing because we just don't know and so I don't know whether to vote yes or no and that's why I abstained.

Chair Abbott – We understand that but the Robert's Rules of orders that voting is necessary and abstain means no.

Commissioner Misaki – I understand that. I'm just telling you my point of view and I just hope there was more members present today. But I'm on the fence, I don't know, sorry.

Chair Abbott – Never be sorry, that's your honest opinion. Would it be wise to reschedule for the next meeting to re-discuss it.

Deputy Corporation Counsel Christie Trenholme – You could defer it to the next meeting

Chair Abbott – We're going to defer it to the next meeting.

Commissioner Misaki – Exactly what are we deferring?

Chair Abbott – The motion as I understand, it failed of the acceptance of the Transportation Director salary be equal with the Department of Agriculture's salary minus the five percent which wasn't going to go into effect any. So the motion failed.

Commissioner Misaki – So what your saying that we're going to relook at this again and possibly have a new motion.

Chair Abbott – Correct

Commissioner Parker – We had 4 yeses, two no's, one abstention and the abstention is counted as a no. So that's 4 yeses and three no's, one excused. So, I guess we need to understand how that doesn't carry considering there's four yeses and three nos.

Deputy Corporation Counsel Christie Trenholme – We need five yeses because there are nine members.

Commissioner Parker – So that's five yeses regardless of who's present. It's five yeses in total of the membership.

Deputy Corporation Counsel Christie Trenholme – Yes

Commissioner Parker – Thank you.

Deputy Corporation Counsel Christie Trenholme – Thanks for that clarification.

Chair Abbott – We have written testimonies which have been entered into the record already, if I'm not mistaken.

Deputy Corporation Counsel Christie Trenholme – Yes and those are on the Salary Commission County web page in meeting materials.

Commissioner Parker – So that we can be prepared for further discussion at the next meeting regarding agriculture director and deputy director, I might want to ask is there things that members would want to have in hand by the next meeting to help with decision making so that we don't find ourselves still struggling with a decision one way or the other. Because I'm just afraid that we might be at a similar point come May, if we don't have additional information that will help us with decision making one way or the other but I don't know what that information might be but we should ask for it and get it before the next meeting so that we can be prepared.

Chair Abbott – That's an excellent suggestion and I would advise all of the commission members to write to Rochelle or whoever to ask for what information they think might help them make the decision.

Commissioner Misaki – We did request the State Department of Agriculture, their structure and their salary and also, I specifically requested CTAHR because I look at this new agency almost like a CTAHR – if we could get their structure and their salaries, I think that would give us a much better idea. It still might be some apples and oranges there, but at least it'll give us a better idea what people in the Ag industry are getting paid. We never got that information that I requested.

Commissioner Parker – That request was made with Director Underwood but with others as he pointed out with CTAHR, we talked about state level Ag, we talked about position with the County of Hawaii with their agricultural program and like he said it might be apples to oranges, but at least it'll give us data to look at and discuss. But if we could have that by May, then at least were not finding ourselves in the same situation in May, absent additional things to look at and talk through, we're likely to be stuck, or maybe, not but we could be.

Chair Abbott – We need to ask Director Underwood exactly what we want in order to review it.

Commissioner Misaki – Yes, it would be good to get a State Department of Ag, HDOA their staffing structure and their salaries from the top person to field people and also from CTAHR from their top administrators to their people in the field and specifically every island has a like CTAHR agent that goes out, attend meetings, facilitate getting people grants. There's a lot of similarities that I think we'll see, but I really think that information will help us as a group make a more informed decision.

Commissioner Martin – Just to be clear for clarification we have set the pay. It's been set for agriculture, we set it at the last meeting and I want everybody to understand that. We can always rethink the pay. I believe the pay was set at ninety and seventy. So were not indecisive, we've made a decision, there's no problem rethinking it, but for now we're fine. We can keep discussing this if they think that's the most any member we can revoke it. But right now, we've done our job.

Commissioner Misaki – I disagree with you. I am indecisive and if we're going to relook a this and this is going to be on the next agenda, then that information is critical for me.

Commissioner Martin – I agree with that. I'm just saying we did our job, we set it and we could always reflect on it and get more information and keep discussing it. But for now, at least we've set it, they can hire the person and move forward.

Commissioner Nakama – I think what compelled the relooking at this topic was the testimony provided by the department, by the executive brand and also by community members who are going to be involved with this agriculture department and their opinions that they would have a hard time recruiting for this position at the current salary levels. So, I think it's a worth while relook at this and obviously, you know it's a tough decision because we spent the better part of the last hour talking about.

Commissioner Ho – I'd like to build on Ed Misaki's comments, because I'm kind of like throwing darts, and since were going to look at other positions and their salary and their structure. Could we also get a job description so we can compare duties and responsibilities, qualification, have a little bit more structure to compare.

Chair Abbott – Absolutely. I think Director Underwood could provide that.

Director Underwood – So just to get some clarity for our research, at the meeting on February 25th, there was a request for salary information for historical salary information for the Department of Transportation positions in the other counties, Hawaii county and Kauai county the salaries of the CTAHR extension agents and salaries of public-school teachers that may teach agriculture. That information was provided on March 4th. I don't know if the commissioners are in receipt of that, but it sounds like this is additional information over and above that regarding the actual structure of those departments. I just want to make sure I'm giving you the information that you guys are asking for.

Commissioner Ho - I believe that's what I'm asking for although we looked at salaries and we looked at amount of people in the department, I would like to see the actual job descriptions for those salaries and comparisons that we have at least in my feeling that would give me a better basis to compare because of duties, responsibilities, qualifications, are dealing with something close to apples and apples.

Commissioner Parker – My apologies Director Underwood, but I must have not seen that information provided on March 4th. So, if we could get that again, that would be helpful. I'm trying to scramble and look for it now, but somehow, I don't believe that I did get that. So, if it was provided I do apologize.

Director Underwood – We can certainly resubmit that, no problem Mr. Parker. Thank you.

Chair Abbott – We'll set the agenda to include this discussion in the May meeting with further information that we can gather from any source from Mr. Underwood or whoever else where we can find -- everybody can get the piece of information they need to make a decision. It's an individual matter and you just have to answer the questions within yourself.

Commissioner Nakama – Just wanted to note very much appreciate Director Underwood and staff running down all of this information so that, you know, it seems like the requests are changing as we go and just wanted to express my appreciation for you guys hard work.

Chair Abbott – I appreciate all the help we can get because it's not an easy job. It involves people.

8. Agenda Setting for Next Meeting

Consideration of salaries for the Department of Agriculture Director and Deputy Director.

9. Announcements

Next meeting will be on Friday, May13, 2022 at 8:30 am.

10.Adjournment

Meeting adjourned at 10:23 a.m.