

(APPROVED: 02/13/08)

**MOLOKAI PLANNING COMMISSION
REGULAR MEETING
NOVEMBER 28, 2007**

A. CALL TO ORDER

The regular meeting of the Molokai Planning Commission (Commission) was called to order by Chairman DeGray Vanderbilt at approximately, 12:30 p.m., Wednesday, November 28, 2007, at the Mitchell Pauole Center, Kaunakakai, Molokai.

A quorum of the Commission was present. (See Record of Attendance.)

Mr. DeGray Vanderbilt: Okay, I'd like to call the meeting of November 28 to order. Before we get started, today we're gonna take up the Policy Plan. And we have three sections left: Diversify Transportation Options, Strengthen the Local Economy, Strive for Good Government. And if we have time, which hopefully we will, we'll look at the Vision Statement and Core Values Principles. And then we have a few policy statements that still require action from other meetings that we're gonna take up. And then we'll get to the Chairperson's and Director's Report.

So before we get started, I'd like to see if there's anybody here that wants to testify on any item, any planning issue, any concern you have with planning on Molokai, or enforcement, or whatever else. Now's the time to say it. Oh, excuse me, we have one testifier: Judy Caparida.

Ms. Judy Caparida: Thank you. Hello. My name is Judy Caparida and I'm here as a concerned community person. I found – you have someone digging a well. It's already done. It's already done. And he's from the Mainland, but I told the person that have told me, and about five guys got in touch with me, and I went to find out who helped clean up the place, and gave me who they were doing it for to go and let him know he better get in touch with our Planning Commissioner on the island. They don't have a permit. And if they do, they should let ours know, because I don't think that anybody on Molokai knows it. So that's one.

Another one is that we really need help. We need help for Nancy. And I don't care what Maui say. We need help because there's a lot of stuff going on that Nancy cannot reach out to. They don't wanna work, us, as helpers for volunteering, then you know what? Pay'em. Pay the person to get out there and do something. All over Molokai there's things going on that need to be pulled. Realtors need to let people know when they sell their land. Please, get in touch with Planning Commissioners because there's rules and regulations on the island. I mean, they have to be known openly because there's so many stuff that they're doing that you know what? We have no more control. And if you guys

not gonna control it, who's gonna control it? And that's why we the people on Molokai wanna know what's going on. We just finish with La`au. They get one whole year to figure out what they really want and what they really need. So we not messing around. We're tired of all this kinda stuff: people coming here and make you feel really good. They going do something good, but in the back, there is no full-proof plan. So this is why I'm here. Thank you. Nancy, we going get the help if I have to put a petition for it.

Mr. Vanderbilt: Thank you, Judy. Is there any questions for Judy? Commissioner?

Ms. Lynn DeCoite: I heard about that well. And is that same one by the quarry in the back by Kawela?

Ms. Caparida: It's not in the back of the --

Ms. DeCoite: Well, not the --

Ms. Caparida: It's going towards Rene's place. There's only one. It's right close by, but they put a gate now since they finished.

Mr. Vanderbilt: It's near Kaluaaha?

Ms. Caparida: No, it is where, you know, where Meyer's?

Ms. DeCoite: The back side of Meyer's.

Ms. Caparida: Maybe a mile away from Meyer's going towards Lanai. It's on the mauka side.

Mr. Bill Feeter: Chair?

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: In relation to the well, I just visited with Aunty Judy, and I have pictures of all of that. And it's 8.3 miles from Rawlins east on the mauka side. And so I talked to Nancy and I'm gonna identify the tax map and she can take the appropriate steps.

Mr. Vanderbilt: Thank you. And since we're designated a water management area, they have to have a permit from the State Commission on Water Resource Management. So once you have the tax key map number, Charlie Ice there can tell you whether they got the permit or not. Thanks, Bill.

Ms. Caparida: Okay.

Mr. Vanderbilt: Thank you, Judy. Is there anybody else that wants to testify? Hearing none, we'll move on to approval of the minutes from the October 10, 2007 and October 22, 2007 special meeting.

C. APPROVAL OF MINUTES OF THE OCTOBER 10, 2007 REGULAR MEETING, AND THE OCTOBER 22, 2007 SPECIAL MEETING

Mr. Vanderbilt: Do I have a motion to accept the minutes?

Ms. DeCoite: I'd like to make a motion to accept the October 10 and October 22 minutes.

Mr. Vanderbilt: Motion by Commissioner DeCoite. Any second?

Ms. Mikiala Pescaia: Second.

Mr. Vanderbilt: Second by Commissioner Pescaia. Does anybody have any changes they wanna make to those or -- okay, no discussion on that.

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Ms. Pescaia, then unanimously

VOTED: to accept the minutes of October 10, 2007 and October 22, 2007.

Mr. Vanderbilt: Minutes accepted.

D. UNFINISHED BUSINESS

- 1. MR. JEFFREY S. HUNT, AICP, Planning Director, transmitting the 2030 Countywide Policy Plan (Plan) to the Molokai Planning Commission pursuant to the provisions of Chapter 2.80B of the Maui County Code. The Molokai Planning Commission may review and provide recommendations on Section IV (Goals, Objectives, & Policies) of the Plan, which was revised to reflect the recommendations of the Maui, Molokai and Lana`i General Plan Advisory Committees. Emphasis will be placed on the revised Diversify Transportation Options, Strengthen the Local Economy, Strive for Good Governance, Vision Statement, and Core Values and Principles.**

The Molokai Planning Commission will also review the following policy statements which still require action.

- **B1a; B1d**
- **J1d; J1g**

The Commission may also discuss convening a special meeting at a later date to complete any unfinished business under this item.

Mr. Vanderbilt: Okay, now we're gonna move to Item D, which is Unfinished Business, regarding the review of the Policy Plan. And we're gonna take up the three sections I mentioned earlier starting with Diversify Transportation Options. And -- but before we get right into that, I just had a couple questions I wanted to ask staff. How many more meetings do we have scheduled?

Ms. Simone Bosco: We have two meetings.

Mr. Vanderbilt: And assuming we get finished all of this --

Mr. Clayton Yoshida: You have one meeting scheduled.

Ms. Bosco: Including this one it's two. I'm sorry.

Mr. Yoshida: Unless you wanna meet the day after Christmas.

Mr. Vanderbilt: Okay, so we only have one more meeting. Alright. So assuming we get through all that you have on this agenda today, what do you envision us doing at that last meeting?

Ms. Bosco: At the last meeting --

Ms. Yoshida: We have the superstore --

Mr. Vanderbilt: No, I'm not worried -- Clayton, I don't -- I'm not worried. I want to get through this Policy Plan. And there's just a lot of stuff slipping by us on this Policy Plan, so I'm really interested on what you envision us doing at the last meeting.

Ms. Bosco: Are you asking me or Clayton?

Mr. Vanderbilt: Yes, you. Excuse me.

Ms. Bosco: Okay, we'll be handling the implementation chapter at the last meeting. We'll also be asking the Commission today to review the entire draft of the Countywide Policy

Plan on their own. And if there's any comments or suggestions to the Chapters 1 through 5, specifically, 1, 2, 3, which we've never really reviewed here at any of the meetings, I'll be asking for you guys to review it on your own, and then submit any redlines or comments -- redlines to that draft to me at that last meeting. Okay? So implementation chapters, if there are any further deferred items that we need to go through at the last meeting, we'll handle it at that meeting, and then --

Mr. Vanderbilt: When are the minutes from the --

Ms. Bosco: The minutes have been copied. And my understanding is they are supposed to be sent out to the General Plan Advisory Committee members. And at that time, we'll be sending it out to the Commission as requested.

Mr. Vanderbilt: Well, I'd like to get those as soon as we can. I mean, this is ridiculous that we haven't had them. And there's no excuse for not having them, so -- and when the Council reviews this whole thing, they're gonna get our minutes, and we should've had the GPAC minutes, period. And there were a lot of situations where we didn't understand maybe where the GPAC was coming from where we could've looked into that. And I'm not gonna be the one to look through the minutes. As I said, I have the minutes. None of the other Commissioners have the minutes. And I don't think that's right either. I mean, maybe you were doing me a favor giving them to me, but -- so anyway, having said that, so is the Chapters 1 through 3, is that online in some kinda Word form that if we read it, we can make the changes online?

Ms. Bosco: Yes, the draft is online. And also, the draft was handed out to you folks in your binders. And, Julia, did you want to add something to that?

Ms. Julia Staley: ...(inaudible)...

Ms. Bosco: Oh, thank you. The online draft is in a PDF format. Okay, so -- and it's that way specifically because we want people to be able to redline the draft and send it to us with their comments, if they have any. There's no way --

Mr. Vanderbilt: Okay, so we can just -- you can pull it up and type in on the --

Ms. Bosco: No, you can't type in on the -- on a PDF version. You can print it out and then make your comments on --

Mr. Vanderbilt: Well, again, you're making it very difficult for everybody. I mean, when we get other draft ordinances from the Council and everything, they're in Word format and it's very easy for the public to respond in a short notice. So I don't -- if that's the way it's gotta be, that's the way it's gotta be, but here we got one meeting to review it. It's probably gotta

be 70 or 80 pages, you know. So anyway, we'll do the best we can, but these timelines make it very difficult to do a constructive job. I know you guys are under a lot of stress, too, but we're talking about important stuff here. And -- but we'll try to do the best we can. I don't know if there's any way to get that online.

Ms. Bosco: I'm just gonna add that it makes it a nightmare for us to be receiving all kinds of versions of a -- on edited draft plans. It's very difficult for us. It's much easier for us to receive a copy of the original draft redlined because then we can see very clearly what the changes are.

Mr. Vanderbilt: Redlined in handwriting?

Ms. Bosco: Either -- any way you want. Any way you want. You can draw arrows. It's just much easier to do it that way.

Mr. Vanderbilt: Okay. And then -- and one last thing, then at that last meeting if we have any -- if we wanna revisit anything we can?

Ms. Bosco: Absolutely. Yeah.

Mr. Vanderbilt: Thank you.

Ms. Bosco: And please let me know in advance if you have something specific that you wanna add to the agenda because the agenda -- any specific item beyond the scope of what we expect to cover at the last meeting normally needs to be agendaed and the agenda needs to go out fairly soon. Clayton, you can tell me what the deadline is, if you want.

Ms. DeCoite: So the website would just be straight to the County of Maui website, and then --

Ms. Bosco: County of Maui website. You wanna go to General Plan 2030 link, okay, under the Planning Department. And then you'll see a link to the Countywide Policy Plan. Pull that up. Also, keep in mind you have a hard copy version in your binder.

Ms. DeCoite: Thank you.

Mr. Vanderbilt: And I just wanna -- I know it makes it tough on you, but the community was able to cut and paste an online version of the 2,400-page Land Use Commission document recently. So we only had eight days to review it, but the community did a tremendous job of putting together power points and everything else. So it really is helpful in the future to give the public the same tools that you guys as staff people have. Thank you.

Ms. DeCoite: You know, DeGray --

Mr. Vanderbilt: Commissioner DeCoite?

Ms. DeCoite: I'm sorry. While we're on that note, you know, we just received a letter from the LUC -- well, not from the LUC, on the Office of Environmental Quality Control and, you know, I was looking for that followup letter. The other thing I wanted to do was are we still allowed to, DeGray, you know, still send in questions to clear up some mishaps we have on this? Because I also wanted to know if we could get the minutes from LUC. Is that possible or would we have to make a motion to ask for the minutes and testimony?

Mr. Vanderbilt: Well, that's something that we would have to do as a Commission. The County, I think -- I sent Steve, at least, a copy of -- I asked Jane Lovell if she planned to get a copy of the minutes or the testimonies, not the minutes, but she said she didn't -- they didn't plan to do that. So, Mike, do we -- we don't need a motion to just have Nancy get copies of the minutes and the testimonies that were given at the LUC meeting so we have a file here?

Mr. Michael Hopper: Well, first of all, I mean, this is an item to discuss. You need to have it on your agenda, and you don't. But if it's just a matter of getting the minutes, I guess Nancy could provide it for you. I'm not sure. And then at a future meeting, you could have it agendaed for some reason. I'm not sure what it would be because I'm not sure what the Commission has to do with ...(inaudible)...

Mr. Vanderbilt: Well, I think the reason is, Mike, and let me stop you right there. I mean, I'm getting tired. This community does so much damn work and it's up to this Commission to at least have a complete file. The County Corp. Counsel isn't interested in getting the testimonies and it isn't interested in getting minutes and sending them to us. So our community deserves a complete file. Now, if the County doesn't care whether they have a complete file, fine, but we wanna get a complete file. And this community and this Commission has put in too much work to just have a haphazard file on such an important issue as this. So anyway, that -- I'm sorry I'm losing my patience, but, you know, this is --

Mr. Hopper: It's not gonna change my view on the agenda and let you guys just discuss whatever comes up. That's my job. That's why I said that.

Mr. Vanderbilt: Alright, we'll discuss it. We'll discuss it and we'll see about putting something on the agenda too. I think it would be good, now that we have a little more time, there was a lot of things in the responses to the Planning Commission comments that we just didn't get to and it would be helpful for MPL and the Ranch to have a letter saying, you know, we still have concerns about some other responses that maybe you can take up in the draft EIS. Commissioner Chaikin?

Mr. Steven Chaikin: Yeah, I've got some additional, I guess, concerns in relation to that topic, but I think that we're really getting off the track. We're on the Long Range Plan right now, and we should move through that, and then maybe at the Chairperson's Report or something we can bring that up again.

Simone, I -- you mentioned something about the next agenda. I would like to keep that agenda as broad as we possibly can so if there's anything that we haven't reviewed during the whole process or anything in those other chapters that we wanna bring up that we can bring up. So if you could figure out how to make that agenda broad so we can discuss anything we want in relation to the plan.

Mr. Hopper: Steve, these agendas, I know it says emphasis will be placed on certain sections. The way it's written, though, you can really talk about anything you want to as far as Section 4. I think that's the -- all of the goals, objectives, and policies. So the way they're agendaed now, it says there's an emphasis on something, but you can actually talk about anything you want as far as Section 4 of that plan. And we've generally allowed any sort of discussion. If you want to go back and change other sections or something like that, then typically, you can do that.

Mr. Chaikin: Thank you.

Ms. Bosco: Okay, but thank you very much for that comment because I'm going to be altering the language on the agenda so that you can look at any section of the plan because that's what I'd like to see happen. Okay? You guys, can be -- if you'd like, bring up a topic on Section 1, 2, or 3, 4, or 5 at the last meeting. Okay?

Mr. Vanderbilt: Thank you, Simone. And, Simone, has the Planning Department looked at Chapters 1, 2, and 3 and decided -- I mean, early on with the GPAC, they were suggesting taking all these island histories and everything else out. Is Planning -- has the Planning Department come to any conclusion that maybe this document is just getting so big that they might leave some of the histories of the islands to the island plans?

Ms. Bosco: I don't wanna get too far off the agenda here, but to answer your question very briefly, yes. We've looked at that issue and we've made adjustments to parts of the plan so that it's a little bit more streamlined.

Mr. Vanderbilt: So, what's online is the streamlined version?

Ms. Bosco: That, I believe -- I'm gonna have to double-check. I think it's the February version. The same one that you received.

Mr. Vanderbilt: Well, is there any way to get the streamlined version? There's no point in us reviewing one that you've already --

Ms. Bosco: I'll have to -- all I can say right now is what's online is the most recent version. Okay? There's no other more updated version.

Mr. Vanderbilt: Okay, thank you.

Ms. Bosco: Okay.

Mr. Vanderbilt: Alright, any more questions? Okay, with that, let's start in on Transportation. And the last time we -- did we find it was easier just to read the goal, and read the objective, and then just look over the policy statements? Okay, before we get started on this Diversify Transportation, I wanna tell you what the GPAC did. This was left till the last minute because there were so many -- I don't know how many transportation options, but I think Maui set up a special transportation committee. So most of this has to do with concerns Maui had. We were down to the last minute. So wherever you see an objective, like on H1, all we did -- we didn't change anything on the Molokai GPAC. We just added "as envisioned in each community planned area," because many of these things were just very tough to get a handle on. And most of them were generated by Maui. So if there's something in there, we'll look at it when we get to the community plan.

Ms. Bosco: Thank you, Chairperson. So we'll start with the goal and the objective. And I can read the goal. Did you want me to read the goal? It's up to you.

The goal here is Section H: Maui County will have an efficient, economical, and environmentally sensitive means of moving people and goods throughout the County and between islands utilizing multiple modes of transportation.

And then you'll move to the Objective H1 and its supporting policies.

Mr. Vanderbilt: Okay, so what is the -- does anybody have any comments on the goal? Yes, Commissioner Chaikin?

Mr. Chaikin: Yeah, I'd like to put a period after "between islands," and get rid of "utilizing multiple modes of transportation." I think it's abundantly obvious that if you can move people between islands and within points on an island that you're gonna be utilizing multiple modes of transportation. Make it shorter, better.

Ms. Bosco: Okay. Anything else? If not, we'll move to the Objective H1: "Provide an effective, affordable and convenient ground transportation system that is environmentally sustainable. This focuses on ground transportation only.

Mr. Vanderbilt: I would -- I'd like to -- I would like to add "as envisioned in each island." The GPAC had "community planned area." We could either do that or do "island plan area." I mean, it worked for Molokai each way.

Ms. Bosco: So add "as envisioned by each island plan --"

Mr. Vanderbilt: "In each."

Ms. Bosco: "In each."

Mr. Vanderbilt: "Island plan area."

Ms. Bosco: Thank you.

Mr. Vanderbilt: Well, then let's leave it like -- "in each community plan area."

Ms. Bosco: Okay, "in each community plan area." That was the Molokai GPAC's recommendation.

Mr. Vanderbilt: So then, Commissioners, we have to just look over H1a through H1i on the next page. Commissioner Chaikin?

Mr. Chaikin: Yeah, I'm just looking at the Objective H1, and it uses the word "environmentally sustainable." I have a hard time. You know, I'm trying to think what that means. What does "environmentally sustainable" mean? To me it means you can't use gasoline because that's not something that's environmentally sustainable over the long term. So what are we saying here? Basically we're saying that we can only walk, or maybe use horseback, or something like that. So I think that might be pushing it a little bit. I would just say "environmentally friendly" to give it a little bit more flexibility there.

Mr. Vanderbilt: Does anybody have any comments to that?

Ms. Bosco: I would support that language. Just as a thought, you could also consider saying something like "that seeks environmentally sustainable solutions." It's either way. I'm just throwing out an option.

Mr. Vanderbilt: "Friendly" sounds like the "Friendly Isle."

Ms. Bosco: Okay.

Mr. Vanderbilt: And unless we have a real problem with any of the policy statements, hopefully, we won't wordsmith them to death because they're pretty general.

Ms. Bosco: Yeah, the Maui Transportation Committee really worked on this section carefully and they did a pretty good job, I have to say, but a lot of it is -- I mean, it's very comprehensive. It's a very long section so --

Mr. Chaikin: Well, I've got a couple comments I'd like to add here because, you know, it's true that Molokai doesn't have a traffic problem, but that's what we're trying to avoid. Okay? I think Molokai is particularly vulnerable to traffic because when you look at our town, our town is virtually a parking lot. You know, it's the kind where you have cars backed up for half a mile, and the guy's waiting for somebody to put their groceries away. That's our main road. I mean, it just comes to a stop. And if you come to our town on a busy Friday afternoon, it's starting to get backed up. And when you look at all the undeveloped lots that are eventually going to be developed, we're gonna have major traffic trying to get through town over here. So I think that we should not discount the importance of this section.

I have a couple things that I would like to put in there, some statements that I didn't see in there. One of them was a new policy statement. And what I wrote down is: "Execute planning strategies to avoid developing traffic congestion on our roads and highways." Just basically when we're developing, we gotta take a good look at whether or not how much traffic congestion that's gonna cause. I mean, I didn't see it in there. I just wanted to put that in there.

Ms. Pescaia: Is that not covered under H1f? Kinda the same. I don't know. Working with the transit agencies to establish that public transient route, I know it -- it says -- or maybe just kinda tweaking it up and opening it up besides just public transient routes to just routes in general?

Mr. Chaikin: Well, I had a problem with that H1f. Basically it says "Work with transient agencies, employers, and operators to establish efficient public transient routes." Well, the transient agencies are gonna put together efficient public transient routes. That's what they do, so I didn't think that this thing was saying enough. I mean basically what I wanted to say in H1f was that we need to work with employers and the government. Basically what happens is the government and the employers all tell everybody let's be at work at 8 o'clock, and then there's gridlock. So I think that government and employers need to work together to, you know, implement a strategy to reduce the traffic congestion. That's not really an issue here, but maybe down the road it will be. So I wanted to say something like on H1f, I wanted to say, "Work with employers and government to reduce peak traffic --" let's see, "peak hour traffic," yeah, period. "Work with employers and government to reduce peak hour traffic." And then however you do that, that's fine, but, you know, do a little more staggering of, you know, start hours so you don't have --

Ms. Bosco: Would you be open to creating the rest of that -- turning the rest of this sentence into an implementing action? Or are you proposing to just eliminate the rest of it?

Mr. Chaikin: What are we talking about? H1f?

Ms. Bosco: H1f.

Mr. Chaikin: I don't have a problem if you wanna leave that in there. It doesn't detract or anything. I just think that somehow we gotta work to, you know, get people off the roads during the busy times, and I didn't see it in there.

Ms. Bosco: Okay, so keep everything else but add the language, "Work with employers and government to reduce peak hour traffic." Is that right? So we'll look at -- so --

Mr. Vanderbilt: Any other -- yeah, Commissioner Feeter?

Mr. Feeter: Thank you. The Downtown Improvement Group has looked at parking and some of the concerns that Steve raised. And I'd strongly recommend that their input be looked at. I don't know who to do that, who is, but I'd have to look into that. But maybe, DeGray, do you know of that, for example, the -- they were very concerned about parking.

Mr. Vanderbilt: Yeah, I've heard it. And they've even come up with some proposed parking schemes. And I think that's something that's good that you put on the record, but I think that's something that we look at -- this calls for doing efficient traffic flows and parking. So when we get to our island plan, then that's when we get into the specifics of that.

Ms. DeCoite: It's kinda like saying -- if we were doing that, I mean, if you're working with transient agencies as far as so on under H1f, then it's almost like saying, okay, then those that not working at this time should shop between the hours of -- you know, I mean, can we like add that in there too? Like if you're not working at 8 o'clock and you like come in and shop at like 10:00 to -- I mean, our town, everything is centered around the business, the stores. You know, this thing can get really -- so I think we gotta leave it kind of general.

Ms. Bosco: I'm just gonna add that because Kaunakakai is a business country town, parts of it are at least, there may be some opportunities to create a parking mechanism or a circulation pattern scheme as part of the business country town ordinance or some -- there could be another tool down the line that the community could try and initiate or create, so --

Mr. Vanderbilt: Well -- and I'd be hopeful, when we get to our island plan which is our community plan, that there will be -- the merchants will get together and form a committee

and contribute to the Planning Commission cause -- yeah, well, good luck. Well, maybe -- then they're gonna leave it up to us, but, no -- so -- but that's something that hopefully the merchants will get involved with the community.

Ms. Pescaia: Chair?

Mr. Vanderbilt: Commissioner Pescaia?

Ms. Pescaia: And I just wanted to point out that in Section 5 or H5, they kinda go more into the planning and the coordination and I don't know if that might address some of Steven's concerns about improving government agencies coordination with transportation planning and facilities development, which I think would include stuff like that. I don't know. Just pointing it out that it pops up later.

Mr. Vanderbilt: Yeah, because there's a lot of stuff on parking and every -- yeah. Alright. I had a new policy statement, and correct me if it's somewhere in this four pages, but I had "Provide for easements to accommodate the relocation of major roadways due to the consequences of global warming."

Ms. Bosco: "Provide for easements to accommodate the relocation of --"

Mr. Vanderbilt: "Major roadways" or just "roadways," I guess --

Ms. Bosco: Roadways can --

Mr. Vanderbilt: "Due to the consequences of global warming."

Ms. Bosco: Thank you. I don't -- I think that would be a new policy, yeah.

Mr. Vanderbilt: Because I know on Molokai we have some areas that are gonna be threatened and so do some of the other islands.

Ms. Bosco: That's right.

Mr. Chaikin: I think that's an excellent addition, but I might add that easements aren't the only thing. You know, how could we broad that to not limit it to just easements?

Mr. Vanderbilt: I would say, "Provide for planning strategies."

Mr. Chaikin: Yeah.

Mr. Vanderbilt: "Provide for planning strategies." "Provide planning strategies to accommodate --"

Ms. Bosco: Okay. "Provide planning strategies to accommodate --" there you go. Okay. And can we just look at the -- down below, H1f? I just wanna make sure we're okay with the second -- okay, look at the policies up there. We've got the very first draft language and then we've got the one below it. Are you okay with the one below it cause what we're doing is just adding the word "government"? Or did you wanna change that? It's basically adding the word "government" only to the sentence. Everything else is basically the same. So we'll remove the top policy underlined and we'll change --

Mr. Vanderbilt: Wait a minute. Oh, no, no. No, no, the top policy has "reduce peak hour traffic," doesn't it?

Ms. Bosco: So does the bottom one. It's just a longer sentence.

Mr. Chaikin: Okay, but the bottom one is specifically talking about public transient routes.

Ms. Bosco: Oh, okay. So "reduce peak hour traffic" instead of "peak demand"? Do we change "peak demand" to "peak hour traffic"?

Ms. Pescaia: No, the original statement refers to public transient routes --

Ms. Bosco: Okay.

Ms. Pescaia: Which like here, we don't have public transient routes. We just have routes. So he's trying to figure out how to just say that, in general, everybody's traffic patterns.

Ms. Bosco: Okay, so how about if we say --

Mr. Vanderbilt: And you could put an "and" after where that thing's blinking right now, "hour traffic and work with transient --"

Mr. Chaikin: No, no, no, no.

Ms. Bosco: How about if we say "Work with transient agencies, government, employers and operators to reduce peak hour traffic"? And then we can keep the rest of it as an implementing action for Molokai if you're okay with that? Okay?

Mr. Chaikin: That's fine, but then you only need one of them. You don't need both, right?

Ms. Bosco: That's right, we're gonna take out the first one.

Mr. Chaikin: That's fine.

Ms. Bosco: And we'll keep "Establish efficient public transient routes between employment centers and primary workforce residential areas," period, as an implementing action.

Mr. Vanderbilt: See that's -- and that's where these implementing actions -- there's a lot of other ways you can do things to do what Steve brought up, reduce peak hour traffic, but we're not even talking about those. But that's where if we had the flexibility at the GPAC level to know that we could put in a lot of implementing actions, we would've done it, so --

Ms. Bosco: Okay, and then we had -- up above we had another policy that we had changed and just make sure everything's the way you want it. Oh, we had an objective change, and then we had "Execute planning strategies to avoid developing traffic congestion on our highways." Is that your proposed language, Steve?

Mr. Chaikin: Yeah.

Ms. Bosco: Okay. I would probably propose not saying "highways" because then it keeps it broader. Put a period after "congestion" because didn't we just have a discussion about the B-CT area, so it's not just highways that they have congestion? Okay. Alright. Anything else in this section?

Mr. Vanderbilt: Okay, hearing none, do we have a motion to --

Mr. Chaikin: Sorry, I got some. Just this "island appropriate" thing down below, it's on H1g. Let's see. "Develop attractive and island appropriate public transportation." I mean, I would rather say something -- instead of "island appropriate," I'd rather say "efficient," because we're not gonna do something that's good for, you know, Eskimos or something. It's kinda obvious that we're gonna do it for our island. So it says more if we say "efficient," I think.

Ms. Bosco: I just wanna explain that -- why that word is -- those words are there. "Island appropriate" opens the door for creating local standards. What's happening now is the State is using national standards for highways that may not be appropriate for an island. By including that word, we're opening the door to create local standards.

Mr. Chaikin: Okay, you talked me into it. That's fine. We can leave it.

Ms. Bosco: So we'll add the word "efficient," thanks. Okay.

Ms. DeCoite: You know on H1e, "Promote a variety of affordable and convenient mass transportation," I kinda no like that word "mass transportation" in there. Kinda like just -- something like --

Ms. Bosco: "Public" maybe?

Ms. DeCoite: Yeah, like --

Mr. Vanderbilt: Where is that?

Ms. DeCoite: On H1e. It says, "Promote a variety of affordable and convenient mass transportation services."

Ms. Bosco: We can just strike the word "mass."

Ms. DeCoite: Yeah, can we strike that word, "mass," please? Thank you.

Mr. Chaikin: On H1 -- what is that? L? It says, "Encourage the use of safer, better looking, and more efficient roadway designs." Does roadway designs include all the signage?

Ms. Bosco: Yes.

Mr. Chaikin: Okay.

Ms. DeCoite: Even like H1h, "Provide and encourage the continued development of specialized transportation options for the young, the elderly, and the--" What is that: "differently-abled?" We cannot just put "for all?"

Ms. Bosco: Say that again, Lynn. ...(inaudible)...

Ms. DeCoite: Yeah, "for all," or "for the community."

Ms. Bosco: Or just strike the rest. Strike "young and --"

Ms. DeCoite: Yeah.

Ms. Bosco: Yeah, thank you. Okay.

Ms. DeCoite: Thank you. Or would that include a dog, a cat, or deer? Sorry, maybe not.

Ms. Bosco: A horse. Okay. Thank you.

Mr. Chaikin: Anybody else got anything on H1? Anybody?

Mr. Vanderbilt: Do we have a motion to accept Section H: Objective H1, and the Policies H1a through H1i?

Mr. Chaikin: Can I second that?

Mr. Vanderbilt: No, no, can we have a motion?

Mr. Chaikin: I'll go ahead and make a motion that we accept the Goal H, Objective H1, and all of the -- let's see what we did here -- noting that we did make two new policy statements, and that we changed H1e, and we changed H1f, and we changed H1g, and we changed H1h.

Ms. Bosco: That's right. In the future, you know, to make it easier on you, you could just say "so moved," or you can say "with amendments." It's up to you. You don't have to repeat every single --

Ms. DeCoite: I'll second that.

Ms. Bosco: It makes it easier.

Mr. Vanderbilt: Moved by Commissioner Chaikin, seconded by Commissioner DeCoite. All those in favor -- oh, any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Chaikin, seconded by Ms. DeCoite, then unanimously

VOTED: To accept Goal H, Objective H1, noting the two new policy statements, and changes to H1e, H1f, H1g, and H1h as discussed.

Mr. Vanderbilt: Motion passes, five to nothing, Okay, we're moving to --

Ms. Bosco: H2.

Mr. Vanderbilt: Moving on to Objective H2.

Ms. DeCoite: H2f, I'd like to change that "require" to "create." "Create incentives for development." I'd like to use the Molokai GPAC --instead of "require."

Ms. Bosco: "Create incentives to --" Wait, can you repeat that, Lynn?

Ms. DeCoite: "Create incentives for development design with the pedestrian in mind."

Ms. Bosco: "Create incentives --"

Ms. DeCoite: "For development," yeah.

Ms. Bosco: Okay, it would be "Create incentives for developments to be designed with the pedestrian in mind."

Ms. DeCoite: Yeah.

Mr. Vanderbilt: I had a question on H2d, "Reestablish traditional footpaths." Aren't the traditional footpaths there?

Ms. Bosco: Well, that's a good question. Sometimes, can't they disappear?

Mr. Vanderbilt: Commissioner Feeter, this is --

Mr. Feeter: Just a comment. DOFAW, Department of Forestry and Wildlife, has Na Ala Hele Trail Systems. And there are several on this island. And they have a person -- a full-time person, Nori Dartes, on Maui. And so that is in existence, actually. They're all seeking new trails and so I would suggest that we support DOFAW since they have an established trail system.

Mr. Vanderbilt: On that H2d, I'd like to put: "Reestablish public use of traditional footpaths." No point in just reestablish public use of --

Ms. Bosco: Okay. "Reestablish public use of traditional footpaths." And pursuant to Commissioner Feeter's comment, I suggest adding after that, "and new trails throughout the moku, between communities, to the ocean, and the mountains." Actually it would be "and establish new trails," just to make it make sense.

Mr. Vanderbilt: Are traditional footpaths called "traditional footpaths?" That doesn't sound like a traditional word.

Ms. Bosco: Traditional -- to me, how I see that term is, it could be a trail that was traditionally used by members of the original communities here and then --

Mr. Vanderbilt: Well, then could we put "traditional" -- "traditional trails"?

Ms. Bosco: Yeah.

Ms. DeCoite: I think we might get one problem with “and establish new trails.”

Ms. Bosco: Say that again? I can’t hear.

Ms. DeCoite: Simone, I think we might get one problem with “and establish new trails” only because they might be thinking we’re gonna be breaking new trails into a whole new area.

Ms. Bosco: That’s okay cause H2c actually addresses that too, so it can be separate.

Ms. DeCoite: Oh, okay.

Mr. Chaikin: I just wanted to like review the objective here. Basically what we’re -- it looks like we’re trying to do is get people out of automobiles and to use other forms of transportation. And here we’re listing walking and biking, but I’m just -- it seems like, you know, there’s a whole lot of things, you know, that people can use getting out of their automobiles. And I don’t know, you know, if it’s appropriate, but it almost seems like we should, you know, enlarge that somehow by saying “Reduce the reliance on the automobile by encouraging walking, biking, mopeds, and other energy-efficient transportation choices.” I mean, does that change the whole meaning too much to expand it to anything that’s, you know, energy-efficient rather than limiting the whole thing to biking and walking? I’m just throwing that out.

Ms. Bosco: No, you can -- absolutely. It would be good to enlarge that. I can see your point. So “Reduce the reliance on the automobile by making --“

Mr. Chaikin: “By encouraging.”

Ms. Bosco: “By encouraging walking, biking --“

Mr. Chaikin: “Walking, biking--“

Ms. Bosco: And I would say “and other viable and safe alternative modes of transportation.”

Mr. Chaikin: That would work.

Ms. Bosco: So I’ll repeat that: “Reduce the reliance on the automobile by encouraging walking, biking, and other --“ oh, excuse me, yeah, “and other viable and safe alternative modes of transportation.”

Ms. Pescaia: Just a quick question to find -- I just want to figure out the inspiration of the objective to begin with. We have a problem with automobiles because of their emissions or their impact on the environment, or because of their size and their contribution to traffic? What are we trying to --

Ms. Bosco: Okay. It's all of those, plus it's generally speaking, we don't have another way. We wanna try and create the facilities -- yeah.

Ms. Pescaia: Well, I was just wondering because I noticed like in here we don't address electric cars or, I mean, automobiles that are powered by other than gas -- renewable resources. Or, you know, I mean, I know that at the State level, you have incentives for going -- for buying solar or electric cars, but I didn't see that addressed in any of the policies. So I was just wondering if there was a place for it. But it says "reliance on the automobile," which makes me think that wouldn't -- I mean, it doesn't matter what kind of automobile. A solar-powered or an electric car wouldn't even fit in the -- like we would be trying to avoid it in this section. The automobile altogether is not cool?

Mr. Vanderbilt: Well, correct me if I'm wrong, Simone, but a lot of this came out -- on Maui, they're doing this smart growth -- they've gone into the smart growth where they want all these little villages real tight where you live over in -- you know, everybody knows, and there's a gingerbread house next door, and little teeny houses, and so they can get more development on less space. And that's where a lot of this stuff comes from.

Ms. Bosco: We could add something here to create an incentive for those kinds of cars, energy-efficient cars. I just also want to add Maui added a policy that basically talked about establishing -- I'm drawing a blank. It's basically to reduce carbon emissions. It's a policy to reduce carbon emissions. And so the policy mandates that we look at carbon emissions, and reduce our contribution to, you know, the problem by looking at 1990 levels of carbon emissions. I'm gonna have to pull out the policy to explain it better, but that may be another way of doing it cause if it's carbon emissions that is the problem, then --

Mr. Chaikin: Well, yeah, I just wanna follow up with what Mikiala was saying. It's true what she's saying. It doesn't really speak to the point here because what we're saying is anything else that's viable, but viable isn't really what we're looking for. We're looking for something that's either sustainable, or energy-efficient, or something that's gonna make it better than it is now. So I would take out the word "viable" and maybe say "and other energy-efficient and safe alternative modes of transportation."

Ms. Bosco: Okay. Julia, can you change the word "viable" to "and other energy-efficient"? Thank you.

Ms. Pescaia: Are we really trying to reduce reliance on the automobile or on gas?

Mr. Chaikin: Well, we're trying to reduce the negative impacts of the automobile, and those are numerous. So if you just get into electric cars, it'll be slightly better.

Ms. Pescaia: But it's still an automobile, so you're saying reduce the reliance on the automobile, so you're discounting the electric car.

Ms. Bosco: What happened if -- okay, I think there's --

Ms. Pescaia: I mean, the general word "automobile," erasing all automobiles or -- we're trying to avoid all automobiles regardless of how they're powered. So I don't know if just plug something that's more specific to we're trying to get away from gas, or diesel, or fossil fuel-powered automobiles.

Ms. Bosco: Can we add "and fossil fuels?" Mikiala, what if we added the word "and fossil fuels" after "automobile" so we don't --

Mr. Chaikin: Well, yeah, I think that's a solution, Simone, to what she's saying, you know, because why strike out all automobiles. Some are good. Some automobiles are good and some are bad. So if we put "fossil fuels" in there, I think it makes more sense.

Ms. Pescaia: You know the super-sized SUV like all souped up next to the little Smart Car.

Mr. Vanderbilt: "Fossil fuel burning automobiles," or just "fossil fuels"?

Ms. Bosco: Either way. It's up to you guys. You can fix it. I mean --

Mr. Vanderbilt: Put "fossil fuel burning automobiles?"

Ms. Pescaia: I like that.

Mr. Vanderbilt: Let's leave it that way, then. Are there any other comments on H2 Section?

Ms. DeCoite: Yeah, there's too much traffic on the H2. Try the H3. I just playing.

Mr. Vanderbilt: Okay.

Ms. Pescaia: You know why cause now that also -- I don't know if this is a --

Mr. Vanderbilt: Commissioner Pescaia?

Ms. Pescaia: Sorry. I just butt in on you. But cause now it also includes boats, you know, like big boats who have big motors compared to sail boats or paddling or -- I mean, you know, it's encouraging other -- I mean, it just opens the door. I think it's a better policy now.

Ms. Bosco: That's good. Good point.

Mr. Vanderbilt: Commissioner Chaikin?

Mr. Chaikin: Yeah, let me just throw this out and you guys can tell me if it sounds appropriate, but one of the problems that we've got is people -- there's no control right now. Like if I wanna decide that I wanna bring a thousand more cars onto Molokai, I can. Nobody says I can't. There's really no control over that. So, you know, what I was thinking is say, "Control the importation of automobiles to Maui County." I mean, that's kinda broad but --

Unidentified Speaker: ...(inaudible)...

Mr. Chaikin: I mean, what do you think? Is that something that is reasonable to actually control importation of vehicles? I mean, it doesn't say how much you're gonna control it, but to have some level of control over it so --

Mr. Feeter: Steve has a really good point there. If you've been to the Island of Bermuda, I haven't, but I had a friend that lived there for 30 years: one car /one household. One car/one household. And you pay for the car's salvation, not salvation, but salvage. Well, don't your car have a soul? Anyway, that's a problem. If you drive around our community, there are numerous relics in the sense of not antiques, but -- so, yeah, what Steve said is definitely limiting the point. Fifty years from now, we wouldn't recognize this place. And so limit the cars, and by the same token, in the purchase price, include the salvage costs. Amen.

Mr. Vanderbilt: Could we put something in there like -- there's a lot of different carrying capacity studies being done in the County: carrying capacity population, carrying capacity, whatever, water. Can we call it some type of carrying capacity? Establish a carrying capacity for vehicles on each island?

Ms. Bosco: We have a policy down below that --

Mr. Vanderbilt: Okay, good.

Ms. Bosco: Well, we have -- Julia is looking for something, but we also have a policy that addresses -- or an implementing action --

Mr. Vanderbilt: Okay, so can we put that on hold and just make a note that we'll come back to that if we don't find it?

Ms. Bosco: We'll come back to that. Sure.

Mr. Vanderbilt: Okay, so given that, is there any more discussion on this section? If not, we're ready for a motion to accept H2 and Policies H2a through H2e?

Mr. Chaikin: Okay, I'll make a motion to accept Objective H2 and all that we discussed.

Ms. Bosco: Thank you.

Mr. Vanderbilt: Is there a second? Motion by Commissioner Chaikin, seconded by Commissioner Feeter. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Chaikin, seconded by Mr. Feeter, then unanimously

VOTED: to accept Objective H2 and policies as discussed.

Mr. Vanderbilt: Passed, five-zero. Moving on to Objective H3. Simone, can you read that?

Ms. Bosco: "Improve opportunities for affordable, efficient, safe, and reliable air transportation."

Mr. Vanderbilt: I think Julia and Simone would like to underline the word "safe." Are there any comments on the Policies H3a through H3d? Yes, Commissioner Chaikin?

Mr. Chaikin: I wanted to add a new one: "Encourage public ownership and operation of airports." Unfortunately, in Maui County, we have private airports that are off limits and the only people can land there is the people that -- the owners of those airports. They can land there. And in -- all over the State is that way.

Ms. Bosco: Okay, thank you.

Mr. Vanderbilt: So what is your -- what is your --

Mr. Chaikin: I wanted to say, "Encourage the public ownership and operation of airports," period.

Ms. Bosco: Commissioner Chaikin, is it okay if we just take out “the?” It’s “Encourage public ownership and operation of airports,” or did you want “the” in there?

Mr. Chaikin: No, that’s fine.

Ms. Bosco: Okay, either way.

Mr Chaikin: And one more, H3c, some of our airports are getting kinda run down, so not only do we need to continue to support the rural airports, I’d like to say, “Continue to support and improve rural airports, and encourage their use to reduce traffic congestions.”

Mr. Vanderbilt: Could we also --

Mr. Chaikin: Traffic -- automobile, like Hana for instance or Kapalua or something? You could actually use that airport more and get rid of some of that gridlock.

Mr. Vanderbilt: Could we -- wouldn’t it read better to start off, “Ensure adequate funding to--“ do something?

Mr. Chaikin: Yeah.

Ms. Bosco: Yes, “Ensure adequate funding to --“

Mr. Vanderbilt: “To continue to support --“ ”To support --“

Ms. Bosco: Okay, “to support the maintenance and improvement of rural airports, and encourage their use to reduce air traffic congestion.” Is that right?

Mr. Chaikin: No, that’s not air traffic. That would be roadway traffic.

Ms. Bosco: Oh, roadway traffic.

Mr. Chaikin: Right. Like Kapalua would be an example.

Ms. Bosco: Yeah.

Mr. Chaikin: You know, a lot of traffic.

Ms. Bosco: Okay.

Mr. Chaikin: You know, if people flew in there --

Ms. Bosco: Got it. Okay.

Ms. Pescaia: We were wondering if you folks knew how many airports in the County were State airports, County airports, or private airports, or is there such a thing? Like who has jurisdiction over airports?

Ms. Bosco: Clayton will answer that.

Mr. Yoshida: I believe that they're all State airports: Hana, West Maui, Kahului, Hoolehua, Kalaupapa, and Lanai.

Ms. Pescaia: So how does the County contribute to the -- these things?

Mr. Vanderbilt: Well, I think that Steve -- you know, when we were in education, education is a State thing, and we were telling the County to coordinate and help do this on education. So I don't know if -- I don't if --

Ms. Pescaia: I was just wondering, you know, the insuring --

Mr. Vanderbilt: We put "Coordinate with -- "Coordinate with the State to insure." I don't know.

Ms. Pescaia: Yeah, that's why. I was just wondering "insuring adequate funding," what funding and what is it? You know. We don't have an airport fund ...(inaudible)...

Mr. Chaikin: It's basically the State. Yeah, the State of Hawaii has to come up with the funding for that, but we're gonna make sure that they do.

Mr. Vanderbilt: Could we -- could we put --

Mr. Pescaia: Because in other places we've said that like "work with" or "encourage the State," you know, but I was just wondering.

Mr. Vanderbilt: How about could we start it off with "Coordinate with the State to insure?" Because they might -- maybe the County would get involved. Now they're starting to think about getting involved with the State hospitals, providing a fair share in the hospitals. So could we put, "Coordinate with the State?"

Ms. Bosco: "Coordinate with the State to --"

Mr. Vanderbilt: "To insure," Steve?

Mr. Chaikin: I don't know. I don't have a problem with "insure." I mean, even though we are not the State and we technically can't insure, it kinda says what it is that we wanna do.

Mr. Vanderbilt: So you're saying if the County says, well, we don't have any funding, then you'll have to coordinate with the State, yeah?

Ms. Bosco: Okay.

Mr. Chaikin: No, that's fine.

Mr. Feeter: Chair, one --

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: One case in point about -- it has been an ongoing situation, and I remember Clayton contributing this, that we have the Panda Tours on the West End, and we have a private airstrip out there. And I think it's an understatement to say that's been a problem. And so that your point about encourage public ownership and operation of airports, that's a good point. And so that -- and I don't know how many other private strips are around here. Steve, you would know.

Mr. Chaikin: Yeah, there's big companies. You know, big companies come in. I know Hawaiian Airlines used to own Kapalua. On Kauai, you know that Princeville Corporation, they got their own airport, and they got their own guys flying in and out of there. Nobody else can. So it's problematic. They should be public.

Mr. Feeter: Well, that -- yeah, you're talking about the private aircraft sector, I think, for the most part. So I think our input on it going back to that all airports are owned by the State, but then maybe as an advisory group we should say we're concerned about the conditions of our private landing strips. I can't really call them airports. What do you call them? You're a flyer. Airstrips, whatever, landing places? That the community should be concerned about that because they've generated a fair amount of concern and problems. They're -- you know, we forget about these crashes on this island. They've been pretty darn tragic and they've made a -- make a very -- they've made a tremendous difference on this island with a lot of families, and we should be concerned.

Ms. Bosco: Okay, are we okay with what the amendments are?

Mr. Chaikin: Yeah.

Ms. Bosco: Thank you.

Mr. Vanderbilt: Let me ask you: is there somewhere in here with regard to the establishment of heliports in rural and remote areas?

Ms. Bosco: There was something in the matrix. Yeah, something about heliports. There is something.

Mr. Vanderbilt: Well, I mean, like for instance now, we have an ad for 60 acres in Wailau Valley, and it says, "helicopter access pads," and they're doing it more in remote areas on Maui.

Unidentified Speaker: ...(inaudible)...

Mr. Vanderbilt: Well, is there anything regarding the impact of helicopters in remote areas?

Ms. Bosco: I know there's -- I'm looking for it. There is a policy ...(inaudible)...

Mr. Vanderbilt: I mean I know Rick French gets very upset when the helicopters buzz his pastures up -- they come up from Kalaupapa right over the ridge line and scare the cattle.

Ms. Bosco: Okay, we'll look for that and come back to it, okay?

Mr. Vanderbilt: Okay, so --

Ms. DeCoite: So are they allowed to like -- are the helicopters allowed to just drop into areas?

Ms. Bosco: No, they have to have rights to do that.

Ms. DeCoite: I kinda had one complaint that's why when they were moving Linda Dunn's lumber that, when they were in Halawa and everybody was camping and swimming, that, you know, it became like a public -- yeah, because you all these guys camping and swimming and the choppers came in and to take the lumber in the back. So I mean, what happened to that?

Mr. Chaikin: Well, all I know is you need a permit to land. Like in Wailau, you can go to the DLNR and get a permit to actually land. If you don't have a permit, all you can do is hover or sling. You can drop a sling or something, but you can't actually touch down. I don't know if Linda had her permits or what the situation was with that.

Ms. Bosco: Okay, we found the implementing action related to heliports. And there it is: D3. It's under Healthcare Services, "Provide heliports Countywide for emergency health and safety purposes." That's what we had on heliports, and it's already been acted on.

Mr. Vanderbilt: Could we put something in there to discourage the landing of helicopters in rural and remote areas?

Ms. Bosco: "Discourage the landing of helicopters in rural --"

Mr. Vanderbilt: Just discourage. I mean, if you're gonna get a permit to come in and put in -- bring in stuff, that's one thing, but just the building --

Unidentified Speaker: ...(inaudible)...

Mr. Vanderbilt: Yeah.

Unidentified Speaker: ...(inaudible)...

Ms. Bosco: Okay. So commercial aircrafts?

Ms. DeCoite: Maybe we should put them in the next one, in the H3, because H3 talks more about the heliports.

Mr. Vanderbilt: Okay.

Ms. Bosco: Yeah, that's --

Mr. Vanderbilt: Alright, we'll wait -- we'll wait on that, then. Okay, so where are we?

Ms. DeCoite: We H2, huh?

Mr. Vanderbilt: No, we're on H3.

Ms. Bosco: We're on H3.

Ms. DeCoite: Sorry, long day.

Ms. Bosco: Okay, so back to Mr. Chairperson's recommendation, "Discourage the landing of --" can you finish that sentence?

Mr. Vanderbilt: No, I hadn't really thought it through, so let's see --

Ms. Bosco: Okay.

Mr. Vanderbilt: I mean I see -- I see the -- I see remote areas becoming more and more buildable for people because the Fire Department says for health and safety reasons, we'll

allow you to put in a pool if you don't have sufficient fire flow. And then you say, well, the ambulance can't get there and everything else, so we need a helicopter pad. And then all of a sudden, you get these mansions. It's happening all over St. Aline where I just was in St. Aline, California, in Napa Valley. Every one of those big houses -- every other one has a helicopter. I mean, they just come -- they fly in from San Francisco, land for the weekend, and there's a lot of them.

Ms. Bosco: Okay, what if we use the word "limit" instead of "discourage?" "Limit the landing of helicopters in rural areas?"

Mr. Vanderbilt: I guess "Discourage" -- "Discourage" --

Ms. Bosco: You like "Discourage?" Okay.

Mr. Vanderbilt: "Discourage the establishment of residential helipads."

Ms. Bosco: Okay, there you go, "Discourage the establishment of residential helipads."

Mr. Vanderbilt: Yeah.

Ms. Bosco: Thank you. Okay, anything else? We're on H3. We have three changes up: two new policies and the change to H3c.

Mr. Chaikin: I'll make a motion that we --

Mr. Vanderbilt: Well, excuse me. I'm sorry. I'd like to put on H3d, "Provide adequate and affordable parking." We have affordable parking on Molokai. No, and, but every -- yeah, every few years, they come over and try to change it so --

Ms. Bosco: Okay, thank you.

Mr. Chaikin: Anybody else?

Mr. Vanderbilt: No.

Mr. Chaikin: Then I'll make a motion that we accept Objective 3 and all the changes that we've made to the policies under H3.

Mr. Vanderbilt: Moved by Commissioner Chaikin. Is there a second? Seconded by Commissioner Feeter. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Chaikin, seconded by Mr. Feeter, then unanimously

VOTED: to accept Objective H3 and the policies as discussed.

Ms. Bosco: Thank you. H4? Oh, are we gonna keep Mikiala still? Are you here till 2:30? Okay. H4, "Improve opportunities for affordable, efficient, safe and reliable ocean transportation."

Ms. DeCoite: I'd like to put at the end of that, "that are welcomed in local communities."

Ms. Bosco: "That are welcomed within --"

Ms. DeCoite: Yeah, I'd like to go with the GPAC one, Molokai GPAC.

Ms. Bosco: "That are welcomed within --"

Ms. DeCoite: "Local communities."

Mr. Vanderbilt: I think Kauai would like that also.

Ms. DeCoite: Yeah, but they can talk for themselves.

Ms. Bosco: "Local communities," is that right?

Ms. DeCoite: Yeah.

Ms. Bosco: Okay.

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: Thank you. Does this all -- this block of information pertain to small boat landing, or launching, or docks, or ramps?

Ms. Bosco: Yeah, it does.

Mr. Feeter: Okay. Well, now that's already in the Manae policy, for example.

Ms. Bosco: The Lanai Community Plan, you mean? Oh, I'm sorry.

Mr. Feeter: What did I say? I said Lanai.

Ms. Bosco: Oh, no, no, no, I misunderstood you. No, I misunderstood what you said. It's still good to have something here because then it provides a basis for community plan policies.

Mr. Feeter: Yeah, I don't see small craft launch areas or ramps in here.

Ms. Bosco: Okay, H4a would -- okay, why don't you speak to your issue, and then we can work on what you want? Go ahead.

Mr. Feeter: Well, H4a, possibly add "small boat launch ramps."

Ms. Bosco: And what would you like to see happen with small boat launch ramps?

Mr. Feeter: Are you referring to a design? You mean a 20 feet wide -- what?

Unidentified Speaker: ...(inaudible)...

Mr. Feeter: Yeah, okay, thank you. Well, the East End is wanting one, from what I understand. And for the present time on the East End, I would think that would be adequate: one, good, small boat launch ramp.

Ms. Bosco: Okay, can we add an implementing policy under H4a that said, "Develop additional small boat launch ramps according to community needs?"

Mr. Feeter: That would be fine.

Ms. Bosco: Thank you.

Mr. Vanderbilt: No, I would put -- you wanna say "develop" or just "study the development?" I mean, are you saying --

Ms. Bosco: I think he's saying he would like more. That's what I'm hearing. It's up to the Commission if --

Mr. Vanderbilt: Well, but that's not our choice. It's up to the community.

Ms. Bosco: That's right. That's why I'm adding "according to community needs." Up to you. You can change it.

Mr. Vanderbilt: That's good. That's fine.

Mr. Feeter: A comment.

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: On 4Hc, "Encourage upgrading harbors and" so forth, I just learned last week that the -- our wharf here would be, in the case of a tsunami, would be completely inundated and ineffective. And since that's critical to this island, perhaps add a Molokai addition to that. Well, that would be a Molokai addition to upgrade the wharf to be able to resist tsunami damage, or make it all weather, re-engineer it. I get that information from Mr. Arsie, I believe, who is over here in the County office. So it would read something like, "Encourage upgrading harbors to make them operable from or efficient for tsunami damage" or "because of tsunami damage."

Mr. Vanderbilt: But don't we talk about improving -- no, that's improving opportunities for safe, reliable, ocean transportation.

Ms. Bosco: Okay --

Mr. Vanderbilt: How about in H4f? Could it be something else? I mean, could -- "Encourage the redevelopment of harbors and contiguous areas to make them --" blah, blah, blah, "and tsunami proof?" Or "and tsunami --"

Ms. Bosco: What I would recommend is we add this as a new policy: "Encourage the upgrading or re-engineering of wharfs to resist tsunami damage" or something like that. We'll look for any redundancy. We may already have that in the physical infrastructure section. Okay? If it is already in physical infrastructure, we won't keep it here, but I think it's already there so --

Mr. Vanderbilt: So "Encourage the upgrading of harbors to resist tsunami damage?"

Ms. Bosco: That's right.

Mr. Vanderbilt: Is that okay, Bill?

Mr. Feeter: Yeah, as long as we get the significance of tsunami in there. I would feel good about that because this came at the Governor's Advisory Council meeting last week where the main topic was disaster preparedness. And it was really frightening that we're on short supply here of everything. And during a tsunami, virtually is, you've got to take care of yourself basically, on this island.

Mr. Vanderbilt: So that's okay, Bill? That "encourage?"

Mr. Feeter: Yeah.

Mr. Vanderbilt: Okay.

Mr. Feeter: And I was shocked and really surprised was, Steve, I think his name is, said that if there was a tsunami that that wharf would be inoperable. And gosh darn, I think that needs to be updated. So, yeah, that would be fine. If the word "tsunami" is in there, yes.

Mr. Vanderbilt: Thank you. Are there any more comments? Commissioner Pescaia?

Ms. Pescaia: Could we maybe change "tsunami damage" to "to resist severe weather damage" or something else that also includes hurricanes or other natural disaster-type -- because I remember the wharf being bust up after Hurricane Iwa. I remember the big holes in the wharf.

Mr. Vanderbilt: So "to resist --" is that okay, Bill, "to resist?"

Mr. Feeter: Yeah.

Mr. Vanderbilt: Okay.

Ms. Bosco: Natural -- how about "natural hazards and disasters?" Thank you. Okay.

Mr. Vanderbilt: "To resist damage from natural --" "To resist damage from natural --"

Ms. Bosco: Thank you. "To resist damage from --" Thank you.

Mr. Vanderbilt: Okay, are there any more comments on H4a to H4f? Are we ready for a motion?

Ms. DeCoite: I'll make a motion to accept all amendments to H4a to f.

Ms. Pescaia: Second.

Mr. Vanderbilt: Motion by Commissioner DeCoite, seconded by Commissioner Pescaia. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Ms. Pescaia, then unanimously

VOTED: to accept all amendments to H4a to H4f as discussed.

Mr. Vanderbilt: Motion passes, five-nothing. Alright, now we're on the last one, H5.

Ms. Bosco: "Improve the planning and management of the transportation systems within the County."

Mr. Vanderbilt: Anybody? Alright, anybody have any comments on H5a through H5d? Okay, hearing none, do we have a motion?

Ms. DeCoite: I'd like to make a motion to accept all those in H5 which is all unamended.

Mr. Vanderbilt: Motion by Commissioner DeCoite. Is there a second?

Mr. Feeter: I'll second.

Mr. Vanderbilt: Second by Commissioner Feeter. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Feeter, then unanimously

VOTED: to accept all of H5 as presented.

Ms. Bosco: Wow, that's great, guys. Thank you. Okay, do we wanna keep going till Mikiala has to leave? Okay, great. We'll go to economy then. We got the next one coming up, economy. And we'll start with the goal. The goal is, "Maui County's economy will be diverse, sustainable, and support community values."

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay, we're on Goal F, and also the Objective F1.

Mr. Vanderbilt: Okay, we're gonna move now to "Strengthening the Local Economy," starting off with Goal F.

Mr. Chaikin: Yeah, I don't have any problem with Goal F, but Objective F1, a problem with that. It says, "Provide an economic climate." I think economic climates come from conditions globally in which we have little control over. So we can't really provide any this or that. So I would change the wording to "Support economic policies that encourage diversification of the County's economic base," period. The end of that sentence goes on to say, "and a sustainable rate of economic growth." I mean basically, the County is not satisfied with the way it is now. They're only satisfied if we continue to grow, and I don't think we have to grow. I think we can stay the same size and just get better and better. So I would strike that part.

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay, "Support economic policies that will encourage diversification of the County's economy base."

Mr. Chaikin: F1c, if you look at F1c, it talks about the purchase and consumption. I don't particularly care for that language. I think what we wanna do is we wanna support programs that promote the benefits of the local products. And, you know, when we promote the benefit then from that, people will buy them. So I would say something like, "Support programs that promote the benefits of products which are grown and produced in Maui County."

Ms. Bosco: Thank you. Got it, "Support programs that promote the benefits of the local products which are grown and produced in Maui County." Something's missing there. Is that "the benefits of --" I guess it's okay the way it is, but I think there's a verb missing or something. Maybe not. I'll think about that.

Mr. Chaikin: I think it's okay.

Ms. Bosco: Is that okay, you think? Okay. Okay.

Mr. Chaikin: If you look at F1d about programs and industries trying to obtain the local labor, I would like to reword that. I didn't particularly care for it. It seems like what we wanna do is invest in programs that assist industries. So "Invest in programs that assist industries to retain and attract." So it's "to retain and attract more local labor, and create jobs," or maybe "and facilitate the creation of jobs that offer a living wage." Did you get all that?

Ms. Bosco: "Invest in programs," okay, wait, "Invest in programs that assist industries to retain --"

Mr. Chaikin: Or we could get rid of "invest" and say "support programs."

Ms. Bosco: Okay, "support." Okay, is that it?

Mr. Feeter: A comment?

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: On F1a, "Promote lifelong education and vocational training for emerging industries." I support that highly. Do we need to enlarge on that and say at what level? Is it in -- at the high school level, the community college level?

Mr. Vanderbilt: I think lifelong sort of fills the whole gambit, doesn't it, from -- it's almost promote continuing education.

Mr. Feeter: Yeah, that's a good word "Continuing education" certainly --

Mr. Vanderbilt: Isn't that what "lifelong" sort of means here?

Ms. Bosco: I think the policy is also to capture high school students so that they can -- they can -- they can be a part of the workforce if they choose to.

Mr. Feeter: Yeah, those are the traditional students, but anybody can be a non-traditional student and go back and learn a given trade. If they have -- I think the point I'd like to make is that our -- I'd like to see our high school level more emphasis on students doing course work that makes them more hireable in the field. For example, I read a real good comment recently: if you can do well in algebra, you can stand up and give a three-minute dissertation, or describe a subject, and do a ten-page report with footnotes, then you can enter -- you're qualified to go in any apprenticeship and/or a job that will be at the median wage in the State. And the median wage in the household income is \$48,451. So the point is, I'd like to that F1a, "Promote" -- well, somehow, maybe somebody help me out on this, get --

Ms. Bosco: Commissioner Feeter, this is Lanai's amendment up here, "Promote lifelong education and career and technical training to be available for existing and emerging industries." Does that help?

Mr. Feeter: Yeah, if that's a keyhole where that would encourage not only the traditional student but the non-traditional, that would make our economy a whole lot stronger, I think.

Ms. Bosco: I think the comment was made on Lanai that "technical" training is the better word to use versus "vocational," so they changed it.

Mr. Chaikin: I would change that slightly. I think it's good what Lanai came up with, but I would say, "Promote lifelong education, and career and technical training for existing and emerging industries in a global economy."

Ms. Bosco: "And emerging industries in a global economy." And actually put a comma after "education" to make it grammatically correct. "Lifelong education," comma, "career," comma, I guess, and "technical training for existing and emerging industries in a global economy."

Mr. Chaikin: Does that make sense?

Ms. Bosco: Okay, so thank you.

Ms. DeCoite: Is global economy better to use in our community? Or would the recommendation be in global economy? Only because of vocational training and high tech training is more apt towards the County and the community.

Ms. Bosco: That's a good point.

Ms. DeCoite: You know, because right now like in the high schools, we have like high tech. And it's more so our job to encourage them on an educational level to learn into the high tech so then they can go out and then compete in the global economy. So I kinda would like to promote it in our community for them to beef it out in the global economy later.

Ms. Bosco: Would you like the word "global" to change?

Ms. DeCoite: Yeah. Yeah, "in our community." "For existing and emerging industries in our community."

Ms. Bosco: Okay, thank you.

Ms. DeCoite: If you no mind, Steve.

Ms. Bosco: Are you okay with that?

Mr. Chaikin: I guess the point I was trying to make is we can train all of our guys to be great architects here and be perfect architects just only to find out that they can do it for a hundred bucks over here, and we're charging ten thousand over here, and all of a sudden we're -- you know, all of this training is for nothing. You know, so we've got to take a look at the big picture before we move ahead, and do our training, and figure out what's going on in the rest of the world, because increasingly, it's impacting what we're doing here. It's like, you know, are we gonna go back and grow pineapples? No, cause we're gonna look around in the global economy and see that's not a good idea. So, I mean, that's -- I don't know. If we can -- but what she's saying is valid, too, you know, I mean, we have to really look at this community and take that in consideration also.

Ms. Bosco: Well, if we dropped it at "industries," then --

Mr. Chaikin: I can live with that.

Mr. Vanderbilt: Wasn't there sort of an agreement on that or not?

Ms. Bosco: If we dropped it after “industries,” then the community can decide for itself what that means.

Mr. Chaikin: That’s fine.

Ms. Bosco: Okay. Is that okay? Okay. Well, welcome.

(Commissioner Sherman Napoleon, Jr. entered the meeting at 2:27 p.m.)

Ms. Pescaia: Chair?

Mr. Vanderbilt: Yes, Commissioner Pescaia?

Ms. Pescaia: This has nothing to do with that one, actually. So are you guys done with that one? Okay. Going back to Steve’s promote the benefits one, what is that? F1c. I kinda tried to reword it with -- I don’t know if this would work, “Support and promote locally produced products and their benefits that meet local demands.” So it’s kinda this --

Ms. Bosco: Can you repeat that again?

Ms. Pescaia: “Support and promote locally produced products and their benefits that meet local demands.”

Ms. Bosco: That’s great. That’s very good too.

Ms. Pescaia: So it’s kinda is not just the focus on -- yeah, anyway. Okay, now I’m leaving and my sub is here.

(Commissioner Pescaia was excused from the meeting at 2:30 p.m.)

Ms. Bosco: Thank you for staying, and thank you for coming, Sherman.

Mr. Vanderbilt: It’s like a relay race we got working here. Thank you, Mikiala. So are you able to come back or no? You probably -- we’re gonna be going till 6:30, so -- but we got a 4:30 meeting here, but they’re staying till 8:00, so we’re trying to get everything done. Check back.

Ms. Bosco: We’re getting somewhere. That’s the good news. We’ve got one and a half sections left.

Mr. Vanderbilt: Alright. What -- Number F1i, mom and pop businesses are getting blown out left and right on Maui and everywhere else. How does F1i change any of that?

Ms. Bosco: Can we add the word “mom and pop businesses”?

Mr. Vanderbilt: It says, “Support local merchants.” Costco is a local merchant, or did they mean locally-owned merchants? You can’t be a merchant that’s locally-owned. I mean, it just seems like just support everything that’s there: merchants, farmers, and small businesses, business as usual. I was just wondering what was behind that because it wasn’t discussed by any of the GPACs. It just came in from the director.

Ms. Bosco: I think what it’s meaning to do is support mom and pop businesses. Okay? Local family-run or owned and operated businesses. That’s what it’s intended to do. It’s really to support local farmers, too, and --

Mr. Vanderbilt: Alright, then could we add at the end, “and locally-owned small businesses?”

Ms. Bosco: Sure. So add the word “and locally-owned small businesses.” Right. Yeah, that’s good.

Mr. Chaikin: I think the “locally-owned” should be toward the beginning of that sentence so it includes all of them.

Ms. Bosco: Okay, there you go.

Mr. Vanderbilt: “Support locally-owned merchants, farmers, and small businesses” yeah.

Ms. Bosco: Well, we don’t own merchants. So “Support local merchants, farmers, and locally-owned small businesses” is more correct I think. Right?

Mr. Chaikin: Well, merchants are small businesses. Isn’t that being a little redundant?

Ms. Bosco: Oh, I see --

Mr. Vanderbilt: Yeah, so could we put “Support locally-owned farmers --,” maybe just “Support locally-owned farm operations and small businesses.”

Ms. Bosco: There you go. Okay. Also, I believe we did have a policy in the large matrix somewhere addressing big, box stores. I don’t know what happened to it. It was taken out. I know. It didn’t make it, but I’ll try to find it, 601 -- okay, Nancy’s gonna help me with this. We’ll come back to it. Let’s keep going.

Mr. Vanderbilt: So do we have any other -- let’s see. Where are we? We’re on to the next page on this. So do we have any other comments on Policies F1i through F1h?

Mr. Chaikin: Yes.

Mr. Vanderbilt: Commissioner Chaikin?

Mr. Chaikin: If you look at F1f, I mean, it says "Encourage businesses that promote health --" or excuse me, "Promote well-being of the resident population." What does that say? "Produce value-added products and support community values." This just seems to be all over the place. It's definitely not focused. It's talking about well-being, and it's talking about value-added products, and it just seems like it's -- I don't know. I don't like it. So I would -- you know, we talk about value-added products in another section. So I would drop that and just limit it to "Encourage businesses that promote --" we could say, "Promote health and well-being of the resident population while supporting community values."

Mr. Vanderbilt: Is there any chance you just wanna eliminate the thing?

Mr. Chaikin: Well, I think it's -- no, I think it's valid because basically, if you get your community to be healthy, you know, where everyone's not obese and diabetic, if everyone's healthy, then everything else can follow from that. So I think it's important, you know, that we have, you know, let's be healthy kinda statements in here.

Ms. Bosco: Okay, thank you. Okay, we had a policy related to big box stores. I just wanna show you guys. It was discussed at the GPAC level. And Julia's gonna project it right now. It's after 6013, Objective 6013. Go down. There you go. See the very first -- see that one right there? Her cursor's on it: Discourage the influx into rural communities and traditional small towns of large national or Statewide retail wholesale operations that disrupt the limited economic bases that smaller locally-owned businesses rely on to survive.

It was deemed to be something that the community plan would address. I also know that there's some kind of a bill right now going through Council on big box stores? Is that right?

Mr. Vanderbilt: Well, who took it out?

Ms. Bosco: The director did. So this is --

Mr. Vanderbilt: Well, why didn't he -- why didn't he put it on here that he took it out?

Ms. Bosco: He did, right there, director's recommendation: "Reserve for community plan determination."

Mr. Vanderbilt: Oh, where is that?

Ms. Bosco: Under Economy.

Mr. Vanderbilt: Is that on this that you just handed out? Okay. Why don't we just put it back in?

Ms. Bosco: I'm bringing this up -- that's why I'm bringing it up. If the Commission would like to keep it in, this would -- this is a similar issue.

Mr. Vanderbilt: Well, I would like to keep it in until we get the minutes and see what happened.

Ms. Bosco: It was a Molokai GPAC recommendation, if you can see that. So, new policy.

Mr. Chaikin: I mean it's kinda problematic to have that in there for Maui because they're all national chains. I mean, walking down the street there's -- you know, almost all of them are Statewide nationally-owned.

Mr. Vanderbilt: Well, not in Hana.

Mr. Chaikin: That's true.

Mr. Vanderbilt: And the Haiku industrial area.

Mr. Chaikin: Yeah, well, okay.

Mr. Vanderbilt: And it says "rural communities in traditional small towns," so I'd leave it in there.

Ms. Bosco: Okay, we're gonna finish up F1 first and then we'll go back to that.

Mr. Vanderbilt: Alright, is there any more discussion on F1 and the policies that follow that? Commissioner Chaikin?

Mr. Chaikin: Yeah, F1h, I just wanted to beef it up. It says "Provide support for," and then it gets into traditional host. I would say "Support and encourage traditional host culture businesses and agriculture."

Ms. Bosco: "Support and encourage traditional host culture businesses?"

Mr. Chaikin: "Culture businesses."

Ms. Bosco: "And agriculture."

Mr. Chaikin: I'm not sure what that is, but I guess it's something.

Ms. Bosco: Okay, and I'm gonna propose the language I just referred to earlier: "Discourage the influx" be moved to F1 because it fits under F1 and not F2. So we can include that in our vote.

Mr. Vanderbilt: Is there any more discussion on Objective F1 and -- okay. We're ready for a motion then?

Ms. DeCoite: I'd like to make a motion to accept with the new implementation of "Discourage the influx into rural" into F1 and all the new amendments from F1a to F1h.

Mr. Vanderbilt: That would include the goal, too, huh?

Ms. Bosco: Yeah, thank you, the goal too.

Mr. Vanderbilt: Is there a second?

Mr. Feeter: Second.

Mr. Vanderbilt: Second by Commissioner Feeter. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Feeter, then unanimously

VOTED: to accept with the new implementation of "Discourage the influx into rural" into F1 and all the new amendments from F1a to F1h, including the Goal as discussed.

Mr. Vanderbilt: Motion passes, five-zip.

Ms. Bosco: Okay, we're on F2, "Diversify and expand sustainable forms of agriculture and aquaculture." You know, I just wanna make a note that aquaculture is distinguished from mariculture which is referenced in F2b. So just as a point of a clarification, the objective statement doesn't include the term "mariculture." So if the Commission wants to support that kind of industry, it should be included.

Mr. Vanderbilt: What is mariculture?

Ms. Bosco: Mariculture is like aquaculture except in the ocean. It's where they create huge like -- literally like a propagating bed, a huge net in the ocean, and they --

Mr. Vanderbilt: Well, how about -- and is that also like pulling up the ocean water, and bottling it, and selling it to Japan? No?

Mr. Chaikin: The word "culture" is in there where you're actually culturing an organism. So bottling water wouldn't be included.

Mr. Vanderbilt: What do you think, Steve?

Mr. Chaikin: Yeah, "aquaculture" is a broad term that includes mariculture.

Ms. Bosco: Oh, it does. Okay. I didn't know that. Okay.

Mr. Chaikin: So what we should do is eliminate "mariculture" and just keep it broad.

Ms. Bosco: Okay, I didn't know that. Thanks. I wasn't aware of that.

Mr. Vanderbilt: That's good to get on the record now. So if the Council asks, we'd know. Commissioner Feeter?

Mr. Feeter: Yeah, can we go back to mariculture because that I recall in previous references to mariculture. And we got an expert right over here on that.

Mr. Chaikin: Mariculture can be land-based or ocean-based. Like I'm doing mariculture on the land just because I'm using salt water. So salt water is mars ocean in Spanish. Mariculture, I don't know where that comes from, but --

Mr. Feeter: Does that include limu?

Mr. Chaikin: If it's done in salt water, then that's mariculture.

Mr. Feeter: Well, then the point is, shouldn't we leave that in?

Mr. Chaikin: But aquaculture includes -- over arcs over mariculture. So aquaculture would include mariculture as well.

Mr. Vanderbilt: Okay, thank you. Is there any other comments on these policies, F2a? Where are we?

Mr. Chaikin: Yeah, F2f. What it says here is, "Ensure that farmers have access to land that is affordable and available for long-term lease." I'd like to reword that. Make it a little broader and say, "Support ordinances and policies that keep agricultural land available and affordable to farmers."

Ms. Bosco: I guess my question about that would be, is there anything else besides ordinances and policies that achieves the same thing? Because if there is, we're excluding that. For example, maybe large agricultural landowners could also support keeping land affordable for farmers, but they wouldn't necessarily be under an ordinance or a policy. I don't -- I'm just sort of -- I'm wondering do we wanna broaden it even more beyond ordinances and policies, and just say "Keep agricultural land available and affordable to farmers." It's up to -- It's just -- I'm just --

Mr. Chaikin: Well, I think the conflict is between private landowners wanting to use their land for something that's a little bit more -- gives them a higher return for their money. And so I think that's the battle between the developers and the farmers. So the way you do that is through restrictions, or policies, or ordinances, or something that would prevent them from doing something other than using it for farming.

Mr. Vanderbilt: And I think you have to because it's very difficult. For instance, over in Maui, A&B has all this land, but they're -- they just don't wanna make it available to anybody on a long enough term where you can finance your equipment and everything else because they don't want it to --

Ms. Bosco: Okay.

Mr. Vanderbilt: Well, they need some prodding sometimes. Okay, we're still on F2.

Mr. Chaikin: I wanted to add something here. You know, I think that Maui County really has some of the best ag products in the world, and I think we need to promote that. So I would wanna something like "Support programs that position --"

Mr. Vanderbilt: Where are you?

Mr. Chaikin: Well, I'm just adding another policy statement that says, "Support programs that position Maui County agricultural products as premium products."

Ms. Bosco: Thank you.

Mr. Feeter: ...(inaudible)...

Ms. Bosco: Commissioner Feeter, you wanna use the mic? It's up to you. Okay. Alright, good one.

Ms. DeCoite: F2g, I kinda like what the Molokai GPAC used. How much advisory -- it says, "Establish an advisory body to advise the County on important ag issues." And then the director's recommendation is "Monitor and regulate important ag issues." How much of the advisory would be able to -- what would be the clout on that?

Ms. Bosco: Okay, F2g, were you referring to, "Establish an advisory body to advise the County on important agricultural issues?"

Mr. Vanderbilt: Yeah, that was -- came from the Planning Department.

Ms. Bosco: That is the original draft language too and we broadened it just because it's not just an advisory body that would necessarily advise, but I would say we could keep the original language but add that as an implementing action.

Ms. DeCoite: And add, yeah. Yeah. Can we do that?

Ms. Bosco: Yeah, definitely.

Mr. Vanderbilt: 6023 -- you all finished?

Ms. Bosco: Yes, go ahead.

Mr. Vanderbilt: 6023, it was removed cause it was redundant with Local Culture 5030. So it was the same thing? Does redundant mean --

Ms. Bosco: Hang on. Let me turn to that. Which one was it again?

Mr. Vanderbilt: Local Culture 5030.

Ms. Bosco: 5030? Which reference number on the large matrix? I'm sorry.

Mr. Vanderbilt: There was none. It was just 6023.

Ms. Bosco: 6023, okay, thanks. Yeah, there is a policy under Local Culture that's very similar.

Mr. Vanderbilt: What's it read?

Ms. Bosco: Do you want us to pull it up?

Mr. Vanderbilt: No, just what does it read?

Ms. Bosco: Yeah, we'll pull it up. Hold on. 5030 says, "Perpetuate the authentic character and historic integrity of Maui County's rural communities and small towns."

Mr. Vanderbilt: Is that more of an architectural thing versus -- we're in the economy section.

Ms. Bosco: I see your point. If you'd like to retain it, we can. If the goal of this section is to strengthen the economy, and if the Commission believes that rural communities and their contributions support the local economy, then we'll leave it in. Okay?

Mr. Vanderbilt: I'd like to leave it in -- what the Molokai --

Ms. Bosco: Okay, Julia, can you bring that Policy 5030 back in? Add it.

Mr. Vanderbilt: And I think you really have to look at your local economy. I mean, I keep bringing up Longs Drugs, but if a Longs satellite store came in, David Makami and his family would be out of business because the margins are so small and everything else, and we'd lose a real asset in this community. So it just raises food for thought when you're going through your island or community plans.

Ms. Bosco: So we'll bring that in as a -- we'll bring it back in under F2.

Mr. Vanderbilt: Are there other comments on Section F2? Hearing none, are we ready for a motion?

Ms. Bosco: Okay, I just -- is that the language you want or do you want the Maui GPAC's language because it was slightly different?

Mr. Vanderbilt: No, we wouldn't want the Maui GPAC one.

Ms. Bosco: I mean, I'm sorry, the Molokai GPAC?

Mr. Vanderbilt: Yeah.

Ms. Bosco: You want the Molokai GPAC's language? Okay. Sorry. Okay. Sorry. Julia's gonna do that.

Mr. Vanderbilt: Okay, are there any other comments on Section F? If not, could we get a motion?

Mr. Chaikin: I'll make a motion that we accept F2 and all of the changes that we made to it.

Ms. DeCoite: I second.

Mr. Vanderbilt: Who seconded? Commission Chaikin motion. Seconded by Commissioner DeCoite. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Chaikin, seconded by Ms. DeCoite, then unanimously

VOTED: to accept F2 and all of the changes made as discussed.

Mr. Vanderbilt: Motion carries, five-nothing. Moving on to F3.

Ms. Bosco: "Support a visitor industry that respects the resident culture and the environment." I just wanna make a note that while we're at it, I should've said this earlier, F3i and F3m really should belong under F2 cause they both more closely relate to agriculture and aquaculture. So we may have to come back or we can vote on it now actually as just moving those two implementing actions up to F2. Okay?

Mr. Vanderbilt: Yeah, and we can do that in a motion that we accept these? Okay.

Ms. Bosco: Yeah. Yeah.

Mr. Vanderbilt: So that was F -- which one?

Ms. Bosco: The first two: F3i and F3m. We can move it to the Section F2 above.

Mr. Vanderbilt: Okay.

Mr. Chaikin: On F3j, I would just make it a little bit more clear and say, "Encourage kamaaina incentives and discount programs." Just add the word "discount" so somebody that's not familiar with the language would understand it.

Ms. Bosco: Okay.

Mr. Chaikin: The next one, F3k, this seems like it's come up before and I made the same comment in the past. It says, "Establish clear and predictable permitting process." I would get "predictable," -- take out "predictable," and just say, "Establish clear permitting process"

because it's usually unpredictable in the permitting process what's gonna -- what can happen. So, yeah, just eliminate the --

Ms. Bosco: Okay.

Mr. Vanderbilt: Which one was that, Steve?

Ms. Bosco: F3k.

Mr. Chaikin: And I've got something else to add into F3k. I think it should read, "Establish clear permitting processes and enforcement policies." Let me see. Somehow -- wait a minute. "Establish clear permitting processes and regulations and enforcement policies for transient vacation rentals and bed and breakfast establishments."

Mr. Vanderbilt: Could you just put "and enforcement regulations?"

Mr. Chaikin: Yeah.

Mr. Feeter: Comment.

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: Doesn't permitting imply enforcement?

Mr. Vanderbilt: No.

Ms. Bosco: No.

Mr. Vanderbilt: The permitting section in the County is -- well, Nancy's shaking her head because they have a permitting department and they have an enforcement. They're two different agencies within the County, and they have two different rules operating.

Ms. Bosco: I just wanna note, and we're gonna get there later, but there is a policy under the Good Government section, Policy K4a that speaks to enforcement, but it's a -- it would be applied more broadly under the Good Government section. So keeping it in this policy ties it specifically to bed and breakfasts and vacation rentals. Okay? Can we get a two-minute break? Five-minute break? Three-minute, whatever, for Julia? She needs just a fast break.

Mr. Vanderbilt: Okay. Alright, we're gonna take a ten-minute break and come back at five after three.

Ms. Bosco: Alright, thank you.

(A recess was taken at 2:53 p.m., and the meeting reconvened at 3:03 p.m.)

Mr. Vanderbilt: Alright, I'm hoping Mikiala might come back, but if she doesn't, Lynn has to leave at 4:20? Four. She's gonna leave at 4:00. So let's go.

Ms. Bosco: We're gonna jam. We can do it. The next section's easier. Okay, we're still on F3, visitor industry. We have a few changes. Anything else?

Mr. Vanderbilt: What are we on? F?

Ms. Bosco: We just got done changing F3k.

Mr. Vanderbilt: I would like to leave in the original F, 6027.

Ms. Bosco: Okay, 6027, would you like --

Mr. Vanderbilt: The Molokai GPAC.

Ms. Bosco: Okay, so Molokai GPAC's recommendation includes the word "spiritual." Is that what you would prefer?

Mr. Vanderbilt: Yeah, so does Maui.

Ms. Bosco: Right, it came from Maui, actually. And then Molokai GPAC adopted Maui's language.

Mr. Vanderbilt: And I'd say that the current community plan has a similar -- it has, "To control the development of visitor facilities so that it does not infringe upon the traditional, social, or economic environmental values of our community. That's in the current community plan. So this is very similar to that.

Ms. Bosco: Lanai actually broadened the statement to say, control development of industries so that they respect our traditional, social, economic and environmental values. It's just a thought. I mean, they broadened it so that it would apply to all industries.

Mr. Vanderbilt: Well I would put, "Control the development of visitor facilities and other industries."

Ms. Bosco: Okay. If we do that, you might wanna move it to F4 because this section only deals with the visitor industry.

Mr. Vanderbilt: Then leave it as -- I mean, it's a strong statement that's in the current General Plan so I don't know why they would take it out.

Ms. Bosco: Oh, it's a good statement.

Mr. Vanderbilt: And it's under Economy Activity in the current General Plan.

Ms. Bosco: Right. No, it's ...(inaudible)...

Mr. Vanderbilt: So I would leave it just as Molokai.

Mr. Chaikin: When I read it, it sounds like a lot like F3e.

Mr. Vanderbilt: F3 -- well, it's hard to -- whose alphabet are we using?

Ms. Bosco: F3e has a different intent. And where this comes from is there was a lot of discussion about the Maui GPAC about where is the visitor industry going, what's the future of it, and can it evolve, can it diversity, can it change, can it integrate with the local culture better. That's the intent behind F3e. Okay? Whereas f, the other one that we just added, is more about protecting the local culture from the negative impacts of the visitor industry.

Mr. Vanderbilt: Well, you know the current General Plan which was done in 1990, all of the objectives and policies discourage, limit, control development of the visitor industry because it was already a problem back there. I don't see a whole lot of those same adjectives here even though the visitor industry is continuing to push itself into -- you know, at a time when we're trying to diversify, it's still moving along, and it has this element of timesharing now, and all so --

Unidentified Speaker: ...(inaudible)...

Mr. Vanderbilt: Yeah. But on one hand we say diversify our economy, and then we continue to just say, as long as you do this, we'll support you. Oh, excuse me.

Mr. Feeter: Is it time for a motion?

Mr. Vanderbilt: Yeah.

Mr. Feeter: Okay, I move that F3 Objective and the following with the changes we made be approved.

Mr. Chaikin: Second.

Mr. Vanderbilt: And could that amendment include moving F3i and F3m into the F2 section?

Ms. Bosco: It includes it.

Mr. Vanderbilt: Oh, it does? Okay. That was a friendly amendment, right?

Ms. Bosco: It's noted here in --

Mr. Vanderbilt: Oh, excuse me. I'm sorry. Okay, is there any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Feeter seconded by Mr. Chaikin, then unanimously

VOTED: that F3 Objective and the following with the changes made be approved as discussed.

Mr. Vanderbilt: Motion carried, five-nothing. We'll move on to F4.

Ms. Bosco: Thank you. Okay, so now this is kinda why I brought up the earlier point about that policy. Lanai did something really great here. And I just kinda wanna show you what they did because --

Mr. Vanderbilt: On the objective?

Ms. Bosco: On the objective and the supporting policies because it's so redundant. You've got support this, support that, support, so, you know, on and on. And what Lanai did is actually made a broader general policy statement. Okay? And Julia's gonna show that to you now. See if it makes sense for you. They removed all of those separate policies, turned them all into implementing actions, and then created a very broad policy statement, "Support emerging industries including, but not limited to --" Okay, and that's an implementing action statement, and the one above it, which is very similar to the earlier one, states, "Encourage the development of emerging industries that are environmentally sustainable and do not infringe upon the traditional, social, and economic values of our community." And then they also changed the objective statement to tie it to a living wage. Instead of what it reads now, it promotes high-paying jobs. So that's food for thought for you guys, if you wanna alter it.

Mr. Vanderbilt: Now where are they? Where's that little thing that goes around and points to where you are on there? You have an arrow? Cursor?

Ms. Bosco: Where's your cursor, Julia? What do you wanna show?

Mr. Vanderbilt: Alright, they put those in an implementing, and then that top one, "Encourage the development of emerging --"

Ms. Bosco: That's the policy.

Mr. Vanderbilt: And where did they do the living wage?

Ms. Bosco: That's on top of the -- it's in the objective. See that? "Expand economic sectors to increase living wage job choices" instead of "Expand economic sectors that provide high-paying jobs and are environmentally sustainable." The "environmentally sustainable" word is in the policy.

Mr. Vanderbilt: So what is -- oh, that's in the objective, the "Expand --"

Ms. Bosco: So you can see how they changed it.

Mr. Vanderbilt: Now, is the objective -- is that assuming that as appropriate for each island community?

Ms. Bosco: Yes, it is.

Mr. Vanderbilt: Okay, I just wanted to get that on the record. Because in the "Encourage the development of emerging industries," it says "our community." So I'm assuming the objective is applicable to the local community.

Ms. Bosco: Oh, under the -- you mean the policy statement there?

Mr. Vanderbilt: The policy statement said --

Ms. Bosco: "Our community --"

Mr. Vanderbilt: It ties it back into the values of our community --

Ms. Bosco: That's right. Oh no, yeah, that's --

Mr. Vanderbilt: Whereas above it just says, "Expand economics to increase living wage job choices." Well --

Ms. Bosco: That's right. The objective statement is intended to apply to, you know, the whole entire County, whereas the policy statement can be more refined in each community. That's why you see a language of "our community."

Mr. Vanderbilt: Okay, thank you. I sort of like what Lanai did.

Mr. Chaikin: I was gonna point out that they kinda changed the meaning a little bit of what they were trying to portray. Basically, you have some industries that can actually offer pretty good wages. You know, somebody that can make more than a living wage. I don't know what a living wage means, but it could be kinda of a, you know, down there in the scale a little bit. What they were trying to do is point out some industries where people could come out over here and make a pretty good living in some of these industries, the ones that they listed over there, and so I think that's what they were trying to point out is, hey, these are some industries where people could make some, you know, some pretty good bucks. And then they just tweaked it a little bit. I mean, it's still kind of there, but it -- I don't know. It's okay. I mean, I'd go either way.

Mr. Bosco: You make a very good point. The intent of the original objective statement was to increase the number or to maintain or expand on the number of high-paying jobs or jobs that can -- where you can make a better living assuming that we can't retain those kinds of jobs now. Like we may not be able to -- I mean, there aren't as many let's say, you know, well, there aren't as many high-paying jobs here. So the professionals will come here and they may or may not be able to compete with the kinda standard of living that they know, they expect, or they'll leave. They'll just -- so that was the intent behind that. So we could -- I don't know, we could tweak it even more if you guys wanted to go in that direction.

Mr. Feeter: A comment? The U.S. Census Bureau, they don't use the word "living wage." They use the term, "median household income." And I think that's a -- that would be possibly, the better term than -- as Lanai, they left out "high-paying." In other words, what I'm saying is "high-paying" is really not a reasonable definition for this island. High-paying would be what Peter Nicholas gets or somewhere in the three hundred thousand-dollar bracket: a radiologist or a financier. But the median wage is something that's accountable. It's a -- so I would again, concur with the Lanai thinking on that. They used "living wage," and that would fit this island.

Mr. Vanderbilt: Yeah, and I think that we need to define "living wage."

Ms. Bosco: Okay.

Mr. Vanderbilt: And of course on Molokai, they had "Support --" what did they have? Oh, "Support emerging economic sectors in all industries as supported by the community

plans.” I mean, you know, you may get situations that are high-paying jobs. I guess if it wasn’t something that the community wanted, it would be something that infringed on the traditional. So it was covered in there. Okay.

Mr. Chaikin: I kinda, you know, like that thing that you brought up. You know, what you’re trying to do is you’re trying to get the whole population to kind of get a higher median income. That way we can actually afford housing and stuff. And so I don’t know. Cause I don’t know what a living wage is, it seems like it’s almost more descriptive to let’s try to increase the medium wage of the County or whatever by, you know, utilizing some of these more lucrative economic sectors.

Mr. Vanderbilt: I don’t think you can use the median income because, for instance, if you take -- our median income now is about \$42,000 for a family of four. But if you brought in 200 millionaires that were making \$200,000 a year -- we have 2,300 families. If you added 200 that were making two or three hundred thousand, it would increase that median income to seventy-something thousand, but nobody -- none of the working people would’ve increased. So it’s really a funny number.

Mr. Chaikin: But we’re talking about Maui County, so, you know, it all kind of averages out, right? I mean, we’re gonna get more -- I don’t know. It seems like it would go up if you got better paying jobs around here.

Mr. Feeter: Well, actually, I have some figures here. In September of 2007, it said Hawaii’s median household income is \$61,160.

Mr. Chaikin: That’s for a family of four, right?

Mr. Feeter: It just says “medium” -- “median household income.” Now, median family income is \$70,277.

Mr. Vanderbilt: Well, we can’t --

Mr. Feeter: And I frankly -- I don’t know what a median family income is. I presumed that there’s more on ...(inaudible)...

Mr. Vanderbilt: Well on Molokai right now, the median income on West Molokai is about \$44,000 in the last census. And it’s \$40,000 on the East End or visa versa. I don’t know what it is. And on Maui, it’s \$67,000, I think.

Ms. DeCoite: Then just add “in each community.” Based on each community -- community income.

Mr. Vanderbilt: I think we do "living-wage" and then -- I think everybody -- you need to increase living-wage job choices.

Ms. Bosco: You could add something to that so that it broadens it. Lynn had said, "in each community."

Ms. DeCoite: Yeah, "living-wage job choices," yeah, "as appropriate in each community," because like Molokai is a perfect example. I mean, it's hard to get good jobs, and based on what is available and on growth-wise.

Mr. Vanderbilt: Well, it really is in Maui too. I mean, on Molokai they say you need the development to get the jobs. And on Maui, they got so many jobs, but they're not a living-wage. And everybody's leaving and moving to the Mainland so they can buy a house.

Ms. Bosco: I was gonna suggest adding --

Ms. DeCoite: Or the other option would be welfare, and they got a better living-wage than the average -- you know. I mean --

Ms. Bosco: I was gonna add -- I was gonna suggest we could add something like after "living wage job choices," "and expand --" well, you could either say, "and improve quality of life," or you could say something like, "increase --" well, you wanna tie it not just to a living-wage is what I'm getting at.

Mr. Chaikin: Well, I think that the word "improve" is good. Maybe if we take "increase" and put "improve" there, then it will encompass a multitude of different things. We could say "to improve living-wage job choices."

Mr. Vanderbilt: To define living-wage.

Ms. Bosco: Okay.

Mr. Vanderbilt: Okay, are there any other comments on F4? I mean, F -- the policies under there? F -- where are they? Where are we on this?

Ms. Bosco: Okay, did you vote to remove all of the F4a through j, and then turn them into the implementing action statement there? You guys are okay with that? That's what I understood anyway.

Mr. Vanderbilt: Okay, so F -- where are we? Are we -- oh, on the backside. Okay, we got three on the backside: F3i and F3j.

Ms. Bosco: We're okay. We're done.

Mr. Vanderbilt: What's on this back page here? Page 6, is that --

Ms. Bosco: That's still part of -- that was brought forward here in the worksheet. If you look at the director's recommendation, that's all up in there. They just basically enumerated each industry. So F3i is up there. F3j is up there. 6043 --

Mr. Vanderbilt: Okay.

Ms. Bosco: Is up there too. It's just changed.

Mr. Vanderbilt: Alright. Are there any more comments on this section? If not, we can maybe have a motion.

Mr. Chaikin: Just one question.

Mr. Vanderbilt: Commissioner Chaikin?

Mr. Chaikin: Did all of them get moved over?

Ms. Bosco: And also we added "agritourism and ecotourism," because that's what Lanai added. So please note that those two are new.

Mr. Chaikin: So they dropped "Support other emerging --"

Ms. Bosco: We dropped that cause that's --

Mr. Chaikin: Okay. Alright.

Ms. Bosco: Yeah, we dropped that. Yeah.

Mr. Vanderbilt: Okay.

Ms DeCoite: Wait, I kinda lost. What you said? F3i came forward?

Ms. Bosco: Yeah.

Ms. DeCoite: Back to Page 6 because -- where they got moved to?

Ms. Bosco: Okay, let's go down. Let's look for it.

Ms. DeCoite: Because under F3i we got ag. And then --

Ms. Bosco: "High technology." And see the fourth bullet point from the bottom, "High technology and knowledge-based industries?"

Ms. DeCoite: Oh, okay. I'm sorry. Got it. Got it.

Mr. Vanderbilt: ...(inaudible)...over or not?

Ms. DeCoite: She did already.

Mr. Vanderbilt: Oh.

Ms. DeCoite: Okay, I'd like to make a motion to accept the F4 and all its amendments.

Mr. Vanderbilt: Is there a second? Second Commissioner Feeter. Is there any discussion? Commissioner Feeter?

Mr. Feeter: Does this include the Lanai wording?

Mr. Vanderbilt: Yes.

Ms. Bosco: Yes.

Mr. Feeter: Oh, I re-second it.

Mr. Vanderbilt: Okay. Any discussion? Oh, you don't like the Lanai wording?

Mr. Feeter: No, I like it.

Mr. Vanderbilt: Oh, he likes it? Okay. No more discussion. You were saying a`ole to no more discussion. Okay. A`ole gets used a lot in this community. Alright, so anyway, no more discussion.

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Feeter, then unanimously

VOTED: to accept F4 and all its amendments as discussed.

Mr. Vanderbilt: Motion carries, five-nothing.

Ms. Bosco: Thank you. Awesome. Okay.

Mr. Vanderbilt: Good Governance, right?

Ms. Bosco: Yep.

Mr. Vanderbilt: I can't find my Good Governance.

Ms. Bosco: Alright, we're on the goal statement.

Mr. Vanderbilt: Okay. Commissioner Feeter, he's so organized over there. Okay. Alright, now we're gonna hit this last section, and it's Strive for Good Governance. We'll start with the Goal K.

Ms. Bosco: Okay, "Government services within Maui County will be transparent, effective, efficient, and responsive to the needs of its citizens."

Mr. Vanderbilt: Excuse me. What happened to the Molokai and Lanai?

Ms. Bosco: Well, we brought that language down to -- if you look below --

Mr. Vanderbilt: To where?

Ms. Bosco: Let's see, where is it? It's down below. I gotta find it. It's brought down. It's not lost. Hold on here.

Mr. Vanderbilt: Well, I -- you know, and I think it says in the last section, the last statement of the current plan, "All County laws shall be consistent with the intent of the General Plan," which includes the community plans. And I think that's been one of the problems till now that none of the government officials take any of these plans seriously. They call them a guide when they want to, and all of this. So I think that language in there is very appropriate.

Ms. Bosco: Okay, take a look at K3e.

Mr. Vanderbilt: K what?

Ms. Bosco: K3e. It's right there. You'll see it. K3e. It's under the third objective, "Ensure laws, policies, and regulations are internally consistent and effectuate the General Plan." It's also 4027.

Mr. Chaikin: That says something different.

Mr. Vanderbilt: Yeah, I like -- I just want -- it's responsive to the needs of the citizens. And one of the major needs -- and there's a ton of needs listed in the community plans and the General Plan and I think that -- that just gives these documents that we're gonna be working on, the significance they need instead of being dropped down into 3G, K, F down on page 43 or something. So I'd like to --

Ms. Bosco: You'd like to bring it back?

Mr. Vanderbilt: Yeah.

Ms. Bosco: Okay.

Mr. Vanderbilt: Commissioner DeCoite? Commissioner Chaikin?

Mr. Chaikin: Yeah, Objective K1, I just think that it could be worded better. There doesn't seem to be any particularly -- there doesn't seem to be any order, any kind of a -- I don't know. I'd change the wording to "Strengthen inter-departmental and inter-governmental interaction through effective communication, collaboration, planning, and decision-making." Took out a couple words. I don't know. Maybe they should be put back in. I don't know.

Mr. Vanderbilt: Commissioner Chaikin, could I just ask a question of staff what inter -- what are we?

Ms. Bosco: Well, this is intended to include --

Mr. Vanderbilt: Are we inter-governmental?

Ms. Bosco: Yeah, you are. You're part of it. You're an agency. It also includes State and Federal. I mean, it's intended to improve -- well, inter-governmental, anything that's an agency, a governmental agency, really.

Mr. Vanderbilt: Couldn't we put "Strengthen the planning communication --" blah, blah, blah, "among County agencies and inter-governmental agencies?" "Strengthen planning, communication, coordination, consensus building and decision making among County agencies and inter-governmental agencies."

Ms. Bosco: Yeah, you could say that.

Mr. Vanderbilt: Because the Planning Department's an agency. All the departments are agencies, and all the boards and commissions are agencies, aren't they?

Ms. Bosco: Right. Okay, “Strengthen planning communication, coordination --“ wait, wait. It’s actually “Strengthen communication, collaboration, planning, and decision-making.” We can change the order, if you want.

Mr. Vanderbilt: “Among --“

Ms. Bosco: “Among --“

Mr. Vanderbilt: “County agencies --“

Ms. Bosco: “County agencies--“

Mr. Vanderbilt: “And inter-governmental agencies.”

Ms. Bosco: “County and inter-governmental agencies.” Is that right? The second one down?

Mr. Vanderbilt: You could take out the “agencies” after “County.” “County and inter-governmental agencies.” Commissioner Chaikin?

Mr. Chaikin: Yeah, I was just -- yeah, I think that’s good. I would just get it in some kind of a logical order. I was just thinking the first thing you do is communicate, and then you try to coordinate, and then you try to build consensus, and then you can plan, and then you can do decision--making, or some kind of a logical order of some sort.

Mr. Vanderbilt: So if you move “planning” to after “consensus building --“

Ms. Bosco: Right.

Mr. Chaikin: Something like that.

Ms. Bosco: “Consensus building”, comma. Go to “consensus building,” comma.

Mr. Vanderbilt: “Planning --“

Ms. Bosco: “Planning.”

Mr. Chaikin: And I like “collaboration” better than “coordination.”

Ms. Bosco: Okay, change “coordination” to “collaboration.” Thanks.

Mr. Feeter: A comment?

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: I'd like to see "community involvement" interjected there or injected. That's in keeping with the Mayor's concept of community involvement at the present time.

Ms. Bosco: Okay, we can do that. We also have several policies and also Objective K2. Take a look at that.

Mr. Vanderbilt: Do we -- I think Commissioner Feeter brings up a good point about everything's community-based. Is there some other policies down here or other objectives?

Ms. Bosco: Yes, there is. It's just that an objective statement is measurable. So the only way we really know we're needing it is -- I think it's good to include it because then we can measure how well we're doing, how well we're implementing a policy. See what I mean? So let's go up to K1 again. And the word "consensus building" does get to community involvement, but if you wanna add that word "community participation," we can. So you know --

Mr. Feeter: Yeah, I'd like to see that, "community involvement."

Mr. Chaikin: Yeah, we can put the "community" in front of "consensus building."

Ms. Bosco: Yeah, "community --"

Mr. Chaikin: "Consensus building." Does that make sense or --

Ms. Bosco: It should really be --

Mr. Feeter: Well, you could say "holistic community involvement."

Ms. Bosco: You can say -- you can keep -- just keep the word "community involvement" or "community participation," either one.

Mr. Vanderbilt: Cause I think it says "Strengthen community involvement." I think it really -- it needs to be strengthened like Commissioner Feeter was suggesting.

Ms. Bosco: Okay. So is that good?

Mr. Vanderbilt: So where are we now?

Ms. Bosco: We're now looking at the policy statements under K1. We just changed K1.

Mr. Vanderbilt: Okay. Are there any comments on K1a through K1e?

Ms. DeCoite: Mr. Chair?

Mr. Vanderbilt: Commissioner DeCoite?

Ms. DeCoite: K1f.

Mr. Vanderbilt: Okay.

Ms. DeCoite: "Expand decision-making and discretionary powers to ensure the protection of native natural resources and native Hawaiian rights."

Ms. Bosco: Can you say that again? I'm sorry.

Ms. DeCoite: "Expand the decision making and discretionary powers to ensure the protection of native natural resources and native Hawaiian rights."

Mr. Vanderbilt: Could we just take the Molokai GPAC where it says "at the community and district level" also? Could we do the GPAC? The Molokai GPAC?

Ms. Bosco: Oh, the Molokai GPAC was --

Mr. Vanderbilt: "Expand decision making and discretionary powers at the community and district level while ensuring --"

Ms. Bosco: Okay, I just want to just make sure the Commission understands what this could mean and just to inform you, discretionary power is like your body. So if you were to expand discretionary powers, it opens the door for the creation of new bodies, new decision-making bodies that have discretionary powers at the community level. The positive of that for you guys is it empowers the community more. The drawback of that is that it's an extra layer of bureaucracy that the people have to go through. And at a Countywide level, I'm not sure that it's the best policy. At the community plan level, I would think it is, but it does really -- I mean, an advisory power is not as authoritative, you know. A discretionary power is, you know, that's like an appointed body. And district level, that's a whole different level of government. We don't -- I mean, especially, discretionary district level planning, it's creating a different structure of government ...(inaudible)...

Mr. Vanderbilt: Okay. Alright, if we don't put that in there, the director, on the back page on K1e, has said, as a policy statement, he includes as a separate: "Expand decision making and discretionary powers at the community and district level."

Ms. Bosco: Right.

Mr. Vanderbilt: So that could apply to all the policies.

Ms. Bosco: Yeah.

Mr. Vanderbilt: Yeah. So we could leave K1g, K1f, and as long as we're gonna leave K1e in there, right?

Ms. Bosco: Well, I'm just -- it's a discussion. I mean, K1e comes -- if you look at the large matrix, it comes from K1f. It was just improperly separated.

Mr. Vanderbilt: But it's in there, right? The director recommends that it be in there.

Ms. Bosco: Yeah.

Mr. Vanderbilt: Okay.

Ms. Bosco: I don't think -- so I would remove K1e for starters, and then I would discuss whether you really want --

Mr. Vanderbilt: Well, no, no, no, no, no. Why would you wanna remove K1e?

Ms. Bosco: Because it's in K1f right now.

Mr. Vanderbilt: Well, take it out of K1f, and just leave K1f like it is.

Ms. Bosco: Okay.

Mr. Vanderbilt: "Ensure the protection of native --" and then we can -- and then, see, that leads us into K1e. And ensuring the protection in our community plan, we're gonna try to get things down to the community level.

Ms. Bosco: Okay. So any further discussion on K1e?

Mr. Vanderbilt: No.

Ms. Bosco: Okay.

Mr. Vanderbilt: Is there any more discussion on K1 through -- and the policies? Commissioner Chaikin?

Mr. Chaikin: Yeah, on K1c where it says "promote information sharing," I'd rather say "promote information availability and exchange."

Ms. Bosco: "Availability and exchange." Thank you.

Mr. Feeter: Yeah, comment?

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: On -- it could either be K1e or K1f. I'd like to interject in that that the -- it can't be a select part of the community. It has to be a cross section of the leaders of a given community, and again, the meetings or any -- well, let's say meetings should be open to the public.

Mr. Vanderbilt: On which one is that, Bill?

Mr. Feeter: Well, it could be your K1f or K1 -- what did I say? E?

Mr. Vanderbilt: And "open meetings?" Alright, could we put in "Encourage the State to improve its community involvement process?"

Ms. Bosco: K1e can be -- to incorporate his comment, you could keep it the same way: "Expand decision making and discretionary powers at the community and district --" or you could say "at a broad community and district level," or you can somehow using the "broad," or "cross section," "the broad cross section of the community," and incorporate that somehow.

Mr. Feeter: Yeah, I think "cross section" implies -- you could use "consensus" or I like "cross section" better, actually.

Mr. Vanderbilt: Bill, oh, okay, you're doing on the cross section of members, right?

Mr. Feeter: Yes, but my point is that not to single out a given select part of the community. I think that's extremely important. And along with that by the same token, you have a cross section of the community and -- which represent at a given meeting or, you know, say "meetings" need to be open to the public.

Mr. Vanderbilt: And I think up there in Kc2, Bill, if we say "Ensure adequate opportunities for all members of the public to participate in government through forums open to the

public,” would that help out on that? Kc2 – K2c, “Ensure adequate opportunities for all members of the public to participate in government through forums open to the public.”

Mr. Feeter: Yes, that covers it.

Ms. Bosco: Through “forms” or “forums?” Which word were you using?

Mr. Feeter: But I would like to get in there somewhere that government cannot be a select part of the community. And maybe we can add that to 2Kc, “adequate opportunities for all members,” which would imply, I guess, not a select part. So 2c – K2c is a good compromise.

Ms. Bosco: Thank you. Mr. Chairperson, staff over here would like to comment too.

Mr. Vanderbilt: Yes, Nancy?

Ms. Nancy McPherson: Hi. Staff Planner McPherson here. I just would ask you to please not include any wording that would preclude us at the community plan level from doing an ahupua`a-based management. So that would actually be people more at the local level that are residents of that ahupua`a being involved in the management of their resources. So that’s kind of geographically-based. It would not necessarily be open to any one cross section of the island population just to support traditional cultural and locally-based management processes. So I would just ask that you not make it too limiting, if possible. Thank you.

Mr. Vanderbilt: Okay. Any other discussion on the K2 section?

Ms. Bosco: We’re on K1, but we can also do K2.

Mr. Vanderbilt: Oh, we are?

Ms. Bosco: We can keep going, and vote them together.

Mr. Vanderbilt: We haven’t voted on K1 yet?

Ms. Bosco: No. We can or keep going.

Mr. Vanderbilt: Do we have a motion for K1?

Ms. DeCoite: I’d like to make a motion to accept K1 and its amendments.

Ms. Bosco: And the goal?

Ms. DeCoite: And the goal.

Ms. Bosco: Okay.

Mr. Vanderbilt: Is there a second? Motion by Commissioner DeCoite, second by Commissioner Napoleon. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Napoleon, then unanimously

VOTED: to accept K1, all its amendments, and goal as discussed.

Mr. Vanderbilt: Motion passes, five-zero. Alright now, we're hitting K2?

Ms. Bosco: You wanna make a motion on K2? Now, I want to just bring your attention to K2k. K2k is "Study and evaluate the feasibility of authorizing County governments in Maui County." It's just an implementing action. It opens the door to just study it. I had actually recommend -- got a similar language for K2j. K2j reads, "Implement district voting in Maui County." It's up to the Commission how they feel about that, but you could also change it to "Study and evaluate district voting in Maui County," so we can actually look at if it's possible. It's just a thought.

Mr. Vanderbilt: Well, the only way you can implement it is if the Council approves it. So you got -- that's a change to the Charter.

Ms. Bosco: Yeah. So it's just a thought.

Mr. Vanderbilt: So I don't know what Corp. Counsel thinks about that. I mean, is it "implement?"

Mr. Hopper: Implement what again?

Mr. Vanderbilt: "Implement district voting in Maui County." That's a Charter change. It would have to be approved by the voters.

Mr. Hopper: Yeah, you have to change the way it's done. And as it's come up in Lanai and Molokai, district voting would -- you still have to require one person/one vote per district. So that would mean you either have really tiny districts, or something like Maui -- or Maui would be, you know, have a few districts. And Molokai and Lanai and other areas would have to be combined. Perhaps other areas would have to be combined and have basically have one member. That's why right now it's done at large basically, although you

have members that are from certain communities, but technically, they're voted on by everybody. That's so that you don't have people's votes diluted.

Mr. Vanderbilt: Well, all three GPACs went for it.

Mr. Chaikin: So what was the upshot of that? I mean, is that something we can have in here or --

Mr. Vanderbilt: Yeah, we could.

Mr. Chaikin: Cause I, you know, I, you know, that's something I had thought about too: the whole voting thing. And I said, you know, I had written down that how can we increase the opportunity for the community to participate in land use decisions via voting or via democratic process of some sort. And I don't know if that's something that should be going into a plan or not. I don't know.

Mr. Vanderbilt: Well, I think we -- somewhere we put more discretionary powers at the community level somewhere in there earlier.

Mr. Chaikin: But kinda pushing that towards -- see, the way it works now, land use decisions are made by politicians. They're often motivated by things other than what's best for the community like getting elected next time, or raising funds, or what have you. The community would vote for whatever the community wants.

Ms. Bosco: Isn't that referendum voting? Voting by a referendum?

Mr. Chaikin: I'm not sure. That's why I'm just throwing it out there. I mean, I don't know. But just general land use decisions on major projects, is that something -- I don't know. I'm just throwing it out there.

Mr. Vanderbilt: Well, I think we have that K1e says "Expand --" it doesn't what kind of decision making, but it's "Expand decision making and discretionary powers at the community and district level." And then we can take it into our community plan, and say, you know, we'd like more say. Public hearings on subdivisions right now. You can have a major subdivision come in here and we never even hear about it. It's all done over at Maui County.

Ms. Bosco: It opens the door for that opportunity, yeah. K1e does, yeah. Okay, so are we done with K2j? I'm just curious. Did you wanna keep it like it is, or did you wanna consider changing it to "Study and evaluate the feasibility of district voting in Maui County?"

Mr. Vanderbilt: No. It's been -- I'd leave it like that. And let's let it go to the Council and let them argue it out there because then I think everybody sort of wanted it.

Ms. Bosco: Okay. Alright. And K2h, we would recommend including the word "natural disasters." K2h reads, "Improve public education about preparing for natural hazards and evacuation plans." If we added "hazards and disasters," or "hazards," comma, "disasters and evacuation plans." How's that?

Mr. Vanderbilt: Okay.

Mr. Feeter: Chair?

Mr. Vanderbilt: Commissioner Feeter?

Mr. Feeter: Can we -- actually, a comment on K2h. Again, I mentioned that we had a disaster preparedness last week in the community. It was very well done. And the press was there and it'll be in the paper. And so I think that's fine. Going back to K2, yeah, K2k, "Study and evaluate feasibility authorizing town governments," instead of saying "in Maui County," would it be appropriate to say, "on Lanai and Molokai?"

Ms. Bosco: This is at a Countywide level. I don't think we're -- the intent of the entire Countywide Policy Plan is to apply to all three islands. So I would reserve that for the community plan update. We can recommend here that the Molokai Planning Commission would like to reserve this for the community plan. We can say that, but if we keep it the way it is now, we can't exclude Maui. We can't. That's not the purpose of this at this level. If you wanna keep it at the Molokai Community Plan level, we can remove it from your draft, and recommend it for the community plan.

Mr. Feeter: Yeah, that's kinda what I had in mind. And actually, what I would really like to see is an ombudsman program for this island. And that -- correct me if I'm wrong, but would that be maybe an appropriate other category where we have a resident full-time ombudsman here to deal with things that certain circumstances and issues that come up that need immediate action that --

Mr. Vanderbilt: But, Bill, I think on K1e again it says, "Expand decision-making and discretionary powers at the community level." So I think when we get to our community plan, we can get specific and say we would like an ombudsman, but this general policy statement gives us that ability to customize our local government. It's good that you brought it up on the record so when we get to the community plan, this record is going to be very helpful to whoever is looking at it.

Mr. Chaikin: "Encourage civic engagement throughout the County government." "Civic engagement" just doesn't sound like a very user-friendly word. I would rather say, "Encourage public participation throughout County government."

Ms. Bosco: Thank you. Good.

Mr. Chaikin: And then I would like to -- I would like to add another policy statement in here. If we're going to have the public participating, they have to be able to get relevant documentation. So I would put in policy that says, "Facilitate the community's ability to obtain relevant documentation."

Mr. Feeter: Yeah, question.

Mr. Vanderbilt: Yes, Commissioner Feeter?

Mr. Feeter: When you mean "relevant documentation," quality, pertinent, documented --

Mr. Vanderbilt: Yeah.

Mr. Feeter: Testimony, not just emotional outburst.

Mr. Vanderbilt: No, no. I think -- I think what he's saying is that -- that when a meeting's coming up and there's important documents that the public should be able to have access to those so they can prepare for the meeting and then we'll get more constructive stuff than --

Ms. Bosco: Definitely.

Mr. Feeter: Yeah, I understand.

Ms. Bosco: Yeah.

Mr. Vanderbilt: Okay, anything else on K2? Hearing none, do we have a motion? Commissioner Feeter, you have --

Mr. Chaikin: Let her just finish getting that one up there.

Mr. Vanderbilt: Huh?

Mr. Chaikin: Let her finish and make sure she gets it up there right.

Ms. Bosco: There you go.

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay?

Mr. Vanderbilt: Do we have a motion?

Ms. DeCoite: I make a motion to accept K2, K2a through K2h, and its amendments.

Mr. Vanderbilt: Moved by Commissioner DeCoite. Is there a second?

Mr. Feeter: I'll second.

Mr. Vanderbilt: Second by Commissioner Feeter. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms DeCoite, seconded by Mr Feeter, then unanimously

VOTED: to accept K2, K2a through K2h, and its amendments.

Mr. Vanderbilt: Motion passes, five-zero.

Ms. Bosco: Okay, K3, looks like we're trying to get through everything.

Mr. Vanderbilt: Okay.

F. DIRECTOR'S REPORT

- 3. Request from the State Office of Planning to conduct a workshop in January 2008 on the Coastal Management Law, Chapter 205A, Hawaii Revised Statutes. The Commission may decide on a date to have the Office of Planning conduct the workshop.**
- 4. Public Hearing on Council Resolution containing Superstores Bill scheduled for December 12, 2007.**

Mr. Yoshida: Mr. Chair?

Mr. Vanderbilt: Yes?

Mr. Yoshida: If we lose Commissioner DeCoite at four and, therefore, we lose quorum, can we discuss, it's about 3:48 right now --

Mr. Vanderbilt: Okay.

Mr. Yoshida: Can we discuss some scheduling matters so --

Mr. Vanderbilt: Like what would you like to -- yes, we can discuss that. What do you have on your mind here?

Mr. Yoshida: Under Director's Report, Item F.3., the request from the State Office of Planning to conduct a workshop in January on the Coastal Zone Management Law, Chapter 205A, Hawaii Revised Statutes. This is a request from Doug Tom, Program Manager with the State Office of Planning. He has conducted workshops for the Lanai Planning Commission on November 7, and for the Maui Planning Commission on November 13. So we're looking possibly at the first meeting in January. Your first meeting in January - January 9.

Mr. Vanderbilt: Is there -- January 9 okay with everybody? I don't wanna -- we had him here before. We've moved to get our SMA boundaries expanded. I don't want him coming over unless we have a full understanding of exactly where we are in the process since the last time he came. So I would like, before they come, to have a written report to this Commission saying here's what we've done as far as moving forward with trying to expand the SMA boundary on Molokai. We've got nothing. We've had this on the agenda. We've had them and -- and it just seems to go around and around and waste everybody's time.

Mr. Yoshida: I believe when the Commission was considering its review of the Laau Draft EIS, Thorne Abbott did submit a status report, but that probably was back in January or February, so we could probably ask him to provide a status report of the --

Mr. Vanderbilt: Yeah, and I'd like -- I'd like the letter that our Commission sent to the director initiating the expansion of the SMA boundary process. The process -- there's a certain process, our Commission voted on it, we followed it, we were told it would take about eight months, and that was three or four years ago. So I, you know, I'd like to bring some closure to this because the community's laughing at us. It came up at the Laau meeting. I mean it's always coming up and it's something that's an implementing action in our community plan. We initiated the process and it just sort of got waylaid at the County level. So I'd like to get a update if we could prior to him coming so if you can do that by the 9th, we can have it on the 9th.

Mr. Yoshida: Oh, the written report from the department --

Mr. Vanderbilt: Yeah.

Mr. Yoshida: On a status update?

Mr. Vanderbilt: Yeah.

Mr. Yoshida: I think we could that.

Mr. Feeter: Question.

Mr. Vanderbilt: Question. Commissioner Feeter?

Mr. Feeter: Yeah, Clayton, thank you. This is the State of Office of Planning and who's --

Mr. Yoshida: That is correct.

Mr. Feeter: Who's the director in the State Office of Planning now?

Mr. Yoshida: There is no director because Laura Thielen was appointed to be the head of the Department of Land and Natural Resources. The acting head is Marylou Kobayashi, Planning Program Administrator, but she's not the director.

Mr. Feeter: Would she be the presenter?

Mr. Yoshida: No, the presenter will be Doug Tom, the Program Manager for the Coastal Zone Management Program.

Mr. Feeter: And that's the one that DeGray speaks of?

Mr. Vanderbilt: No, no. He's been around for a long time. He knows all the --

Mr. Feeter: Okay, so he did the last presentation?

Mr. Yoshida: Doug has been around since the inception of the Coastal Zone Management Law in 1975.

Mr. Feeter: Oh, okay. Okay, I just wanted to know that. Thank you.

Mr. Vanderbilt: Alright, can -- can we -- can you get us a report and -- by the 9th, prior to the meeting?

Mr. Yoshida: I can talk to Thorne. He's out of the country right now and --

Mr. Vanderbilt: Well, why don't we leave it that it'll be the 9th. If you guys can't get the meeting, then we'll schedule it for the following meeting.

Mr. Yoshida: Okay. The next item is on your -- well, I guess your next meeting is scheduled for December 12.

Mr. Vanderbilt: Yeah.

Mr. Yoshida: I guess we need -- there are three things that the Commission needs to cover. One is to finish the Countywide Policy Plan within the 120-day time frame. Second is the public hearing on the Council resolution regarding superstores. And third thing is the TVR/bed and breakfast legislative package. Joe Alueta will be here on December 12 to present the department's report on the Council resolution regarding the superstores. Unless you wanna have a special meeting or if we have some parameters as to the time this meeting will run. Will it run until -- from the regular until 4:00 or --

Mr. Vanderbilt: Well, if we're going to have all of those things on there, I don't see how -- I don't wanna end up with our wrapping up the policy plan, that's really important, or we're just rushing and rushing and throwing all this crap in here and I just -- it's -- the TVR's, we have a 120 days, don't we, till the close the public hearing?

Mr. Yoshida: Well, yes, but then the Lanai Planning Commission is finished with their recommendations. We project that the Maui Planning Commission is having a special meeting on December 4 and that they will be completed with their recommendations by the end of next week so --

Mr. Vanderbilt: Well, I think we -- do you think we ought to have a special meeting on the TVR's? You think? Special meeting either on the TVR's or the -- I mean I don't want to have a meeting.

Mr. Chaikin: Well, the superstore thing, I mean all -- Joe can come over here and just blurt out his thing and be done. We don't have to take action or anything, right? We can just let him say his piece and then do the --

Mr. Yoshida: Well, you have to have a public hearing and you have to make your recommendations to the Council within 120 days after the resolution was transmitted to the department.

Mr. Vanderbilt: When was that transmitted?

Mr. Yoshida: September 10 or so. So --

Mr. Vanderbilt: So what's the end date?

Mr. Yoshida: You have till about January 10 or so.

Mr. Vanderbilt: So we're under the gun. I would --

Mr. Yoshida: The department receives it on behalf of the Commission.

Mr. Vanderbilt: Alright -- well, we can't do all of these in one meeting unless we're going to go from 12:30 to 6:30, and I would rather have a special meeting --

Mr. Feeter: What about -- Chair, what about starting at nine in the morning?

Mr. Vanderbilt: Well, I've suggested that --

Mr. Yoshida: I guess the problem has been, as far as this facility, to get this facility before 12:30. I know the Chair has suggested, in prior occasions, that the meeting starts at 10:30 but we're not able to get this facility prior to noon.

Ms. Bosco: Clayton?

Mr. Vanderbilt: Is that everyday? How about that little room?

Mr. Yoshida: We -- well, I guess we could ask. I mean we would have to ask Parks Department on availability because they handle the scheduling of the facility.

Ms. Bosco: Chairperson, can I ask a question of staff?

Mr. Vanderbilt: Yes.

Ms. Bosco: What's the deadline for the TVR ordinance to be transmitted?

Mr. Yoshida: With two commissions completed with their work by the end of next week, the department may transmit the package to the Council.

Ms. Bosco: When is the deadline for Molokai to transmit?

Mr. Yoshida: Well, I mean -- and whatever record has been established by the Molokai Planning Commission to the Council.

Mr. Vanderbilt: Is there any -- anything stopping you from doing a supplemental transmittal? You submit what you got and then when we finish -- we don't have to be finished until a certain time and if the Council hasn't acted on it, why can't it go up as a supplemental document, a supplemental transmission?

Mr. Yoshida: It could but, you know, we don't speak for the scheduling of the Council once we transmit.

Mr. Vanderbilt: Well, that would be a risk we'd have to take.

Mr. Feeter: Well, what's wrong with us moving to another location?

Mr. Vanderbilt: Well, again, we'd have to find out.

Mr. Feeter: And starting at nine in the morning and go say down to the ...(inaudible)...

Mr. Vanderbilt: We have one meeting in December and I really don't wanna get another meeting, special meeting scheduled, so I would prefer that we -- we start early, go 10:30 to 6:30 if we could, but --

Mr. Yoshida: But do we have commitment from the Commission to have quorum until 6:30? That's been our problem in the past where we lose quorum at 4:00 and then -- yeah, we can be here. We just have to know what time we're going to finish so we can make --

Mr. Vanderbilt: Okay, we got -- we got one, two, three, here. Can you make it, Bill? Can you make it till 6:30 -- 10:30 to 6:30 if we have to go with a break for lunch?

Mr. Feeter: On what date?

Mr. Vanderbilt: The 12th.

Mr. Feeter: Oh --

Mr. Vanderbilt: Our regular scheduled meeting.

Mr. Feeter: Yes.

Mr. Vanderbilt: Okay. How about you, Sherm? You think we can -- okay, we got five here and so can we try for 10:30 till 6:30 somewhere?

Mr. Yoshida: Yeah, we'll try to look for a facility.

Mr. Vanderbilt: Yeah, and we have that whole Lanikeha at DHHH conference room and then even outside, even that outside area, Kalana O Iwi. Well, let's go for that, 10:30 to 6:30 on the 12th and -- and try to find a room.

Mr. Yoshida: And the subject matters, the items the Commission wants to discuss? We already have advertised the superstore.

Mr. Vanderbilt: Alright, the superstore, we have that ordinance already given to us?

Mr. Yoshida: I think it was distributed previously to you --

Mr. Vanderbilt: Alright.

Mr. Yoshida: When we first received it.

Mr. Vanderbilt: Is it online? No, never mind.

Mr. Yoshida: We'd have to check if --

Mr. Vanderbilt: Alright, we got the TVR, we got the policy plan, and we got the superstores?

Mr. Yoshida: Yes.

Mr. Vanderbilt: Okay. Alright, for the 12th, we'll try to go 10:30 to 6, find a location. Alright?

Mr. Yoshida: What order do you want to deal with these things?

Mr. Vanderbilt: Hmm?

Mr. Yoshida: What order? Like superstores first --

Mr. Vanderbilt: Superstores first, TVR, and policy plan.

Mr. Yoshida: TVR and policy plan. Okay, thank you.

Mr. Vanderbilt: No, as a matter of fact, do TVR first.

Mr. Yoshida: Well, I think the notice says -- oh, sorry. The notice says that the hearing is here at 12:30 cause we had to publish that 30 days prior to -- superstore notice, yeah. Public hearing notice. Yeah. We can't deal with the superstore item any earlier than 12:30.

Ms. Bosco: Can I -- can I just say something really fast? If we get through --

Mr. Yoshida: So the TVR, superstore, and Countywide Policy Plan.

Ms. Bosco: If we get through Good Governance today, which I think we might be able to do, we probably only need two hours, I'd say, for the policy plan for the Implementation chapter, and the Vision, and the Core Values.

Mr. Vanderbilt: And the first three chapters and going into that.

Ms. Bosco: And that I'm taking comments on unless you get into a discussion on it, which is up to you.

Mr. Vanderbilt: Alright. Well, we wanna go -- let's leave it at 10:30 to 6:30, and we'll find a place, and put it in whatever order you need to do to meet whatever plans. I mean -- it doesn't matter.

Mr. Yoshida: ...(inaudible)...

Mr. Chaikin: Chair, I need some clarification.

Mr. Vanderbilt: Commissioner Chaikin.

Mr. Chaikin: Yeah, on the TVR, I guess what -- what they're looking to us for is recommendations on that TVR issue and they said something about they were going to go ahead and send the stuff up to the Council, basically, with or without our recommendations or at least if we didn't make any recommendations, that's what I'm trying to figure out. Do we need to come up with recommendations at the meeting or do we have the luxury of waiting to a future meeting?

Mr. Vanderbilt: We have the luxury of waiting to a future meeting with the risk that they may send it up and the Council may schedule hearings without our recommendations.

Mr. Chaikin: So then we don't have that option?

Mr. Vanderbilt: No, but we do. I mean the Council --

Mr. Chaikin: They can --

Mr. Vanderbilt: The Council can get our -- we only -- we have a deadline by when we have to make our recommendations and that deadline doesn't come for 90 days from now. So we can send it up and it's just -- it's there for them to consider cause they're going to have to go through committees and everything else before they make decisions, so they'll get our recommendations so --

Mr. Chaikin: Okay, so is it the intention of the director to go ahead and send the stuff up to the -- to the County after, you know, before our January meeting, up to the Council?

Mr. Yoshida: I cannot speak for the director but we feel that by the end of next week, two of the three Planning Commissions will have made their recommendations on the item.

Mr. Vanderbilt: Alright. Well, let's go with that but we -- if we can't get it done by the -- then we can move it into the -- the decision-making into January and the Council will get our recommendations before they are anywhere near making a decision I would think. Okay, is that it, Clayton?

Mr. Yoshida: Yes.

Mr. Vanderbilt: Thank you.

Continuation of:

D. UNFINISHED BUSINESS

- 1. MR. JEFFREY S. HUNT, AICP, Planning Director, transmitting the 2030 Countywide Policy Plan (Plan) to the Molokai Planning Commission pursuant to the provisions of Chapter 2.80B of the Maui County Code. The Molokai Planning Commission may review and provide recommendations on Section IV (Goals, Objectives, & Policies) of the Plan, which was revised to reflect the recommendations of the Maui, Molokai and Lana`i General Plan Advisory Committees. Emphasis will be placed on the revised Diversify Transportation Options, Strengthen the Local Economy, Strive for Good Governance, Vision Statement, and Core Values and Principles.**

Mr. Vanderbilt: Okay, let's power through this K3.

Ms. Bosco: Okay, we're on K3 and anything else?

Mr. Chaikin: K3b.

Ms. Bosco: I knew you were going to say that.

Mr. Chaikin: You know, I don't know how many time this things popped, like I don't know two or three times already, but we gotta get rid of that "certainty" and let's put in "efficiency."

Ms. Bosco: K3d, is that what you said?

Mr. Chaikin: That's K3b.

Ms. Bosco: Oh, b.

Mr. Chaikin: Again, you're talking about certainty in the permitting process.

Ms. Bosco: Okay, so "efficiency." Change the word "certainty" to "efficiency." Okay.

Mr. Chaikin: But actually it does seem like a duplicate. You might wanna look through there and see, you know, it seems like we've covered this a multitude of times.

Ms. Bosco: Yeah. Okay, so we'll make a note, look for redundancy.

Mr. Vanderbilt: And K3e, I'd like insert -- no, K4, insert "enforce the --" oh, no, we're on K3.

Ms. Bosco: You can go ahead. We can --

Mr. Vanderbilt: No, no, no, K3.

Ms. Bosco: Power through. Okay.

Mr. Vanderbilt: Yeah, K3e, put in right before "General Plan," "the intent of the."

Ms. Bosco: Okay.

Mr. Vanderbilt: "Effectuate the intent of the General Plan."

Ms. Bosco: Thank you.

Mr. Chaikin: Question. Can, in Maui County, can somebody apply for a building permit online?

Ms. Bosco: Not -- I don't think so. Wait. Okay, Clayton's answering that. I think there's limited ability but --

Mr. Yoshida: No, I don't believe they can apply for a building permit online. They can download applications online.

Mr. Chaikin: Okay. Well, I'd like to put something in here, basically, I think Honolulu has greatly reduced their workload by allowing them to go online and just put basic, you know,

run of the mill basic -- they can apply online for their building permit, so maybe if we can have a new policy saying something like: "Use advance technology to improve efficiency." Or something along that line.

Ms. Bosco: Great. "Use advance technologies to improve government efficiency."

Mr. Chaikin: Yeah. Well, they can use that and then they can, when it gets to the -- further down the plan inland and then they can put the permitting in there. This keeps it broad.

Ms. Bosco: That's correct. It keeps it broad. There's a lot of applications. Thank you.

Mr. Vanderbilt: Okay --

Ms. Bosco: We can add -- we'll add an implementing action if you want that specifically refers to that too if you want.

Mr. Vanderbilt: Okay. That would be great.

Ms. Bosco: Okay. That's good.

Mr. Chaikin: We'll do that when we cover the implementing section.

Ms. Bosco: Okay. Okay.

Mr. Vanderbilt: Okay, are there any other questions on Section K3? Hearing none. We have anybody ready for a motion?

Ms. DeCoite: I'd like to make a motion to accept K3, a through f, and adding on the implementing goal.

Mr. Vanderbilt: Is there a second? Second -- motion by Commissioner DeCoite, second by Commissioner Feeter. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Feeter, then unanimously

VOTED: to accept K3, a through f, and adding on the implementing goal.

Mr. Vanderbilt: Alright, motion passes five-zero. We're onto the last section K --

Ms. Bosco: Okay. We're not?

Mr. Vanderbilt: Alright, K4.

Ms. Bosco: Oh, K4, yeah.

Mr. Vanderbilt: On the Objective, I'd like to, after "enforce the intent of." "Enforce the intent of the General Plan."

Ms. Bosco: Okay. Thank you.

Mr. Vanderbilt: Commissioner Feeter.

Mr. Feeter: Thank you. Question. What does "enforce" mean in terms of the General Plan? Maybe that's aimed at Mr. Hopper.

Mr. Hopper: Well, you know first of all, I'm not going to -- I could tell you what I think it means but the wording you should have shouldn't be something that public can read and understand, but I mean to enforce the intent of the General Plan, it's going to be pretty tough as far as the policies in the General Plan to enforce its intent. The community plan is where you would really get into those because it's hard to enforce something unless you've got a clear statement. It would perhaps be an enforcement of the laws that you enact in implementing the General Plan. And maybe someone else has a better understanding than I do what enforce would mean there. But as far as, you know, you're not going to necessarily have a zoning inspector go out and cite somebody for a violation of the General Plan unless it's codified in the law that effectuates that policy.

Mr. Vanderbilt: But the General Plan includes the community plan so when the County refers to the General Plan, they mean the community plan, so I would think that if there isn't any really enforceable actions in the General Plan, then they'd drop down to -- well, is it enforceable under the community plan?

Mr. Hopper: Yeah, I shouldn't say "General Plan." I mean sort of the Countywide Policy Plan, which is what the name is now. But you're right, the community plan is part of the General Plan and so I mean I understand the intent there. It might be difficult to implement the Countywide Policy Plan through specific enforcement. There may be a couple that are specific enough but not many. It would mainly be in the community plan, which has, you know, land use classifications and also implementing actions for the departments and the department would typically go by enforcing the community plan.

Mr. Feeter: Okay, comment, Chair. In the -- from the director, Mr. Hunt, the -- on pretty much the first page of their ...(inaudible)... is the purpose. "The purpose of the Countywide Policy Plan, per MCC 2-80B, is to provide broad policies and objectives which portray the

desired direction of the county's future." That -- that's why I asked. That does not sound like you will stop for a traffic light and be fined if you don't as an analogy.

Mr. Hopper: Well, I think here it just says "Enforce the intent of the General Plan." That's pretty broad as far as enforcement goes and then relies on sort of the plans themselves to come up with the specifics. But, right now, I think it's broad enough.

Mr. Vanderbilt: Well, Bill 84 -- Bill 84, Bill, is -- specifically says that the General Plan shall include the community plan, so I think this is just general wording and --

Mr. Feeter: Well, the -- that word "enforce" is troublesome to me...(inaudible)... administer implement, I understand that, and since it's so ambiguous, I'd like to delete that word "enforce."

Mr. Vanderbilt: Well, Bill, I mean that's the whole point. I guess when government -- how can -- to enforce something is to make it -- make its policies stand, I mean if they're making a decision. Well, I don't know.

Mr. Feeter: Well, okay then -- then since we can't pin it down, it's still ambiguous and it's general policy and broad statements from the director himself.

Mr. Vanderbilt: Yeah, but it includes our community plan so --

Mr. Feeter: But what is -- what is MCC 2-80?

Mr. Vanderbilt: That's County Code.

Ms. Bosco: Can I help a little here? I just wanna give kind of an example of how you would enforce so that it helps, and maybe we can move on before we lose quorum. Let's say there's a community plan policy that says you can't have solid fences along a shoreline property that are higher than four feet. Okay, that can happen. Okay, the special management area rules come in and they look at community plan policies, okay, and they use those policies to enforce the rules and regulations of the SMA area, okay. So the policies themselves give enforcement power. We can say, as a department, you can't do that because it's in the community plan, okay. So that's enforcing the policy and that's enforcing at least a portion of the General Plan, okay.

Mr. Hopper: And as a comment, whether or not you're saying "enforce" here, it's not going to preclude the County from enforcing the General Plan. I mean it's going to have to enforce whether you say "enforce" or not -- whether or not you say it, I mean --

Mr. Vanderbilt: Well, it's something that go through all the GPAC's and then --

Ms. Bosco: It's a useful term is what I'm trying to say and it comes down to how we enforce the community plans so I would recommend leaving it in.

Mr. Feeter: It just goes against my brain to have that word "enforce" in there.

Ms. Bosco: Okay, we can -- it's up to the Commission.

Mr. Feeter: It think that our present --

Mr. Vanderbilt: Okay, well we can take it out because let's just take it out and move on.

Ms. Bosco: Okay.

Mr. Vanderbilt: Let's just take it off and move on and then --

Ms. Bosco: K4.

Mr. Vanderbilt: Yeah. And then because the Council's gotta make a decision that anyway. We can -- and then maybe it can be explained, Bill, you know when the Council looks into it, maybe they can see your concern on the record and expand on it.

Mr. Feeter: I think it implies too much power.

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay.

Mr. Chaikin: But just to make a comment on that. I think administer includes enforcing.

Ms. Bosco: Yeah. That's fine.

Mr. Chaikin: So we can leave it out.

Ms. Bosco: It can go either way.

Mr. Vanderbilt: Leave it out. Alright, now any other comments on K4? No? No. Okay, alright, hearing no other comments on K4, do we have a motion?

Ms. DeCoite: I make a motion to accept K4, from a to e, with its amendments.

Mr. Vanderbilt: Motion by Commissioner DeCoite. Is there a second? Second by Commissioner Napoleon. Any discussion? Hearing none. All those in favor raise your right hand. Bill?

Mr. Feeter: I can't vote on this ...(inaudible)...

Ms. Bosco: We've taken out the word "enforce."

Mr. Vanderbilt: Well we took the "enforce" out. Which -- what -- alright, hold on here. Let's go onto discussion then. What do we wanna take out, Bill, or put in? Or what are you having a problem with? I guess that's --

Mr. Feeter: ...(inaudible)...

Ms. Bosco: We took it out.

Mr. Vanderbilt: We took it out. We took it out. Yeah, and I think that's good, then we can -- when it gets to the Council level, that concern can be raised cause none of us know what it means and I think you were right on point there and we can get them to hassle it out.

Ms. Bosco: Thank you.

Mr. Vanderbilt: Maybe they can explain it better.

Ms. Bosco: Okay.

Mr. Vanderbilt: Cause I don't know what it means either, Bill, so -- so can we -- you're in sync with it now, Bill?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Napoleon, then unanimously

VOTED: to accept K4, from a to e, with its amendments.

Mr. Vanderbilt: Okay, so motion passes five-zero.

Ms. Bosco: Okay.

Mr. Vanderbilt: Now K5. We've got the last one.

Ms. Bosco: K5.

Ms. DeCoite: I'd like to change "position" to "require."

Ms. Bosco: Yes. I think Lanai did the same thing or Maui, one or the other.

Mr. Chaikin: I have a little problem with that objective. I mean this, to me, seems like a giant leap. Here we have a County -- I mean let's take Molokai. Our landfill is not even in compliance. We're just learning how to recycle. I mean we have -- most of the scientists throughout the world believe that global warming is real. We have a County that has not yet come out with any recognition that there's global warming and it's business as usual. So the fact that we all of sudden is going to be a role model for environmental concerns is a bit of a leap. I don't think that the policies that are in here support, you know, calling Maui County a role model. Although let me say that I think it's a good idea to have this in here cause at least it gets us moving in the right direction. So I think it's good but I think we also need to put some more policies in here to make it look like we're supporting Maui County to be a role model and when you look at this, it looks pretty weak. There's only a couple policies in here. Now, I know that there's other policies all throughout the plan that would maybe lead to them being a role model but I think we've gotta step it up and, you know, put some stuff in here. As an example, global warming is an example. For global warming, all we said is we're going to plan and prepare for global warming. What that means is we're going to do nothing but think about it. So I think we, you know, let's put in some more policies that kind of, you know, support that objective to make it --

Ms. Bosco: Can we --

Mr. Chaikin: Yeah?

Ms. Bosco: Can we alter the language to say "County Government will strive to be a role model for cultural and environmental policy" -- for -- well, now it's a little bit incomplete, but using the word "strive" instead of "require?"

Mr. Chaikin: I mean I'm okay with "strive" but --

Ms. Bosco: It's up to you. Okay.

Mr. Chaikin: I mean -- I mean I'm open but I didn't put the word "require" in there but I don't know. What do you want to do? Strive or require? I mean "require" does kind of like it does make 'em step up to the plate and don't really -- doesn't really give them the option to back down so, you know, it's kind of like saying "hey, get with it."

Mr. Vanderbilt: But do we need any policy statements at this time or can we --

Mr. Chaikin: Yeah, I think we gotta have some support for that. If we're going to make a bold statement like that, let's at least have two or three things that has some teeth in it. I wrote down some things. One was, first of all, we have a County full of citizens that really don't know what sustainable is. They don't know how to grow anything for themselves. They don't really know how to, you know, get around without using gasoline. So I think we need to educate the citizens of Maui County on strategies for sustainable practices or something along those lines so that would at least be a start see.

Ms. Bosco: Great.

Mr. Chaikin: Citizens of Maui County --

Ms. Bosco: "Educate citizens of Maui County on strategies for sustainable practices?"

Mr. Chaikin: Right. So at least they have a clue. Another thing that we could put in there is: "Develop policies to mitigate the impacts of global warming."

Ms. Bosco: Okay. "Develop policies to mitigate the impacts of global warming."

Mr. Chaikin: Another one might be -- right now, we basically do development for developers and we could kind of switch that and do development based on the needs of the community, which would be a shift, but that would be moving in the right direction.

Ms. Bosco: Okay so --

Mr. Chaikin: Develop policies --

Ms. Bosco: "Support development that is based upon the needs of the community."

Mr. Chaikin: Correct.

Ms. Bosco: Okay, "Support development that is based on the needs of the community" as a separate policy.

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay.

Mr. Chaikin: Right. Thank you.

Mr. Vanderbilt: Okay.

Ms. Bosco: Thank you.

Mr. Vanderbilt: Alright, are there anymore comments or suggestions on K?

Ms. Bosco: Did you wanna reword the Objective statement or how did you want it worded? "Require?"

Mr. Vanderbilt: "Require --"

Ms. Bosco: Did you want "require?" It's up to you. You could make it a strong statement and we can --

Mr. Vanderbilt: "Require." That's the word.

Mr. Chaikin: Yeah, I think we don't have any choice. We have to move in that direction --

Ms. Bosco: Okay.

Mr. Chaikin: So let's make them do it.

Ms. Bosco: Okay, "Require County Government to be a role model for --" and I think there's a verb missing. What kind of cultural and environmental policies? Proactive? Improved? What? I think we need to have a measurement here.

Mr. Feeter: Question.

Mr. Vanderbilt: Commissioner Feeter.

Mr. Feeter: Is there on a payroll of any branch of Maui County and qualified graduate level environmentalist ecologist specialist?

Ms. Bosco: Yes, there is.

Mr. Feeter: What's his or her name?

Ms. Bosco: No, we have -- we have an Environmental Management Department and I don't what everybody's degree is but we certainly have a professional cultural specialist.

Mr. Feeter: Yeah, can you be more specific?

Ms. Bosco: Okay, hold on here.

Mr. Feeter: What branch of County Government are these people in?

Ms. Bosco: May Clayton can speak to the Department of Environmental Management for a second.

Mr. Feeter: Yeah, the point of this inquiry is just general information but Steve's point is excellent and we do need to get ramped up to a workable level and if we've got people, it goes right back to this business of transparency and government, and so if we do have these people, why aren't they doing something? So let Clayton, thank you.

Mr. Yoshida: Yes, the County has an Environmental Coordinator under the Office of the Mayor, her name is Kuhea Paracuelles, or something like that. She used to be with the Kahoolawe Island Reserve Commission.

Mr. Feeter: And do you know what her qualifications are?

Mr. Yoshida: Well, I'm not -- I can't say for sure but she was appointed by the Mayor to be the County's Environmental Coordinator.

Mr. Feeter: Okay, thank you, Clayton. Again, the job -- this is an enormous job, as Steve has indicated, and I wanna know if the person that is making this work, if they're qualified and --

Mr. Vanderbilt: Well, Bill -- I'm sorry.

Mr. Feeter: No, go ahead.

Mr. Vanderbilt: But I think that -- I think we're saying require this and -- and if we set this policy statement and then we get into the community plan and further down the line and we -- it says "require" and then we say, "Okay, how are we going to require this?" This is just a general broad statement and then we're going to get into the particulars as we move down into refine the thing, and I think your points are well brought up that maybe it means hiring more people or better qualified people or what, but right now, something needs to be done cause it's not being done.

Ms. Bosco: How about if we include a new policy that states: "Support the retention and hiring of professionals and qualified candidates in positions that can improve government practices" or something like that?

Mr. Vanderbilt: Cultural and environmental --

Ms. Bosco: Governmental environment -- government -- well, environmental and cultural practices. "Support the retention and hiring of professionals and qualified individuals --"

Mr. Vanderbilt: No. "Qualified professionals."

Ms. Bosco: Candidates.

Mr. Vanderbilt: "Qualified professionals."

Ms. Bosco: Well, it could be people that aren't professional that are qualified too so --

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay, "professionals and qualified --"

Mr. Vanderbilt: No, just put "qualified professionals."

Ms. Bosco: Okay, "qualified professionals which can improve cultural and environmental government practices."

Mr. Vanderbilt: Right. Okay, that sounds --

Ms. Bosco: Okay?

Mr. Vanderbilt: Is that okay, Bill? Yeah, good. Okay. Alright, is there any other comments on K5?

Mr. Chaikin: Yeah, Simone was looking for a verb.

Ms. Bosco: Yeah, the verb before "cultural and environmental practices." Can we say --

Mr. Chaikin: Will we run the risk of getting this thing shoved to the implementing section is we put "implementing" in here? "Require County Government to be a role model for implementing cultural and environmental policies and practices."

Mr. Vanderbilt: That's a good --

Ms. Bosco: Yeah, we can say that.

Mr. Chaikin: Good.

Ms. Bosco: "For implementing." Okay.

Mr. Vanderbilt: Yeah, because you're not going to be a role model unless you implement something. That's a good word. Okay, any other --

Ms. DeCoite: And then on ...(inaudible)...

Mr. Vanderbilt: Oh, go ahead, Commissioner DeCoite.

Ms. DeCoite: K5b, I'd just like to put: "Require all contractors of County Government to incorporate environmentally sound and cultural appropriate practices."

Mr. Vanderbilt: Okay. You got that, Julia?

Ms. Bosco: What was that again?

Ms. DeCoite: "Require" instead of "Encourage" since they will be a role model.

Ms. Bosco: Okay. Thank you.

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay.

Mr. Vanderbilt: Alright, any other comments?

Ms. Bosco: Yeah, I just need to help Julia finish this. Hold on.

Mr. Feeter: Question.

Mr. Vanderbilt: Yes?

Mr. Feeter: Does the County Government mean a contractor who's going to build something for the County, i.e. a jail or --

Mr. Vanderbilt: It just means all contractors. The contractors -- they still might put asbestos in the jail. Okay, how you guys doing over there?

Mr. Chaikin: Yeah, I think that -- who made that point? Somebody just brought that point up. Yeah, who was the contractors? I think that's a valid point. I mean this doesn't -- it's not very clear. I think we should say, "Require all contractors in Maui County to incorporate --" or something like that cause it's unclear the way it's worded cause it's like the contractors aren't really County Government employees, right? This doesn't sound right.

Mr. Vanderbilt: So you're talking about all contractors?

Mr. Chaikin: Yeah, all contractors.

Mr. Vanderbilt: Whether they have County jobs or not.

Mr. Feeter: I don't know. I just asked. It says, "Encourage all contractors of County Government" and --

Ms. Bosco: Well, this is the intent --

Mr. Feeter: To me that means ...(inaudible)...

Mr. Vanderbilt: Why don't we take out "of County Government?"

Mr. Chaikin: Right. This should -- everybody should be doing environment stuff, not just if you're something for the County.

Ms. Bosco: Right.

Mr. Vanderbilt: Okay. Alright.

Ms. Bosco: That's fine. It changes the original intent but I like it. It's good.

Mr. Vanderbilt: Okay.

Ms. Bosco: Yeah.

Mr. Hopper: Well, just as a point --

Mr. Vanderbilt: Now -- who had a point?

Ms. Bosco: No, this under Improve Good Governance. I don't see why we can't have it. Right? Actually, yeah, I guess under the Objective it was placed. Is that what you're saying?

Mr. Hopper: No, I thought the original theory was to say that if you contract with the government, we're going to require you to -- to do things in a certain way, and that's why it's under this section, which is "Position County government to be a role model." You're not a role model if you're just making it a law for everybody to incorporate green practices. That's under a different section. If you're a role model, it basically says when you contract with contractors, even if it's at extra expense or whatever, you're going to incorporate the,

you know, for example environmentally sound practices or things like that. Just -- I mean it's mainly just to clarify --

Mr. Vanderbilt: Alright, okay, we -- that's got it. That's got it. So what do we wanna do?

Mr. Chaikin: Well, no, I didn't read it that way. I was basically saying that, you know, the County government is going to be a role model for doing all these things, not only for their own buildings, but they're going to say, "Okay, now we have a new building code that says you have to put in solar water heating. That's a policy of the government." So I think it encompasses everything, not just the government so --

Mr. Vanderbilt: Alright, let's leave it like we've got it cause I think it makes sense so okay, are there any other comments?

Mr. Chaikin: But I think this bottom one we never fixed it. It says, "Require all contractors of County government --"

Ms. Bosco: Yeah, take out "of County" --

Mr. Vanderbilt: Take out "County government."

Mr. Chaikin: Yeah, okay.

Ms. Bosco: I see both points anyway.

Mr. Vanderbilt: Alright, are there any -- are there anymore comments on K? Hearing none. Do we have a motion?

Ms. DeCoite: I'd like to make a motion to accept K5, a and b, with amendments.

Mr. Chaikin: Second.

Mr. Vanderbilt: Second. Okay, any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. DeCoite, seconded by Mr. Chaikin, then unanimously

VOTED: to accept K5, a and b, with amendments.

Mr. Vanderbilt: Motion passes, five-nothing. One real quick one. Okay, what's B --

Ms. Bosco: Okay, that -- okay, let me look at the agenda here. Okay, where's the agenda?

Mr. Vanderbilt: These ones --

Ms. Bosco: Here it is. Okay, B1 was the one that Kip needed to decide on about moku management.

Mr. Vanderbilt: And we've asked him two or three times to get his wording in, right?

Ms. Bosco: Yeah. B1d is the same culture -- it's culture.

Mr. Vanderbilt: What's J1?

Ms. Bosco: Okay, B1a is he had an issue with this preserve access to ocean resources for traditional --

Mr. Vanderbilt: Alright.

Ms. Bosco: Okay. J1d is the -- I believe the shoreline question, and J1g we can address today so we'll do those two if you want.

Mr. Vanderbilt: We can address them all today.

Ms. Bosco: Okay, great. What do you want to start with?

Mr. Vanderbilt: Well --

Ms. Bosco: You wanna approve the culture section as its written?

Mr. Vanderbilt: Why don't we just approve these as -- we didn't change anything from --

Ms. Bosco: I'll tell you what, okay, okay, look at B1a, take a look at that. That needs a vote, okay.

Mr. Vanderbilt: Where is Molokai's --

Ms. Bosco: It's right there.

Mr. Vanderbilt: Where?

Ms. Bosco: It's "Protect and preserve access to mountain, ocean, and resources for traditional Hawaiian cultural practices and the protection of those resources." There was a discussion. Kip had concerns. We didn't vote on it.

Mr. Vanderbilt: Okay.

Ms. Bosco: B1d, he had some concerns about the word "moku" and we were going to bring back a definition of moku. I did that. He's not here to provide language like he was going to. So do you want me to tell you what moku management is?

Mr. Vanderbilt: I mean Molokai --

Ms. Bosco: You're okay?

Mr. Vanderbilt: The GPAC, I can't remember what it was, but it was explained by a couple of people that put it in there.

Ms. Bosco: Are you okay with the language though or do you want me to discuss it with you?

Mr. Vanderbilt: Yeah, well --

Ms. Bosco: Okay, it's -- alright, I have to find it now.

Mr. Vanderbilt: Okay. Okay.

Ms. Bosco: Are you guys okay with it? Basically, there's a bill out there that the State has passed to encourage moku management.

Mr. Vanderbilt: Okay. Alright.

Ms. Bosco: And -- okay.

Mr. Vanderbilt: So, do we have a motion to approve the wording of B1a, B1d, J1d, and J1g?

Ms. Bosco: Oh wait. Hold on. Slow down. Just the culture section first. Then ...(inaudible)... to the other one.

Mr. Vanderbilt: Okay, is there a motion to approve B1a, B1d? Alright let's go.

Mr. Chaikin: I'll make a motion that we approve B1a and B1d.

Mr. Vanderbilt: Okay, is there a second?

Ms. DeCoite: Second.

Mr. Vanderbilt: Second. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Chaikin, seconded by Ms. DeCoite, then unanimously

VOTED: to approve B1a and B1d.

Mr. Vanderbilt: Motion passes, five-zip. Alright, what J1 --

Ms. Bosco: Okay, so the first J1d, can you bring that up, Julia? Oh, it's Land Use, yeah. Remember you asked about the word "restrict" in one of the policies that -- hold on.

Mr. Vanderbilt: So it's J1d?

Ms. Bosco: We'll get to it cause I can't speak to it unless you see it. Okay, here it is. J1d: Restrict residential, resort, or commercial shoreline development except for single-family residences not associated within a greater subdivision development. I had recommended holding off from this language to see if it would be considered a taking. I conferred with Corp. Counsel. It is not. So we can use that word.

Mr. Hopper: I just said that --

Ms. Bosco: Oh.

Mr. Hopper: That -- I mean you'd want to do it to the extent provided by law. As far as something being a takings, I mean you need to -- to realize that, though the government may take private property, it has to pay for it, so in a situation where, you know, you require someone perhaps to provide an easement or something like that and they're unwilling to or under certain situations, while you may be permitted to do that as the County, the County may have having to pay for that property. So that's one thing that you should know. But we would look at this policy as far as restrict residential development and you would have to codify those in laws, which in your SMA laws or whatever, say you can or can't build here or in this manner, and in looking at those laws, we wouldn't enact a more specific law that would result in a takings that would require the County to pay the for that or at least we would do everything we could to avoid doing that. The policy itself wouldn't be a taking but we'd wanna be careful the way you draft the legislation to implement the policy.

Mr. Chaikin: Yeah, I don't think it says much of anything. It just say we're going to restrict. That could mean you could only build four-foot walls as a restriction and then that could be the only restriction. We're restricting to go and build a four-foot wall so this wouldn't mean much of anything.

Mr. Vanderbilt: And I would take out the last portion "except single-family," maybe restrict the size of the single-family. Okay. What was one -- what was one 1g?

Ms. Bosco: Okay, that was the discussion on what the definition of what a shoreline is, okay, and I'm looking for it right now but, basically, I have the definition and how it's promulgated is through the Molokai Shoreline Setback Rules. There's this section under here that, basically, states: "No shoreline setback variance shall be granted unless appropriate conditions are imposed to maintain safe lateral access to and along the shoreline or adequately compensated for its loss." Okay, so in the definition of a shoreline, basically, it's upper reaches of the waves or the debris line, okay, that's the -- that's where the shoreline is under -- we're looking at --

Mr. Vanderbilt: Which one are you looking at? This require the dedication or --

Ms. Bosco: Yeah, J1g, and there was -- there was language that you guys wanted added that's on the large matrix. If you look at the large matrix, I don't know if you have it.

Mr. Vanderbilt: Okay.

Ms. Bosco: Okay, we're going to go to J1d, Julia, to the right. There you go. And it says, basically, discourage -- no, that one is g.

Mr. Vanderbilt: No.

Ms. Bosco: G. There you go. Here it is. The language was changed from the original language: "Require the public dedication of land which provides the continuous lateral access parallel with the shoreline and maintain convenient access to the shoreline." So do you want to add that policy back in? That's the question.

Mr. Vanderbilt: Where is that ...(inaudible)...

Ms. Bosco: 9009 ...(inaudible)... you see that. And then the language changes to: "Support the public dedication of land for public uses." We can just add that original policy back in.

Mr. Vanderbilt: Okay, that's ...(inaudible)...

Ms. Bosco: Okay, and not delete the other one.

Mr. Chaikin: Yeah, I have a problem with that, with the draft language. Which one are we looking at? That draft language where the cursor is?

Ms. Bosco: Yeah. The draft language.

Mr. Chaikin: Yeah, I have a problem with that.

Mr. Vanderbilt: Why was that different from what we looked at on the other page?

Ms. Bosco: Okay.

Mr. Vanderbilt: What were we looking at? There was two short statements that says about this require the dedication --

Ms. Bosco: Require -- it's just much more broad here. "Require the dedication of land for public uses when there is a compelling public need." Okay, that doesn't -- that's very broad. If you want it to specifically refer to the shoreline, then we'd wanna bring that -- that original policy statement, okay?

Mr. Chaikin: Well, what's that below it? Preserve the public --

Ms. Bosco: Okay, that's a new policy. "Preserve the public's rights to access to all shoreline and continuous lateral access along the shorelines."

Mr. Vanderbilt: And that's --

Ms. Bosco: The new statement.

Mr. Vanderbilt: And that's the -- that's the right under the State law right now you have lateral access along the shoreline.

Mr. Chaikin: But, you know, I have a problem with that. I mean just somewhere, you know, some places it's very -- you can't do that, you know, and then if they make you do that, which is what they're saying, they gotta require you to do that and then I think it's problematic. I mean ...(inaudible)...

Mr. Vanderbilt: Where -- where's that? No, you're talking about the first or the second?

Mr. Chaikin: The second one.

Mr. Vanderbilt: It says, "Preserve the public's rights to access to all shoreline --"

Mr. Chaikin: To all shoreline.

Mr. Vanderbilt: Right.

Mr. Chaikin: Well, it doesn't say, "require."

Mr. Vanderbilt: No.

Mr. Chaikin: It says, "preserve."

Mr. Vanderbilt: Cause the State allows you lateral access along the shoreline.

Ms. Bosco: Well --

Mr. Chaikin: It says, "continuous lateral access."

Ms. Bosco: The public's right to access to all shoreline is in a subdivision, every 1500 feet, or if it's an enormous piece of property, the developer has to require -- has to create access every 1500 feet.

Mr. Chaikin: Okay. That's fine.

Mr. Vanderbilt: Okay. Alright, so let's --

Ms. Bosco: Okay, so go up, Julia, to the vote. Let's what's excluded. Okay, J1g was excluded. You guys already approved the other statement. So it's J1g that we need a vote on.

Mr. Vanderbilt: Okay. Where there is a compelling public need. I don't see --

Mr. Chaikin: Okay, that just includes that one and not the bottom, the one underneath it?

Ms. Bosco: Right. The new one is already approved. The new one's --

Mr. Chaikin: Okay.

Ms. Bosco: Already approved.

Mr. Chaikin: Okay, so --

Mr. Vanderbilt: Alright.

Mr. Chaikin: Well, I'll make a motion that we approve J1g.

Ms. Bosco: And d.

Mr. Chaikin: And J1d.

Ms. Bosco: Thank you.

Mr. Vanderbilt: Okay. Is there a second? Second by Commissioner DeCoite. Any discussion? All those in favor raise your right hand. Okay -- oh, discussion. Excuse me, Bill. Bill?

Mr. Feeter: What's a compelling public need? Give me an example.

Ms. Bosco: If there's a public hearing and there's -- well, let's see. I mean it can be -- how do I explain a compelling public need?

Mr. Hopper: Why not use the examples that would apply here, which would be, for example, a need for parks, or need for traffic problems, both of which we got park fees you have to pay or traffic impact fees. Those would be two examples of where the legislature has determined a compelling public need for traffic improvements and park land.

Mr. Feeter: Does that mean that the County can condemn a piece of land if they see fit for a County park?

Mr. Hopper: They could do that.

Mr. Feeter: Or a canoe shack?

Mr. Hopper: And right now, it's by law, if you do a subdivision, you have to dedicate land or pay money for park land, either dedicate land for a park and -- without the County paying for it and that's been established as allowed as a practice and you can only do that under circumstances that generally apply equally to everybody but, yeah, you could condemn -- the Council right -- the County right now can condemn land for, you know, public purposes if it wants to. It just has to pay for it if it condemns it but -- so, yeah, that would be an example.

Mr. Vanderbilt: Okay, alright. Ready to vote?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Chaikin, seconded by Ms. DeCoite, then unanimously

VOTED: to approve J1g and J1d.

Mr. Vanderbilt: Okay, motion passes, five-zip.

Ms. Bosco: Thank you so much. Thanks for staying, Lynn. Thank you. Okay.

I. ADJOURNMENT

There being no further business brought before the Commission, the meeting ended at 4:48 p.m.

Submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions

RECORD OF ATTENDANCE

Present

DeGray Vanderbilt, Chairperson
Steven Chaikin, Vice-Chairperson
Lynn DeCoite
Bill Feeter
Sherman Napoleon, Jr.
Mikiala Pescaia

Excused

Kip Dunbar
Joseph Kalipi
Linda Kauhane

Others

Clayton Yoshida, Planning Program Administrator
Simone Bosco, Staff Planner
Nancy McPherson, Staff Planner, Molokai
Julia Staley, Staff Planner
Michael Hopper, Deputy Corporation Counsel