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**MOLOKAI GENERAL PLAN ADVISORY COMMITTEE MEETING
REGULAR MEETING
JANUARY 16, 2007**

A. CALL TO ORDER

The regular meeting of the Molokai General Plan Advisory Committee (GPAC or Committee) was called to order by Protem Chairperson Daniel Bennett, at 6:17 p.m., Tuesday, January 16, 2007, at the Mitchell Pau`ole Center, Kaunakakai, Molokai, Hawai`i.

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

Mr. Bennett: Since we have a quorum, I'd like to call the meeting to order. It's about 6:17 p.m. Are there any announcements before we begin the meeting? Hearing none, I would ask you to look at the agenda for tonight's meeting.

Mr. Summers: Thank you Mr. Chair. I did have a couple of announcements to make this evening.

B. ANNOUNCEMENTS

Mr. Bennett: Ok John, go ahead.

Mr. Summers: Thank you. First of all on behalf of the Planning Department and the Long Range Division I'd like to wish you all a Happy New Year. 2007 should be a very exciting year for the County as get into the substance of the General Plan Update. So thank you very much for your participation and again we are looking forward to working with you over the course of the year. I would like to introduce Kathleen Aoki. She is one of our important staff and our "infrastructure guru." So she's gonna give a little update on our Infrastructure Study and an overview of that project. I'd also like to introduce Michael Hopper. He's our Corporation Council and will be servicing the Committee. And I've got the sad news of James Moore. As you recall he attended the last meeting. James' father past away just after New Year's and his mother is having a very difficult time coping with that. So he has returned to the mainland to care for his mother. I thought you should know that. We'd hope that James would play an important part in the update of the Countywide Policy Plan. I would also like to remind the Members to please state your names clearly prior to speaking. It helps Joy out a lot with the transcribing the minutes. And that's just speak in the microphone. So thank you very much again on behalf of the Planning Department and we're looking forward to working with you in the coming weeks and months.

Mr. Bennett: Thank you John. For those Board, GPAC Members who weren't here the last time, myself, I myself was elected as temporary Chair, Chair Protem, and Mahealani Davis was elected Assistant Chair. So we are temporary and John tells me that if all goes according to procedure this evening we will be voting on permanent Chairs in the next, next meeting. So just to let you know why I'm hogging the mike here. Have you had a chance to look at the agenda? Excuse me, the agenda for this evening. That seems to be the next thing. Item C. And I believe this was mailed out also, wasn't it John?

C. OVERVIEW OF MEETING AGENDA

Mr. Summers: That's correct and we do have extra copies for the Public if you are interested in having the agenda. They are back at this table over here.

Mr. Bennett: Are there any comments on tonight's agenda or questions? None being heard, then we will open the floor for public testimony. If there is anyone in the audience that would like to give Public testimony. Again we ask that you please state your name so that Joy can put it into the minutes. And the floor is open for Public testimony at this time.

D. PUBLIC TESTIMONY

Ms. Cora Schnackenberg: Aloha my name is Cora Schnackenberg and I just wanted to let you know that there's a major meeting that is being held at the same time that this is being held and I really truly believe that you would have a better show, and they are calling me. Excuse ah, e kala mai. But I really want you folks before any decision is made that it's very important that you folks coordinate your meetings with the State meetings, the County meetings, Federal meetings. But Brandon (Brennan from Molokai Island Times) would be a great person to make sure that those meetings get organized and scheduled. So that Molokai people, the community, which gonna impact them, huh sorry you guys. And so you know I don't know what you guys can do but I truly would like to be here because it's a major impact on our Community and I'm speaking for myself. And I also need to excuse myself cause there's another one that really has to do with our food, our livelihood. And so I need to prioritize myself and I speak for those that are there at that other hearing. So I don't know what, but if I understand correctly this has to do with development of residential and what can and what can not do, and amending the procedures and requirements and I'm totally against it at this time. Because I really feel it's really unfair for the Community input. Thank you.

Mr. Bennett: Thank you Cora. Is there any other public testimony? Anyone else would like to give a testimony at this time?

Mr. Teves: Mr. Chairman?

Mr. Bennett: Mr. Teves.

Mr. Teves: Considering that other meeting that I know ours was set way before that one. Maybe we can consider opening a part of the meeting close to the end, if people do come for Public testimony.

Mr. Bennet: Ok. That's fine idea. I think that right before we close the meeting, when we adjourn the meeting, we'll see if there's anybody here who would like to do Public testimony. So, give them the opportunity to speak. If that's ok with the parliamentarians. The next item on the agenda is Public Hearing, Mr. Hunt? Or Mr. John....

Mr. Summers: Mr. Summers

Mr. Bennet: Mr. Summers, sorry.

E. PUBLIC HEARING

Mr. Summers: Thank you Mr. Chairman, Members of the Committee, tonight we do have our Public Hearing on our Rules of Practice and Procedure. I'll give a quick overview of those Rules. We did have a workshop as you recall on December 5th and we went through all the specifics in terms of what the Rules are intended to achieve and some of the specific provisions. But I will give a quick highlight of those Rules as well as a brief discussion of the process for adopting the Rules. The Rules are very important in the sense that in order to have decision making on our Countywide Policy Plan and to do things like elect a permanent Chair and Vice Chair. We do need to have Rules of Practice and Procedure adopted and in effect. So these are basic infrastructure that all of our Boards and Commissions use. Would like to note that these Rules were essentially borrowed from other Boards and Commissions that we staff. So there's nothing really new about these Rules. They are a little simplified because of this Commission doesn't, isn't involved in contested case hearings. In terms of the overall process we have a Public Hearing to review the Rules. Upon approval by this Committee of those Rules they go to the Mayor for signature. The Planning Director signs the document and then they go up to the Clerk's office where they sit for 10 days prior to them going into effect. At that point we can charge ahead with our agenda and important work we have before us. Looking quickly at the Rules, do all the Members have their copies? Of the Rules? There's a big draft stamp at the top. Again, these Rules are based on the provisions of Hawaii State Statues, the Sunshine Law to ensure we have open meetings and that the Public has the opportunity to participate in the process. It's, in terms of some of the major provisions we follow Robert's Rules of Order, which is, most of you are familiar with those. I know that many of you have been involved with the Planning Commission and other work. The Rules set standards for

quorum per State Statute. The standard is the majority of the membership for which the Committee is entitled. So with this Committee being comprised of 13 Members, we would need 7 Members present to hold a meeting and 7 Members to vote in the affirmative to move forward a decision of the body. The Rules also provide specifications for the posting and preparation of meeting agendas for the recordation of Molokai GPAC meeting minutes, and they specify the roles and duties of the Chairperson and Vice Chairperson. Again these Rules really provide a framework so we can have efficient meetings and move forward with our work expeditiously. Are there any questions about some of these provisions that I've identified?

Mr. Teves: Mr. Chairman?

Mr. Bennet: Mr. Teves.

Mr. Teves: Yeah, I'm wondering, I think the question of quorum and attendance is real critical. I think we are starting to see a pattern. We have 3 Members that are not here those are the same 3 Members that were not, I think 3 or 4 that are not here. And that's the same 3 or 4 that weren't here. I think most of them weren't here at the last meeting. And there's a real concern there in terms of if we have 13 Members and only 9 show up, in order to pass important things we might not be able to do so. You know, one idea would be if you miss so many meetings, you're off, you're off the Committee, and we re-adjust the quorum. I don't think it makes sense to keep on bringing people on to the Committee and having to educate them and slow down the process. We need to run with the ones who want to run with us and move forward. So my thinking is, if you miss "x" amount of meetings, after this is approved, if you miss so many meetings, you'll be off the Committee and then the quorum be adjusted in that way. Is that acceptable?

Mr. Hopper: The quorum rule is actually part of the Hawaii State Statute and that's actually cannot be altered. Because that's a State Law and the Board, Commission Members, can't be removed. Because they were appointed either by the Mayor or by the County Council. And so the authority to remove them would have to be thru either, if you were appointed by the Mayor or by the County Council. So the quorum rules of you having to have 7 Members in order to have a quorum, and 7 Members to vote is actually mandated by Statute. It's in Title 91 and 92 govern those rules and they actually can't be altered. Those are one of the provisions amongst several others in these rules that are there because they are required by law.

Mr. Bennet: Is there, I wanted to ask, is there a process for recommending to you or the Mayor or the County Council to remove someone or re-appoint and/or re-appoint a Member, another Member if somebody just doesn't show interest and show up? Is there, you know, how do you deal with that kind of a situation or is it?

Mr. Hopper: I'm actually not aware any formal process because once the appointment power is vested that's in the Statute. Legally I don't know of any statutory you know, method by which you could make a formal request by to the Mayor or to the Council. Perhaps informally by letter you could perhaps request. But legally I'm not familiar with a formal request procedure. I think it's at their discretion though.

Mr. Summers: And if I may expand on that Mr. Chairman. Very similar issue came up at the Maui GPAC meeting when they were reviewing the Rules, very similar concern. We have to keep in mind that the Council is the appointing authority so the authority to replace Members rest with the Council. What this body can do, and what the Maui GPAC decided to do, was in the event of unexplained absences to quickly offer a letter the Council requesting the appointment be made thru Resolution, as specified in 2.80B Bill 84, to replace the Member. And I think the key here is that we carefully monitor attendance at our meeting and if we see a problem occurring quickly get on top of it. Contact the Member. Try to work with the Member to encourage he or she to attend the meeting. If we can't get attendance at the meeting then a letter would be appropriate and we would have to move it thru with the Council.

Mr. Vanderbilt: Mr. Chair?

Mr. Bennet: Mr. Vanderbilt.

Mr. Vanderbilt: Yeah...So can we put in our Rules that this Body has the power under its Rules to recommend to the Mayor and/or the Council as needed the removal of a Member? I mean that gives us the authority to at least recommend and then it's up to them whether they can act on the recommendation. But at least it's in our Rules.

Mr. Hopper: Well I think what that because the authority would be simply to write a letter and to request you already, once the Board is formed and once the group is formed and there is a Chair and a Vice Chair you already have the authority by motion to vote to have that letter drafted. I don't see a section of the Rules affecting that in any way. Because it would simply be by a letter request to adopt your recommendation. I mean, I supposed if you wanted to have that as a portion of the Rules, you could, but because that portion in it of itself wouldn't be illegal but the recommendation would have no legal affect. It would be by it would have no different affect and if you made a motion.

Mr. Vanderbilt: Okay. Yeah... I got it. But, so, but if we recommend the approval and they accept our recommendation and terminate someone on this Board, are they required to appoint somebody else to fill that vacancy or is it to their discretion to let the Members continue on?

Mr. Summers: Thank you Mr. Chair, let me take a crack at that? I think it will be case specific in the sense that, let's say we have 13 Members and we drop down to 12 and we are three-quarters through the process, it may be inefficient to have a new Member appointed so late in the process and it wouldn't be affecting our ability to make quorum. In that case, and the Committee could communicate that in the letter, in that case they may not.....

Mr. Vanderbilt: John, John? The question was, does the Council have the discretion if they don't want to appoint somebody or do they have to appoint somebody to fill the vacancy? That was the question.

Mr. Summers: I believe they have the discretion.

Mr. Bennet: Mr. Teves.

Mr. Teves: You know I'm just thinking under attendance if we put something in there that is explicit to everybody understands, you know, the Member should be absent for 3 meetings or a total of 3 meetings. And then we would vote on that kind of stuff. At least it's explicit. Right now you know there's nothing in writing that says; after you miss 3 meetings you're off the Board.

Mr. Bennet: I also had a question about criteria and whether it's 3 meetings or 5 meetings or whatever. But should the criteria for the removal be a part of the adopted Rules of Procedure?

Mr. Summers: Thank you Mr. Chair. My general recommendation would be that every situation is going to be different. I think the important point to note is that the body can write a letter the specifics of the situation and transmit that to the Council for action. The first sentence, if you go to 903-10 of the Rules, that's towards the back, Section 90...12-903-20. We have sub-section that addresses attendance. That's page 903-10 of the proposed Rules. At the bottom of the page we have sub-section that addresses attendance. In the first sentence reads, "no Member shall be absent for the service of the Molokai GPAC unless the Member is sick or otherwise unable to attend". If there is a desire to specify that this Committee would like the authority or as your attorney noted, you do have the authority to write the letter through a motion, have a motion. Communicate to the Council. Certainly a sentence could be dropped in there if you want to specify that.

Mr. Bennet: Would someone like to, Mr. Medeiros.

Mr. Medeiros: It seems to me everything we've talked about so far appears to be really adversarial. You know they people that are not here are our friends. They are our

neighbors. Seems to me if we are write any letter we do owe the courtesy to write them the letter first. And I know for myself if it's critical enough I'll just I'll go talk to the individual say "hey, we need you there if you can..." and in my case if I can't come and I become a burden to the Board I'll step down so I can be replaced with someone who can function properly. So I don't think we need to get carried away and spin our wheels. Let's just write a letter to our friends and our neighbors and let them know. Beside it would get to the point where we are kicking off people the Board that certainly sends the wrong message to our Community. We are not functioning very well then.

Mr. Bennett: Thank you.

Mr. Medeiros: I realize that we need to lay groundwork first and I know that's important. But I we owe it to our Members and our friends to just do it right.

Mr. Bennett: Thank you Ed.

Mr. Teves: Mr. Chairman I'd like to just add to that.

Mr. Bennett: Ok. Mr. Teves.

Mr. Teves: I don't think it was intended to be adversarial. I think, I think we want to move forward. We don't want to just, you know, just every other meeting go back and then go forward again, there is so much ground to cover. You know I would think that the first process would definitely be informing the individual as the Rules state now. You know that's definitely the first step before you kick anybody off. There's no advantage to kicking people off the thing, we just make it hard to make quorum. You know, so I don't the intent was to, you know, we need a solid group that is going to stick together through this whole process so we can get it done. It's not easy.

Ms. Haliniak: Mr. Chair?

Mr. Bennett: Yes, Ms. Haliniak.

Ms. Haliniak: I just wanted to ask the Planning Department, if they have taken any action as far as contacting those people that...because I know there's an email going out saying, "please respond if you attending" and if they haven't received, you folks haven't received a response, do you folks do anything or you just show up at the meeting?

Mr. Summers: We certainly can pole Members prior to a meeting. In fact we do that with some of our other Boards and Commissions to get a head count, make sure we have quorum prior to a meeting. So that would be obviously something that we should

institutionalize. Another point is, was noted, it's often time very affective to contact the member and ask they why attendance has become an issue and whether they expect that their attendance will improve with the basis and we can inform the Committee of what's happening with an individual who hasn't made a series of meetings.

Mr. Bennett: Okay, thank you. Okay, I guess to me that we should find out from those people who are not attending if they do intend to become a part of the Board as well as encourage them to attend if they, but if the person is contacted and they indicate that they do not wish to be a part of the Board, then we should move on.

Mr. Summers: That's correct. The first step is to get a resignation letter from that individual and quickly get that to the Council so they can act to fill the position.

Mr. Bennett: Any other comments. Mr. Arakaki.

Mr. Arakaki: Yes, I would like to make one comment. I think that on the other side here, definitely we want our friends to participate here. But at the same time we know that there's going to be come important voting that needs to be done and we'd like our friends to make sure that they make an informed decision on that vote and we don't want people to just show up here just to vote. So I think this is a real important aspect of participation and Community building also so.

Mr. Bennett: Thank you. Now are we looking at the Rules of Procedures and making comments on Rules of Procedures? At this time John?

Mr. Summers: That's correct. My recommendation would be if any of the Members have specific changes they'd like to propose that we identify those at this time and make those adjustments.

Mr. Bennett: I just had one point. I noticed under Section 12 903-16 that under voting, that I was wondering about the disqualification. What constitutes as disqualification? Conflict of interest? Or....

Mr. Hopper: Yes, it specifically references "voting pursuant is disqualified pursuant to section 12903-17," that's the conflict of interest section. So that would be in the event that a Member believes it for whatever reason they have a conflict of interest, they could reclude themselves on a vote on that particular issue. That would be the exception where their vote would not be counted. They will be disqualified and they won't be counted toward the quorum or towards the vote on the actual item.

Mr. Bennett: This, it says, I'm just a little confused. It says disqualified from voting, so that person does not vote? Is that correct?

Mr. Hopper: Yeah, that person yes, and it's only pursuant to that specific section on disclosure of conflict. So it's presuming a Member has disclosed that conflict and has rescued him or herself. Once that happens, yes, disqualified from voting it is a situation where the person of the conflict and they're disqualified. That means they, they don't vote.

Mr. Bennett: Okay, and the next part of this, this is what confuses me...."and the Members silence or refusal to vote shall be recorded as an affirmative vote." Is that any Member in general or the person who's been disqualified?

Mr. Hopper: That doesn't not apply to this. This is disqualification. But it does apply to they way the Rules are written if a Member is silence on a vote, that counts as an affirmative vote.

Mr. Bennett: So any Member of the Board does not vote it's counted or just remained silent is counted as an affirmative vote. Is that correct?

Mr. Hopper: Yeah, a present voter who's not been disqualified. Correct.

Mr. Bennett: Right. Ok that's, I just wanted clarification. Thank you.

Mr. Teves: Mr. Chairman.

Mr. Teves: Is this part of law or can this be modified?

Mr. Hopper: Oh the conflict of interest issue a part of the law....

Mr. Teves: No, in relation to the affirmative vote by no vote.

Mr. Hopper: That is not part of the law. But that has been instituted because a problem that has happened in the past. Is that if you had Members abstaining from the vote, we would have the difficulty towards a quorum and towards the action. You would have voters abstaining and under an Attorney General's opinion, I believe from the mid-80's that was determined to be not in the affirmative vote. So you had this situation where for example with this Board you could have 7 people voting, 6 voting in favor and 1 abstaining. You could never, you could not take any action if that member. So that's put in there based on that rule. It is changed but we would highly recommend, based on past practices, that you do have that rule in there. Because if it particularly considering this works together for 120 days after they received the, after they receive the Commissions Report you don't want to get into a situation where you have trouble taking action because people are abstaining. That's why it's in there.

Mr. Teves: I would feel more comfortable you just said you cannot abstain.

Mr. Hopper: It's within your right to do that, but we would recommend against it because it has led to problems in the past.

Mr. Teves: How would it lead to, what would be the difference between saying you cannot abstain to no vote means a yes vote?

Mr. Hopper: Saying you cannot abstain?

Mr. Teves: Yeah.

Mr. Hopper: Well because you could have a situation theoretically where a Member says nothing, I mean how can you force them to vote if they simply say nothing? I mean, you can't make the person, you know, vote yes or no. So that's why it's counting as an affirmative vote.

Mr. Bennett: So if you don't vote no it's a yes.

Mr. Hopper: Yes.

Mr. Bennett: Is that clear?

Mr. Hopper: So you would vote against it if you were not in favor of it.

Mr. Bennett: Ms. Davis, did you have a question on ah.....

Ms. Davis: What about Members that are not present at the meeting? Are there, but we still need this says "an affirmative vote of the majority of the membership" does that mean all 13 so we need at least 7 affirmative votes to pass anything.

Mr. Summers: That's correct.

Ms. Davis: And the Members that are not present

Mr. Hopper: They will count towards the quorum or towards the vote. So you need at least 7 people to show up otherwise there can be no action what so ever taken. If 6 show up there can be no action.

Ms. Davis: But we wouldn't have quorum, so we wouldn't be able to do decision-making.

Mr. Hopper: If you had 8 show up, you would need, you'd still need a vote of 7 people in favor, no matter how many showed up. You need a vote of 7 in order to pass any motion or take any action.

Ms. Davis: Okay. So their absence doesn't count as a silent yes.

Mr. Hopper: No, silence refers to a Commission, a Member who is here and actually doesn't vote. If they are not present that doesn't refer to them.

Ms. Davis: Thank you.

Mr. Vanderbilt: Mr. Chair.

Mr. Bennett: Mr. Vanderbilt.

Mr. Vanderbilt: On the voting it says "that all Members shall be determined by a formative vote of the majority of the Membership to which the Molokai CIP, CPAC is in entitled". Could that be changed to say, "all matters shall be determined by an affirmative vote of the majority of the current membership of the Molokai GPAC at the time of the vote"?

Mr. Hopper: No, again the quorum and voting rules are both specified by law, so that cannot be changed.

Mr. Bennett: Are there any other comments on the Rules of Practice and Procedures?
Mr. Arakaki....

Mr. Arakaki: Could you give us an example in what would constitute a "conflict of interest."

Mr. Hopper: Typically and, typically would be a situation, theoretically speaking a Member would have perhaps a financial stake. A personal financial stake in a matter of coming before the body. So it would be, that would be an example. It would have to be a personal stake in the proceeding. For example if there was a, I don't know, an SMA permit or something and if it was granted that person would, you know, would benefit financially. Potentially you could have a conflict of interest so that person may recuse themselves on the vote on that particular issue would be a theoretical example.

Mr. Bennett: I have a question for the Corporation Council. Who declares the conflict of interest, the Member themselves or can a Member be asked if they have a conflict of interest or what's the procedure for declaring a conflict of interest?

Mr. Hopper: Well pursuant to the Rule, it requires the Member to disclose the conflict. And you're correct. It, the Rule is depended upon the Member to disclose the conflict themselves, and to recuse him/herself on voting on that particular issue. So in that respect the person is in many ways, on their honor to recuse themselves in that situation. But yes, that's how the Rule works.

Mr. Bennett: Thank you.

Mr. Vanderbilt: Mr. Chairman. Yes Mr. Vanderbilt.

Mr. Vanderbilt: With regard this is to Corp. Council. For instance, I served on the Molokai Ranch Master Land Use Plan Development over a 2 year period. And according to the Ranch, 1000 people on this island participated in that Plan. Would every one of those people if they were sitting on this Board that has participated in the Plan be in conflict with making any decisions in this Plan that may have to do with lands owned by Molokai Ranch?

Mr. Hopper: No, you would need a more personal stake, a direct financial, a direct financial interest that is still current. I mean that was in your example; I don't want to get too specific, because none you know, those issues are specifically on the agenda before us. In those issues, it would seem that the people do not currently still have a, they served a couple of years ago that happened a while ago. They don't have a current conflict existing at the time. For example if you happen to work for a company that is currently applying for a permit or something you wouldn't be precluded from serving on that, you wouldn't necessarily be precluded unless you had a direct financial interest, I believe. If you still had that interest. Cause you run into problems with the big companies in certain situation.

Mr. Teves: Mr. Chairman?

Mr. Bennett: I have a question first Glenn. What, I want to ask Corp. Council would it be wise practice if that Member thought they had a conflict of interest to check with you first and to get your opinion on if there is a conflict?

Mr. Hopper: I would recommend that. To speak with me and then if a lot of time in those situations I can't make the initial determination unless there is some review of the evidence in the situation. If there were comments made to actually look at the evidence and perhaps get a ruling from the Ethics Department on that issue. If, you know, if it has to go further, but I would recommend that yes.

Mr. Bennett: Okay, thanks. Mr. Teves.

Mr. Teves: That was my same question. Thank you.

Mr. Bennett: Any other comments on the Rules and Procedures. Mr. Vanderbilt you care to comment?

Mr. Vanderbilt: When we had the Molokai CAC that reviewed the Community Plan all of our meeting minutes were verbatim. This, these Rules don't call for the minutes to be verbatim. Can the Rules state that the Molokai GPAC minutes will be verbatim?

Mr. Hopper: The law does not require it but I believe that it could. You would obviously run into issues of, sometimes that's impossible. For example if something is in audible, but I think that's, I would have to check with Planning Staff to see if that's possible to do. You would have to direct to them to see if that's possible if they have the technology they've been doing that.

Mr. Vanderbilt: Well we had in our verbatim minutes a lot of in audibles. But they were still verbatim minutes. Just the verbatim was in audible.

Mr. Summers: Thank you Mr. Chair if I may take a crack at that. It is the Department's practice to prepare verbatim minutes. We do verbatim minutes for all of our Boards and GPAC's Commissions. We're doing it for GPAC as well. My general recommendation, meetings do vary and we may have a situation where in a workshop format, it would be challenging to verbatim minutes. In that event, we would have a discussion with the body and get the concurrence from the body before we went a summary minutes. But I would exercise some caution in terms of tying your hands, in terms of how we do our minutes.

Mr. Bennett: Thank you John. Other questions or comments about Rules and Procedures. Okay then John, what do you have next?

Mr. Summers: Thank you Mr. Chair. Planning Department does recommend approval and we would recommend that you open the Public Hearing for Public testimony.

Mr. Bennett: On the Rules and Procedures?

Mr. Summers: Right. In the event that a member of the public has question based on our discussion.

Mr. Bennett: So we will now opening the floor to Public testimony on the Rules and Procedures. If anyone who'd like to give Testimony....None being heard. We should be moving on top item number 4.

Mr. Summers: Thank you Mr. Chair. In the absence of Public testimony the Body does need to take a vote. Nancy did bring up an issue at our last meeting. We had talked about the retention of documents by the Molokai GPAC. And if the Members turn to 903-9 at the top of the page. The Planning Department made a commitment to keep the files or duplicates of the files here on Molokai as well as our main office. I don't know, that is our operating practice going forward based on the suggestion at the last meeting. I don't know that we need to incorporate that in the rural format.....

Mr. Bennett: What section of the Rules are you talking about?

Mr. Summers: That's 903-9 the top of the page, sub-section 12-903-14.

Mr. Hopper: If I may, 903-9 is the page number at the bottom. The actual section is 12-903-14.

Mr. Summers: So according to that section, they discussed the retention of documents by the Molokai GPAC. We have been keeping the original documents at the office of the Planning Department, and sending copies of the files to the Molokai planner so that the Molokai residents have access to the information.

Mr. Bennett: Can I ask a question about that section? Why would somebody want to withdraw the original document if they can get copies? I don't quite understand that.

Mr. Summers: Well, occasionally the documents are, the files are very very large. And often times for projects we have a number of large maps and other elements in the file that would be very difficult to reproduce. And in those instances members of the public ask to check out the file and they will review it in house.

Mr. Bennett: So copies exist elsewhere in other words is what you're saying?

Mr. Summers: Right.

Mr. Bennett: Would that be correct?

Mr. Summers: Documents that can be....

Mr. Bennett: They may not be here at this office, but they could be there on Maui or something.

Mr. Summers: And my recommendation would be that we keep the language as it is. Because will have information that is very difficult to reproduce. And in that event it may not be possible to have it in 2 places, but our operating practice is recommended by this

Committee at the last meeting was to keep a file here on Molokai as well as the original file at our office on Maui.

Mr. Bennett: Thank you for the clarification. Other comments on the Rules and Procedures? Actually we're past comments....so we're entertaining a motion. To adopt the Rules and Procedures?

Mr. Hopper: That's correct. You take a motion you vote affirmatively for it, it can go to the Mayor and after it's filed with the County Clerk and the 10 day waiting period is ends, the rule would take effect. So that for the next scheduled meeting if the Rules are approved, you can elect a Chair a Vice Chair and take action.

Mr. Bennett: So I'm entertaining a motion. Mr. Teves.

Mr. Teves: So moved.

Mr. Bennett: Is there a second?

Mr. Arakaki: Yes, second.

Mr. Bennett: Is there discussion on the motion? Being no discussion, I would like to call for the question. All those in favor of adopting the Rules as presented please vote yes. Indicate (hands are raised unanimously in favor of adopting the Rules). Those opposed? (no show of hands) So none opposed. Motion to pass as carried.

Mr. Summers: Thank you Mr. Chairman, Members of the Committee.

Mr. Bennett: Next item on the agenda is a Workshop.

F. WORKSHOP

(TAPE CHANGE – TAPE 1, SIDE B)

Mr. Summers: Yes, we do have Kathleen Aoki with us tonight to give you a quick update and overview of our Public Facilities Report. We have a short PowerPoint that we are projecting against the wall to your rear. So we may want to do a little U-Turn here so you can see.

Ms. Aoki: Well first of all, you should have received a CD in the mail recently that had the draft Public Facilities Report in it. Did you guys all get that? Because my PowerPoint is very much a broad overview of that CD, I'm not getting into the real nitty-gritty about it all. So hopefully you looked at that. Ok. As part of the requirements of Bill 84 to do the General Plan we had to do Public Facilities Updates to 2030

projections, actually we didn't have to do it to 2030 projections but those are the populations projections we have. So for the most part, all of these Public Facilities were done out to 2030 with a few exceptions. So the initial Public Facilities Assessment that was done out to 2020 was done in July of 2002. Then with the updated Bill 84 we had to do a 20-year planning period so we used the 2030 projections. RM Towill Corporation on Oahu was contracted to update their original assessment. Basically this report looks at 12 facilities and they include both County and State operated agencies so we have education, recreation, fire, airports, prisons, harbors – which are only County harbors, not the large State harbors, emergency medical services – which is basically your ambulance service (land ambulance, not air), libraries, police, hospitals, solid waste and long-term care. Basically the objective was to look at the needs and services in each County's Community Plan regions, obviously with the exception of Kaho`olawe, and we used our Socio-Economic Forecast that we just updated last July. One thing to note of importance is that this consultant didn't look at the quality of the facilities; it only looked at what is needed. It kind of may seem things are ok now, and then went ahead and then projected it out till 2030. So there could be a discussion if you don't feel some things are adequate now that maybe this doesn't do a good job of assessing it out to 2030. And really there weren't standards. The consultant was told to use National, State or other County guidelines. Okay, let's go into schools.

(In audible – The below was taken from physical notes.)

Mr. Vanderbilt – Are we supposed to ask questions now or do we wait till the end of the presentation?

Ms. Aoki – I prefer that you would hold them and ask me when I'm done. That would be great! Thank you. So for education, what we did was the DOE does their own 6-year projections. So for the years 2005 – 2011, we used their projections. For them immediately mostly start enrollment data, they used population a bit but on a very marginal basis. And for the period 2012 – 2030, we did our own sort of qualitative assessment and we used our proposed developments within the districts, our interviews with the DOE, and then also population projections out to 2030. In summary as you probably all know many of our schools are over crowded according to Board of Education standards. On Maui, and let me just say something real quickly, you're gonna be hearing me talk about all the islands. Because we are working on the Countywide Policy Plan first. So as a group, you guys are making a decision for the entire County. So we'll talk about Molokai, and Lanai and Molokai. So as far as Maui is concerned, new elementary school is opening up hopefully in the fall of 2007 at Maui Lani. Kihei high school has been moved up the priority most. A new elementary school was proposed at West Maui at Pulelehua and then just in general you know continued repair and maintenance needs will be addressed by the DOE for all of our schools. And this I just put in to just give you and idea about how much money is spent State-wide.

Their budget I looked at is extremely complex and it accounts for nearly 23% of the entire State budget, which is kind of large. There is 8 different categories and this particular graph shows \$1.7 billion dollars budget that was requested by the DOE for the 2005-2007 budget. Okay, libraries as you may or may not know are under the control of the State Board of Education. It's known as the Hawaii State Public Library Systems. There are 8 libraries serving Maui County and they use a National Standard of .6 growth square feet per capita. This is right out of your Public Facilities Report; it's just a map identifying all of our libraries. Kihei has the newest library, built in 1996 and pretty much all of Maui Island's libraries are deficient in size if you use that .6 growth square feet ratio. If you also use this topography in general the driving distance to libraries doesn't meet National Standards either. Anyway in that report, recommendations were made to up, expand or replace the Central Maui library, West Maui library, Upcountry Maui and Molokai was on there as a suggested replacement by 2030. The problem is this is a State facility so as you all know libraries really aren't high on the priority list. (In audible) of basically the recreation section looks at 2 different things. It looks at park acreage and it looks at facilities. So standards on this, they kinda went and looked at the City and County of Honolulu, they looked at our own and then they also used National standards. Okay so acreage, just so you know, we didn't include any State or National Parks as part of the inventory and the rationale behind that was that if you did you'd start totally skew your numbers because say you added in Haleakala National Park and we added in 45,000 acres, we'd look great. But a lot of that can't be used. So we only looked what is owned and operated by the County. We used de-facto population. Which means we used tourist and our residents and pretty much every Community Plan district except for Hana is deficient. So Molokai falls right in there with everybody else. A single (in audible) facilities many of our Community Plan district lacked the facilities that we should have. And obviously if we lack it now based on 2030 growth we are gonna need more. Just my conversations with Recreation that I've had, Parks and Recreation Department, the problem with them is that because they are not under the realm of addressing Public Health and Safety they are often less attention and less priority in the budget. So that's unfortunate but a reality. Okay, the Police. Police needs were based on 1.96 officers per 1000. That's basically, when you read the report, that's what we have now and they are assuming that's adequate. Many districts are under staffed simply due to vacant positions. And just the Police Department has a heck of a time hiring and retaining officers. I talked to the temporary, or what ever he is, district, what is he just, oh anyway, I talked to one of the personnel there and basically it's not just the pay, but his comment which was kind of interesting, it's just that unemployment is so low right now. People don't want to, they can go do something else. So they are having just a hard time filling positions. The only kind of new station being planned right now is for Kihei and they've gotten \$1.5 million that was budgeted for doing plans and designs and they hope to secure funding in the next 2 years to pay for the new facilities which is going to cost around \$32 million dollars. And it's not a very large facility. It's just that it's being built in blue rock in Kihei. So a lot of that just

has to do with the grading. And this is just a slide of their report. Another interesting thing to that I wanted to let you guys know is that the police is also responsible for the morgue. And they're also trying to seek \$4-6 million this year to acquire the facility to do post-mortems. And this is just a statistic that Captain Larry Hudson told me was that there were 181 bodies recovered for the purpose of conducting a post-mortem, averaging 2 a day. And there's only space for 4. So this is a real high priority for them. Fire. This is, this drawing up here is actually a rendition of the new station that's being proposed for Kaunakakai. Coverage was based on 5 mile radius according to the update new stations appear justified in Ha`iku, Waihe`e and Ma`alaea on Maui. Molokai has their seed funding for a new replacement station and discussion have begun on Maui for a new station in Ha`iku. Hospitals. This was and interesting one, because according to the report we're doing pretty much okay. Here on Maui, they don't think so. Hospitals are based on an average daily census and State Department of Health desirable hospital occupancy rate. One of the big issues of the report found was that the bulk was being used by the wrong kind of patient. Long-term care patients are taking up acute care beds. So that becomes and issue. I just threw in this last bullet, that this assessment was done prior to the current South and West Maui hospital debates. Long-term care, just a note that elderly care is growing at a higher rate than the population as a whole. The assessment looked at the needs for long-term care beds and high occupancy rates are an issue for Maui and the secondary affect the acute care beds at Maui Memorial. From what I gather from the report it seems like Molokai General Hospital had 2 beds that they used for long-term care, but they are going to convert that into other uses. So in, I have to admit I'm a little unclear where your long-term care patients are supposed to go? No more? Which is ridiculous! So you know it's something we need to talk about. The other thing to that this assessment did not look into which I wanted to bring up with my, cause I had discussion with Housing and Human Concerns is that if not just long term care beds you guys need to think about it's there's other ways of taking care of our elderly, whether they stay at home with us or we put them into what's called Green House living, which is a new trend going on. And then by doing that you're not, you're also, have to get services to the caretakers and help them help their elderly. So that was something that I wanted to bring up, that this assessment didn't even look at. And this they just took from a recent conference I went to on O`ahu that 18.7% of Hawaii's population is 60 or over. That makes us 7th in the nation. And 28.7% of Hawaii's residences' has at least 1 person that is 65 or older, that makes us 2nd in the nation. That's a really high statistic. Emergency medical services assessment like I said was based on land ambulances only it didn't include air. The kinda of prominent area of concern was actually Kihei/Wailea which currently ranks 7th in the State's priority ranking for additional ambulance. But nearly all Community Plan regions are gonna need additional ambulances by 2015. And ask you folk know ambulance response time for West Molokai is approximately 50-55 minutes. The State is considering adding another ambulance to serve this area but this ranks 170th on their priority list. So it's not exactly

high. Airports was one where the projections were only done out to 2025 because we used the State Department of Transportation's projections. Basically there's no major expansions expected we anticipate the runway, the lengthening of the runway on Maui maybe to come up. But on Molokai it seems that you're pretty restricted as far as topography is concerned. But there are no huge red flags for Molokai as far as the airport was concerned. Harbors as I mentioned focused only on non-commercial County harbors, mooring areas and ramp access. And basically based on population projections for every Community Plan region that has, has these is gonna be expected to increase their numbers over the 2030 horizon. And then as far as Kahului harbor which is a State run facility they are currently updating their 2030 Master Plan. Solid Waste was based on an estimated waste created per person per day on defacto, meaning resident and tourist. Central Maui is expected to accommodate demand to 2030 so long as each expanded, each planned expansion is funded. So they kinda know what they are gonna do they just have to follow the plan and get the funding to increase it. And for Molokai a 10 acre site was identified next to your current landfill, and is expected to be handle disposal beyond 2030. And then we're anticipating that with increased recycling efforts it will decrease your need for landfill space anyways. And then, prisons. We basically we only have Maui Community Correctional Center which is actually not a prison. And I wish they had identified this cause it gets confusing. But, it's a jail. And a jail houses inmates who are sentences of less than 1 year or are pre-trial detainees. MCCC also provides reintegration programs to sentenced felons and parole violators who will be released on Maui. So basically a prison like Halawa are for maximum enclosed custody inmates, and those requiring protective custody. Maui Community Correction Center is completely over crowded and they know this, and last I heard they were gonna try and look into building a new one at Pu'unene, But I don't know what happened with that. It seems like it sort of died. So hopefully it'll come back up. The problem again is State funding, and it's funding all this. It's not just us, all the jails are crowded. So that's pretty much in a very short nutshell. Thank you. If you have any questions now – Degray. But you need a mike.

Mr. Arakaki: (in audible) just focused on high school daily what about post high school type of facilities?

Ms. Aoki: Yeah the, the thing to understand that when this Facility Report was done, I wasn't here. And I'm not using that as an excuse. But at that time the scope was done to do this update they focused primarily on K-12. And that was what the consultant was told to look at. I don't know if John knows a better answer than that.

Mr. Teves: So (in audible) what does it mean in terms of....

Ms. Aoki: That they just weren't told to look at, you are talking about college? Yeah, they were not, that was not part of what they were asked to focus on. Basically, I would

guess, I mean, your Public schools attended by us, you , me, tax payers, with university systems, you know, you're paying a tuition. It's just like the private schools. They kinda took an assessment and did an inventory of private schools. But they didn't do an assessment about them. So the same thing was proposed. I don't know, John is there a reason why they didn't.....

Mr. Summers: Thank you Mr. Chair. Regarding the Community College on Maui the report doesn't address it at great length. We'll give you good information from the community college so that we can provide for the Members in terms of current operating procedures. Obviously the status of our higher education system is important as it relates to our County as a whole. So I think it is important use in our Countywide Policy Plan that we'll distribute as you leave the meeting that we do have policies related to the Community College proposed. So we'll have a good healthy discussion about the college. We do have information on Maui Community College if you'd like us to secure that for you.

Mr. Bennett: Are there any other secondary interest with results other than College facilities like training facilities (inaudible).

Mr. Summers: Absolutely.

Mr. Bennett: (In audible)

Ms. Haliniak: I just wanted to ask you, can you point out or give some examples on County harbors?

Ms. Aoki: Sure.

Ms. Haliniak: I mean, where are the County harbors?

Ms. Aoki: Yeah, sure, hold on for a second. Okay, for Molokai they have Kamalo Wharf, Kaunakakai Harbor, Kaunakakai State Board Harbor and Ramp, Hale O Lono, they actually have Puko`o Harbor. But it says, not managed by the Department of Boating and yeah. So they have those. Does that help you?

Ms. Haliniak: I thought it was State harbors?

Ms. Aoki: No, we did not look at State harbors.

Ms. Haliniak: No, no. The names that you mentioned are those County harbors or State harbors?

Ms. Aoki: They have them as Maui County 2001.....

Ms. Haliniak: There are harbors in the County but are they managed by the State? Owned by the State? That's the reason (in audible) County harbors is up there.

Ms. Aoki: Let's see. They say that recreational boating is managed by the Department of Land and Natural Resources Division of Boating and Harbors so that's State. The thing is, okay, what they didn't look at is your big commercial harbors. They looked at harbors where you launched your boat from or where you might have a boat launched off of. They didn't look at your commercial, because they are run by your State Department of Transportation, not the Department, not DLNR.

Mr. Summers: Right. Essentially they focused on facilities that are managed by the State Department of Land and Natural Resources rather than State DOT Harbors Division. So that's a separate planning study that is occurring right now in terms of the Kahului Harbor Master Plan Update. But we do have the rest of those facilities and assessment in terms of current capacity in terms of operating conditions.

Ms. Aoki: Sorry about that. That, yeah. DLNR rather than DOT. It get's confusing.

Ms. Haliniak: That's why I guess, I guess its harbors that's that are in the County of Maui then right?

Ms. Aoki: I mean there are in the County, it's just that your main commercial one's are operated by the State Department of Transportation and you little ones are operated by Department of Land and Natural Resources. So they are State. I was incorrect in telling you they were County.

Mr. Summers: The County is not in business of managing your harbors (in audible) there's conversation to transfer that authority to the County in terms of the smaller facilities. But as of today that hasn't occurred.

Mr. Bennett: Mr. Vanderbilt.

Mr. Vanderbilt: The, you're looking at a report. Is that report that was sent to us on the DVD? Will we be getting this report?

Mr. Summers: Kathleen, can you (in audible).

Mr. Vanderbilt: So what was the purpose for us getting the DVD just to give us a little heads up or for us comment on some mistakes that might be corrected in the final?

Ms. Aoki: The purpose of giving you the draft was yeah simply to give you sort of a heads up on what you are gonna be getting. I am going over it, so no you don't need to give me any of your comments. It's pretty much done. What we'd like to do though is instead of you know for those of you who may not want a hard copy because they're very expensive to reproduce. We will give you the final on a CD and then maybe have 1 or 2 with Nancy where you can come in and look at it on a hard copy.

Mr. Vanderbilt: Well I would think we'd want a hard copy. I mean it's kinda hard on a CD and when a subjects come up and you gotta refer to something cause we're gonna be on a pretty fast track here and trying to. A CD is a very awkward thing. So if we want a hard copy we can get a hard copy. Ok, thank you.

Ms. Aoki: The other thing to I just wanted to mention as well as we get more into your Molokai Plan, right now it's a real broad overview and for the Countywide Policy Plan we're not getting into like real specifics on Public Facilities. So when we do, we will bring in representatives from the different agencies to talk to you and provide you more details because I know you guys are gonna have questions. I only, as you know John said I'm the "guru" but I only so much. These guys need to come in and they will help you and answer any questions that you have.

Ms. Davis: What's the population projection you are using for 2030?

Ms. Aoki: For Molokai?

Ms. Davis: For Molokai.

Mr. Summers: I can get that to you. I can send that to you and report it at the next meeting but we do have projections for, I don't have it at my fingertips I don't have the Socio-Economic Forecast with me. We do have numbers for Molokai residents (in audible).

Ms. Aoki: I have it. For 2030, Molokai is projected, residents is 8,395. So for defacto, you have 9,744. In 2005 estimated resident population is 7,127. And if you add in the visitor, the defacto comes out to 8,036 for 2005. So you're looking at about 1,708 people more.

Mr. Bennett: Any questions or comments for the presenter? Mr. Teves.

Mr. Teves: The population numbers do not seem reasonable if you just look at the number of lots down at Kaluakoi, (in audible); the lots are already in the books. Looking at some more potentially (in audible) increase are about 3,000. (In audible) And that could be within the next 10 years. (In audible) increase by 10,000 people not by 1,000

people that's... I don't know. (In audible) plan everything around this we are gonna way off.

Mr. Summers: Thank you Mr. Chair. If I may respond to that, generally what I like to say when we discuss Socio-Economic projections is they are just that. They're just a looking out into the future they are not County Policy. They are not the policy dependent on a document of any way by the County. But it's just a check point. We do have Socio-Economic Forecast high and low projections to go along with most projections. I was mistaken in my previous comments about our forecast numbers. As you leave the meeting today and pick up your Countywide Policy Plan and on page 28 of that document we have a table that does list resident population in the Socio-Economic Report. Socio-Economic Report is for a (in audible). Please, please I like the document and I think it's very informative and I think you'll find it of interest. And then again, we will have a conversation about our socio-economic projections. As you recall we went through about half of the orientation session so you'll have an opportunity to present some of the information from that forecast to you at a future meeting.

Mr. Bennett: Are there any comments or questions for the presenter?

Mr. Vanderbilt: Yes, Mr. Chairman.

Mr. Bennett: Yes, Mr. Vanderbilt.

Mr. Vanderbilt: So on the this all this study and all you have before you will it be pretty clear how Molokai's expenditures relate to Lana`i or Maui Island? So that if we're all trying get together and agree on one General Plan we'll know each of us stand?

Ms. Aoki: Expenditures as far as how much things cost?

Mr. Vanderbilt: Well, just all the statistics you were going over there and saying it looks like everything is ok in long term and Molokai doesn't look good. So where does Molokai relate to Lana`i and Maui Island? I mean we're trying to all get together and agree on a General Policy Plan but in order to do that we gotta know how we all inter relate and what each of us can expect to get.

Mr. Summers: Thank you at Mr. Chairman. Let me take a crack at Committee Member Vanderbilt's question. We will have as part of your Molokai Community Plan Update a digital implementation program and schedule of budgets. We're also doing the same for the Maui Island Plan Update. The Countywide Policy Plan we're really talking about broad general policies for the County. When we get into our Land Use plans you know for Molokai that would be the Molokai Community Plan we'll have a specific section, a specific financial element that addresses capital improvement needs. Generally the

report that was discussed tonight suggests that we do have some structural deficiencies in infrastructure systems. And this is a County wide problem. So we're gonna have funding issues that need to be looked at and funding for that would be the Molokai Community Plan.

Mr. Bennett: Any questions or comments for the workshop presenter.

Ms. Davis: John, looking at planning just generally stating on Molokai in particular I think what Mr. Teves had brought up about population growth is true in what we can count among the things as we're trying to get some baseline information gathered to do planning through 2030. And we can look at the number of lots that are for sale, project that and see what our population and growth is likely to be. If within the real estate plans often note, development plan, just population growth from a number of babies born to residents. What I would like to also look at the supply side of things. And land is not really a leading factor on this island, but water certainty is. You know I had asked at the previous meeting if we might be provided with the existing Water Use and Development Plan for Maui County. We can reach there should be a section for Molokai. I think that information or our understanding maybe there is a lack of information is going to be critical to our making plans for the expected or anticipated growth and population of this island. And what realistically gave me, not so much expect but where's our capacity? I wanted to just reiterate my request that we can get copies of the Water Use and Development Plan and see where we are at as far the supply side. Thank you.

Mr. Teves: Mr. Chairman.

Mr. Bennett: Mr. Teves.

Mr. Teves: Adding to that I think the present situation in Kaunakakai is which I think is considered critical. We have Kawela well that it's gone salty. And then on top of that the State asks you that the County vacate the Kualapu`u well too. So now we have basically no back up water for Kaunakakai and the present water situation is 10 years. I think we need to somehow get involved in this part I don't know if the County Water Supply people can bring us up to date and how we can help them. I think that's critical that we get some of those wells on line before we just hit the wall. And on top of that I think the Kualapu`u well is showing elevated salts. There's no back up for Ualapue at all. So when you talk about the upper limit. Yeah there is a limit. We not going have water for the existing units.

Mr. Summers: Absolutely. Water is a real binding restraint in terms of how the location of future settlement. And we are working closely with the Water Department in terms of coordinating our efforts with them, and they are coordinating their efforts with us. It's

very important that we have that conversation on water and we hit it, we hit it in the Countywide Policy Plan, and we hit it real hard in the Community Plan. And that's just basic real fundamental information in order to craft it. The Plan will be an utility for the community.

Mr. Bennett: Well, I think the general consensus might not (in audible). We need to think about water and if we don't we're just (inaudible) our lands.

Mr. Summers: Let me contact Ellen Kraftsow and you all the information we have related to Molokai in terms of water issue and plans for Molokai. Let me report back to you at the next GPAC meeting with that information.

Mr. Bennett: Thank you Mr. Summers.

Mr. Vanderbilt: Mr. Chair.

Mr. Bennett: Mr. Vanderbilt.

Mr. Vanderbilt: Yeah, John when you ask Ms. Kraftsow for that information ask her where they are in scheduling an update in the Molokai Water Use and Development Plan if you could.

Mr. Summers: Sure thing.

Mr. Bennett: Any comments or questions on the workshop for Public Facilities Assessment Update.

Mr. Vanderbilt: Mr. Chair. If I have an article here that was written on the new Planning Director's ideas for tackling the General Plan process. Now if any of the Members get information that might be good to share with the other Members, what's the best procedure to do that?

Mr. Summers: Thank you Mr. Chairman. For that type of communication the best procedure would be to send the letter to myself and we can distribute it to the members of the GPAC. By the way we have a log and record we keep binders with all the materials so that the public has an opportunity to access it. And we can provide that information at the following GPAC meeting. If it's not a, it's not related specifically to the working Committee there's no desire to transmit it to the entire body then we'll just log it as a communication received.

Mr. Hopper: I just have to reiterate that there can't be any outside communication between 2 or more Members on business unless it's agenda'd. It has to take place in

the actual meeting. That's kinda of crux in the Sunshine Law. So just be careful. Two of you unless there's a committee formed which has to be done in a regular meeting cannot discuss commission, business outside of the meeting. So if there's any actual deliberation on issues like that, that's fine it just has to be done in a meeting in public forum you know it has to be in public and that issue has on the agenda. So that the public has a heads up and is aware of this discussion is going on.

Mr. Vanderbilt: Regarding that we're operating under Robert's Rules? Is that correct?

Mr. Hopper: No, currently yes. But the Rules are subject to signature by the Mayor and once they are approved yes, it would be under Robert's Rules.

Mr. Vanderbilt: Alright. Now under Robert's Rules isn't it the ability of a body that operates under Robert's Rules to amend its agenda prior to the meeting?

Mr. Hopper: Not unless it can be done within 6 days prior to the meeting that's a Sunshine Law requirement. Once the agenda comes out it can't be changed unless there is 6 days notice. Otherwise, under State law any action taken on that....

Mr. Vanderbilt: Ok, so I got it. So we're working under Robert's Rules unless it conflict with the Sunshine Law and then the Sunshine Law trumps Robert's Rules.

Mr. Hopper: Yes, in the effect the Rules we just adopted today would trump Robert's Rules of Order in the event that there's a conflict. So Robert's Rules is basically the default setting. But there's rules that would trump it as would State Law.

Mr. Summers: If I may Mr. Chair, the Rules that were adopted today do have procedures for amending the agenda on the day of the meeting through a 2/3 vote of the membership.

Mr. Vanderbilt: But wait a minute. But we can't do it because Sunshine Law doesn't allow us to do that. Is that correct?

Mr. Summers: No with Sunshine Law it does have provisions for amending the agenda the day of the meeting in certain situation.....

Mr. Vanderbilt: Well I just heard Corp. Council say that we couldn't amend it because we had to give 6 days notice. I'm just trying to understand the rules.

Mr. Hopper: If it would depend on (in audible) an item with major importance but not affect the significant number of persons shall not be added to the agenda. That can not be, that, you can't amend that. But you can, there can be amendment to the, that, on

an issue quote "items of major importance." In practice I would strongly against doing that because the Sunshine Law has you know criminal penalties if you are in violations in situations....so.

Mr. Bennett: Any comments or questions? Mr. Vanderbilt.

Mr. Vanderbilt: At the first or second meeting the Planning Department was asked to provide some information to this Body. I think one was we were talking about franchises like McDonald's and Burger King's and it was asked that you guys get a hold of the Calistoga Ordinance which prohibits those types of situations in the community. And there was another request that provide a copy of all legal TMK's on Molokai with a total of how many that aren't developed and how many potential houses could be developed based on the current zoning. Just to give an idea of how much the population could increase on infill development with existing legal lots.

Mr. Bennett: John, will you follow up on this?

Mr. Summers: Absolutely. Thank you Mr. Chair. I'd be very interested in that ordinance. So if we could communicate after the meeting, and I could get the specific (in audible) on the community and I could research it. Regarding the build out analysis, that is something that is very important and will go down in as part of the Land Use Forecast in the Community Plan update.

Mr. Bennett: Any comments or questions? Mr. Vanderbilt.

Mr. Vanderbilt: Just one more, just one more Ed. In the article in the Maui News, I can't remember exactly where, but it was talking about the Planning Department encouraging large projects that aren't currently in the Community Plan to work through the GPAC process rather than work around it. Could you explain that that's somewhat the Planning Department's position? I think it was a list of projects and it was associated with this article.

Mr. Summers: Thank you Mr. Chair. As noted in the article, we are in a very important period in terms of developing future County planning policy and as we get closer to adoption we want to be careful in terms of new projects that are outside current community plan designations be approved. So essentially what the Department is doing for projects that don't have planning entitlements we're closely scrutinizing those projects and holding them to a higher standard.

Mr. Vanderbilt: And then, just one other question as far as the minutes. The Rules says they'll be available in 30 minutes, 30 days. We had that same rule at the Molokai Planning Commission but they've fallen well behind. We have individuals within the

Planning Department doing it. I think the Maui County Planning Commission has a court reporter doing theirs. So it's a lot faster. But I would hope that the minutes could get done as quickly as possible since we're be moving on a fast track.....

(Change to Tape 2)

G. PLANNING DIRECTOR'S REPORT

Mr. Bennett: There being none. Let's move on to the Planning Director's Report.

Mr. Summers: Thank you Mr. Chair. The Members should have a table, looks like this. It's a 3 page table that delineates the progress we've made on the project to date. In the upper left corner its dated 1/16/07. I can quickly highlight some of the major changes since the last meeting. The largest of course being the completion of our proposed Countywide Policy Plan document. Rather than reel through all of this let me just go to the highlights where we've had changes. Of course, we've made progress on item number 3 from the top. GPAC adoption of Administrative Rules, we're up to 80% on that item. We've also made some important progress on the Public Facilities and Infrastructure Studies, toward the bottom of page 1. And we're working on the update of our Cultural Scenic Study for Molokai and Lana'i. And we will discuss that in more detail under item 4 in the director's report. Turning to page 2. The Countywide Policy Plan has gone up to 100% complete as noted. And we have drafted some Resolutions to kick off the process with the Council in terms of appointing members to the Community Plan Advisory Committee as part of the CP update. And we'll discuss that also later in the Planning Director's Report. So we are making important strides in terms of getting into the substance of policy debate. It'll be a busy 4 months, and we're very much looking forward to working with you in the days, and weeks and months ahead. Any questions from the Committee?

Mr. Vanderbilt: Mr. Chairman.

Mr. Bennett: Mr. Vanderbilt.

Mr. Vanderbilt: Before the Countywide Policy Plan is adopted will the Molokai, Lana'i and Maui General Plan Advisory Committee's ever meet? To hammer things out as they need to be hammered out?

Mr. Summers: That's an important logistical question and we are actually preparing a presentation as we speak in terms of how we coordinate our efforts. And at the meeting on the 24th....and Erin's gonna do a little update on the Countywide Policy Plan, that's in the Planning Director's Report. She may have a comment or two about this. But we

are gonna flush out a complete schedule that addresses this coordination issue. And that'll be presented at our next GPAC meeting.

Mr. Bennett: Any other questions on the Director's Report? Or Comments?

Mr. Summers: Thank you Mr. Chair moving on to item number 3. We have as just noted developed draft Resolutions for the update of the Community Plan and searching for my copies. The Members should have some handouts with, it looks something like this. Joy do you have the extra copy of the first one? I've got the second. And the Resolutions are pretty straight forward. We borrowed some of the language from 2.80B and at the previous meeting there was a request that we agenda this item and develop these Resolutions so we could begin the conversation of moving to the next step with the Molokai Community Plan. As noted with the revisions to 2.80B, a Molokai Island Plan was deleted because the Council felt the Community Plan served that same purpose and they wanted to avoid inconsistency. So we have taken a crack putting together 2 Resolutions that we think would do the trick. The important thing to do would be to have a conversation, I know that the Members haven't had a chance to review and digest all of this, but we can have that conversation maybe at the next meeting when we talk about setting of the agenda. Ultimately what we'll need is any comments or recommendations on these Resolutions so that then we could forward them to the County Council with a letter requesting the Council initiate the process for transitioning out of the Countywide Policy Plan and into the Community Plan Update process. As noted we have funds to do so to do some of this work. So we need guidance from as well from the Council so we can procure Consultants and move that work forward. In terms of the process for approving a Resolution the nice thing about a Resolution is it only requires 1 hearing before the County Council. So it's a pretty efficient process. The main thing is in 2.80B it was revised. A section was revised in terms of the Updated Community Plan. Where it used to say, the order of update would be the oldest plan would be updated first, it now says that update is determined by the County Council through resolution. So that's where this is important. And we had communicated during the revision process, during the discussion of amending Bill 84 that we felt it would be fair and equitable to have Molokai and Lana'i go first because of entire island of Maui is being looked at now with the update of the Maui Island Plan. So, Council is aware of this issue. Again they have provided us funds and this is the first step in moving that process forward.

Mr. Bennett: Mr. Summers has the Resolution been presented to the County Council? What's the time-line for this?

Mr. Summers: The Resolution has just been drafted. We need to review it first and make sure the Members are comfortable with it. Once the Members are comfortable we can transmit it to the County Council requesting action on the item.

Mr. Bennett: How long do you expect this to take?

Mr. Summers: Well I would certainly expect that they could have it done as we maybe get into the third month of our Countywide Policy Plan update. I would say 8 – 12 weeks.

Mr. Bennett: Thank you.

Mr. Vanderbilt: John, you said it takes one hearing before the Council?

Mr. Summers: That's correct. In terms of adoption of a resolution you have a first reading and then it goes in to effect.

Mr. Vanderbilt: So theoretically let's say we agreed on this resolution at the next meeting and you send it up to Council, they could put it on whatever the next agenda is based on notice requirements.

Mr. Summers: That would certainly be possible.

Mr. Vanderbilt: And that's one extreme.

Mr. Summers: Right.

Mr. Vanderbilt: Thank you.

Mr. Summers: Any further questions from the Committee?

Mr. Bennett: On the Resolution, any further questions?

Mr. Vanderbilt: Yeah, I just...The Council is aware these Resolutions will be coming because they were sort of, they sort of discussed them when they amended Bill 84 is that correct?

Mr. Summers: There was some discussion and we were very explicit in our staff report recommendations that we thought this process should occur. We also informed them that we have budget for the update and need clarity on that.

Mr. Vanderbilt: And this is, so the Maui GPAC is doing their Island Plan is that correct?

Mr. Summers: That's correct.

Mr. Vanderbilt: And our Island Plan will actually be our Community Plan.

Mr. Summers: That's correct.

Mr. Vanderbilt: So when they amended Bill 84 they took the ability of Molokai to do all the detailed analysis of an Island Plan and now with these Resolutions in a sense that will be giving it back? Is that correct? Because we'll be doing our Community Plan which in effect is our Island Plan.

Mr. Summers: Well the Molokai and Lana`i Community Plans serve as Island Plans. So the Molokai Community will be doing Island Plan, what these do is set the order of the update and clearly specify that Molokai and Lana`i would be the first two Community Plans updated. They also....

Mr. Vanderbilt: Those would be our Island Plans right?

Mr. Summers: That's correct. They would be Community Plans but they serve the purpose of Island Plans.

Mr. Vanderbilt: So the GPAC on Molokai will be doing an Island Plan because of this Resolution. And that's the way to correct what happened with the amendment to Bill 84.

Mr. Summers: What this would do as currently proposed would essentially allow the Members of the GPAC to serve on the Community Plan Advisory Committee. The name of the committee would be changed.

Mr. Bennett: Are there any other questions or comments to the Resolutions?

Ms. Haliniak: I have one.

Mr. Bennett: Ms. Haliniak.

Ms. Haliniak: I just wanted to know why is it that some people's middle is spelled out and others are not and there's one that's not even spelled the full name out on the Resolution. Is this the way it's gonna be submitted or our corrections going to be made.

Mr. Summers: Well let me investigate that and if we have the full middle name, unless there's an objection, we'll spell it out.

Mr. Bennett: Are there any objection to having, anyone having their full middle name spelled out.

Ms. Haliniak: No objection. But my family call me Barbara Jean, nobody else.

Mr. Bennett: Thank you Ms. Haliniak. Are other comments or questions on the Resolutions? Okay then we're gonna move on to a discussion of coordinating among the Mana'e Community Mapping Project and the work of Malama Pono O Ka `Aina. A community based organization of the Planning Department in the area of developing an inventory of Molokai's cultural resources. Mr. Teves.

Mr. Teves: As a matter of procedure, should, do we need to vote on these Resolutions?

Mr. Summers: I would prefer because of the way its agenda that the Members take time to review the Resolutions and that the Public needs to have time to review them and that we address it at our next meeting.

Mr. Teves: Okay thank you.

Mr. Hopper: In fact you'd also have to wait for the Rules to come into effect so that'll hopefully be before the next meeting but.

Mr. Bennett: Mrs. Davis would like to speak.

Ms. Davis: In my capacity in my real life as community worker with the Queen Lili'uokalani Children's Center, I've been working with a group out on the east end of Molokai, which has initiated a mapping project. This happened about, going on 2 years ago. The idea come up, community members wished to map, do an inventory of and map cultural and natural resources which they feel are important to the east end, east Molokai community and community of Hawaiian people on the island which who are still parishioners. Their understanding, our understanding, the groups understanding is that any applications that come in to Maui County Planning Department need to be reviewed with a consideration about whether or not approval of that application would impact existing traditional activities, which are of course related to the resource which those activities hope to gather in most instances. As we began working on this project this GPAC process came along. So my intention here tonight is to, 2 things, first of all to inform my fellow GPAC council members about this project and second to answer any questions about the project itself and to get support for the project from this group. The mapping project was conceived to be a project that community would undertake, gathering their own knowledge and adding it to existing surveys and studies which have been done on what cultural and natural resources exist and what their presence state is. It was felt after looking at this GPAC process that ideally the maps that would be created would be included as part of the Molokai Community Plan. So that they could be used as reference by Planning Department, the Molokai Planning Commission, community members, and serve also as an implementation tool for a lot of the things that are in our Community Plan. So that's where we are at. Eight o'clock at night I'm

getting kinda fuzzy-brained already so, really I'd just like to answer any questions. Where we are now is the east-end community group, Mālama Pono O Ka `Āina, is prepared to work with the Long Range Planning Department which is Stanley Solamillo and also we've been working with Nancy McPherson to develop a correct methodology for collecting information which would then be directed to Stanley who would be working on mapping these resources. Creating the maps which would be, would serve at least 2 purposes. One would be that they would be included in the Community Plan for reference and available to the Planning Department and to community members. Community members would be involved in collecting of indigenous or community knowledge that would be added to existing surveys and studies which I understand Mr. Solamillo has been collecting and that we would make available if we're aware of other information that has already been gathered. So is not to reinvent the wheel. Community members would be prepared to go out and do field work to revalidate sites if that is requested by Long Range Planning. And that's where we're at. I was hoping get the support of this GPAC group to support the involvement of the community group of east end and also answer any questions if you have any.

Mr. Bennett: Are there any question for Ms. Davis?

Mr. Vanderbilt: I was wondering, this is something really that would probably be involved in the Island Wide or Community Plan arena versus the arena that we're currently in. So the support would be when we get to the Island Wide I guess. Because, just trying, it seems like this, I don't know how the staff going to interface on this right now when we're trying to do the.....

Mr. Summers: Thank you Mr. Chair, if I may take a crack at that. We are actually involved in some limited mapping of cultural sites as well as documentation of view corridors as part of the Countywide Policy Plan. That's a technical study that's required prior to the update of that document. So, Stan can give you a real brief overview of that work. But we think that it's really critical that we coordinate our efforts. We also as discusses at our last meeting, are requesting money in the `08 budget for an update of our Cultural Resource Management Plan which would include money to document sites throughout the County. So we have a real opportunity to leverage these efforts if we coordinate our work program we can achieve something really special. Stan did you have anything to add in terms of.....

Mr. Vanderbilt: No I would just like to say that I support you know what ever efforts you can to support this good community initiative on east end. I think our Community Plan really asks for these types of projects to be done island wide almost. So it's really great that the east end community is taking the initiative like they did on our Community Plan when they did the East End Policy Statement. Which is the only similar type statement of any on any Community Plan in Maui County.

Mr. Bennett: Any other comments or questions for Mrs. Davis.

Ms. Manu: Mr. Chairman Can I talk. I defiantly will support, well because I come from, well not because I come from Mana`e. It is really crucial that we do. Because of a lot of development that is happening on the wetlands and we need to stop that. Cause a lot of them are doing it all illegal. So, if this Molokai Plan can go like how Mahealani Davis is saying, I will 100% back it up. Cause it is very very crucial. It's not a thing I no care attitude or I no give a, excuse my language or I care less or it's not my bag – whatever. It is very important that we pull together. If you talk about all this issue during the planning whatever, Molokai is absolutely different we got to learn how to take of our own island. It's very very important. Whether it's from the East to the West, Central, whatever. We need to get together. So mapping Mana`e is very crucial for us. It is a very very serious situation cause we need to do it. It was talked about what Mahea? Two, three years ago? Huh?

Ms. Davis: About 2 years ago we began.

Ms. Manu: See and nothing when come out about it. Because we had to look for a planner, whatever was a lot of holdup. A lot of things that we Molokai had to get to make everything legal. Legal documents and whatever. And it was getting to be a frustration thing because a lot of us would come out to the meeting and then these guys no show up we couldn't do nothing. So for me to tell you this is the truth. So it's about time that we truly get on board and let them know what we really want. Because there are a lot of things up there that need to be stopped. So that is my opinion. I would back up this Mālama thing at Mana`e because it is a crucial thing. It is not for only us but for the whole island. Very very crucial. Aloha.

Ms. Davis: Thank you Aunty Ruthy. I should back up just a bit and say that where this all came from. Mālama Pono O Ka `Āina was organized to protect and preserve those resources and features of community life that are unique to the east end of Molokai. And felt that in order to best protect these places and things they should start by doing an inventory of what exists there and what are the resources that are of vital importance to community members. So that is where the mapping project came from. From the first discussions till now we've had an election, we've seen staff people go and staff people come. We've also seen community members leave and new members join us. So there's been a lot changes. We also were made more aware as we got into the process that we had to make sure that the method that the process itself was well planned. We didn't want to do a lot of work and then have the information not be acceptable to the Planning Department or to other government agencies. We want this to end up being a document, a set of maps and information in that format that will be truly useful. And provide information to both community members who are very

interesting in protecting their community and their resources and to the Planning Department people who really right now don't have any reference point when they are reviewing applications. When the question comes up is this going to somehow interfere with or degrade or not traditional activities in the community, they have nothing to look at to make that determination. And we all know that people that work at the Maui Planning Department live on Maui, not Molokai. So I appreciate the support that is been expressed and this will be a relatively short-term project for the community members and we are also working directly, most directly with Nancy McPherson, our Molokai planner and will be working more closely with Stan Solamillo who is in the Long Range Cultural, what is your title?

Mr. Solamillo: I'm a cultural resource planner.

Ms. Davis: A Cultural Resource Planner for the County of Maui in the Long Range Planning Department to coordinate our efforts. And I just wanted to make sure that the GPAC Members were aware that this is an on-going project and will be, will result in a set of maps that will be, become part of the Molokai Community Plan. Are there any other questions for myself, or for Stan or for Nancy?

Mr. Bennett: Mr. Solamillo.

Mr. Solamillo: Hi. The pronunciation everyone is using tonight "Solamio" is correct in other parts of the country. My Lahaina family would kill me if they heard me use it here. So for purposes of use on the islands it's "Solamillo". I just wanted to just quickly discuss the project which is actually 2 projects. The first one that we're currently embarking on is going to happen within a week or 2 weeks and it's called the Molokai Scenic and Historic Resources Survey, excuse me, Inventory and Mapping Project. And what this is attempting to do is as it did on another study that was conducted on Maui as well as Lana'i was to go through all the major roads on an island and photograph view corridors. Because we were finding that what was happening on Maui Island was that sometime agencies or other departments were changing these corridors which had been in some cases the views were there for over 100 years. And you could see this as you went to, say from Wailuku to Lahaina, and you pass through Olowalu and you know that grove of trees somehow the trees was starting to decrease in number. And when that happens what in fact had been a view that had been recorded by various photographers for decades was changing. And the same thing happens when someone puts in a new development. So what we are attempting to do now is go through these corridors drive them, we take G.P.S. ratings every 1/2 mile and we record the views as they are today. What would also happen is that specific cultural resources that were in specific proximity to view location or G.P.S. location are also recorded. And just a general most well known cultural resources are recorded in this type of study. The type of study that the GPAC member was referring to the East Molokai Cultural

Resource Mapping Project is in fact the next step where we go in and we use or utilize community knowledge. Because community residents are the people who know where places of importance specific cultural or religious places of significance are located. We've had to wrestle with the idea of publicizing or doing a public document where we record these sites and we're going to G.P.S. locate them and our concern was we have to protect the integrity of the sites because there are certain people who want to desecrate places. But also have them recorded so that we know where they are and we can gage impact of future or proposed development projects. So this is the next phase of what we are doing. After that we are going to do a much more detailed Cultural Resource Inventory. What we had found in specifically from my recent experience with SHPD or the State Historic Preservation Division was that we had State-wide surveys which were conducted in the 70's we had massive listings of properties to the National Register of Historic Places and a massive deal listing that occurred in 1984. Of that no surveys really in a large inventory for the entire County had been undertaken since then. We've had a lot of development that has occurred on all the islands in Maui County and we don't know what we have and what we don't have today. So part of that is going to involve going to the State and actually copying inventories that were done in the 70's and putting facts together and then actually visually checking and seeing what is there and what is not. So it's much more long range as far as the cultural resource management aspects. I want to commend this community for its foresight and its vision and also for wanting to get involved at a very personal level with the Planning Department in doing this. To that end, Maui County as far as Council is concerned has dedicated \$10,000 for the GIS portion of this project and for everyone's information the GIS technician who is going to be working on that is Claudette (Maka) Pico from our office and she's excellent. And I think that pretty well gives you a really brief update on the projects as they stand.

Mr. Bennett: Thank Mr. Solamillo. Are there any questions for Mr. Solamillo?

Mr. Medeiros: Yes, Mr. Chair.

Mr. Bennett: Mr. Medeiros.

Mr. Medeiros: I guess this is kind of an opinion that I'm asking from you. You mentioned a view planes and I know I continue look at Molokai from the ocean and you look at the land. And basically our skyline is pretty much unencumbered yet. And one of the other things I noticed to, my son spends a lot of time at the Pu'unene race track and again I sit back and you can get a view of the skyline. You know how from all the way, you know and all the way from `lao and how the mountain sweeps down and goes all the way over to Ma`alaea? And just recently I kinda noticed this, I, you know, don't know much about Maui there are these huge gigantic windmills right against the skyline. Now I realize that progress takes place rather quickly, but would something like that be

possible today? I know that had to have been done long time ago. But it seems to me that's a pretty major kind of thing I mean you can't miss it. Well I did for a long time. But I looked at it and said "where in the heck did this stuff come from?" This is really really major. We have something that's been unencumbered for thousands of years and then all of a sudden there it is. And I mean it just, it doesn't fit. I was just curious, could that happen now?

Mr. Solamillo: I couldn't really address that.

Mr. Medeiros: I know it's a tough question.

Mr. Solamillo: But I mean for purposes for your island I think the question is do you want something like that here and if you don't, or would be opposed to that, then this is the perfect opportunity to record your landscape as it is. And if you feel strongly enough and I know that many residents of East Molokai feel very strongly about it, that the sense of place, the importance culturally and religiously of these places should not be so encumbered. Doing a study of this nature is the first step in attempting and ensuring their preservation.

Mr. Bennett: Are there any questions for Mr. Solamillo? Okay thank you Mr. Solamillo for your input.

Mr. Solamillo: Thank you Mr. Chair.

Mr. Bennett: Next item on the agenda is the discussion of future meeting dates? Is that correct?

Mr. Summers: Thank you Mr. Chair. You know in our haste, we missed item G-2, Countywide Policy Plan Summary Description of the GPAC Review Process and Document Purpose and Format and we'd like to give you a brief overview of that. Since the Members will be leaving with the Countywide Policy Plan. Erin Wade's gonna do that for us, if we can dim the lights.

Ms. Wade: Good evening, thank you. I'll try to crank through this as fast as I can, I know we're getting anxious. Tonight I'm just here to give you a brief introduction to what you're getting tonight and what you should do with it. For introductory purposes, just a refresher remember the reason we have to do a Countywide Policy Plan first is because of MCC 2.80B which was Bill 84 and then Bill 53. What it requires of us is that we produce a plan that's overarching for all of the islands, that it provides a vision for the County and core principals at a County wide level that it lists goals, objectives, and policies and that it portrays a desired direction for the County's future. What this section also does is it leaves in and provides us a structure to develop the Island and

Community Plans in the future. There will be a copy of this presentation in the binder that I'll give you so you don't need to copy it word for word if you don't, if you can't write fast enough. This is a hierarchy structure of the planning document. First we're gonna do the Countywide Policy Plan as an umbrella document that's going to lead into the Maui Island Plan and the Molokai and Lana'i Community Plans. We'll do all of those simultaneously. Then the Kaho'olawe Community Plan and the 7 Maui Island Community Plans will be completed. There are three, really three phases to any planning process. First public participation. This was done in this planning process with the Focus Maui Nui exercise which were completed on all 3 islands. Second is a data gathering and analysis phase and as you know the Socio-Economic Forecast, several of their studies were done in the completion of the Countywide Policy Plan. And finally defining a preferred future. All three of these phases should be represented in a planning document. So we've organized the plan to do that. Part 1 is the introduction which includes both, a description of why did we write this plan and who was involved which is the public participation section. The next section Maui County Today is an explanation of a lot of studies that were completed and in addition to that we've done a little extra research, where we had questions in our own minds where kinda the gaps hadn't been filled yet by some of the technical studies at a County wide level. Third is the key strategies; this is really the bridge between the current conditions today and what we would like to see in to the future. And then that preferred future that I was mentioning that's found in the Goals, Objectives, and Policy section of the document. This is going to be the most key section and the one that you should review most intensely. Finally the next steps which describes basically where do we go from here in the planning process. Part two of the plan is our appendices. The first is the Focus Maui Nui Executive Summary because we relied so heavily on that in terms of public participation and finally a very intensive historical background of Maui County. The way to measure the success of this plan are really three-fold. First, does the plan reflect the needs and desires of the citizens of the County? Does it realistically integrate the conditions and trends that we have shown and represented in several of the studies. Then finally, and this is really the most important and it's what several of you've talked about even tonight, does it inspire consensus and cooperation. So our collective assignment from here is "it's not going to be easy." First the inherent challenges that are built in are timing. As soon as you get the plan you'll be able to review it. But the first meeting after this meeting, where it's distributed, that 120 day clock starts ticking. So then at the next meeting, you'll have 120 days from that meeting date to review the Policy Plan. So we're gonna have to be pretty diligent. The other challenges, we've got multiple advisories. Obviously there's 3 GPAC's involved and we'd like all of you to come together on a consensus, so we're going to have to work out a process that enables that and just a geographic distance is gonna be a bit of a complication. So what we'd like is to approach this first with patience and a cooperative spirit, be upfront about ideas and concerns. Because of our limited time frame if you got a problem with something in the plan or if you have an idea that'd you want to contribute, let's get it out

there as soon as possible. It'll save us time. Finally represent all of your roles. This is in here because it's important to remember many of you were appointed to this GPAC maybe because of your professional life or other reasons but it's important to remember you play many roles within a community and being a Countywide Policy Plan, please keep all of those roles in mind. Finally always keep in mind this County wide. We will defiantly get a lot more in depth about the island very soon. But keep in mind it's more of a philosophical plan. So what we're giving you today is a draft of the Countywide Policy Plan a memo which explains the goals and objectives. These have changed from the 1990 Plan. Many of them are still in there that were in the '90 Plan, some of them are updated, and some are brand new. So there's an explanation memo of how they've changed and why and finally a copy of this presentation. What we hope to deliver to you soon is a matrix that identifies how we've adjusted from one plan to the, from the 1990 Plan to the 2030 Plan, why we did it, and basically identify what's brand new. So your roles from here are several. First, read and review the document to the extent you feel appropriate. But what we'd like you do, most importantly, is focus on the goal, objectives and policy statement. That's really where the rubber meets the road. That's what defines your preferred future for the County. Determine whether or not you agree with those statements and from there, insure that the statements enable and do not prevent. And what I mean by that is if you have something in mind that you want to accomplish in your Community Plan or in your Molokai Plan, make sure we haven't put anything in this Countywide Policy Plan that is going to prevent you from achieving that goal. And finally, and this is that most important point, ask yourself if these statements go far enough to inspire consensus and cooperation. The plan is now available on the website so to yourselves or anyone that's interested, please any of your constituents that may be interested you may direct them to the County's webpage. This is the webpage and it's in the "What's New" box right on the homepage. So you can click on that link. If there are any questions, I'd be happy to take them. Yes....DeGray.

Mr. Vanderbilt: Is this presentation on the website? So if the public goes to the plan, a lot of the things we're look at, those instructions, might also apply to people that might want to participate from the public and give them an idea of how they ought to focus their efforts too. Correct? So that might be a good addition, cause that what a lot, you did a great job outlining that thing.

Mr. Summers: Thank you Mr. Chairman. We do have a section with all of the presentations we have provided. So we will upload that to the website as well.

Ms. Wade: Oh, I forgot to mention one thing. I'll trade you your name tags for the Plan as you leave the building.

Mr. Bennett: Are there any other questions for Erin? Okay, there being none. I'm not, I can't remember whether we were gonna do Public testimony before we discuss the next meeting dates or after? Does it really matter?

Mr. Summers: I don't think technically it matters.

Mr. Bennett: Okay well I think this would be a good time again and provide an opportunity for Public testimony for anybody who could not be here earlier or who wants to make, present testimony.

Mr. Purtzer: This is Brennan Purtzer, Molokai Times. I just had a thought in my head, while we were going over all this all night, and just wondering at any stage these, all the little planning that we're doing, is there anywhere that we evaluate and mainstream scientific projections for global climate change? Is that covered in there? Because just, I'm not a big time environmentalist, but in my own office I have a lot of people from different parts of the world and they are all from somewhere cold. One of them from Connecticut, one of them from....two of them Canada and Ontario and someone else from Indiana. None of which got snow even to this point, and that's never happened before.

Ms. Wade: We really, I can't discuss the Plan in detail yet because we don't want to start that 120 day time clock. But we do talk about Global Warming, Sea Level Rise, and the potential problems associated with it. Nothing specific but it's discussed and it's kinda up to you from here from here on as we define goals and objectives on how you want to reflect that at a County wide level.

Mr. Bennett: Mr. Vanderbilt.

Mr. Vanderbilt: Yeah, along that line, my girlfriend and I went to a movie. This Al Gore movie on Global Warming called an Inconvenient Truth. It's staggering. I mean, I looked at that thing and I knew there was global warming going on but the pace and the acceleration of it and I think the ocean could rise about 10 – 20 feet in the next 30 years. It's really moving – it's the scariest movie I've ever seen. I looked at it trying to say "ah that's not true." But they really had it document it and if anybody gets a chance to see that it really makes you think a little bit. I think it would be helpful if everybody on this GPAC took time to get a copy of that thing.

Mr. Bennett: Thank you. John, did you have something?

Mr. Summers: So we do address it in the Countywide Policy Plan. We will address it, very specifically in the Molokai Community Plan. Global Warming and the hazards represented by that will be very important when you look at our Land Use plan.

Mr. Bennett: Thank you. Alright, is there any other Public testimony at this time. Ms. McPherson.

Ms. McPherson: Aloha! This is something that just came to mind today, but it's a question that I've wanted to ask somewhere in some venue on the island at some point and it just seemed pono to ask it right now. I have a tendency to ask glaring questions and step my foot "right in it" you know, I'm really good at that. So I hope I'm not doing that. The GPAC may have discussed this question before but since I didn't start until August and I haven't been on island until October, I thought I'd bring it up again. And because there is a kupuna on this GPAC....

(Tape Change)

Ms. McPherson....raised on this island, people who are native Hawaiian, I have a question. And I was wondering the GPAC wanted to consider this and give some direction to the Department before they continue drafting documents and putting lots of `okina in everything. The name of this island itself, I have heard Aunty Ruth at many Planning Commission meetings and how she talks about how much she knows this island and she says "I love Molokai" and when I hear that you know I just go "Molokai." And it sounds really nice and really beautiful. I also read Aunty Harriet Ne's book about Tales of Molokai and the foreword by Edward Halealoha Ayau that said that my grandmother's and aunties say, they all said it's "Molokai" cause it has to do with the ocean. You know, so, I just wanted ask, very respectfully, you know, if this body wanted to give some direction to the Department on the proper way to write the name Molokai. I know that it's a very, used in many songs and many poetry, it's very poetic and it rhymes better if you put the `okina in there and you'll say "Moloka`i" you know? It kinda got a rhythm to it. But I just don't know if it's a dumb question but I thought I'd ask it anyway.

Mr. Bennett: Is this a question as to how it should be handled (in audible) written in planning documents the way it should be presented in a planning document?

Ms. McPherson: Right and if there's a preference. If the GPAC would prefer one way or the other? Or can you just mix them up? Because that's what I've been doing personally if I feel like it. But I tend towards "Molokai" because of what I read. So and because of Aunty.

Mr. Bennett: (In audible)

Ms. McPherson: Or you can consider it and talk about it at your next meeting, put it on the agenda I don't know.

Mr. Bennett: (In audible)

Ms. Apiki: I was going to say, I think it's still debated. As I hear it on both sides, some people say "Molokai" and others say "Moloka`i" and I would hate to a position because it's being debated. It's been debated for a very long time. It's still being debated.

Mr. Teves: (In audible) if those members would like to abstain it means we support the change.

Mr. Bennett: (In audible)

Mr. Medeiros: Ms. Duvenchalle (sp) back in the third I asked her that question that came upon us. And she told me it could be either or. And that was 50 years ago.

Mr. Bennett: Does any one have any questions? (In audible) Any more public testimony for this evening?

Ms. Manu: Can I say something?

Mr. Bennett: Aunty Ruth.

Ms. Manu: For me as a kupuna it doesn't matter what word as long as you say it from your heart, man. "Molokai"... "Moloka`i." You know. I recognized those who come from this island, this `āina. So you know what just do what you gotta do man. As long as it's from the heart we love it. It's alright with me.

Mr. Bennett: Thank you. Mrs. Caparida.

Ms. Caparida: Oh my we've been to so many meetings. But anyway I'm glad I'm here for this one. I really would to request for our Board here on the island that everything that you do, know that you're doing it cause we the community wants our island to be acknowledged as one that can be saved. There's all the islands now they don't have nothing to save. If anything they're trying to just choke up everything that they go now to try to save. We want to make sure that the plans you make fits us, our needs. The purpose of our island is that, we on this island have a lot of blessing, I would say blessing, you know that others they don't have anymore. And we want to make sure that the plans that we make will not be sorry in about 10, 20, 30 years from now. Cause I know we ain't gonna be here. And it's for damn sure our children don't have to suffer. Every month we have to fight for something or have to argue about something because somebody has a plan that we don't even know about. Or we never even thinking about. We need to know that everything that we do that remember Moloka`i is Moloka`i. I say

Moloka`i, you can say Molokai. What ever fits the feelings inside of you that's fine. But Moloka`i is something that we always felt on this island, love. When you've been raised with, you been contented all your life and then you get somebody coming in trying to smuggle you. Aye let me tell you, it's a fight. It's a battle. Battle inside of you, battle around you because we don't need all that. What we need is to just think of all the needs that we need and how we can make that need without disrupting everything else around us. It's already all disrupted. All around us! So I really want to thank you folk for having this time now to really try to discuss, I think this is a 10 year plan. Is this a 10 year plan you folks working on? About 25, 30...hello...we gonna be pushing daisies. Anyway, I feel that I would like the best for us on Moloka`i right now and neva mind about 30 years. I want to see it happen now so that the plan we see for our future is something that is worth living for. Thank you.

Mr. Bennett: Thank you Mrs. Caparida. Does anyone have any Public testimony at this time? If not, let's move one to setting the agenda for the selecting of future meeting dates.

I. NEXT MEETING DATE

Mr. Summers: Thank you Mr. Chairman, Members of the Committee. As you recall at the previous meeting on December 5th. We handed out a proposed schedule. You may remember this. Two days later we flew to Lana`i and handed out similar schedule with proposed meeting dates of Tuesday's. And the Lana`i GPAC had several conflicts. So they asked if we could bring it up with Molokai GPAC if there was any objection if we moved our meetings from Tuesday's to Thursday's. And if you look at the progress report that was distributes, that was discussed earlier in this meeting. If you turn to the back of that you'll see a revised schedule. This reflects Thursday meeting dates. So the question is whether the Members of the Molokai GPAC would prefer Thursday meeting dates or whether it matters.

Mr. Bennett: As far as I'm concerned aren't the days, it's the 6 o'clock start time (in audible) switching to Thursday.

Ms. Davis: I know Tuesday nights have been a conflict and a reason for one of our members not attending and that's Ron Kimball, who I talked to the other day and was reluctant to drop off of the GPAC but Tuesday night is just not going to work for him. So at least for 1 member a change to Thursday night might be a good thing and personally it doesn't matter, Tuesday or Thursday, it doesn't matter to me.

Mr. Bennett: Does anybody have comments or?

Mr. Vanderbilt: Yes, Mr. Chairman, so John Lana`i wanted Tuesday?

Mr. Summers: That's correct.

Mr. Vanderbilt: Thanks, I have no problem with Thursday.

Mr. Bennett: If Corp. Council didn't say nothing so I guess it's okay.

Ms. McPherson: I just spoke with our Community scheduler back there Brennen Purtzer he said that the Molokai Humane Society meets here at 5 o'clock on Thursday. So if we're meeting at 6p.m. and their meeting is only an hour then we're good. So we can check in to the scheduling we can speak to them and see if that would be ok.

Mr. Bennett: Okay, thank you. Mrs. Davis asked how often are we meeting and if you look at the dates on the back page there under the blue horizontal lines it has the dates listed; February 1st, February 15th, March 1st, March 15th and so on. So that'll give you an idea, every two weeks there will be a meeting. Ms. Haliniak.

Ms. Haliniak: It doesn't matter what night of the week, except February 15th I won't be in the State. So I guess it's in the Rules that it's important to have, make sure there's quorum. Thank you.

Mr. Bennett: Thank you Barbara. Any comments on meeting date? Future meeting dates? Okay, with that being accepted so the meeting day is changed is that correct?

Mr. Summers: That's correct.

Mr. Bennett: At 6 o'clock?

Mr. Summers: That's correct.

Mr. Bennett: Some one will contact the Humane Society

Mr. Summers: We will, right, depending on the Humane Society in the event they need a little more time, it may have to go to 6:30p.m. But we're gonna work on that tomorrow.

H. SETTING OF THE AGENDA FOR THE NEXT MEETING

Mr. Bennett: Okay, thank you. Next on my agenda, on the agenda, is setting the agenda for the next meeting. Mr. Summers may have a list.

Mr. Summers: Thank you Mr. Chairman, Members of the Committee, I have a list of ideas based on today's meeting. For one, election of officers would be an important item to have on the agenda with the approval of the Rules. It has also been brought up that the Department will provide an overview of the status of the Water Use and Development Plan and will try to get the information from the Water Department for the GPAC members. Of course we'll want to discuss the Countywide Policy Plan, so we'd have that on the agenda as a workshop so we can begin our deliberations on that document. We'll also need to discuss the Resolutions that we briefly touch on this evening so we can move forward with those documents and then again the progress report that we'll be doing at every meeting. Those were the major ones that I picked up in the meeting. Mr. Chair if there were any other suggestions...?

Mr. Bennett: Are there any other items that the Committee would like to see on the agenda for the next meeting? That's just personally, that seems a pretty full agenda.

Mr. Summers: That's a pretty full agenda.

Mr. Bennett: Any items for the next meetings agenda?

Ms. Davis: Just a question, is it possible to allow for Public input, Public testimony following each of these items? Looking at DeGray cause I'm wondering if this is practical. But I know as somebody who attends meetings I'm often not aware of what all the facts are until there's been some discussion. Then usually if we would want to make a comment, public testimony was at the beginning of the meeting. So is it possible to have our agenda's allow for public comments as we move through the meeting?

Mr. Summers: Absolutely. We don't have to specifically identify that on the agenda, but it's a good practice. Also to allow at the beginning of the meeting for members who have to leave. So we can include it at the beginning and then as we work through the items, depending on the level of interest from the community, we could...

Mr. Bennett: Perhaps we could also just continue the practice we did this evening of having, allowing for public comment at the beginning and at the ending, to accommodate those people who have to leave early or for people who have to need to come late, or if you have comment on something that's come up on the agenda perhaps that could be addressed at the end of the meeting as well. It just seems to me if you allow public testimony at every item it's really going to slow us down.

Mr. Hopper: Well, that's the way it's typically done. You run into another problem at the other end if you have everyone testify at the end, there could be some, you know you could go an hour or so in-between agenda items potentially; people might not have it

fresh in their mind if they have to testify at the end. So you get a testimony after each item I think it often time works where you have a Department presentation on the issue. Then public testimony being the next item, then the deliberation and then once the Rules are approved then action. Sometimes that's how to do it. I mean, the Chair elected will have the discretion but that's one example of something that has worked in the past.

Ms. Davis: So could that be left up to the Chair's discretion to allow for Public Testimony or Comment if it seems obvious there are people that are here for certain items or come late, would that be or could that be left to the Chair or does it have to be worded in the agenda?

Mr. Hopper: We I think Public testimony just saying that is sufficient. The Chair could determine the times and she or he sees fit. But the main point is that by law you have to give, allow public testimony on every agenda item. Now as far as timing, I think that discretion is up to the Chair. You could do it at the beginning subject to someone testify's at the beginning they can't come back later to testify because that's for people who need to leave. I suppose you could do it at the end too or at each agenda item.

Mr. Bennett: If there's no problem we can just leave it at the Chair's discretion.

Mr. Summers: Very good.

Mr. Bennett: Okay, the meeting date we have scheduled is February 1st at 6 o'clock here. I would open to meeting, or motion for adjournment?

Mr. Medeiros: Mr. Chair, I should have brought this up earlier, I just kinda wanted to get this out for the minutes cause attendance was such an issue. I reluctant to say if the Committee didn't know that Moses Luczon recently had a heart attack and he had heart surgery. So that's why he's not here.

Mr. Bennett: Thank you very much Ed. Our condolences go out to Mr. Luczon and his family. Is there a motion for adjournment? Or are we going to sit here for the rest of the evening?

Mr. Teves: So moved.

Ms. Manu: I second.

Mr. Bennett: Aunty Ruth has second it so motion has been made and seconded and the meeting is hereby adjourned.

Mr. Summers: Thank you very much.

J. ADJOURNMENT

There being no further business brought before the Molokai GPAC, the meeting was adjourned at 8:46 p.m.

Respectfully submitted by,

JOY L. H. PAREDES
Secretary to the Long Range Division

RECORD OF ATTENDANCE

Present

Alton S. Arakaki
Barbara Jean Haliniak
Daniel Robert Bennett
DeGray Vanderbilt
Glenn I. Teves
Mahealani Davis
Ululani Manu
Zessica Apiki
Ed Medeiros

Excused

Jimmy Duvauchelle
Moses Luczon
Ronald S. Kimball
Zhan Dudoit

Others

John Summers, Long Range Planning Program Administrator
Erin Wade, Senior Planner, Long Range Division
Stanley Solamillo, Cultural Resources Planner, Long Range Division
Kathleen Aoki, Planner, Long Range Division
Nancy McPherson, Molokai Planner, Current Division
Joy Paredes, Secretary, Long Range Division
Michael Hopper, Deputy Corporation Council