

County of Maui Water  
Supply

BOARD OF WATER SUPPLY  
COUNTY OF MAUI  
OPERATIONS REVIEW AND EVALUATION COMMITTEE MEETING  
SEPTEMBER 5, 2000

Starr: Call to order the meeting of the Board of Water Supply Operational Review and Evaluation Committee. I welcome everyone who is here that who is committee members: Orlando Tagorda, Committee member Clark Hashimoto, myself Jonathan Starr, Howard Fukushima - Corporation Counsel, David Craddick - Director of Department, Fran Nago - Board Secretary and members of the public Jim Smith and Peter Stolle. And we have one agenda item today and this relates to minutes and particularly verbatim meeting minutes of Board of Water Supply Committee meetings and I'd like to call if we have some of verbal public testimonies. I'd like to call Jim Smith, come up and state your views.

SMITH: Chairman Jonathan Starr, members of the committee, my name is Jim Smith. I'm a resident of Haiku/Kanaio. I'm happy that you've brought this up, this particular item in your operational review committee. I have a little history that might help provide some considerable (T1/A/?) contexts in which you'll be able to identify. And also I'd like to maybe leave a few thoughts on Sunshine Law with my experience w/ the ?? But first , the Sunshine Law in my experience in the County of Maui has been progressively eroded over time with respect to that law and it's kind of parallel because of enthusiasm in the legislative and executive branch for doing things for getting results. And anything that seem to interfere w/ deficiencies seem to be put in a different light. Historically, with regard to the Board of Water Supply there have been problems with violations of the Sunshine Law. In 1989, there was a law suit that was filed by a Maui publishing company and it was resolved, declared to a judgement (T1/A/028) to end in permanent injunction in 1989. It was resolved and I have a copy of that. You should receive a copy of that because you should really understand that. In 1992, there was a motion to evidence substitution of the injunction to the succeeding members of the Board and their attorneys. This motion was ra?? (T1/A/032). And there was an order issued applying the terms of the injunction to the next. But in 1992, other things were happening.

David  
Craddick..

voice:           okay..

SMITH:   ..who was Director and who was appointed, I believe Director in 90  
or 91, probably

STARR:   92

SMITH:   92, I'm sorry, it was 92. He knew I was having problems and these problems,  
became I think, by the (T1/A/038) as his beginning term continued. And what the  
problem  
was he was being misquoted by certain people or he thought his information was (T1/  
A/041)  
being misrepresented or misunderstood. So in 1992, or late 1992, the Board began  
making  
transcriptions of minutes, primarily to protect the integrity or the perception of  
the  
??? of Mr. Craddick and his position. It never has been required than anything  
other than summary minutes being collected or maintained to say as the letter says  
that it's  
mandatory or suggests that it's mandatory simply is not correct. It simply misses  
the point.  
The augmentism (T1/A/048) in that letter, I think misses the whole point of our  
Sunshine Law.  
The fact, that Mrs. Craddick wrote a letter in response, also misses the point. Mr.  
Craddick  
is not a lawyer and this is a legal question. He should not be advising this  
committee about  
the terms of the Sunshine Law. It should come from the proper experts, the legal  
experts.  
Well, to me, that made me a simple, a (T1/A/054) symptom of a problem that it needs  
to be worked  
out. My experience has been that certain people use the Sunshine Law as a tool or  
as a weapon to  
attack certain boards or commissions to get something they want done. And in the  
same instance,  
they don't invoke the Sunshine Law when things are going their way. And this has  
been, I've  
experienced this in a direct way. The meeting I've sat in the Board of Ethics where  
a person,  
a prominent attorney has served on ethics had a matter that he wanted to persuade  
the Board of  
Ethics to act upon. So before the meeting was, was, was brought into sanction, I  
was at the  
American dealers talking to the board members and telling them about what a  
wonderful idea that  
he had regarding minutes and how this and that ??. And I said to him, 'you know,

the  
Sunshine law requires that these .... (T1/A/065.5) open session when the meeting is  
in fact,  
and you are discussing these things and lobbying for positions when you're not in  
session.  
And you're a Board member. (T1/A/067) It wasn't certainly his interest to invoke  
this edition  
(?) T1/A/069). But you've had Council members in an election season recess a  
meeting and talk  
story amongst (T1/A/070.5) Well, they haven't been serving its purpose. That was a  
violation  
that was serving its purpose. We come at the Sunshine Law as a tool for or against  
something  
you're missing the point of my ?? We have a great problem regarding the integrity  
and public trust and the integrity of our political system. And its being caused by  
those inside  
of Government and those outside of government. And from my perspective that is the  
sole purpose  
of the Sunshine Law which is to enhance public trust and the integrity of our  
political process.  
So if you lose the Legislature, you don't have any trust in them because X, Y, and  
Z, or you  
lose the Executive, we don't have any trust in them because of X,Y, Z. The only  
thing we have  
left is the Judicial and here is where the Sunshine Law comes in. There has to be  
this partial  
over and recognition of what is at stake. The letter that you have in your file  
misses that point.  
You shouldn't have to be told what to do to enhance public trust and integrity.  
Your injunction  
says that you should not be conducting seminars. You should not, you are ?? from  
conducting seminars when the public is not noticed whether or not there.(?) That is  
the legal mandate and why is it important? It is important because we have to see  
what's  
happening. We have to see what goes into making a decision. And this wonderful  
Legislation  
gives us those eyes unless its interfered with, by what's happening. That's what  
I've found  
to be happening that is appearing (T1/A/092) by sight as to what's happening. 1975,  
the  
Sunshine Law was enacted, very significant, it set a misdemeanor for willful  
violations.  
Misdemeanor is a crime in my book, it's synonymous ?? (T1/A/095). It means it's  
very important  
to.. to comply with these because, of the trust. 1985, this was again, advised by  
the State  
Legislature to specify that when you close meetings it has to do with the law suit.  
It  
can't have anything to do with public policy. Because that's what we need to know  
is how  
you make a decision is about integrity. If you go away from the Sunshine Law, you  
go away

from public trust in the integrity of Government that's what's in stake. I think it's admirable that you take this up. Right we are working now on a consent to clean ?? (T1/A/103) justice, pageant, retired, is a special pastor appointed by the Court, my lawsuit, he's working on this consent to clean, they're.. they're addressing ?? (T1/a106) as they turn. I mean we're talking about a systematic disappearance of our Sunshine Law and with agendas being (T1/A/108) filed for five (5) to 10 different meetings. One (1) agenda filed by the council committee. Five (5) different meetings, one agenda. You go to speak at one meeting, can you speak at the other? Let's all camp??? (T1/A/110) That's just one example, recessing meetings, 10, 12 times. That?s not inspiring trust and confidence. That's gonna have to go back. That cannot be allowed. We have to do it ourselves. Corporation Counsel has to come up and say, 'you know what, we have to do it right?. And you guys don't do it right and you go gotta do it over, till we get it right. That's what's gonna happen. I have confidence in him ??? (T1/A/117) that he is, that he is going to help put this train back on the right track and that's what you are ?? is accumulate all Corporation Counsel opinions on this Sunshine Law. Accumulate them, compare them, see what's going on so that we can deal with the trust and integrity in a framework of those official committee of the Board of Water Supply. Thank you very much.

VOICE (Starr): Members, any questions?

ORLANDO: Just a very simple question, Mr. Smith. When you said that the ??? Sunshine that this a (T1/A/125) public trust ?? (T1/A/126) based on application on Sunshine Law has been eroded over time but you didn?t give me, you didn?t mention some specific violations except that you mentioned Mr. Craddick's name??

SMITH: Okay, here's a few specific instances.

ORLANDO: And because the way I look at it is that the Sunshine Law is just like a anti-littering ?? (T1/A/129) law that we have that is really hard to implement. I know what you mean by building the public those??? (T1/A/131) integrity of public officials and so on and so forth. But, like I said, there are many chance meetings that the violations of Sunshine Law is being happened. Is happening. Those are the things that are really hard to implement and proving boards ??

SMITH: That's... this is.. I'll be more specific.

ORLANDO: Okay.

SMITH: Eroding over time. We have a permanent injunction. ? (T1/A/136) 1989. 1992, before the Water Supply closed ?? (T1/A/137) a meeting to deliberate on the budget. The specifics in the Sunsh.. In the, in the court case in 1989 said that was illegal. They did it. That should not have been done. Corporation Counsel was then advised it was okay to do it. And why did they do it? They did it because the Sunshine Law was a burden. They didn't want to do it in public (T1/A/143) for whatever reason. That erodes public trust when you close a meeting, then there's a clear mandate that it should be opened.

VOICE: Right.

SMITH: That's one example. 1994. By tomorrow, filed (T1/A/147) a law suit. That in the law suit, they alleged that the Maui County Council of the Goro Hokama was recessing the ?? (T1/A/149) in conducting public business in private. That is eroding.

That law suit was continued in 1990 after the elections was continued to the next council. Okay? That's erosion. In 1997, the Planning Committee, okay, of the Maui...

of Maui County filed an agenda with Kaufman ?? (T1/A/155) with the clerk who all specifically says that she filed an agenda six (6) days. To file the agenda, they then amended the agenda two subsequent times. After it was filed. It's clear..

This

law is a burden. I don't want to. Now these are public officials. These are Corporation

Council attorneys doing this. That to me, signals an erosion at a most fundamental level

of the integrity of this ????? (T1/A?162) That's what happened in 1995.. The Board of ???

& Appeals (T1/A/164) adopted a rule that said that a person who brought an appeal to that

Board.. that appeal was not acted upon on ??? meetings. It was automatically denied. The Sunshine Law is very clear and it says specifically that for an act of a

Board to be legitimate takes a vote of a majority of the members. So with this rule, they in effect, okay, violated the Sunshine Law. And that rule was signed in to law ??

(T1/A/171) by the Mayor. ?Cause Boards.. law.. rules does not become effective until

he signs them there ?? (T1/A/173) It was clear, the charter itself is more important are ?? specifies that it takes a majority of Board members for them to be a legitimate action. Here is a rule violating the Sunshine Law be it in acting/enacted???

(T1/A/176). The Maui County Council Land Use Committee once six ??? (inaudible) on the

third of June, 1997, took off the rural zone. They went into executive sessions without

noticing the rural Bill. They filed an agenda that did not notice the rural Bill. They

filed an agenda that did not identify the items that were to be taken up on that day and

at the meeting they closed the meeting two or three times, they recessed another couple of times, they included in the motion, items that did not identify on the agendas nor identify to the members and attached them and moved them out of committee without the members even knowing what they were. Sol Kahoohalahala said, 'uh, I'd like a couple of items to be attached to this motion and move out? and they all said ??? among them was the public hearing bill, of an amendment to the subdivision law. Another very significant pieces of Legislation were taken out to deliberate upon without noticing of the agenda. That is corrupting. This year, or in 1999, now this over a time, these are specific incidences, okay, and it's important to know that Corporation Council is involved with all of this, okay? In 1999, in December, the Planning Committee adopted a rule ???? (inaudible) after the consent to previous ??? (T1/A/197) involving my case adopted a rule that said they would not take oral testing on specific item of the agenda. The Sunshine Law specifically says you take written or oral testing. Very clear. No options. You can't sue the ??? (T1/A/202) a general law of Legislative active ??? by a committee council, a council committee procedural.. You can't even supersede the full council's rule by a procedural issue which is what happened. They then denied a citizen testimony, the opportunity to testify. At the same time, taking testimonies from the performance of certain projects. This was the Wailuku/Kahului Plans (???) Spreckelsville issue. They give them clearly violations of the Sunshine Law, the integrity of Government. This may have been uhh.. an annoyance to them, but it reflects deeper, deeper problems (T1/A/211) with our political system. We're not going to ??? if those in power do not comply or defer being governed by the rules and laws of our State why should the citizens, they shouldn't.. ???? chaos if that occurs. This is what I'm saying. What I'm saying that it's been progressive corruption of that issue.

More recently, the budget committee of the Maui County Council submits an agenda on March 22nd, time stamped March 22nd that has 12 or 15 dates/days (??) of the meetings. So they're gonna have 15 meetings with one agenda. The Sunshine Law says six (6) days before a meeting you must file an agenda so that the meeting ?? will know what will be taken up. Not one (1) agenda, for a month of meetings or three (3) months of meetings or six (6). This reflects a deep, deep disruption and it's not a tool to use to embarrass

or re-elect somebody is something that we need to correct if our political process is to continue. But it's not/now ??? (T1/A/230) functioning. It's two (2) laws, the Administrative Procedures Act and the Sunshine Law keep us free. And they are being disrupted.

STARR???: I, I, I have one question for you, could I..... I have a slightly briefer answer. Do you feel.. Do you feel that the public trusts would be best served, is best served by having verbatim minutes or not?

VOICE: Quite frankly, verbatim minutes.... Are irrelevant when there are no minutes.

The (T1/A/238) minimum requirement is summary minutes. What that means is the important points are there for me to read in 30 days. The Maui County Council for years did not have minutes up to date. I'm talking two (2) years if I went there today, and I wanted to get a copy of the minutes, a year ago, they wouldn't be ready. This was, 99, I don't know if they've corrected them or not. I went to the Planning Committee that the Council services and I wanted to get a copy of the January 25th meeting and I went in August and they were not there. The question is not verbatim minutes. Verbatim minutes is a flourish. It's something David Craddick uses something to protect his butt, that's fine, he doesn't trust the integrity of certain people, I don't care. But verbatim minutes, are to me at this point, are excessive. We need minutes, we need 'um in 30 days. That's what the law said. It's not being obeyed. Now if you have a problem with the accuracy of the minutes, then you can address that in a proper way. But you can't say verbatim minutes documented, etcetera, etcetera, because the law doesn't provide that. You must be governed by the law and the law says summary minutes are sufficient. The important thing really, is the facts. The relevant fact, not who was there or who's talking so that I can comprehend what went on. So that's ???

VOICE (T1/A/262): Thank you.

VOICE (T1/A/263): One question. So, I mean you're referring to the County Council, (Howard/Clark????) but has there been any incidences recently with the Water Board as far as noticing of minutes or.... I mean noticing of meetings or minutes

VOICE (T1/A/266): Quite frankly, I've read an article in which.. something about taking, shifting around of an agenda item and taking up of a matter out of sequence and people wanting to testify and the literal transmission and all sorts of stuff came up

which put into question what was going on in terms of the Sunshine Law that's the most recent the taking up of .. in a ??? (T1/A273) in a meeting, essential committee meeting, okay? ??? (T1/A/274) Having a seminar for example, and only identify people you think are stake holders. So for example, you're doing enough, some sort of a plan in building a strategic plan and you are gonna want to do this and you don't want to be bogged down by public testimonies so what you do is, you don't notice it, or I think a public notice, so you just call it and it's a meaning of ??? okay, but you're doing it unofficially you just call and whoever wants to show it and gets it by word of mouth, comes and testifies. Well, that to me, okay, is something that needs correcting, because it's not the stakeholders that are ??? it's everyone that is ??? (T1/A/285) And integrity is the key word, you can't use the Sunshine Law to beat up somebody and hope to preserve integrity. You have to recognize fundamentally, we see what happens and that's all that's necessary. That's all that's necessary. Three minutes of crying, never again in the same meeting, that's fine. I walk in to see ??? (T1/A/292) to see (T1/A/292). And that's what the law's about because it's talks about integrity. Trust, public trust, is the integrity of our process. It is lost as you lose sight. Principals of the Sunshine Law. Legislature knew it, they made it a misdemeanor. Willful violations, on a positive sense, if you're being pro-active and that's what you're being ??? (T1/A/298) and therefore you're not noticing people, you're violating the law wilfully when you ??felt good about it. Well, I need to ???

VOICE (T1/A/300): Does that answer your question?

VOICE: (T1/A/301): (Several people speaking at once.)

VOICE: (T1/A/303): The question is directly related to something he said. Jim you made a couple of references to some letter that the Board had that you showed Corp Council. Were you talking about that?

JIM?? (T1/A/306): I saw a letter that you sent (few people speaking at once???) Okay, that's requesting clarification, there's no pronouncement of anything.

VOICE: (T1/A/308): I stand corrected. This letter says you're requesting clarification on what is meant, but then again....

VOICE: (T1/A/310): And I'm just listing some things there, I mean, that's for them to clarify. I'm not saying whether those are true or false. I'm saying we need clarification....

VOICE: (T1/A/312): Okay, my first impression was that you were telling the committee, was in fact, if the definitions were and therefore, are you ??? different from them? These to me were legal questions, or legal... What the minutes consist of. And then you list the law, I don't see any question. Where's the question mark on that?

VOICE: (T1/A/319): Well, all of those items, 1 through 3 are all questions that we have (T1/A/320) what's clarification and the committee can either take 'em up not take 'em up, that's their choice.

VOICE: (T1/A/323): Oh, in any event, I stand corrected. I did make the decisions to serve. David was making legal conclusions and what he's just said in my looking at this, he has not made legal conclusions. But these should be addressed..

VOICE (T1/A/327): Thank you, Mr. Smith.

VOICE (T1/A/327): Next to testify, Mr. Stolle, Mr. Sheehan?? I know you've submitted a written test.. a written letter. (pause)

SHEEHAN (T1/A/334): I submitted a request, I can explain that my position where I come from. Corporations rule the world, run this country, run this State, and it certainly runs this country. And as a result of the influence of the ??? (T1/A/339) between labor and large corporations, they have a preponderance of influence in electing people and therefore, when the winner, when the Mayor appoints peoples to the Boards, those departments reflect his appreciation for the support that he's given. Therefore, when I look at the County Council, and I look at various Boards, I tend to look and see whether they're really receptive and open to the input from the public or are they particularly savoring the corporations who have so much influence in this County and State. And I believe that the only way that the public could have a fair shot in my ?? (T1/A/351) behavior in listening to it, is to have ?? (T1/A/251) public notice and we have verbatim minutes. I think verbatim minutes will benefit the members Board who want to go back and clarify, be cleared on what's happening because, you know, 20 meetings later who can remember what the decisions were made or if you can remember decisions, who made the arguments, who supported it and so I think verbatim minutes

of exactly  
what happened are things that will support various committees, and it will help the Board of  
Water Supply as a totality in being clear about decisions were made and who made those  
decisions and it will certainly help the ??? (T1/A/362) understand what's going on. And  
the public is not, the public is highly suspicious or at least ?????? (T1/A/365) of the  
Board of Water Supply. And the incident a few months ago when the Chairman of Water  
Supply, B  
oard of Supply changed the agenda and asked the members of the Board if they could  
the  
Memorandum of Understanding of the Board?? (T1/A/369) to testify that did not really  
play well with the public because they immediately are suspicious of the chairman of  
the Board ?? (T1/A/371) that's got some in the agenda. I hear rumors that people  
that  
are meetings that are conducted that are not formally, in which there is no formal  
notice. I have no evidence of that, but people do have their suspicions and they do  
they think there is a hidden agenda being played out here in terms of where the  
Board  
of Water Supply is going and the interest of A&B who supplies ???a function of water  
(T1/A/379) as a result of ??? (T1/A/379) that you all don't know about. And so  
these  
are things that I think, the public has a right to scrutinize and determine  
themselves  
whether everything is said, I think and in an open and fair process or not??

VOICE: (T1/A/382) Orlando Mr. Sheehan, good morning to you sir. I really take  
offense  
when you mentioned that our lives here as Board members are around the Corp Council  
(inaudible)  
(T1/A/387) ... Board, we're not receptive to public inputs. And also, the fact that  
you  
mentioned about we are appointed by the Mayor, or because we did something in  
the ????  
(T1/A/391) it's just to show appreciation and I don't work like that. I've been  
very honest  
since I sat down on this Board to keep A&B and HC&S interests are not being, you  
know, I  
don't even.... I'm a fair man,

VOICE: (Sheehan acknowledges - response inaudible)

ORLANDO okay, and sometimes I have nothing to do with A&B, HC&S, I want to  
participate but because of one committee members who went to the Board of Ethics,  
not  
knowing me personally, I have to abide by the Board of Ethics decision to stay away;  
not even participate, you know, join in discussions, although I can if I wanted to.  
The only that hinders me from doing is not to go into an executive???? (T1/A/405)  
session  
with them. But I don't want to... I think that ??? (T1/A/408) from the community

that  
this person can be tainted or can be a ??? (T1/A/409) can be manipulated, no.. I  
don't  
own ??? (T1/A/410) nobody favor, Mr. Sheehan. And I'm here not as vocal as anybody  
here  
but keep it inside me, I speak the truth and ?? (T1/A/413) I don't fear no one.  
So,  
anytime, you know, the community wants to get some help from me, if I think I am  
within  
the bounds of law, I'll do that.

VOICE: (T1/A/419) Well, I.. we were ?? (T1/A/418) there were many people who  
have  
served the Boards just because they welcome the opportunity to serve the community  
and...  
(inaudible)

ORLANDO: (T1/A/421) That's what I did .. do my time, because I've been saying a  
lot  
of things too and I understand some of Mr. Smith's concern, the erosions of public  
trust  
is in within the Government itself and ??? (T1/A/423) people that really can change  
these  
are people who are.. cannot be ?? manipulated (T1/A/425) or have no dealings and  
wheeling  
and dealings with any public officials.

VOICE: (T1/A/424) ????

ORLANDO (T1/A/428) Thank you..

VOICE: (T1/A/429) Starr?: I have a question. Which ?? (T1/A/429) ?? do you  
feel  
should have verbatim minutes? Right now, what has been happening is that the full  
Board meetings have been getting verbatim minutes. The Committee minutes have not  
been getting verbatim minutes and public hearings, are they getting or informational  
meetings, are they getting? Let me get a clarification from the ????

FRAN (T1/A/437) Public hearings, the Board's public hearings have verbatim minutes.  
But informational meetings that are not Board meetings, no. Unless, David, I  
guess,  
sometimes do you have a clerk steno there something they think that the last ???  
East Maui. Did they have....

DAVID (T1/A/444) We're doing something where the Board is requesting  
information.  
We're going out collecting information. We will do whatever we have to, to get that  
information to the Board. ?? Take it or ??? when we didn't have verbatim  
minutes at ?? meeting.

VOICE: (T1/A/449) You did?

DAVID (T1/A/450) Yeah. And, but, because the normal rule, I know there are some other cases where we did that?? (T1/A/452). But as a normal rule, we wouldn't have verbatim because the issue is usually fairly restrictive. Like, for instance, we just take a sight ?? (T1/A/455) and those kind of things may not have verbatim minutes. And Jonathan, can I maybe say one thing ?? just a correction (T1/A/458) of the record and nothing to do with Mr. Sheehan. But the verbatim minutes it was alleged that there were put in to protect myself. What was happening was we had Board members asking Fran for transcription with Corp Council asking Fran for transcriptions and she was overwhelmed with the work. She couldn't her work done. And granted it was mainly because of me that they were asking these things. So, whether that was the reason we asked for it, in my own mind, the reason why I asked to do them, was it was going to cost so much money to hire another person verses hiring a transcript person to do the transcript and it was cheaper to do the transcript than it was to hire somebody. Well, now, obviously we have so many minutes or meetings, that it's probably cheaper to hire somebody. So, that's what the Board's decided to do is hire somebody. Now, we probably need to hire that person regardless, just in order to get all the back minutes that we do have in the electronic format that anybody can look at anytime they want. So, at this point the corrective record for that, it wasn't to cover my butt or anything like that. It was to reduce the work load on Fran and she still actually has to go back and review the transcripts and get them in some, you know, reduced set of minutes in order to put it in our permanent minutes book. But, that means the verbatim minutes are good, and we have an issue going on right now with the one that was done back in June.

STARR: (T1/A/493?) I have a question, for Mr. Sheehan, which minutes do you feel should have verbatim minutes?

SHEEHAN (T1/A/496) I don't know enough about being structured (T1/A/396) of the Board and so I'm certainly the full Board should have verbatim minutes. And if it's financially feasible with all committee meetings, then it should have the verbatim minutes meeting. So that anybody who is interested in delving ? (T1/A/500) into these issues, you yourselves are allowed to back and say, 'did I say that?? Oh, yes, I can back and check the records and you can say, ?I did say that?. So I think those are something that would be benefit the ?? (T1/A/504) of the Board as well as the public who want to know more about this.

VOICE ? (T1/A/507): Fran, what is easier for you, ???? or summary minutes? Or? You're overwhelmed as it is now, but.....

FRAN (T1/A/509) Verbatim minutes are actually easier for me, but I don't

have the time to do verbatim minutes. And the reason why I say verbatim minutes are easier for me, is it's very difficult to summarize something that you don't understand. And things that go on, discussed at the meetings that I don't fully understand.

And for me, to try to and summarize that and what we ran into... the reason why we did the verbatim minutes previously, is because when something is said at the meeting, there could be five different interpretations. You know, everybody has their own idea of what was said at the meeting. And if you have it verbatim, then you know, hear it is, it's what was said.

ORLANDO (T1/A/527) Is that what it takes for you to get all the minutes out, I mean you can hire someone, but you said it's difficult to.... (inaudible)

FRAN (T1/A/529) We're.. I've got somebody, the third person, my third try, they're coming in on the 18th. The problem I'm having is I cannot upgrade the upgrade the position. The position is only an SR-10. I don't know how long this person will stay. And that's why I'm having such a difficult time hiring someone. Personnel Services said no, right David?, said I can't upgrade the position.

DAVID (T1/A/539) Well, I'm still working on that.

FRAN (T1/A/541) So, I mean, I am trying, I'm getting.. trying to get somebody in. There's a lot of scanning. I want to get a lot of papers on disks and that's overwhelming. We need somebody in there to do that, you know, we need... I need to get organized in the office and I don't have time to do that because of all these meetings. Every time you folks call a meeting, there's an awful lot of work that needs to be done. It's not difficult, but there's a lot to do. I mean, I'm sending over a 150 of these agendas out in the mail. Plus, every time you gotta get one of these ??? (T1/A/554) it's not just for you folks. There's over 25 of those packets that I make. Sometimes those packets are over 200 pages. It's just a lot of work for each one of these meetings. So, I'm not even sure if I got the person in there. If we'd still be able... we might be able, I'm sure we could transcribe some of the meetings, some of the tapes, but you folks are holding meetings every week and sometimes several a week

and it's... I feel I would still need to bring a court reporter once in awhile to keep up.

Especially if the minutes are required in 30 days.

VOICE (T1/A/571) I see, well, I'm actually hearing that one more body is not enough.

FRAN (T1/A/571.5) If we're going to do verbatim minutes for every meeting and you don't want to do the court reporters, no, another person is not enough.

STARR? (T1/A/575) If we did use the court reporters, though, and if verbatim minutes, then that would actually reduce your work load.

FRAN (T1/A/578) That's true if we could.. And that's why I handed out a (inaudible - someone was sneezing) (T1/A/579) that there's a price from Iwado. So it could get very expensive, but... I mean, that's up to you folks. If I could comment to Jonathan, these minutes are wonderful, Wendy ?? (T1/A/585) does an index in the back if you want to find something you go right to that index. It tells you what page, what line, I mean, it's....

VOICE (T1/A/590) Who said what to ??

FRAN (T1/A/590) Yeah, and it's not only convenient for you know, public but also for staff.

I mean, you know, ?? (T1/A/592) is always going back to these minutes.

VOICE (T1/A/595) Let me just spence??? with the tesitifiers. Is there any questions? (inaudible.. sneezing) Okay.

VOICE (T1/A/599) I want to add that on one of these letters ?? There were two gentlemen at the meeting in Keanae who were.. had video camcorders there and for those of you or anybody who was not there, it might be possible to get a tape of that meeting. If you ?? (T1/A/604) consider it to be important. I thought there was some really moving testimonies at that particular meeting that maybe the full Board would want a... have an opportunity to review and ?? (T1/A/609) you can get in touch with me and I'll get a copy of those things. I know both of the people who were there. So that may be another way to go when there's public testimonies and somebody's going to video tape...

VOICE (T1/A/616) I know, I would look forward to the day when we could have video

minutes as well, I don't know if now is the time. But ..

VOICE (T1/A/619) For reasons like that, they're in remote areas and you know that would be helpful for the rest of the Board members who can't drive out there.. (inaudible)

VOICE (T1/A/623) Thank you very much for your comments. Let me let the Director just... I know you've got some other comments.

VOICE (T1/A/625): Well I just... you know, I was just saying that verbatim minutes are like Fran says, very handy because there's an issue going on right now on what the meter is December 31st date. What significance it has on the item on the agenda what's the meter ??? (T1/A/630) during a drought, so to me, it's drought related. But we understand now, that it's not drought related that it's some general moratorium on meters. And you know, it's very, very handy to go back to those meeting minutes to read what the meeting says.

VOICE (T1/A/639) Fran, I didn't mean to cut you off, before, do you want to finish your...

FRAN (T1/A/641) No, no... I'm willing to work whatever you folks decide. I'm willing to, you know, go with it, but that's just.....

ORLANDO (T1/B/040) ...And so many meetings we have now, in the past, which of these committees usually takes much of your time, based on in terms of paperwork? Will you look into getting some help like a clerk stenographer on those ??? (T1/B/42) Not all.

FRAN (T1/B/43) Most definitely would be like Nobriga's committee. The Oversight because you have more of the public involved that's waivers and things that deal with the rules. That would to me, that is to me is, definitely could benefit from verbatim.

VOICE (T1/B/51) ... No not right now, but.. because they're sending... there's going to be going to be how many 3 or 4 committee meetings this month, plus the regular board meetings and you attend all of those?

FRAN (T1/B/54: Right, there's 5 committee and 1 Board, this month so far.

VOICE: (T1/B/55) I have one more question, if I could ask ?? (T1/B/56). When you go meet at an executive session, do you have minutes of the meeting?

VOICE (T1/B/57.5) Yes.

VOICE (T1/B/58) 'Cause I'm one of those interveners in that East Maui Water Project. And when I look at the agenda, most of the things I'm interested in are ??? in the Executive Session, that's why I don't come to???? (T1/B/060) the Board meetings and I was just wondering whether it was possible to find out what is decided in those meetings in the Executive Session.

VOICE (T1/B/61) What is the freedom of information and who gets to have ??? (inaudible)

FRAN (T1/B/063) The Hawaii Consulate is a ??? for everyone in Corporation Council. And it's.. Corporation Council takes it from there.

HOWARD F (T1/B/63) Well as long as the case is going on that's talking about these ??? cases in particular, and matters are discussed involving case by base, those minutes will not be released. Of course, the law provides for Executive Session to have minutes and those minutes however, can be kept from the public for as long as the necessity for keeping them in ?? secret, but 'in confidential' is a better word for as long as the need for the confidentiality exists. Once that no longer exists, the minutes can and should be made available.

VOICE (T1/B/075) Is there a mechanism for declassifying those minutes?

HOWARD F (T1/B/77) What ??? I'm sorry..I think it has to be done on a case by case basis. I think it's very hard to set any rules as far the release of Executive Session minutes because there are a lot of things to consider, okay?

VOICE (STARR?) T1/B/080: Let's say, a member of the public wanted to see an Executive Session minutes for something that occurred five years ago and the matter is over.

HOWARD F (T1/B/82) Then I would presume that those are the facts and (inaudible??)

VOICE (STAR?) (T1/B/084) But it wouldn't be the process and they'd be referred to Corp Council?

HOWARD F (T1/B/84) I don't know that.

FRAN (T1/B/84) Jonathan... if I may, what I would do is when it comes to Executive Session minutes, I would always refer the person to Corporation Council and would

have them... require them to get in writing from Corporation Council that it's okay to release them. When I get that correspondence or that okay from Corporation Council then I would have no problem.

VOICE (STAR?) (T1/B/89) But has that occurred?

FRAN (T1/2/90) It's never occurred. I... people have come to me for the minutes and I have referred them to Corporation Council, but they've never come back.

DAVID (T1/2/92) I'll give you one example, here. The North Waihee land deal, if you will. Is over with (??) (T1/2/093) bought the land. I know that Maui News asked for copies of all the Executive Session records, Fran referred it to Corp Council. I think what it was, was there was a few not too choice words used to refer to certain people, from time to time. Corp Council wanted ?? to go through it, redact those things. I don't know if it's ever occurred but I do know that as of last week, Maui News has never gotten them. So, whether anybody's working on that now, I don't know. I think when... well, I'm trying to think who was Corp Council in '96. I guess it was Gary ?? I guess now that he's gone, I guess that's... no, '96 was Gary. So, even this 1992 one on the budget, I mean, that very obviously is long since the whole year is over, the budget's over??? I know Jim keeps bringing it up, maybe that one you want to start with. One (inaudible???)

ORLANDO (T1/2/109) Mr. Chairman, may I ask another question? How do you keep the Executive Session minutes confidential through your office or Corp Council's office?

Fran (T1/2/112) The Executive Session minutes are separate units. They're not part of the regular minutes, they're kept in separate minutes.

ORLANDO (T1/2/114) You made these copies yourself or you go outside to make copies?

FRAN (T1/2/114) I no longer use Kinko's. I do all the copying.

ORLANDO (T1/2/116) And the Corp Council, they in return they have copies for themselves, too?

FRAN (T1/2/116) Executive Session minutes go to all Board members and to Corporation Council and to David.

DAVID (T1/2/119) Usually we try and collect those after the meeting, but yet we're not always successful.

FRAN (T1/2/120) Because you folks, you have always approved the Executive Session,

so you need to read them to approve them.

DAVID (T1/2/122) ..... ?? .. I can make this ... suggestion. You know, maybe whenever the staff feels that when something went into Executive Session ??? bring it up to the Board maybe that can be a recommendation ? to the Board, let the Staff bring it up when they feel something is no longer needs to be kept in the Executive Session and then let the Board decide if they're going to release that to the public.

STARR? (T1/2/129) I believe there actually is some mandated process under the Freedom of Information act that governmental agencies such as ours is supposed to vote? I know on the Federal level, I think it goes down as well. I would ask the Council to take a look at that if there is such an automatic declassification mechanism or anyone ??? (T1/2/135) that we should be calling.

HOWARD? (T1/2/136) Well generally, we follow (inaudible????) information packets designed and we make every effort to make sure that particular statutory framework is complied with and followed by all ??? (T1/2/140) conditions that have been, you know, every agency that ?? If there are questions arises then or issues that cannot be resolved or usually are often referred to the office???? who is a State agency charged with interpretation of (inaudible).

STARR? (T1/2/146) See, I'd like to get back on to the main matter here and I'd like to in??? what is prerogative to make a couple of comments. I use the minutes, I use verbatim minutes of the Board meetings quite a bit to, 'cause I go through so many meetings, I don't remember what exactly was said or done several months ago. You know, I find it a great tool and the quality of them are very good. And I definitely feel a concern having our Committee meetings not having verbatim minutes because we don't depend ?? (T1/2/156) all of our Committee meetings. But then as a full Board member, we got the recommendation of the committee and we tend to act on it with without often having the full information that we would have if we had the verbatim minutes that we've been acting on things and the Board without even summary minutes sometimes. And that concerns me, I've been trying to go myself, to every single Committee meeting just so I know, because I don't want to be in the position of having to act on something, vote yay (sp??) or nay on something when I haven't heard the testimonies when I haven't had an opportunity to know what the matter is really about and what discussions took place in the meetings. So, just from an operational stand point, you know, I feel that.. that's.. that will be very useful to have the verbatim meetings of all the Committee meetings and there's another reason as well, which is that if we do get to into a situation where you know, we are sued by a member of the public or another Board member, or whatever over something occurred, I want to have a record of what actually happened that quote 'not allow any doubt to surface about what actually occurred when the matter was discussed?. And I'm proud of the operation of our Board and you know, I feel that there's nothing to hide in our meetings. I'd like to see people in

our meetings??? (T1/2/179). You know, having that what actually occurred available to me is very not only useful and important, but also a safety net for us Board members because we know we can never be accused of something that we didn't do if there was an actual minutes.

VOICE (T1/2/185) So... has there been minutes for Committee meetings?

FRAN (T1/2/187) There haven't been... I'm working on minutes, but then I'm trying to (inaudible/another person responding)

VOICE (T1/2/188) Oh yeah, sure... but is there any length of time that is required?

FRAN (T1/2/191) I believe there is 30 days, yeah? There's supposed to be minutes produced 30 days after a meeting. And so, I am not in compliance.

VOICE (T1/2/194) I mean for our protection and stuff, I'm sure verbatim would be great but I'm sure, but the thing is I know Fran's overwhelmed, so I guess we have to think of a mechanism to (inaudible.. voice fades)

VOICE (STARR?)(T1/2/195) Here it is... it has a dollar value. To my mind, you know, it's not thousands or tens of thousands, it's hundreds.. You know, in the shape of even the most trivial lawsuit, this is..

(several people speaking at once ).

STARR (T1/2/200) But that's... to my mind, that's the problem is that we need to make a... in my mind, we need to make a statement that the verbatim minutes are worth ??? than having (T1/2/202) the Stenographer at this point to come in and do it. And if we did that, then Fran wouldn't have the problem.

VOICE (T1/2/203) So, this \$17.00 an hour or minimum ?? (T1/2/204) fee is that 55?

FRAN (T1/2/205) 55... and then if you have an evening ?? (T1/2/205) or meeting, of course, it goes up.

VOICE (T1/2/206) That \$55.00 includes everything?

FRAN (T1/2/207) That's just the appearance, no... That's just the appearance fee.

VOICE (T1/2/208) Then they gotta put it together?

FRAN (T1/2/208) Then it's... for each page, that they actually transcribe, there's also a charge for that.

VOICE (T1/2/210) \$5.00 a page?

FRAN (T1/2/210) I believe... it's 10 (ten) working days is their turnaround. And so it's 3.35. But if you need it sooner than that, then of course, it goes up.

VOICE (T1/2/214) What does it cost for a... you know, for the last few Board meetings?

FRAN (T1/2/216) The last few Board meetings have only lasted for about an hour.

VOICE (T1/2/216) Yeah... What does it cost?

FRAN (T1/2/217) So it was about..you know, ??? (T1/2/217) throw out about like, \$500.00 but I don't even think it was that. Because they were very short. When we did have the lengthy meetings that lasted into the afternoon, we were paying like, \$1200.00 for a transcript. That was from , like 9 to 2, 3 o'clock. So it is expensive. It can, you know, run into ???

VOICE (T1/2/223) But that times 12 is only \$14,000.00 which is still half of what it cost you to hire somebody.

FRAN (T1/2/224) But it is more than 12, now David ??

DAVID (T1/2/225) Yeah, yeah, I know, I know, yeah...

ORLANDO (T1/2/226) Fran, have you tried getting some private agencies to help you transcribe those tape recordings?

FRAN (T1/2/228) Actually, no, I haven't...

ORLANDO (T1/2/230) Those not the Executive Meetings, now, but just the regular meetings of the committees and all that. How would you transcribe them?

FRAN (T1/2/230) No, I haven't done that.

ORLANDO (T1/2/231) Do we have it in ??? of the minutes? To do those things?

FRAN (T1/2/232) Well there are.... I'm sure there are secretarial services that could do that.

ORLANDO (T1/2/232) Okay, that's wonderful. ??? (T1/2/233) Instead of hiring a stenographer doing all this....

VOICE (T1/2/234) Court reporting....

ORLANDO (T1/2/234) Yeah, that's ??? transcript and all that. Because, like I said, we are not required by law to really fully transcribe our meetings. Just written minutes of the meetings, with the full reflections of the participants and all that. Summary, of what's going on. But if it's because of money, like you mentioned 400 one day from 9 to 4, that's a lot of money to spend, especially on those committee

meetings that we go back to the full Board for action??? . That committee meetings are just recommendations, decisions or towards the.... towards the making that..... towards the are just recommendations and discussions of the issues that I think beforehand

all Board members have. And if you, because.. half ??? (T1/2/247) of those cases are being given to us and then it just refers to committees. But we're missing are in the input from the public from those committee meetings. I don't have those ???

STARR (T1/2/250) Well, to me in my mind, that's why we need the verbatim minutes because then we have a record of the public input and then we have all of the comments that were made and you know, the gems of wisdom from Corp Council and so on, which we don't have now. Now, we just get the recommendation.

VOICE (T1/2/255) Well the thing that I heard from Fran is that it's easier to do verbatim minutes than summary. Is that right?

FRAN (T1/2/257) For me.....

VOICE (T1/2/257) Whoever, I mean if you hire a secretarial service.. For them....

Two people speaking at once....

VOICE (T1/2/259) So then, ??? verbatim would be all they could than, actually?

FRAN (T1/2/258) That's correct. The secretarial.. Or whatever is on these tapes, they've gotta understand that when we have several people speaking at once or we have like, Herb ??? or David Craddick over there mumbling and not speaking up, it doesn't come out on the tape.

VOICE (T1/2/263) 'Cause while we were speaking ??? , I guess they don't know the voices.

DAVID (T1/2/265) That's the problem right there when the tape doesn't pick it up. If we had a really good system where everything got picked up and people didn't talk two at once.....

VOICE (T1/2/267) But it'll be hard for them to pick up who is saying what.

FRAN (T1/2/268) The... I would need to check because I've never checked it out before, but that's problem I could see with the secretarial service is they would not be able to identify the voices. But they could get the...

VOICE (T1/2/272) How do the court reporters do it? They....

FRAN (T1/2/273) When the court reporters come in in the morning, most of the court reporters have been here for... they've been doing this for years. So they know you folks.

VOICE (T1/2/275) They put the name before the....

FRAN (T1/2/276) They have a... yeah, each one of you folks has a code.

DAVID (T1/2/277) Although ??? may have a few mistakes on that, too.

..SEVERAL PEOPLE SPEAKING AT ONCE..

VOICE (T1/2/277) I think they're pretty good.

DAVID (T1/2/277) They're pretty good, yeah, for the most part.

FRAN (T1/2/278) But I'll check on the secretarial service.

ORLANDO (T1/2/279) And then we can compare the cost and all things like that, right? ???? (T1/2/280)

STARR?? (T1/2/281) The.... this is a standard for the Council, the Council committees, the Planning Commission, and the other.. I know the Hana Advisory Planning Commission and other..... other major commissions and other committees. Am I correct?

DAVID (T1/2/286) None of them do it.

VOICE (T1/2/286) No transcript?

DAVID (T1/2/286) Not if ??? one does it.

STARR? (T1/2/287) The Planning Commission does.

DAVID (T1/2/287) Maybe recently.

STARR? (T1/2/287) The Planning Commission does and I know the Hana Advisory.

FRAN (T1/2/288) I think Planning does do, but I don't know for sure.

STARR? (T1/2/289) There are sub-committees, like the Hana Advisory and the.. definitely does... definitely does, verbatim minutes. I was on that and we always had...

DAVID (T1/2/291) Oh no... no, I thought you were talking about doing a transcript. They may do verbatim minutes, you know. As far as I know, we're the only ones who do transcripts.

STARR (T1/2/295) I have a question for council here, and this is '90 to '92

not  
and it says in item 4... Any other information that any number of the Board requests  
be  
included and reflected in the minutes. Now, I... my understanding that always been  
that it's a Board... if one Board member requests verbatim minutes, then the body  
would be... would have to provide verbatim minutes. I know it's a basis that in the  
last several committee meetings that I attended, I had asked for verbatim minutes.

VOICE-Howard? (T1/2/307) Well, I think it's.... I think it's with the  
discretion  
of the Board. Or, the discussion of the.....

STARR? (T1/2/307) It looks pretty clear.

HOWARD?? (T1/2/309) I don't think that's what was intended by this ???  
(T1/2/309)..

STARR (T1/2/310) Then, did any other information that any member of the  
Board request being included or requested in the minutes?

HOWARD (T1/2/311) No I don't.

STARR (T1/2/311) It says that a Board member can request this scope of  
information be included?

HOWARD (T1/2/313) Like I said, I don't believe that this language was intended  
to provide for that.

STARR (T1/2/315) I disagree with you.

VOICE (T1/2/316) ?? What do you mean?

VOICE (T1/2/317) Item 3, second page. Item 3, number 4.

VOICE (T1/2/323) So, do the committee meetings require ??  
minutes? I mean minutes?

HOWARD (T1/2/324) They certainly require minutes.. ??? The ?? with the  
minutes, again, the verbatim or the summary which reflects what was said....

VOICE (T1/2/328) What I'm hearing from Fran, though, verbatim is easier..

HOWARD (T1/2/329) It certainly is, there's no thinking.. With verbatim,  
it's strictly mechanical??

VOICE (T1/2/331) I would think verbatim is easier ?.

STARR (T1/2/331) And the Chair would welcome ?? function.

ORLANDO (T1/2/333) I thought it would have to wait for Fran to get some  
information about those agencies that can help her out to transcribe those tape  
recordings instead of going to that verbatim minutes of ??? (T1/2/336). Because,

like, I still do like to make sure that we don't really spend a lot of money for a court stenographer for ??? meetings.

VOICE (T1/2/340) So what I'm saying is that she has to do the minutes anyway, and she can't do it without further help. And she said doing it verbatim is easier. I mean, she's going to have to do it anyway. Irregardless, when she can't do it because she doesn't have the help or....

ORLANDO (T1/2/345) I don't think she can do it without the help. She gotta ask somebody to help, but let's say we gave them a chance to get somebody, but these people quit.

DAVID (T1/2/352) Orlando, on the minutes, it's.. I'll call it excursions like this that lengthen the time of the meeting. And when the Board gets off the agenda, that's what lengthens the time of the meeting and if the meeting was kept to the item on the agenda and the Board members themselves would read this stuff before they came to the meeting and we're prepared for the meeting, that would cut the meetings down enough to where the money, that the transcriber, the money we spent on the transcriber, in my estimate make it pretty much a non-issue.

ORLANDO (T1/2/362) Do you have some mechanism to accomplish what you're talking about?

DAVID (T1/2/363) Well, I don't know how that makes the Board members read that stuff before they get it. But..... you know.....

STARR (T1/2/365) In my own belief and desire would be to ??? with it today so that we don't incur the additional cost, not only for the minutes, but for all of us to come sit again. And as far as the mechanism whether it's going to be done by a court stenographer or it's gonna be done in-house, to my mind, that flexibility can be left up... can be left to Staff to do it ??? unless they need a budget item and come before the Board for a budget item to get it done. But, you know, if we feel that there should be verbatim minutes, then perhaps a motion might be in order to recommend it to the full Board. And you know, right now, I do feel uncomfortable knowing that our Committee needed our last Committee meetings have not been legally had minutes. Well they had been over 30 days some of them. And yo know, we're moving into an area where we're becoming legally deficient and I would love our actions today can help to fix this by allowing a path for Staff has been trying very hard and I cannot in any way fault their work and their records and their labor. But you know, they've been under the constraints of not being able to do it the one way that can't be done until another staff person comes which is ??? to do the verbatim minutes. And right now, we're acting ?? (T1/2/392) outside of the law by having meetings and not having published minutes within 30 days.

ORLANDO (T1/2/394) Are we not complying with the 30 days when we have our committee meetings?

FRAN (T1/2/397) For your committee meetings, no...

(T1/2/398)

...SEVERAL PEOPLE SPEAKING AT ONCE..

ORLANDO (T1/2/396) But it doesn't mean that when you get verbatim minutes, the ?? is going to solve the problem.

STARR (T1/2/400) Well, my guess is that if the Board were to you know, adopt a policy that you know, verbatim minutes be created within a 30 day period and that Staff do whatever do is necessary to dot it and if there is a mechanism which is to call these people and say come in. Then, that will fix it..

ORLANDO (T1/2/405) Because like I said, I would agree with you with verbatim minutes, only in cases like our secretary cannot comply with the law in notifying people up to 30 days, after the 30 days meeting.

STARR (T1/2/410) Well.....um....

ORLANDO (T1/2/410) But if we're in compliance with the law, I don't see a need to ????  
where a verbatim transcript. Because I don't? see any agency, like the Council, the Legislature that usually that usually didn't request or demand verbatim transcripts.

VOICE (T1/2/415.5) No.... ???

ORLANDO (T1/2/416) Oh no, I've checked... I checked this out. Committee meetings and all that, they don't.

VOICE (T1/2/418) The only reason I'm saying verbatim is because it's easier for Fran. If you're going to summarize it, it's going to be harder for her to summarize and just trying to....

DAVID (T1/2/421) The budget is there, you know and, I mean if we run out the last one or two months or something like that, but keep in mind last year, we were having two meetings a month. Relatively long meetings, so.....

STARR (T1/2/426) That would be more than what we're doing now.

DAVID (T1/2/427) And there is no time that the transcript took more than 30 days to provide us.

VOICE (T1/2/429) Okay, hearing our secretary's comments, I, you know, well I hope that we do verbatim minutes for committee meetings. I guess we do that for our Board meetings, anyway, so..... Verbatim minutes or transcript? I don't.. Minutes right?

DAVID (T1/2/435) The problem is Fran doesn't have the time to do verbatim..

STARR (T1/2/437) Well, that's what come from the transcripts.

DAVID (T1/2/438) Well the transcripts is the verbatim.

STARR (T1/2/439) Yeah. So that's one way of having verbatim minutes, if that's the way.

VOICE (T1/2/441) What's the difference between transcripts and minutes?

FRAN (T1/2/441) I don't see any difference. I could be wrong, I don't see any difference in transcripts and minutes.

ORLANDO (T1/2/442) Like I said, let's.... I really don't really (T1/2/444) fully with your ??? (T1/2/445) but I want to explore more ways of trying to get the written minutes if it's verbatim or it's the full reflection of all the that's discussed then we do it in a way that ??????? .

VOICE (T1/2/450) No, we're not gonna get a second...

ORLANDO (T1/2/453) (Inaudible)???? I'd like to explore more on proper ways to handling this.

DAVID (T1/2/455) Orlando, how about if we get the verbatim minutes and get the exploration, but in the meantime we move forward and get the minutes within the 30 days that everybody needs.

ORLANDO (T1/2/459) Yeah, yeah.... The 30 days, I'm really concerned ????. We had to follow that law, that we are complying with the 30 days notice. And if you are in compliance with the 30 days notice that your work is in order, Fran, then let's explore ways, like probably we go to Oversight Committee and have a stenographer there.

STARR (T1/2/366) Orlando, hold on a second, we have a motion on the floor and we're looking for a second.

ORLANDO (T1/2/467) Like I said, ????? (T1/2/467).

T1/2/471 ....SEVERAL PEOPLE SPEAKING AT ONCE...

HOWARD (T1/2/471) Make another motion.

ORLANDO (T1/2/471) Yeah, I move that we explore ways to make it easier for the Secretary instead of doing the verbatim transcript to....

VOICE (T1/2/475) You said it's easier to do the verbatim, that's why I'm making the motion.

T1/2/478 ....SEVERAL PEOPLE SPEAKING AT ONCE..

HOWARD (T1/2/479) That verbatim minutes are.. it seems, are preferable. Maybe the motion should be that verbatim minutes for both committee and Board members take place while and explorations as to how and who can assist Fran in doing these minutes on a timely basis with the cost and efficiency.

T1/2/489 ... BACKGROUND COMMENTS BY SEVERAL PEOPLE..

VOICE (T1/2/489) So move.

STARR (T1/2/490) Okay, let's clarify the motion.

FRAN (T1/2/491) Verbatim minutes for both committee and Board take place in exploration as to how and who can assist Fran in doing these minutes on a timely basis with cost and efficiency.

ORLANDO (T1/2/495) Is that the motion ??

STARR (T1/2/495) Okay, the verbatim minutes be implemented and also that... That verbatime minutes be implemented and that (what was the next part?)

FRAN (T1/2/502) Verbatim minutes for both Committee and Board take place and explorations as to how and who can assist Fran in doing these minutes on a timely basis with cost and efficiency.

HOWARD: (T1/2/507) Cost efficient and (inaudible)??

STARR (T1/2/508) And the mechanisms explored to find ways... To find who and what. Just be sure it's grammatical. Okay, read it one more time.

FRAN (T1/2/513) MOTION: Verbatim minutes for both Committee and Board take place and the mechanism explored as to how and who can assist Fran in completing these minutes in a timely... on a cost efficient.

STARR (T1/2/524) Can I request that members allow me to clean up the language a little bit afterwards, for grammar?

FRAN (T1/2/528) Do you wanna?? You folks..

STARR (T1/2/526) Let? recess... RECESS.....

STARR (T1/2/583) Back to order.... I'm restating the motion for the Maker and the Seconder, to see if they approve this or want to change this:

(MOTION): 'Verbatim minutes for both Committee and Board meetings be implemented and that various mechanisms be explored as to the best way to get past and future minutes completed in a timely and cost efficient manner.

VOICE (T1/2/592) Okay, that's the motion.

VOICE (T1/2/593) So move.

ORLANDO (T1/2/593) You want to change that ???

HOWARD (T1/2/594) No, now you vote. Or, you have a discussion ???

ORLANDO (T1/2/596) It's better not to use the word "implemented" should take place.  
Because ??? (T1/2/599) I wanted this to take place, is because of the 30 days notice that Fran said is not in compliance with. And once we get into compliance with that.

STARR: (T1/2/602) Well, I'm just trying to..... should be umm..

HOWARD (T1/2/607) Well, it should explain ??? (T1/2/606) that it's in compliance with State law.

STARR (T1/2/609) Implemented in compliance with State Law.

ORLANDO (T1/2/612) Okay, that's good.

STARR (T1/2/613) State Law... and that various mechanisms be explored. Is that ????

ORLANDO (T1/2/KL615) There you go.

STARR (T1/2/615) Okay, all in favor, say aye.  
(T1/2/617) ..ALL AGREE...

STARR (T1/2/617) All opposed.. There's none opposed. Motion carries.

Meeting adjourned.

*"By Water All Things Find Life"*

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[\[Back\]](#)