

LAND USE COMMITTEE
Council of the County of Maui

MINUTES

June 13, 2007

Mitchell Pauole Center, Main Hall, Molokai

CONVENE: 7:03 p.m.

PRESENT: Councilmember Michael J. Molina, Chair
Councilmember Joseph Pontanilla, Vice-Chair
Councilmember Gladys C. Baisa, Member
Councilmember G. Riki Hokama, Member
Councilmember Danny A. Mateo, Member
Councilmember Bill Kauakea Medeiros, Member
Councilmember Michael P. Victorino, Member

EXCUSED: Councilmember Michelle Anderson, Member
Councilmember Jo Anne Johnson, Member

STAFF: Tammy M. Frias, Committee Secretary
Carla M. Nakata, Legislative Attorney
Ella Alcon, Council Aide, Molokai Council Office

ADMIN.: Clayton Yoshida, Planning Program Administrator, Current Planning Division,
Department of Planning
Nancy McPherson, Planner, Department of Planning
Ralph Nagamine, Administrator, Development Services Administration (DSA),
Department of Public Works and Environmental Management
Neal Bal, Deputy Chief, Department of Fire and Public Safety
Greg Jenkins, Fire Fighter, Special Operations Division, Department of Fire and Public
Safety
Wayne Ribao, Assistant Chief, Department of Police
Victor Ramos, Captain, Department of Police
Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Michael Munekiyo, Project Manager, Munekiyo & Hiraga, Inc. (Applicant's consultant)
Gladys Brown
Harriet Fukuoka
DeGray Vanderbilt
Dartagnon Bicoy, Captain, Department of Fire and Public Safety (Molokai)
Additional attendees (20)

PRESS: Brennan Purtzer, *The Molokai Times*

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Akaku--Maui County Community Television, Inc.

CHAIR MOLINA: . . .(*gavel*). . . The Land Use Committee meeting for June 13, 2007 is now in session. Good evening, Molokai. And thank you very much for attending tonight's event. I'd like to turn matters over to the Molokai representative, Councilmember Danny Mateo for tonight's introductions.

COUNCILMEMBER MATEO: Chairman, thank you very much. Good evening, everyone. I'm really, uh, I'm really happy this evening to be able to introduce to you the members of our Land Use Committee meeting, uh, of our Committee, excuse me. The Chairman of the Committee is Michael Molina. And Members of the Committee, we have with us the Council Chair Riki Hokama. We have Mike Victorino from Wailuku. We have Gladys Baisa from Upcountry, Maui. We have Bill Medeiros from Hana. We have Mr. Joe Pontanilla from the Kahului area. And again the Committee Chair from the Makawao area is Michael Molina.

CHAIR MOLINA: Thank you very much, Mr. Mateo. I'd also like to acknowledge our Staff members here tonight. Our Committee Secretary Tammy Dias [*sic*] and also we have, uh, Committee Secretary, excuse me, Committee Analyst Carla Nakata. And from the Corporation Counsel's Office, we have Mr. Michael Hopper, and from the Administration, also representing the Planning Department, Mr. Clayton Yoshida.

ITEM NO. 14: DISTRICT BOUNDARY AMENDMENT, COMMUNITY PLAN AMENDMENT, AND CHANGE IN ZONING FOR PROPOSED KAUNAKAKAI FIRE STATION (MOLOKAI) (C.C. No. 07-165)

CHAIR MOLINA: We have one matter to deal with tonight and that is Land Use Committee Item No. 14 related to the proposed Kaunakakai Fire Station. The Committee is in receipt of County Communication No. 07-165, from the Planning Director, transmitting the following: one, a proposed "BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN FOR A PROPERTY SITUATED AT KAUNAKAKAI, MOLOKAI, HAWAII". The purpose of the proposed bill is to amend the State Land Use District classification from Ag to Urban for approximately 5.379 acres located at Kaunakakai, Molokai to facilitate the development of a proposed fire station, which is intended to replace the existing Kaunakakai Fire Station.

The second bill the Committee is considering is entitled "A BILL FOR AN ORDINANCE TO AMEND THE MOLOKAI COMMUNITY PLAN AND LAND USE MAP FROM OPEN SPACE TO PUBLIC/QUASI-PUBLIC FOR PROPERTY SITUATED AT KAUNAKAKAI, MOLOKAI". The intent of this proposed bill is that the subject property is not already designated Public/Quasi-Public, therefore, the need for rezoning for approximately 3.574 acres, again, to facilitate the development of the proposed fire station.

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And the third bill the Committee is considering is entitled "A BILL FOR AN ORDINANCE TO ESTABLISH P-1, PUBLIC/QUASI-PUBLIC DISTRICT ZONING" OR OTHERWISE KNOWN AS "(CONDITIONAL ZONING) FOR PROPERTY SITUATED AT KAUNAKAKAI, MOLOKAI, HAWAII". The purpose of the bill is to establish P-1, Public/Quasi-Public District Zoning, for the subject property to facilitate the development of the proposed fire station.

We have, from the County, as resource people, again, I mentioned Mr. Yoshida from the Planning Department. And we also have from the Development Services Administration, Mr. Ralph Nagamine. And I believe we have, although I don't see him here, Chief, Deputy Fire Chief Neal Bal.

MR. BAL: I'm here.

CHAIR MOLINA: And where is he? Oh, okay. Thank you, Chief. Oh, I didn't recognize you outside of your uniform, Chief. Thank you. And then we also have Greg Jenkins, the Fire Fighter, Special Operations Division, from the Department of Fire and Public Safety. From the Police Department, we have Assistant Chief Wayne, Wayne Ribao. And we have the, from the Munekiyo & Hiraga, Inc., the applicant's consultant, which is the County of Maui, Mr. Mike Munekiyo.

Members, if there's no objections, the Chair would like to proceed in the following fashion. I'm going to ask Mr. Munekiyo to give a brief presentation on the proposal to be followed by public testimony. Any objections as to proceeding in that fashion?

COUNCIL MEMBERS: No objections.

CHAIR MOLINA: Okay. With that being said. Mr. Munekiyo, if you may approach the front. And, Members, you've been given a, uh, documents that outlines the proposal for the fire station. And, Mr. Munekiyo, if you will, please?

MR. MUNEKIYO: Thank you, Mr. Chair. Members of the Committee. My name is Mike Munekiyo. And I am assisting the Department of Fire and Public Safety in the entitlements matter. I've passed out two pieces of information. One is the written project description. The other is a set of stapled exhibits. And I'd like to go through those together. But let me just briefly start with the overview here, and I'll, I'll refer back and forth to the exhibits that I've also distributed.

The County of Maui is proposing the construction of a new fire station. And on the first map that you have, that 8½ x 11, it shows the location off of Alanui Ka`Imi`Ike in Kaunakakai. The tax parcel is identified as 5-3-03 portion of parcel 15, and the land area is approximately 5.4 acres. The current landowner is Molokai Ranch. The parcel will be conveyed to the County of Maui upon the completion of the subdivision process. The parcel is currently vacant and unused. Surrounding the property are single-family residences of the north, I'm sorry, the Ranch Camp to the north. Agricultural lands surround the property to the east, south, and west. And one of the

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key features in this location is the Molokai Education Center, which is located at the intersection of Kamehameha V Highway and, and Alanui Ka `Imi `Ike.

Now, some of you may know the existing fire station was constructed in 1978. There are certain limitations associated with that, with the existing station. One being that, oftentimes, the station does flood during times of heavy rains. And that not only hampers or inconveniences the, the fire fighters but also hampers operations as well. And the other point of note is that, access to the existing fire station is located in the vicinity of school, school-age children namely the park here and, and the elementary school to the east. Another limitation, inadequate parking for staff and visitors.

And what really, the new station will do then is to meet the needs of the community over the long term. One particular need for the fire fighters especially is training requirements here on the Island of Molokai. And I think if there's questions with regard to training, both the Deputy Chief and Fire Fighter Jenkins can respond to those questions. And, of course, what this does, what the project does is to provide for, uh, uh, new facilities, improved facilities to meet future needs as well.

Let me just speak to the project components. And if I can ask the Committee Members to turn to the second sheet, which I passed out, that's the 11½ x 17 sheet. This is a site plan. And it's, uh, just for orientation purposes, at the top of the map you see Alanui Ka `Imi `Ike. And the building footprint is shown in the main body of the map itself. The proposed building, fire, the main fire station building will be approximately 18,800 square feet with 40 paved parking stalls, a diesel pump station, and a helipad for emergency use. And these are the major components of the project. You can see the helipad set off there to the left of the property. That's towards Kamehameha V Highway.

The building itself will provide apparatus bays to accommodate approximately or up to six emergency vehicles. Ancillary facilities would include office spaces for personnel, staff quarters, kitchen and dining area, and training areas. And I might add that the training area does include a training tower approximately 43 feet 10 inches high. As you can see from the site plan there are two access points off of Alanui Ka `Imi `Ike, at the top of the project site and towards the, the makai side.

Just a brief commentary as to infrastructure. Drainage will be accommodating, accommodated in accordance with County rules. There are two retention basins, detention basins on-site. One is near that helipad as you can see. The other is actually off the map towards Kakalahahele [*sic*] Street. But there are two detention basins. And these detentions basins then would accommodate for storm, storm runoff in keeping with the County drainage requirements. Water service will be off of a 12-inch waterline, which is aligned within Alanui Ka `Imi `Ike. And that water, service will provide both for domestic potable use as well as fire flow requirements. And wastewater generation needs will be accommodated through the County Wastewater Collection System through a hookup at the sewer manhole near the intersection of Kakalahahele [*sic*] Street and Kalohi Street.

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If I could ask the Committee Members just to turn this one sheet summary over to the back. I'd just like to briefly summarize the regulatory requirements that the Department has been through and is seeking a recommendation of approval from the Committee this evening.

First of all, the project has complied with Chapter 3.43, Environmental Assessment requirements. A final EA was published as a FONSI, Findings of No Significant Impact, on January 23, 2007. The matter is before the Committee this evening as the Chair outlined. There's a State District Boundary Amendment to reclassify the lands from Agricultural to Urban, to seek a Community Plan Amendment for a portion of the property, approximately 3.5 acre portion of the property, from Open Space to Public/Quasi-Public, and to seek, uh, zoning to establish the Public, P-1, Public/Quasi-Public zoning designation.

Additionally, as I mentioned, there is a training tower. And if I could refer the Committee Members then to the third page of the handout with exhibits. That's the sheet, which shows the south elevation and the west elevation. On the south elevation map, you see the training tower approximately in the middle of the elevation. And that training tower, as I mentioned, is approximately 43 feet 10 inches high. Now, the permitted height in the Public/Quasi-Public District is 35 feet. So, the Department will seek a variance to, uh, from the Board of Variances and Appeals to seek approval for the granting of this height. And this is a fairly important component of the facility in terms of training and I think either Deputy Chief Bal or, or Greg Jenkins can elaborate on that.

The next page on the exhibit sheet, exhibit handout, are the north and east elevations. And again, basically, to depict the architectural character of the building itself, there will be landscaping of the entire site. And finally, then the, the last sheet is a rendering, a colored rendering, of the fire station, again, just to depict the architectural character of the facility. Mr. Chairman, that concludes my brief presentation for this evening.

CHAIR MOLINA: Okay. Thank you very much, Mr. Munekiyo. Committee Members, prior to having you ask the applicant questions or any of our resource personnel, the Chair would like to give the public the opportunity to testify first. Any objections to proceeding in that fashion?

COUNCIL MEMBERS: No objections.

CHAIR MOLINA: Okay. If not, we have, first person to sign up, we have Gladys Brown. Okay. Gladys, if you wanna just come up to the podium. So far, we have one person just signed up. If there's anyone else interested in signing up to testify please come up to the front to the Committee Secretary and the Chair will give you an opportunity. And before we have testimony from Aunty Gladys, just a reminder, you'll have three minutes to testify with one minute to conclude. And please turn off any cell phones and pagers that might potentially disrupt our proceedings. Aunty Gladys.

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...BEGIN PUBLIC TESTIMONY...

MS. BROWN: Good evening, Chairman and Council Members. I know there are not too many people here to listen to your talk tonight but it's because of different reasons. Many of the seniors like myself don't want to come out at night. It's kind of hard. Now, if you had came during the day, the place would be crowded. But I came not to speak only for myself but for all the people that I've been working with in the Senior Center and my AARP members. Because everyone appreciates what the firemen are doing. And we pass by their facilities all the time and it is awfully crowded. I feel for them and I'd like to be a spokesperson to talk about getting them some different facilities so they will be more comfortable.

We really appreciate when we do have a call for fire, many people have been telling me, those who have been calling about some fire in their neighborhood that the service is great. The firemen are there in no time at all followed by the police. Now, the one thing good is that the police and the fire station are close together, which makes them within walking distance of each other. But I think when they move to the new facility, I think they will have more room there to do their work and go to places much, uh, faster way. As it is now being in the town and on the main highway where people pass by all the time, people in wheelchairs and other, uh, disabled, uh, thing that they have; walkers and what not. It is kind of scary to have a fire alarm ring out and then they're just stopped in their track, they don't know what else to do. The first thing is they go over the gas, grass on the other side but then there's a fence there so they have to wait for the opening. I think when they move over to the new facility it will be much easier for them and they wouldn't be so hampered by being in the way of the firemen.

So, I'm here today not only to speak for myself but for all the seniors and other people that are in the community to tell how much we appreciate the Fire Department, and we would like to have them have some facility that they will be comfortable in and make it easier for them to do their job. I appreciate your coming tonight. Thank you very much.

CHAIR MOLINA: Thank you, Auntie Gladys. Committee Members, any questions for the testifier? Seeing none. Thank you. Prior to going to our next testifier, the Chair would like to recognize from the Planning Department, we have Ms. Nancy McPherson in attendance here tonight as well. And Chair would also like to thank Ella Alcon from our Molokai office for helping us set up the facility here this evening. Next to testify we have Harriet Fukuoka followed by DeGray Vanderbilt.

MS. FUKUOKA: Good evening, Mr. Chairman and Committee Members. I've testified for a couple of times but my main purpose for relocating the Molokai Fire Department is for public safety purposes. I've been an Adult Crossing Guard for Kaunakakai School for maybe say 26 years. And that is the only emergency route that the Fire Department have. So, they have to pass like Kaunakakai School. We also have Pumehana, our Senior Citizen Center that use the same, same area to go to Kaunakakai. We have baseball games. We have parties. We have luaus. So, my main purpose of relocating the Fire Department is for safety reasons. So... um...huh, I hope

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this will be my last testimony. Anyway, hopefully and prayerfully you will take this into consideration of doing the rezoning. Thank you.

CHAIR MOLINA: Thank you, Ms. Fukuoka. Committee Members, any questions for the testifier? Mr. Mateo?

COUNCILMEMBER MATEO: Chairman, thank you very much. Nona, thank you very much for, for coming. And as you've mentioned, you have been coming to support the need for a new fire station for more than 15 years. And I thank you for your stick-to-itiveness and, and we close. We're close. Thank you.

CHAIR MOLINA: Thank you. Any other questions for the testifier? Seeing none. Thank you. Next to testify we have DeGray Vanderbilt followed by Dartagnon Bicoy. And the Chair has one reminder, I would ask all testifiers to please state their name and any entity that you may be representing. Mr. Vanderbilt.

MR. VANDERBILT: Thank you, Chair Molina, and Members of the Committee. Welcome to Molokai. My name is DeGray Vanderbilt. I'm Chair of the Molokai Planning Commission but I'm here tonight speaking as an individual. If you get a chance after this meeting, just go outside and look at what a beautiful night it is and look around and you'll see what Molokai is all about.

And, you know, we've had a lot of issues coming before our Planning Commission. And last week, I went to a conference over in, in Oahu at the University of Hawaii that was sponsored by the National Oceanic Atmospheric Administration and the Coastal States Organization concerning the Coastal Zone Management Program in Hawaii. And the effort by those groups to reauthorize the bill at the Federal level and see if there's any changes needed. And I guess one of the main things that happened in one of the breakout groups was on land management. And one of the biggest concerns expressed to the Federal agencies by a two-to-one margin about impacts on the coastal zone, which Kaunakakai is part of the Coastal Zone Management, was growth. And the issue most concerned to everybody was, and this is the exact words that were put up on the board, emphasize the need for Federal, State, and County officials to make land use decisions that are consistent with the visions local populations have for their communities. It also said establish requirements for community approval mechanisms and land use decisions and policies. And this is in line with one of the main brochures that is published and distributed by the State office of Planning, which represents the State Government and the Governor, which says a lot of communities nowadays feel powerless because they know what's best for them but don't have the authority to enact it. And having said that, our Molokai Planning Commission is in full support of the fire station. In the County General Plan on Page 17, it says, under Public Safety "to create an atmosphere which will convey a sense of security for all residents and visitors and aid in the protection of life and property."

And as Gladys said, the Fire Department has been right on top of that goal all the way along. And if I may, Mr. Chairman, I'd like to just say that, I as an individual and, of course, our

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Planning Commission has already said their support, and I'd just like to show the viewers. I think we have four cameras in Molokai for the first time in the history of Akaku.

MS. NAKATA: Three minutes.

MR. VANDERBILT: And I'd like to show a, a picture of the fire station for the viewers because it's really a beautiful building. And thanks to all of your support. But here it is. I hope they can catch that

CHAIR MOLINA: . . . (*inaudible*) . . . if the cameras can zoom in and up close on the proposed fire station.

UNIDENTIFIED SPEAKER: . . . (*inaudible*) . . .

CHAIR MOLINA: Okay.

MR. VANDERBILT: And I'd like to recognize Commissioner Bill Feeter from our Planning Commission who is here and our Staff Planner Nancy McPherson. And good to see Clayton again. He was all day today with our Planning Commission and so was Mike Hopper who is our legal counsel. So, good that they stayed on for the evening. And Commissioner Feeter just asked me to say also in addition to the, uh, fire station, we're appreciative of the--what is it, Bill, the fire rescue boat?

MR. FEETER: Yeah.

MR. VANDERBILT: The fire rescue boat. So, with that, thank you for coming and, and, and I hope everything goes smoothly to get this fire station built as soon as possible. Thank you.

CHAIR MOLINA: Thank you, Mr. Vanderbilt. And the Chair appreciates you coming here in your capacity as the Molokai Planning Commissioner as well as Mr. Feeter for expressing your support for this as well. Committee Members, any questions for the testifier? Mr. Mateo? Sorry. Mr. Vanderbilt, you have a question.

COUNCILMEMBER MATEO: DeGray. Thanks, DeGray. The, the Molokai Planning Commission, uh, offhand do you know how many meetings you held in, in regards to discussing the request for the station?

MR. VANDERBILT: I'm not a college graduate so I don't think I can count that high.

COUNCILMEMBER MATEO: Okay. No . . .

MR. VANDERBILT: But we, we had quite a few.

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COUNCILMEMBER MATEO: Okay. No, the only reason I'm asking is because I, I believe the Molokai Planning Commission has the reputation of being one of the toughest planning commissions in this County. And if the Molokai Planning Commission did their due diligence and took the, the time and the effort and the energies to really pick the plan through and be thorough and the fact that you came out with a unanimous support of the station speaks volumes. So, to the Chairman and the Committee Members, thank you very much.

MR. VANDERBILT: Well, and thank you. And, and we did. And I, and I have to commend Deputy Fire Chief Bal and, and Greg Jenkins and the other members of the Fire Department who testified because we had several meetings, as I mentioned, and we asked questions and we got solid answers at follow-up meetings. So, we were very satisfied when we made our approval. Thank you.

COUNCILMEMBER MATEO: Thank you.

CHAIR MOLINA: Thank you. Committee Members, any other questions for Mr. Vanderbilt? Seeing none. Next to testify, we have Dartagnon Bicoy. And Mr. Bicoy is the last person to have signed up. The Chair will provide one last opportunity for anyone in the room to come up and sign up to testify. Captain Bicoy.

MR. BICOY: Thank you. Good evening, Council Members, Administrative representatives. Basically, I'm just here to thank you guys for funding us the monies that we need. You guys been very cooperative. I want to thank, I just want to say on this last fire, any of you had, had a chance to go down there and look at the last fire? Three miles, one side, fire line, south side. Over three miles, north side going to the highway.

I got to thank and tell you, money is not just to the Fire Department. Money is to the Police Department. We work really well with them. They work really well with us. Not just at fires. At medicals, they're there with us. Public Works and Steven Arce and his gang with his equipment. Any time we can get cross training to provide them heavy equipment training like Mr. Jenkins got them. Now, we all on the same page and we working more and more to get on the same page.

So I think, thank the State Highways Division, Goodfellow Brothers, Molokai Ranch put out tankers and equipment, and some people from the public also came out. You know what made us, we have two stations and one substation on Molokai. Engine 9, Engine 4, Engine 12. Maui has a lot. Okay. So, what you provide us with equipment makes up for lack of personnel. Now, we got a tanker that can get in a fire. We got trucks that got the clearance. They got four-wheel drive with foam. Everybody needs foam. That's, foam is key. That's the new technology. And that helps us to be more effective in what we do.

Our chiefs, they support us because they don't question us. If we ask for two helicopters they ask if that is enough. They say you guys need more? I say yeah we need more. They come

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back. Okay, we got one more coming. Everybody else is tied up. Funding the helicopters and, and providing us equipment helps us be way more effective in what we do.

And I'd like to thank our guys. You not going find a, a better bunch of guys who, who got more courage. These guys got huevos man. I talking, you not going believe. The, the fire hit us so hard coming up to Maunaloa Highway. You couldn't see the hand in front your face. Larry was driving the tanker. He couldn't see the road. He sitting in the truck and he cannot see the road. He's backing up. Get guys behind him standing in the smoke backing him up. Back up, back up, you okay, you okay, you okay. We were back burn some area, I mean, and these guys went and held Kaluakoi Road for fire from jumping. If the fire went jump Kaluakoi Road and I'm talking the fire came up went burn the tanker. Sorry, Chief, the tanker got a little bit burn. If went jump Kaluakoi Road, it would have gone down behind the houses. And we're looking at three-day fire. So, just these guys courage.

And, and it's your funding that keeps us safe. And like I tell the guys, anytime we go home to our wives and girlfriends, and some of us both, not me though . . . my wife. It's a good day. It's a good day. And it's thanks to you guys to provide us that kind of funding and provide us the equipment. And Administration, Administration too, for providing us the backup that allows us to do this. Thank you very much.

CHAIR MOLINA: Thank you, Captain Bicoy. Committee Members, any questions for Captain Bicoy? Seeing none. Thank you very much. And I'd like to ask the *Akaku* cameras if you could zoom in on the Fire Department personnel who've come out here in full force here this evening. Thank you for coming out here. The Chair and the Committee appreciates your attendance. Captain Bicoy was the last person to sign up. Committee Secretary, have we had any additional sign ups or request for testimony?

MS. FRIAS: No, Mr. Chair.

CHAIR MOLINA: Okay. Thank you. Members, we have no additional sign ups. If there are no objections, the Chair will close public testimony for this evening.

COUNCIL MEMBERS: No objections.

CHAIR MOLINA: Okay. So ordered.

. . .END OF PUBLIC TESTIMONY. . .

CHAIR MOLINA: Okay. Members, we last left off with the, Mr. Munekiyo as the County's representative for this particular project. I'd like to ask, before we open it up for questioning, any comments from the Planning Department? Mr. Yoshida.

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MR. YOSHIDA: Thank you, Mr. Chair, and Members of the Committee. We have with us, as the Chair had noted, Nancy McPherson, our Molokai Planner, who is the project planner for these applications.

MS. McPHERSON: Good evening, Chair Molina. Greetings to the Council Members on the Committee. This is my first Committee meeting where I'm an actual participant so it's kind of exciting. I think the applicant did a really good job of describing the project. And I did the best job I could to put together all the materials that were transmitted to you after we got approval by the Molokai Planning Commission.

As, as already been reviewed to you, the draft EA was published properly. The final EA was accepted and a FONSI issued. The Molokai Planning Commission public hearing, after the applications were deemed complete, was held on February 28th and we had one person testify in favor and none opposed. And my recommendation or the Department's recommendation had six conditions. So, the, it was approved with those six conditions and then was transmitted to you.

I would just like to say that we get some very controversial projects here on Molokai, which may seem like they shouldn't be maybe to people from Maui. But to people on Molokai it's a big deal. This is a big project but I have heard about 99 percent positive for this project from the community here. Everyone here knows how important the Fire Department, good fire services are for Molokai. It's a dry island. We're in a water shortage right now. We have not had a lot of rain. And as you . . .(end of tape, start 1B). . . is getting pretty dry. Anything that can be done to improve the ability of the Fire Department to respond and stop these fires from getting out of control is, is highly needed.

So, the Planning Department also fully supports this project. We, it has been a privilege for me to work with Fire Department personnel. They're an inspiration to me. And Greg Jenkins has been very, very diligent. And I, I told him if he ever gets tired of being a fire fighter he should become a planner because he's very good at it. So, it's really been a team effort. And I would just like to say that, that we'd like to see everything continue to go smoothly. It is my first time doing these kinds of land use entitlements. So, I, I, I hope I didn't mess up too badly. . . . *(laughter)* . . . And I, I just hope that you can support this project.

CHAIR MOLINA: Thank you very much, Ms. McPherson. You're doing fine so far. Keep up the good work. Before we go into our line of questioning for the Planning Department as well as Mr. Munekiyo, the Chair would like to recognize Captain Victor Ramos from the Molokai Police Department. I know they miss you over there in South Maui. So, I just wanted to let you know that. Okay, Members, the floor is now open for questions for either Mr. Munekiyo or Ms. McPherson from the Planning Department. We'll start with Member Baisa.

COUNCILMEMBER BAISA: Thank you, Chair. I'm going to display my ignorance. I am extremely interested in this tower. And I'm very interested in knowing why, why you have it and what you do with it? I don't believe I've ever seen anything like it. Who gets the, who gets to answer the question? Mr. Munekiyo or Mr. Bal?

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CHAIR MOLINA: Okay. Maybe we could have either Mr. Munekiyo or the Fire Department Chief or Fire Fighter Jenkins?

MR. BAL: First off, I'd like to thank Councilman Mateo here who, who helped this project move forward, and, of course, all our guys here at the Police Department who supports us also, and Mike, Nancy, all the Planning staff. Greg Jenkins this community owes a lot too because he's like one of those, uh, those dogs that just bite and hang on. But to answer, get to your question. The, several years ago, I attended a conference in New Orleans. And I attended because this was coming up, I attended this class that talked about the pitfalls and design features in this type of fire stations. And I said this is great. Walked into that and was I ever surprised as to what could be done with your basic building.

There are so many things that, that are taught today in nationally, worldwide for that matter in the Fire Departments. And a lot of 'em is rope rescue training, high-rise buildings. You may not think of Molokai having high-rise buildings but I'll take you to task on that one because it, it, there, all of our people in Maui County, the State for that matter is taught the same way, national standards. And this training tower is all part of a high-rise type or even gaining entrance to a second or third story floor. And this type of training is very important to keep our people from falling through, and knowing how to detect, manage, and deal with certain types of construction as we also do in training with our new recruits. We're doing the same thing with that. So, they, they're able to recognize this type of thing.

But also how to deploy a ladder, set it up properly. Get up there. Do the, the proper entry. It also serves as a hose tower to dry our hoses. There are, of course, stairs in the inside. This, this particular type of design is new, west of the Rockies, anyway. This company designs and builds, uh, and incorporates so many different types of training that we are required to have today. The expense is, uh, immense in trying to get all the outer island people from Molokai, Lanai, and bringing them over to Maui to train. It's, it's going to be a lot easier where we incorporate confined space. They have little tubes that they sneak down into the basement with. There is . . . lines in hard points running across the stations where we can do all types of high angle rescue, rope rescues. There's, uh, an immense amount of training practices just incorporated in this one station.

COUNCILMEMBER BAISA: Thank you very much. That is a very good explanation. You know when we heard about the height and probably having to have a dispensation, you know, for the height. I think it's important that people understand the importance of the tower and the training. But before I let you go, I'd like to say thank you to you and to all of the men and women of the Fire Department. Are there women on Molokai?

MR. BAL: There is.

COUNCILMEMBER BAISA: There are. One? You have one?

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MR. BAL: We, we have one on Maui, too.

COUNCILMEMBER BAISA: Well, I'm the only one here tonight. You know that, the, the law of, the average laws are not so good. But anyway, I want to thank all of you for all your hard work. And our hearts and minds are with you when we watch and we see what you're doing over here fighting these crazy fires. And we also watched one on Maui earlier this year. And we realized the danger that you're in and we thank you both Police and Fire for all the good work you do. And, Captain Bicoy, I especially want to say thank you very much. Please give your father my aloha. He's a very special guy and the apple did not fall far from the tree. Thank you.

CHAIR MOLINA: Thank you, Member Baisa. Committee Members, any questions for the Planning Department, Mr. Munekiyo, or the Fire Department at this time? Mr. Medeiros.

COUNCILMEMBER MEDEIROS: Thank you, Mr. Chair. And, first of all, I want to ask and it may be on some of the drawings but who is the architect for this structure?

CHAIR MOLINA: Mr. Munekiyo.

MR. MUNEKIYO: The architect and civil engineer were not able to make it this evening. They, the architect is Mitsunaga & Associates.

COUNCILMEMBER MEDEIROS: Okay. And while you're there, Mr. Munekiyo, I want to know, you know, in my career with the County in Public Works, Highways, and then my six years with the Fire Department, it seems like when things are designed, a lot of times, the people that going to operate and use the facilities are not part of the design. And I wanted to know if the fire fighters and the people on the line had an opportunity to contribute their recommendation of what would work for them and so forth. Was, was that incorporated in the design?

MR. MUNEKIYO: The process was quite, uh, involved in terms of the Fire Department's participation but I'll let Greg respond. He was involved more thoroughly.

MR. JENKINS: Chair, Members. Greg Jenkins with the Fire Department. Councilmember Medeiros, the answer to that was the, the very first meetings we had with the station were, were done in conjunction with our Fire Administration, the fire fighters, and Councilmember Mateo. And, and all had input as well as members of the community's input for a number of years. So, at the anchor point, that that those meetings took place, a lot consideration came in from the members of our Department based on what our current stations provided and didn't provide. So that, this would address not only all the unique training issues as Chief Bal stated but also those unique needs to Molokai with our, with our equipment.

We do house a lot of reserve equipment here. We rely heavily on call-back personnel because of limited staffing. So, we have a little bit unique needs of the way we do things around the station that's just different from Maui, so, as well as just the, the living in those quarters. So those things were considered and . . . were they considered, guys? All right. So, and then the final

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designs that are, that are yet to be completely finalized based upon your final approvals we're ready to give our architect those, that go ahead once you're, you're body fully approves this design because until then it would be premature for us to turn those in for print.

COUNCILMEMBER MEDEIROS: Thank you for that. Yeah, I'm, I'm glad to hear that because a lot of times designs are, are made by architects and engineers and a lot of time it comes from what they learn in the book and not what is experienced in the field. So, I'm glad that the fire fighters had an opportunity to contribute to the design concept. Is the training tower, will that also be a hose-drying tower?

MR. JENKINS: Yes. It will also be a hose-drying tower. We also have made provisions for some of our forestry hoses. They're quite a bit longer than the, the old 50-foot lengths we used to have. And that has been designed into the, the stair tower as to not interfere with any training and operations of it.

COUNCILMEMBER MEDEIROS: Okay. Thank you. And I, too, like Member Baisa would like to thank the members of the Fire Department and the Police Department for the work they do on Molokai and all of Maui County. Thank you, all of you.

CHAIR MOLINA: Thank you, Member Medeiros. We have questions from Chairman Hokama.

COUNCILMEMBER HOKAMA: Mis..., Mr. Munekiyo or, or the Chief, first, I'm going to say, I'm very disappointed that the consultant, architect, and engineer did not bother to send a representative on a major project that this County is moving forward. This is a big expenditure on the County's resources. And I find it disappointing because part of the recommendations of the conditions, we would expect the architect or the engineer to answer. Because I would like to know from those five or six points that is being recommended for our consideration this evening, how has the architect or engineer addressed those items? Whether it be water conservation, whether it be in energy, whether it be in the landscape architecture and native plants. How is those high-paid consultants approaching this requirements?

MR. MUNEKIYO: The, uh, design of the building considered a number of energy conservation measures both in terms of water conservation as well as electrical power conservation. I don't have the list . . . um . . . of measures that they've included but it was, well, from what was disclosed in previous meetings quite extensive. I'm not sure, Greg, if you have that information. But, and with regard to landscaping, it is a native plant base for water conservation purposes. And I think the, I'm looking for the rest of the conditions, but in general, there were conditions with respect, relating to best management practices, I believe, which would be incorporated in the design as well. But specifically to your point, Council Member, as to energy and the water conservation, those measures were incorporated. Greg, anything to add on that?

MR. JENKINS: Councilmember Hokama, I know that the design features of the station all kind of go in order of, of trade 'cause both myself, the Chief, and, and Mr. Munekiyo are familiar with the design that we presented to the Commission. With regards to energy conservation, there was two

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ways we can approach it. All of the opportunities we had to reduce electrical use were, were adhered to. We tried to use LPG tanks wherever possible, for example, with cooking equipment, we made sure that in the consultant phase of this that every possible electrical appliance, everything from electric, the electricity used in air conditioning units to the electrical schematics and the light fixtures used to low wattage . . . um . . . bulbs were all considered in best management practices with energy use.

If, the other option we could have gone was in a very green building. I think it's a LEED's type design. And the cost that would have, we would have incurred in being fully compliant with that per the standards would have been at a significant increase in price. So, the best alternative we had as far as electrical was to be very diligent with the type of fixtures that were provided and, and, from the consultants to the architect.

With regards to water use, all the County Codes and recommendations were adhered to and it was also part of the EA. It was significantly asked by the Planning Commission, and all low flow fixtures are being used, that water use is also being . . . um . . . put in place with regards to the landscaping. We've been in contact with both the USDA National Resources Conservation Service as well as the Nature Conservancy on this island and have directly consulted with them and that was also presented to the Planning Commission with regards to the use of native species that are drought tolerant. And that actually this station could be a showcase.

We talked about community nursing efforts, nursery efforts to provide plants that are unique and have the community participate. And we know that the Council is very concerned about landscaping for a number of reasons and especially the plans being responsible. So, the, the architect was very diligent with that. And we'll be, you'll see some species in the actual plans, if you, if you needed to take a look at 'em, that will probably supplement for better indigenous species.

That's, and, and anything else with regards to energy conservation, all of the construction materials used including roofing materials are trying to exceed any of the minimum R-values for . . . um . . . maintaining any air conditioning output inside that station. A lot of, of insulation practices were taking place as not to waste and to be, be considerate of those spaces.

COUNCILMEMBER HOKAMA: You did a good job covering their butts, Mr. Jenkins. What was the concern either from the community or, or other interested parties regarding the concern of contaminations from the new project site?

MR. JENKINS: Councilmember Hokama, the concerns were most closely tied into our, being a close neighbor to the Department of Hawaiian Home Lands, of course, the, the Molokai Education Center, and the use of Alanui Ka `Imi `Ike Road for the residents of Ranch Camp, but most importantly the impact that is being received in, in the Kapaakea Homestead area. There's been significant flooding impact for a number of years as a result of practices in the Kamiloloa Watershed.

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And we, we made sure that the project even though it's on the opposite side of the ridge of impacting that area of the community that we're all kind of sharing this area. And so, contamination-wise if we didn't adhere to the County Codes, if we did not have good source site pollution runoff controls, we would, we would greatly impact that intersection of Alanui Ka`Imi `Ike Road and Kamehameha V Highway. So, those, those practices were put in place. We actually increased the capacity of the retention basins upwards of 25 percent of their required capacity as well as very strictly looked back to the irrigation plan and landscaping plan that you brought up to make sure that we maintain things on-site.

And we've also provided our Department as a stakeholder and a partner with that community as well as with Councilmember Mateo's Office to work with them, with the Army Corps of Engineers, and other entities that would be working to solve their problems as far as flooding goes.

COUNCILMEMBER HOKAMA: Is the concern partly be... of the wash down of the, of the equipment after, after use whether, you know, fire response or some type of other response? Is that one of the issues the wash downs? Are you doing servicing of the equipment on the new site - oil filters, transmission oils, normal servicing of the equipment will be done on-site?

MR. JENKINS: The answer to that question, Member Hokama, is yes and no. The answers that are yes to your question are we will be doing site decontamination of our, our personal protective equipment and some of our, our equipment that we use in our operations whether it be medical or fire. We have washer extractors. A washer extractor has been purchased that has a decontamination room. When used properly there is no affluent waste that is not compliant with the Department of Health. And the wastewater system is able to handle that legally.

With regards to any wash down of the apparatus and any type of decontamination that could potentially run off the site, that's all controlled and it's supposed to be done in the decontamination room. And it was also a community condition, very strict community condition at the originally phases of the Land Use Committee, which was outside of the Molokai Planning Commission in partnership with Molokai Ranch and the Enterprise community, that this site not be used for Public Works full engine overhaul and servicing. It's not supposed to be a Public Works baseyard. And that was made very clear to us. And so, any servicing that would require those types of contaminants would be done at the proper facilities of the County.

COUNCILMEMBER HOKAMA: And this Committee can be assured regarding your fueling station, it's, it's, what, double-lined? You have sufficient backups in case of, uh, cracks, leakages?

MR. JENKINS: Yes, Member Hokama, the, that's a very good question. It also came up in our Planning Commission process. The . . . um . . . thanks to this Council, you guys did approve our most recent Fire Code, the 1997 Code, July 1, 2006. In that is very strict requirements regards, regards to above-ground storage tanks. These things are meant to handle, you know, people shooting at 'em. They're, they're very resilient. And the best part about these above-ground tanks is not only do, but that being they're above ground, they do have crash protection and they

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were properly designed into the site. But they afford us the opportunity to see if there is a leak, which is very highly unlikely, that it's able to be detected and contained prior to it leaking into the groundwater system undetected. So that's also in conjunction with our State measures with regards to watching our pumps versus how much fuel we receive. So, yes, it's, it's very robust tanks, all cement-lined, double-wall steel.

COUNCILMEMBER HOKAMA: Okay. I just got two more quick questions for you or the consultant. I noticed that our conditions, proposed Condition 6 is regarding a noise permit from Department of Health. Is there some kind of sound issue that we're not aware of?

MR. MUNEKIYO: Council Member, proposed Condition No. 6 states that a noise permit shall be obtained from the State DOH prior to initiation of construction as applicable. And that pertains to construction noise. So, if the contractor anticipates any noise, which would exceed the limits as set forth by DOH then during the construction phase, the contractor would need to secure a noise permit.

COUNCILMEMBER HOKAMA: Are you aware of some type of special equipment that they plan to utilize that is going to violate the noise maximums?

MR. MUNEKIYO: Nothing that I can think of right now. I think this condition was more, uh, imposed so that, at this point, specific construction methods is really unknown, and so that kind of places the burden on the contractor in the event he selects to choose some method which may create noise which exceeds that threshold level then he'd be obligated to get that permit. But I think it, it was a provision so that it, it does make sure that the contractor is accountable, is irrespective of what type of method he uses. But, off the top of my head, I'm not sure what the methods he'll be using at this point.

COUNCILMEMBER HOKAMA: This is not a concern regarding grading and filling? Is, is that part of the issue, Mr. Munekiyo?

MR. MUNEKIYO: It, it could be. If . . . um . . . for example, there is a pile driving activity, that type of activity to set foundation might create noise which may require a permit. But again, at this point, I'm not, you know, sure what the specific methods of construction would be.

COUNCILMEMBER HOKAMA: Okay. And my last question, for the record, what's the name of the firms for the architect and the engineer?

MR. MUNEKIYO: The architect and engineer is Mitsunaga & Associates.

COUNCILMEMBER HOKAMA: They're doing both components of the project?

MR. MUNEKIYO: That's correct.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

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CHAIR MOLINA: Thank you, Chairman Hokama. Committee Members, any other questions for our resource personnel? Councilmember Victorino?

COUNCILMEMBER VICTORINO: Yes. Mr. Jenkins, I have a concern, a question to, that I want to, for you to clear up. You mentioned a decontamination room and an area where your apparatuses could be decontaminated. And I'm looking over at the site plan and so I just, I haven't found it. And so, would you kind of indicate where that would be specifically? Because that would be a separate entirely off that would be separated. Where would that be in the, in the overall plan?

MR. JENKINS: Councilmember Victorino, if you look at the overall plan . . . um . . . it would be located in the, if you identify the . . . can you hold this up for me, Chief, please? In the middle of the building towards the north, the northwestern corner you'll see a small corridor looking there. It's to the left of that corridor.

COUNCILMEMBER VICTORINO: That's . . .

MR. JENKINS: That's a decon room.

COUNCILMEMBER VICTORINO: By the kitchen they have that little . . .

MR. JENKINS: No.

COUNCILMEMBER VICTORINO: Oh, where it says new fire station?

MR. JENKINS: It's actually directly adjacent to the apparatus bay. It's sealed off from the crew quarters and the kitchen.

COUNCILMEMBER VICTORINO: I'm not sure. I'm not sure.

MR. JENKINS: Okay. Do you mind if I approach the . . .

COUNCILMEMBER VICTORINO: Yeah. Yeah. Can, can you please? I'm sorry. Both me, myself, and Ms. Baisa are looking and we're trying to figure it out. I apologize.

(Member Victorino not speaking on the mike to Mr. Jenkins)

COUNCILMEMBER VICTORINO: Okay. Thank you. I, you know, I just wanted to make sure that, and so there will be an enclosed, this, this, because it looks like an open space. But there will be some kind of closure so that it will be completely sealed off. Well, I'm looking for the welfare of, of the fire fighters, the community, and all those concerned. I mean if we're going to do this, like Councilmember Medeiros mentioned, let's do it right. You know so if, you're assuring me that that will be a closed-off area for decontamination purposes.

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MR. JENKINS: That would be correct. In fact, it's probably going to be the most comprehensive decontamination area that's compliant with national standards up to date of any of our most recent fire stations. Not only does it have our, our, our decontamination basins and stuff for decontaminant turnouts with the washer extractor but it has emergency showers and other places to be OSHA compliant. And then that should be tailored into all of our existing, not our existing, but our newer stations that come up to be compliant, so it, it meets those requirements.

COUNCILMEMBER VICTORINO: The other question I had, and I know this was not brought up but is this 5-acre sufficient for all the things you can foresee? 'Cause we built that, and I was correct in saying 1978, so some 20 years later we've outgrown it. So, and I'm not to say that Molokai is going to continue to develop but just enough everyday births growth on this island. Will this be enough in 20 years or do we have to start all over again? And maybe you or Mr. Bal could answer that question.

MR. JENKINS: Thank you, Member Victorino. Both of us could probably answer the question. But specifically, we, we, we look quite closely at, at what you just brought up with relation to other fire stations in our County that have been outgrown. And that the space requirements that could be achieved weren't going to be possible by adding more stations in that des. . . , maybe that district.

Kahului Fire Station is an excellent example of, of growing out, out of proportion. You have Rescue Company, engine, tanker, all the rescue equipment, boat utility. Now a new HAZMAT company going in. It's busting at the seams. So, with this consideration, the Chief, you know, ordered us in our consideration that we look 50 years-plus down the road. And I know a long time ago it was talked about a potential truck company or rescue company that could be on Molokai going quite a number of Administrations back as well as it accommodates those personnel, any training staff that were to show up on island for, for necessary training. It also accommodates any potential future for EMS services in conjunction with, with this island to be able to be accommodated in this facility.

COUNCILMEMBER VICTORINO: Well, that's great because Molokai as Captain Bicoy mentioned you stand alone whenever there's an emergency, whether it's a fire or anything. You don't have other fire stations like on Maui where you could have Makawao come down and Paia come in or Kahului. I mean you got backups. Here you got two plus like you say a sub. And with major fires like you had last month, I mean, you have nothing. So, you stand alone. So whatever we give you has to be state-of-the-art, has to be long-term. And we have to make sure that you have all what you need and that's what we're here for. We want to give you the money to do what you need to do. This is a great plan. I like it. I want to thank all the firemen, the Police Department, everybody that's here tonight. Because you know what without you the public would not feel as safe as they do. So, I thank you for putting your lives on the line everyday for the people of Maui County. Mahalo.

MR. JENKINS: Mr. Victorino, one, one follow-up comment is our fire personnel, right now, when they come over from off island when they get promoted, there are no accommodations. The Police

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and, and some of the teachers and nursing staff have accommodations. So, to not look at wasted space, any additional space that could be provided for future emergency services, immediately we'd be able to utilize for our, our personnel on island to be able to have a place to stay when they come over to work. And we have issues with housing our training staff, chief officers, and a lot, a lot of factors is that we never had the type of housing for our personnel before to stay over at the station. So, it also provides for that in the interim, which will save us a lot of money and time.

COUNCILMEMBER VICTORINO: How many people could, are you planning or have enough plans to put in as far as this, this station is--how many people can, can, can be housed there beyond just the, the company that's working that, that shift?

MR. JENKINS: I think approximately it's, it's designed for 14 to 15 people comfortably.

COUNCILMEMBER VICTORINO: Fourteen, 15. And, and, and each fire company, each shift is how many men?

MR. JENKINS: We have a minimum staffing of four, and we have a full staffing of five, which takes into consideration leave. So that would, that would encompass two full companies, a potential future chief officer, as well as all the crews that sleep in the barracks of the remaining companies as well as one free bed.

COUNCILMEMBER VICTORINO: Well, that's. . .

MR. JENKINS: If it were fully staff to its capacity of design.

COUNCILMEMBER VICTORINO: Well, thank you, and I'm glad the, the foresight is being put out. Thank you. Thank you, Mr. Chair.

CHAIR MOLINA: Thank you, Mr. Victorino. We have a question from Mr. Pontanilla.

VICE-CHAIR PONTANILLA: Good evening, Greg. Fast question as far as your energy conservation. You guys going to be looking at solar water heating system for hot water use?

MR. JENKINS: The answer to that is right now in the design of the station there are provisions for all the infrastructure for solar. But it was left out of the design initially in our final plans, because there are grants that we can work with, with Maui Electric and other, other participants on island. United States Department of Agriculture has some, some different ideas we can look at there. So, the station was built to accommodate the solar systems and, and, and, and they're actually dedicated for a specific spot on the station. But we didn't want, we wanted to use discretionary funding there versus adding it on to the regular cost.

VICE-CHAIR PONTANILLA: So, you're going to go forward with trying to achieve some grants or even County monies. Okay. Thank you.

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CHAIR MOLINA: Thank you, Member Pontanilla. The Chair, Chair has a couple of quick questions for you. We received a June 7th letter from the Planning Director. Members, it's in your binder towards the back. I guess on the second page it had to do with the undergrounding [*sic*] of power lines. And I, I note, I guess, the Planning Department . . .(end of tape, start 2A). . . And I know you were involved, Mr. Jenkins, as far as looking into that issue with the FAA. I guess this is in relation to the hel. . ., this is the helipad. And I guess if Planning, Ms. McPherson or Mr. Yoshida, would like to comment on that after Mr. Jenkins. Can I get comment from you with regards to that issue?

MR. JENKINS: Thank you, Member, and Committee Chair Molina. With the use of the electrical lines underground, the sum of, of all the information I have in here, which I'll, I'll tell you the sum of it first and then kind of the justification after. Is that we didn't determine that it was necessary for the, for budgetary purposes or for design of the station in that we could accommodate any type of emergency landing zone for the helicopter around it. The landing zones for the Air One Hughes 500D Helicopter we have now is 50 x 50 approximately. The helipad LZ is not a heliport. It's a helipad. I'm sorry just to straighten that out. It is, it's going to be designed and constructed with on-site fill, which I know, is very important to lots of people in government that we keep the site, excavation materials on-site. So, it will be slightly elevated which even further reduces the impact of those poles.

As you, I'm sure, are very familiar with and the rest of the Members of this Council that we landed that rescue helicopter at Kahului Fire Station which is finding a needle in a haystack as far as 100 foot power lines et cetera. And we're, we're very confident that we can provide safe air operations with those lines intact. However, you are correct that the Planning Commission and a specific member did bring that up. We did research with Maui Electric what it would cost and there was an \$8,000 charge for the, the movement of certain poles out of the area. And the infrastructure cost us, could be anywhere between minimum of 60, upwards of a hundred, over a hundred thousand dollars for the requirements of trenching and then capsulation of that electrical conduit and concrete.

And so, our request is, is that this Council consider that we, we, if that's required by you, which we would respect your, your, your position on that, that we would treat that as a separate CIP project in another fiscal year that's done more in partnership not just impacting the fire station project but the entire use of that roadway because there's a lot of uses and a lot of partners and stakeholders and plans for that area rather than assign it to be on the station. Also, it would be premature on our part because there's, right now there's no sidewalks. And so, if we go ahead and start changing infrastructure in the easements, it can affect drainage and sidewalk plans and a lot of, a number of things if it isn't well coordinated.

However, I know the Chief has assured me that we'll be a partner to any plans to do that in the future and the station design accommodates any changes in utilities along that easement of the road as well as sidewalks if required.

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CHAIR MOLINA: Okay. Thank you, Mr. Jenkins. And one quick question before I ask for comment from Planning Department. Where the project site is how far is the nearest home or homes from where the proposed site is?

MR. JENKINS: The closest home to the property itself would be approximately 200 and, 200 feet, 250 feet, I'd say. But from the actual areas of use of the impact of the station building itself being the footprint versus the overall project site, I'd say roughly 500-plus feet.

CHAIR MOLINA: Okay. Thank you. And I bring that up because there were concerns regarding noise, potential dust, and all of that. Planning, do you care to comment on the underground line issue or underground utility issue I should say?

MS. MCPHERSON: Thank you, Chair Molina. Well, when I entered into this discussion about this issue that came up during the Molokai Planning Commission public hearing on the project, I discussed it with Greg and he told me the things that he just told you and that was acceptable to me. I thought it made sense to make improvements concurrently so that if there, or at the time that improvements are going on along Ka `Imi `Ike that that undergrounding [*sic*] of power lines could be considered at that point and additional funding could be found in order to do that. I also found his explanation of what he, he had also talked to helicopter pilots. He's talked to a lot of different people about what really are the hazards. You know they're going to be clearing kiawe in the area. I mean it looks like a really tight area right now but once they clear and, and get the thing constructed it's going to look a lot safer. So, you know, the response was acceptable to myself.

CHAIR MOLINA: Okay. Thank you very much. Committee Members, any questions for our other resource personnel? We have Mr. Nagamine from the Department of Public Works, Development Services Administration. Basically, his role would be the subdivision approval. And we also have the Police Department representatives, Lieutenant Ribao, or excuse me, Assistant Chief Ribao and also Captain Ramos. If there are no requests, oh, Mr. Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Chair. I think my questions would be directed again to Mr. Munekiyo and the Department.

CHAIR MOLINA: Okay. Then the Chair would just ask if you have any questions first for the Police Department or Public Works? Okay. Seeing none. Members, then we'll assume at this point there are no questions for our two resource personnel from those departments. Okay. Mr. Munekiyo, you have a request for a question from Mr. Medeiros.

COUNCILMEMBER MEDEIROS: Mahalo, Chair. I want to follow up on a question that Council Chair Hokama expressed. And, and it was answered but I, I, I have some questions, continued questions. It was kind of answered by Mr. Jenkins. But on the, the contamination, well, the decontamination of equipment that catchment area that's within the structure itself within the building? Okay. That's mostly to decontaminate personal equipment and so forth? Okay. The EPA, is the, that's the designed method requirements of the EPA when you wash down

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equipment because of the possibility of engine oils, solvents coming off the equipment that there's a catchment and disposal designed into the wash area?

MR. JENKINS: Councilmember Medeiros, the answer to that is that that no wash down of, of, of engine oil type products from service of the engines, an open crankcase type materials combustibles such as oil, gasoline, et cetera are going to be regularly dumped, washed or decontaminated like, like a solvent cleaning basin in that, in that room. It is specifically designed to deal with blood-borne pathogens and infectious disease, which we neutralize first with peroxide and other detergents that neutralizes the, the affluent waste before it goes into a catch basin and then later into the sewer system. So, any type of, of cleaning would be done with, with mopping up with rags. None of it would be washed down and it would be properly disposed of per the EPA and other County and State requirements.

COUNCILMEMBER MEDEIROS: Does that hold true also when you wash down the trucks and, and the larger equipment that you don't have to catch anymore the, what comes off the wash-down of trucks?

MR. JENKINS: The answer to that is if it's, if it's regular type of contaminants from, from driving on the road, for example, dirt, maybe limited road tar that stuff we would wash it like we do any other car with our wash and wax in the apparatus. However, we have come to understand that when we use pressure washers on the undercarriage of the vehicles that there is proper catchment of that type of waste. And when we have done so we've utilized our Public Works facilities and we do make sure that, that any type of, of oils and stuff that would be washed off don't readily run down that driveway and go into the street or other areas.

COUNCILMEMBER MEDEIROS: Okay. That's, that's good to hear. My other question is in this facility is the entire facility air conditioned or just the quarters, the kitchen, or the entire facility?

MR. JENKINS: All of the enclosed areas of the facility, well, actually that's kind of a loaded question, the apparatus bay is not.

COUNCILMEMBER MEDEIROS: Okay.

MR. JENKINS: The shop areas and storage areas that are to the eastern side of the project that are for more . . . um . . . again stores the emergency generators and, and other equipment are not. Only the living spaces and the classrooms themselves. And great care went into creating vestibules so that when doors are open that cool air doesn't just rush out. And that, that was considered as well as in, into the spaces. If you notice, well, you don't have a detailed drawing, but there's an alarm office that sits in the apparatus bay. Special care was put into that so that there, there would be ventilation as well as in the apparatus bay. It is not air conditioned but there is a contaminant removal systems and so we needed to also be very cautious that the, that the cooling system of the station, the living quarters, didn't interfere with the decontamination systems for the diesel exhaust system inside the apparatus bay, and that there was proper ventilation to the training tower and all the surrounding areas.

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COUNCILMEMBER MEDEIROS: Okay. That was going to be my next question if the air conditioning system would be sucking in stuff from, you know, the engines running, and the, the service bay, I mean, well, in the bay where the apparatus, the trucks would be parked? So, you answered that question. And this may be for you or for Mr. Munekiyo but in the design of the building and the alignment of the building on the property, was the prevailing winds, the trade winds and cross ventilation taken into account?

MR. JENKINS: Yes, it was. More specifically the, the biggest damage we have to our apparatus has to do with UV and sunlight. So that was an equal consideration with the trade winds. On the eastern side of the structure there are windows. There are a lot of vents on that side that will be able to provide adequate ventilation as well as the training tower acts like a cupola, if you will, that allows heated air to rise out of the facility through natural vertical ventilation. But really one of the biggest considerations if we were to have oriented it east or west where a lot of our stations are now, the, the afternoon sun just, just really deteriorates our equipment and takes away from its life. So that was kind of a balance.

COUNCILMEMBER MEDEIROS: Well, you, you know, you folks have certainly taken into consideration the important things about a facility like this. From looking at the drawing here, the prevailing winds in this area come from where - the ocean or from mauka?

MR. JENKINS: Prevailing they follow the coastline. They kind of bend around. They're trade winds northeasterly as you know but they don't take a true northeasterly direction. They kind of bend around the coast. They run pretty much parallel with the coastline.

COUNCILMEMBER MEDEIROS: Parallel to the . . . (*inaudible*) . . . Okay. Thank you very much. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Member Medeiros. We have a question from Council Chairman Hokama from Corporation Counsel.

COUNCILMEMBER HOKAMA: And, and maybe Mr. Munekiyo, too, you might, well, let me ask Mr. Munekiyo the question first. Is it your understanding that the County has full control of the project site and that the sale is completed?

MR. MUNEKIYO: The parcel has not concluded the subdivision process at this point. So, conveyance of the parcel cannot be completed until that subdivision process is done. I'm not sure where we are in subdivision. Greg? Okay.

MR. JENKINS: To add a little bit to this. Member Hokama, I did prepare some information that can summarize the Purchase and Sale Agreement with respect to subdivision. The biggest factor is in order to sub. . . , for subdivision approval, the Department needed to obtain the EA as you all know and, and the final approvals by this Council as a result of the, thankfully, the FONSI from the Planning Commission. With regard to that, our Purchase and Sale Agreement with Molokai

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Properties, Ltd. was for a period of 750 days total with a contingency date of 730 days, which leaves us in September 1, 2007, as a drop dead date to have subdivision in hand to not achieve any other additional cost to the property.

In order to, to do that, as I said, we needed this process. And so, upon your approval if, if or disapproval, we'll know where we stand. Concurrent with, if, if you do approve this, we'll be working with the Planning Department and Nancy and other staff to have a proper torch handoff to Public Works which is responsible. The Public Works Director is responsible for the subdivision process. And we've been working closely with them. As well as we know we'll need to work with you guys and the Mayor's Office because we do have a pretty tight deadline here. Time is of the essence. And that will be taking place very, very soon.

Upon satisfactory subdivision process, we have two options. We can do a limited subdivision or we can do a final subdivision approval through normal County process. And as part of our EA, we concurrently provided all documents that were necessary to achieve that application. We have an owner's authorization to subdivide from Molokai Properties, Ltd., which I do have copies here with me tonight. So, we're fully able to turn this application upon your hopeful approval of the project tonight.

Other than that, once we get satisfactory subdivision . . . um . . . achieved, we'll have to close the, the escrow with this with Title Guarantee Escrow within 20 days. And the only other person we've left out is the Finance Director, as you know with the County Code Chapter 3.44 we know we need to have both your approvals for, for any purchases over 100,000. As of now, the project is under \$100,000, \$100,000 even. If we go past the date that's going to change. So, we need to work, again, diligently on that and we need to final coordinate with, with Kalbert Young with Department of Finance for the, all, any final information regarding the subdivision.

COUNCILMEMBER HOKAMA: So, so we're very clear that this Committee this evening, Mr. Jenkins, September 1 is, is a crucial deadline for the project as, as you just shared with us. And that keeps it hundred, at the \$100,000 level. What happens on September 2?

MR. JENKINS: Of the 750 day contract period or contingency date as you stated is September 1st. We do have additional 30 days to meet the end of that contract. So, I'm sorry 720 days and then the extra 30 days is the 750. So, as of October 1, 2007, we will achieve an 8 percent cost increase to the parcel one time and then it will be raised every month .66 percent compounding every month thereafter. So, to give you an estimate on 1/1/2008, this property that what did cost \$100,000 will cost \$392,838. So, we have, we've, we've . . . um . . . by no, by no fault or by no . . . would I want to give the impression that the people that have been working on this project including yourself, the Planning Department, and all of our consultants have been working very hard and this has been the time period of it. We've been on top of it and it's been very fast. So, it's just this final stretch here that we have to accomplish by that September date.

COUNCILMEMBER HOKAMA: So, we're very clear, Mr. Jenkins, subdivision has not been completed therefore there's no actual legal lot at this point in time?

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MR. JENKINS: Of the TMK and the actual parcel that's there, we're subdividing it into two parcels. So, our, our proposed subdivision. So, to answer your question there has not been a subdivision. There is not an actual lot but as required it was necessary to complete the Environmental Assessment and the zoning changes that require the Community Plan Amendment, State Land Use Amendments, all the entitlements that, that Nancy had, had explained to you and also Mr. Munekiyo before we could put in our sub. . . , subdivision application because it would be inconsistent with current zoning. So, the EA process and your full approval is necessary before we can turn that application in for full subdivision approval.

COUNCILMEMBER HOKAMA: We, we understand the process well, Mr. Jenkins. My, my main question is can this Committee to Corporation Counsel recommend zoning on a lot that doesn't currently legally exist?

MR. HOPPER: The description in the ordinances drafted has a specific metes and bounds description of the area that's being, that the, the, the zoning change, Community Plan Amendment, and the State Land Use District Boundary changes are being made and that would be the, the accurate description of the lot that will be eventually subdivided out. Apparently, though the entitlements are necessary prior to subdivision approval is my understanding. So, yes, I would believe that that would be, that that would be permissible.

COUNCILMEMBER HOKAMA: I hope you're willing to put that in writing, Mr. Attorney. You know, Chairman, if, if you don't mind, objections, Mr. Nagamine.

CHAIR MOLINA: No. Mr. Nagamine, from Public Works if you could please come up? Chairman Hokama has a question regarding, I would presume, subdivision approval.

COUNCILMEMBER HOKAMA: What would take them from preliminary to, to final, Mr. Nagamine, as far as your, your Department's requirements to process the application?

MR. NAGAMINE: Well, there has been no application for this project yet. So, it hasn't even been applied for yet. So, they don't have preliminaries, so, I can't tell you how long it's going to take from preliminary to final. There is no application for this project.

COUNCILMEMBER HOKAMA: Okay. So, there's no, geez. That's all I needed to know, Chairman. Thank you.

CHAIR MOLINA: Thank you, Mr. Hokama.

COUNCILMEMBER MATEO: Chairman.

CHAIR MOLINA: Mr. Mateo?

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COUNCILMEMBER MATEO: Chairman, perhaps to continue the discussion. We do have the Chairman of the Molokai Planning Commission with us as well. And the Molokai Planning Commission, you know, I believe had similar discussions. And if Mr. Vanderbilt can share with us the discussion by the Planning Commission.

CHAIR MOLINA: Mr. Vanderbilt?

MR. VANDERBILT: Thank you. Mr. Chair, I know we were really concerned about pushing this thing along without being assured that it was a done deal. And I don't know about Mr. Feeter but I cannot remember any of this talk about if it wasn't done by September 1 or something that the price would jump from 100 to 389,000 because we would have brought the landowner in who said that they were giving such a good deal and we would have tried to make sure that the entitlements were there for the land. Because we were worried about the cost of the building and the fact that, you know, a lot of things had to be done to get the right entitlements. And so, I'll look back in the record but I just don't remember us being aware of all these price escalations. And that's kind of disheartening. So, anyway, thank you.

CHAIR MOLINA: Thank you, Mr. Mateo. Okay. Hang on, Mister, Mr. Hokama. I have one question for Corporation Counsel regarding the Purchase and Sale Agreement. Members, Page 5, the follow-up on the comments made by Mr. Jenkins regarding the 750 days. Just so the Committee, and I guess the general public has an understanding, if the subdivision approval is not obtained within the 750 days, the seller, which is I guess Molokai Properties otherwise known as the Ranch, they have the right to, under this agreement, to cancel. Am I correct with that?

MR. HOPPER: Yes, you're absolutely correct.

CHAIR MOLINA: Okay. For the Committee's information, we did attempt to try and contact a representative from Molokai Properties and were unsuccessful to at least have them share their comments on that. So, I think it's something worth noting because we'd hate to have a snag like this occur and then we go back to square one and, you know, put a further delay on the proposed fire station. Chairman Hokama?

COUNCILMEMBER HOKAMA: Well, it's disappointing, the Department and the past Administration knew about it 'cause they signed off on the agreement, Chairman. But my, my one question is also on that document, Corporation Counsel, there's an agreement for escrow to be set up and that the full amount of the monies will be paid into escrow. But there is a catch and the catch to this final sales conclusion is that after the completion of the community-based master plan then we will decide whether or not the community land trust or Molokai Properties is going to be paid the money. So, stating that, is escrow considered a final sales?

MR. HOPPER: I'm not certain at this point. I haven't reviewed that.

COUNCILMEMBER HOKAMA: Okay. Chairman, thank you very much.

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CHAIR MOLINA: Thank you, Mr. Hokama. Committee Members, at this point, the Chair would like to take a short break and when we return we'll give you the opportunity to ask more questions of our resource personnel. It is 8:27. The Chair will call for a ten minute recess. . . *(gavel)* . . .

RECESS: 8:27 p.m.

RECONVENE: 8:39 p.m.

CHAIR MOLINA: . . . *(gavel)* . . . Land Use Committee meeting for June 13, 2007 is now back in session. Thank you very much for that break, Members. At this point, the Chair will ask if there are any more questions for our resource personnel prior to addressing the six recommended conditions by the Planning Department. Any questions for Fire Department, Public Works, Police, anyone else, the applicant's representative? Seeing none. At this point, Members, I would ask that you take a look at the proposed six conditions. Any comments? Okay. Okay. We have a request from Member Pontanilla for Mr. Nagamine from DSA.

VICE-CHAIR PONTANILLA: Thank you. Thank you, Ralph, for being here. Question? How long does it take to get a subdivision approval?

MR. NAGAMINE: That's a very good question. Normally, if this was a regular subdivision it would take well over a year to get it done. But there is a provision in Title 18, which is commonly referred to as the Limited Subdivision Processing. And it's an expedited processing that's available for certain public benefits, public projects, road widening strips, things like that. And this, this possibly could qualify under that provision. So, there is an expedited process for that. However, once the application is submitted, and again an application has not been submitted yet, it is routed to various agencies for review comments. And depending upon what they submit as review comments would be, will dictate how difficult it is to get final. So, again, you really don't know until you make that first round of reviews on the preliminary approval submittal.

VICE-CHAIR PONTANILLA: Know, knowing this is a County project in regards to satisfying public safety to expedite this application if someone would walk it through. I don't know if this application need to go to the State of Hawaii either. So, if it needed to go to the State of Hawaii, you know, we, we walk it through.

MR. NAGAMINE: Uh-huh.

VICE-CHAIR PONTANILLA: I'm sure we, we can expedite the application much faster.

MR. NAGAMINE: Well. . .

VICE-CHAIR PONTANILLA: In your experience. . .

MR. NAGAMINE: Well, it's, it's like any kind of application process. It's only as fast as the reviewing agencies can turn around their review comments. So, again, if they were to apply for a

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subdivision and someone were to lobby the reviewing departments to expedite their review, of course, that's going to make the whole process go faster. So, you know, a lot of the work, you know, like part of it is with the Departments but also a lot of it is with the applicant. That once you get their comments that you address those comments with, with every department. So, it's kind of like a partnership between the Departments and the applicant.

VICE-CHAIR PONTANILLA: So, through the Administration, we probably can work that, right?

MR. NAGAMINE: That's correct.

VICE-CHAIR PONTANILLA: Thank you.

CHAIR MOLINA: Thank you, Member Pontanilla. Any other questions for our resource personnel before we address the six conditions? Seeing none. Members, if you want to turn to the back of your binders, Page 10, the six conditions are listed there. Any comments at this point? Any proposed additional conditions that the Committee would like to recommend? And my understanding these six conditions were recommended by the Planning Department as well as the Molokai Planning Commission, Ms. McPherson? Thank you. Any comment from Mr. Mateo as the Molokai representative?

COUNCILMEMBER MATEO: Chairman, thank you very much. And I believe, I believe the applicant, applicant's representative Mr. Jenkins, as well as the Deputy responded quite well on the six conditions that were listed, the conditions of zoning. And I believe they have incorporated all of these conditions into their existing planning. The, some of these conditions are basic in terms of a general understanding. For example number, No. 5, that refers to *iwi* and the encountering of *iwi* on the, on the property. That is just a standard language that would be added to any conditions when you have a developing project such as this. Best management practices, energy conservation measures, water conservation, noise permit, and landscaping. These are issues that had, that had already been recognized and included in their, their plans. And, at this point, I don't have any additional comments on the conditions, because I believe the work that was done in the creation of these conditions by the Molokai Planning Commission and reviewed by the, the Department itself, I think had been thorough and complete and I have no additions to the list of conditions.

CHAIR MOLINA: Okay. Thank you very much, Member Mateo. Any other comments on the conditions before the Chair makes his recommendation?

COUNCILMEMBER MEDEIROS: Recommendation.

CHAIR MOLINA: Okay. Thank you very much, Members. At this point, the Chair would, would like you to, we're going to address the three bills separately with three separate motions. So, for Bill No. 1, the Chair would entertain a motion to support a bill for an ordinance to amend the State Land Use District classification from Agricultural to Urban for a property situated at Kaunakakai, Molokai, Hawaii.

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VOTE: **AYES:** **Councilmembers Baisa, Hokama, Mateo, Medeiros, Victorino, Vice-Chair Pontanilla, and Chair Molina.**

NOES: **None.**

EXC.: **Councilmembers Anderson and Johnson.**

ABSENT: **None.**

ABSTAIN: **None.**

MOTION CARRIED

ACTION: **Recommending FIRST READING of proposed bill.**

CHAIR MOLINA: And the third bill we are considering is a bill for an ordinance to establish P-1 Public/Quasi-Public district zoning, conditional zoning for a property situated at Kaunakakai, Molokai, Hawaii.

COUNCILMEMBER PONTANILLA: So moved.

COUNCILMEMBER MATEO: Second.

CHAIR MOLINA: Moved by Member Pontanilla. Seconded by Member Mateo. Any discussion?

COUNCILMEMBER MATEO: Chairman.

CHAIR MOLINA: Mr. Mateo?

COUNCILMEMBER MATEO: Chairman, thank you very much. Before, before calling for the vote for this particular item, I'd like to be able to speak in support and I, I think I would like to share with the Members that the . . .(end of tape, start 2B). . . was one that had not started two or three years ago. This process had started many years ago. As a matter of fact, my predecessor Chairman Kawano was an individual that really wanted to see the project such as this take place. And for the last, almost four years, I have been directly involved with the Department in being able to see that a project like this truly address the safe and healthy needs of our community. I'm really proud to be able to say that the Department's support, encouragement, and diligence in the process has been more than appreciated. And I'm really proud that Fire Fighter Jenkins took the bull by the horn and virtually did the impossible in helping us come through with a large CIP project like this for this island.

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And, Chairman, the Members of this, of this Committee also needs to be commended because it was this Committee that appropriated \$10.5 million for a Molokai project to assure that the health and the safety needs of this community is protected. And with that, I'll gladly wait for the vote, Chairman.

CHAIR MOLINA: Okay. Thank you, Member Mateo. Any other discussion or comment? Mr. Hokama?

COUNCILMEMBER HOKAMA: Chairman, I'm going to support this motion with reservations. I will first state that, my disappointments in this application tonight with some of the responses to I thought was very important questions by this Committee. But I can tell you that I have greater respect for Mr. Mateo. And because of the respect for my colleague from this island, I'm going to be supporting the motion. And I will state it for the record, Molokai does not generate the kind of funds it takes for this kind of projects. It is Mr. Mateo's dedication and ability to have the rest of the Councilors rally around a very worthwhile project like this to be able to confidently appropriate \$10½ million. And it is a testament to Mr. Mateo that this project this evening is still going to go forward. Because I can tell you, I have been dissatisfied with some of the responses to what I thought was pertinent questions that I believe even some of the Planning Commissioners stated to me information was not made available to them. But I will state for the record once more, I will support this with respect for Mr. Mateo. And I hope by the time we position this bill before Council that we will get answers to the questions presented tonight, or we'll have a great discussion whether or not this will make final reading before the Council. Thank you.

CHAIR MOLINA: Thank you, Council Chairman Hokama. Committee Members, any other comments as it relates to the motion on the floor?

COUNCILMEMBER MATEO: Chairman.

CHAIR MOLINA: Mr. Mateo?

COUNCILMEMBER MATEO: Chairman, relative to the discussion that that we had. Perhaps, if Corporation Counsel could provide us in writing those questions that the Committee Members had asked relative to all of the bills.

CHAIR MOLINA: Thank you, Mr. Mateo. Staff and Corporation Counsel will definitely make note of that then. The Chair, if there's no other discussion on this, would like to make a few comments before we call for the vote. Time is of the essence with this as we have found tonight with regards to the Purchase Agreement. In short, if we don't, if we go past the 750-day agreed upon completion, we could be facing a higher cost for the purchase of the land. According to the Purchase Agreement on Page 6, Members, if you'll note, if, the purchase price shall be increased by 8 percent on the 751st day and thereafter shall increase on a monthly basis by 0.66 percent of the amount previously in effect immediately before each increase. So, time is of the essence in

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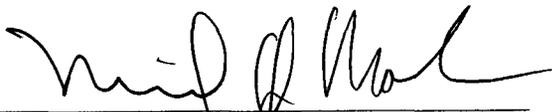
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COUNCILMEMBER VICTORINO: Thank you. You know I was very honored. And, and all of Hawaii and our family would like to continue to say nothing but success for both my son and, and of course another Maui boy that's now in the majors, Kurt Suzuki. So, Maui County as little as it may be shines in the big world of Major League Baseball. And it's a tribute to the people of Maui County and all of the baseball programs. It's all the coaches and all the parents' dreams can come true, just let them happen. Thank you, Mr. Chair.

CHAIR MOLINA: Okay. Thank you, Mr. Victorino. And we have a request for bobble head dolls, too. I know there's a big demand for them. And of course Molokai has had a lot of great talent go on to the Major Leagues as well. I think, I believe Mr. Keith Luuloa was also in the Major Leagues. One final thank you to our Molokai *Akaku* staff. Thank you very much for filming tonight's event. Great job you folks. So, with no other announcements, this Land Use Committee for June 13, 2007 is now adjourned. . . .(gavel). . .

ADJOURN: 8:48 p.m.

APPROVED:



MICHAEL J. MOLINA, Chair
Land Use Committee

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Transcribed by: Cathy Simmons

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CERTIFICATE

I, Cathy Simmons, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED this 5th day of July 2007, in Wailuku, Hawaii.



Cathy Simmons