

**COUNCIL OF THE COUNTY OF MAUI**  
**POLICY COMMITTEE**

March 16, 2007

**Committee**  
**Report No.**

07-28  
As Amended

NOTE: The recommendations contained in this committee report were amended by the Council at its meeting of March 16, 2007, by deleting the bracketed material and underscoring the new material. This committee report was then adopted as amended.

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy Committee, having met on February 27, 2007, makes reference to County Communication No. 07-7, from the Council Chair, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated January 31, 2007 (received January 31, 2007), the Mayor transmitted a listing of nominees to the various boards, committees, and commissions, along with their personal history forms. The nominees, whose terms expire as indicated, are as follows:

1. Nominees to boards, committees, and commissions, requiring Council approval or disapproval within 60 days (for terms expiring on March 31, 2012, unless otherwise indicated):
  - A. AFFIRMATIVE ACTION ADVISORY COUNCIL
    1. Sherry Duong.
  - B. ANIMAL CONTROL BOARD
    1. Nancy Fisher, for a term expiring on March 31, 2010;
    2. Frances Joswick, for a term expiring on March 31, 2010;  
and
    3. Ronald Larsen, for a term expiring on March 31, 2010.

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C. BOARD OF CODE APPEALS

1. Emily De Costa; and
2. Tamio Iwado.

D. BOARD OF ETHICS

1. Sheri-Ann Daniels; and
2. Rebecca Woods.

E. BOARD OF VARIANCES AND APPEALS

1. Stephen Castro, Sr.; and
2. Rachel Phillips.

F. BOARD OF WATER SUPPLY

1. Phyllis Robinson.

G. CIVIL SERVICE COMMISSION

1. Barbara Haliniak.

H. COMMISSION ON CHILDREN AND YOUTH

1. Wayne Yamashige; and
2. Mary Wolfe.

I. COMMISSION ON CULTURE AND THE ARTS

1. Sherry Gabriele; and
2. Teri Gorman.

J. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES

1. Verna Podlewski; and
2. David Olsten.

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**K. COST OF GOVERNMENT COMMISSION**

1. John Del Gatto, for a term expiring on March 31, 2009;
2. Sharron Courter, for a term expiring on March 31, 2009;
3. Warren Suzuki, for a term expiring on March 31, 2009; and
4. Rebecca Kikumoto, for a term expiring on March 31, 2009.

**L. COUNCIL ON AGING**

1. Branch Isole;
2. Genevieve Clubb; and
3. Amy Kastens.

**M. FIRE AND PUBLIC SAFETY COMMISSION**

1. Ella Alcon (Reappointment); and
2. Wendy Osher.

**N. LIQUOR CONTROL ADJUDICATION BOARD**

1. Jerrybeth DeMello; and
2. Marilyn Colvin.

**O. LIQUOR CONTROL COMMISSION**

1. Merlyn Winters; and
2. Robert Tanaka.

**P. MAUI COUNTY COMMISSION ON PERSONS WITH  
DISABILITIES**

1. Karen Hue Sing-Ledesma;
2. Alexander Yray; and
3. Kealoha Laemoa.

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**Q. MAUI COUNTY CULTURAL RESOURCES COMMISSION**

1. Raymond Phillips.

**R. MAUI COUNTY GRANTS REVIEW COMMITTEE**

1. Kenneth Rothman (Reappointment); and
2. Christina Paleka (Reappointment).

**S. MAUI COUNTY OUTDOOR LIGHTING STANDARDS COMMITTEE**

1. Kaiulani Piper.

**T. MAUI PLANNING COMMISSION**

1. Robin Knox; and
2. Joan Pawsat.

**U. MOLOKAI PLANNING COMMISSION**

1. Michelle Pescaia; and
2. Linda Kauhane.

**V. POLICE COMMISSION**

1. Ronald Vaught; and
2. Calmentina Pedro.

**W. REAL PROPERTY TAX REVIEW BOARD**

1. Matthew Driggers.

**X. SALARY COMMISSION**

1. Paulette McFaul.

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2. Nominees to boards, committees, and commissions, requiring Council approval or disapproval with no time limitation (for terms expiring on March 31, 2012, unless otherwise indicated):
  - A. KULA AGRICULTURAL PARK COMMITTEE
    1. Benjamin Buttaro.
  - B. MAUI REDEVELOPMENT AGENCY
    1. Alexa Basinger.
  - C. URBAN DESIGN REVIEW BOARD
    1. Gary Brauner; and
    2. Susan Liscombe.
  
3. Nominees to boards, committees, and commissions, appointed by the Mayor with notice to, but without approval by, the Council (for terms expiring on March 31, 2012, unless otherwise indicated):
  - A. COMMITTEE ON THE STATUS OF WOMEN
    1. Debbie Boteilho (replacing Nancy Brauer), for a term expiring on March 31, 2011.
  - B. MAUI COUNTY ARBORIST COMMITTEE
    1. Richard Kempf (replacing Kelvin Nelson).

Your Committee notes that specific appointment procedures are outlined in Section 13-2, Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41, Maui County Code. Your Committee further notes the following general appointment procedures for the various boards, committees, and commissions.

1. For most of the boards, committees, and commissions, the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominee

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within 60 days thereafter or the nominee is deemed appointed. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action. In the event that the Council fails to approve or disapprove the Mayor's nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. This procedure applies to the following boards, committees, and commissions:

- A. Affirmative Action Advisory Council (Maui County Code, Sections 2.29.010, 2.29.020, and 2.40.080; Maui County Charter, Section 13-2);
- B. Animal Control Board (Maui County Code, Section 6.04.095; Maui County Charter, Section 13-2.17; Chapter 91, Hawaii Revised Statutes);
- C. Board of Code Appeals (Maui County Code, Sections 2.40.190 and 16.20A.190; Maui County Charter, Section 13-2);
- D. Board of Ethics (Maui County Charter, Sections 10-2 and 13-2);
- E. Board of Variances and Appeals (Maui County Charter, Sections 8-8.7 and 13-2);
- F. Board of Water Supply (Maui County Charter, Sections 8-11.3 and 13-2);
- G. Civil Service Commission (Maui County Charter, Sections 8-9.4 and 13-2; and Hawaii Revised Statutes, Sections 76-71 and 76-47);
- H. Commission on Children and Youth (Maui County Code, Section 2.39.010; Maui County Charter, Section 13-2);
- I. Commission on Culture and the Arts (Maui County Code, Chapter 2.37 and Section 2.40.200; Maui County Charter, Section 13-2);
- J. Commission on Naming Streets, Parks, and Facilities (Maui County Code, Sections 2.38.030 and 2.40.140; Maui County Charter, Section 13-2);

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- K. Cost of Government Commission (Maui County Charter, Sections 8-15.2, 8-15.3, and 13-2);
- L. Council on Aging (Maui County Code, Sections 2.34.020, 2.34.030, and 2.40.010; Maui County Charter, Section 13-2);
- M. Fire and Public Safety Commission (Maui County Charter, Sections 8-7.2 and 13-2);
- N. Liquor Control Adjudication Board (Maui County Charter, Sections 8-13.3 and 13-2);
- O. Liquor Control Commission (Maui County Charter, Sections 8-13.2 and 13-2);
- P. Maui County Commission on Persons with Disabilities (Maui County Code, Sections 2.32.020 and 2.32.030; Maui County Charter, Section 13-2);
- Q. Maui County Cultural Resources Commission (Maui County Code, Sections 2.40.110 and 2.88.030; Maui County Charter, Section 13-2);
- R. Maui County Grants Review Committee (Maui County Code, Sections 2.40.160 and 3.36.020; Maui County Charter, Section 13-2);
- S. Maui County Outdoor Lighting Standards Committee (Maui County Code, Sections 2.40.030 and 20.35.110; Maui County Charter, Section 13-2);
- T. Maui Planning Commission (Maui County Code, Section 2.28.010; Maui County Charter, Sections 8-8.4 and 13-2);
- U. Molokai Planning Commission (Maui County Code, Section 2.28.020; Maui County Charter, Sections 8-8.4 and 13-2);
- V. Police Commission (Maui County Charter, Sections 8-12.2 and 13-2);

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- W. Real Property Tax Review Board (Maui County Code, Sections 2.40.170 and 3.48.620; Maui County Charter, Section 13-2); and
  - X. Salary Commission (Maui County Code, Section 2.40.210 and Chapter 2.42; Maui County Charter, Sections 8-17.1 and 13-2).
2. For the following boards, committees, and commissions, the Mayor is required to submit nominees for Council approval, but there is no time limit for the Council's approval:
- A. Kula Agricultural Park Committee (Maui County Code, Sections 2.40.180 and 22.04A.070), except for the representative from Council who shall be appointed by the Council for a two-year term;
  - B. Maui Redevelopment Agency (Maui County Code, Section 2.40.050; Hawaii Revised Statutes, Section 53-2); and
  - C. Urban Design Review Board (Maui County Code, Section 2.26.030 and 2.40.100; Maui County Charter, Section 13-2.1).
3. For the following boards, committees, and commissions, members are appointed by the Mayor with notice to, but without approval by, the Council:
- A. Committee on Status of Women (Maui County Code, Section 2.40.090; Hawaii Revised Statutes Section 367-4); and
  - B. Maui County Arborist Committee (Maui County Code, Section 12.24A.030; Maui County Charter, Section 13-2).

Your Committee further notes that the deadline for the Council to approve or disapprove the nominees who are subject to the 60-day Council approval process is April 1, 2007.



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By correspondence dated February 21, 2007, Stephen Kealoha submitted written testimony in support of the reappointments of Kenneth Rothman and Christina Paleka to the Maui County Grants Review Committee.

By correspondence dated February 23, 2007, the Mayor transmitted additional background information for Robin Knox, nominee to the Maui Planning Commission.

At its meeting, your Committee met with the Senior Executive Assistant to the Mayor; a Deputy Corporation Counsel; Robin Knox, nominee to the Maui Planning Commission; and Joan Pawsat, nominee to the Maui Planning Commission.

There was no public testimony.

Your Committee notes that it had requested the attendance of Phyllis Robinson, nominee to the Board of Water Supply; however, due to a back injury and recommendation by her physician, Ms. Robinson was unable to attend the meeting, but made herself available by conference call. Your Committee withdrew its request for an interview with Ms. Robinson.

After receiving brief comments from the Senior Executive Assistant to the Mayor, a member of your Committee questioned why the current East Maui resident on the Maui Planning Commission was not being replaced with another East Maui resident. The Senior Executive Assistant to the Mayor noted that the Administration had not received any applications from residents of East Maui for the Maui Planning Commission. She stated that the Mayor would work with the Council member from East Maui to appoint an area resident to fill the next vacancy on the Commission. The Senior Executive Assistant to the Mayor explained that due to the short time frame since the start of the current Administration, and the deadline for submitting the Mayor's nominees to the Council, it was not possible for the Mayor to consult with Council members before submitting her nominations. She stated that it is the Mayor's intent to consult with Council members prior to submittal of future nominations.

Your Committee notes that there is no legal prohibition against a person serving on more than one County board, committee, or commission, and that there are several people who currently serve on two County boards, committees, or commissions.

Your Committee interviewed Ms. Knox, nominee to the Maui Planning Commission.

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Ms. Knox stated that she possessed a wide array of experience in water issues and had worked in 20 different states interpreting laws and regulations. She felt that the Maui Planning Commission could have a large impact on water issues on the island, and would like to participate on the Maui Planning Commission versus the Board of Water Supply.

Your Committee interviewed Joan Pawsat, another nominee to the Maui Planning Commission.

Ms. Pawsat stated that her architectural degree and experience have shown her that it is important to be discriminating in applying mainland principles to an island community. She does not want the island to lose its "island-feel" and look like a city on the mainland.

With regard to the nomination of Ronald Vaught to the Police Commission, the Senior Executive Assistant to the Mayor explained that Mr. Vaught's term on the Police Commission expired on March 31, 2006. Due to a Maui County Charter requirement, which states that no member on a board or commission should be eligible for a second appointment to the same board or commission prior to the expiration of two years, she informed your Committee that Mr. Vaught was not eligible to serve on the Police Commission until after March 31, 2008. She requested that the Council disapprove the nomination of Ronald Vaught to the Police Commission.

Your Committee voted to recommend the disapproval of Ronald Vaught to the Police Commission and the approval of all other nominees.

Your Policy Committee **RECOMMENDS** the following:

1. That the following nominees to County boards, committees, and commissions be **APPROVED** (for terms expiring on March 31, 2012, unless otherwise indicated):
  - A. **AFFIRMATIVE ACTION ADVISORY COUNCIL**
    1. Sherry Duong.

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**B. ANIMAL CONTROL BOARD**

1. Nancy Fisher, for a term expiring on March 31, 2010;
2. Frances Joswick, for a term expiring on March 31, 2010;  
and
3. Ronald Larsen, for a term expiring on March 31, 2010.

**C. BOARD OF CODE APPEALS**

1. Emily De Costa; and
2. Tamio Iwado.

**D. BOARD OF ETHICS**

1. Sheri-Ann Daniels; and
2. Rebecca Woods.

**E. BOARD OF VARIANCES AND APPEALS**

1. Stephen Castro, Sr.; and
2. Rachel Phillips.

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1. Phyllis Robinson.

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1. Barbara Haliniak.

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**J. COMMISSION ON NAMING STREETS, PARKS, AND FACILITIES**

1. Verna Podlewski; and
2. David Olsten.

**K. COST OF GOVERNMENT COMMISSION**

1. John Del Gatto, for a term expiring on March 31, 2009;
2. Sharron Courter, for a term expiring on March 31, 2009;
3. Warren Suzuki, for a term expiring on March 31, 2009; and
4. Rebecca Kikumoto, for a term expiring on March 31, 2009.

**L. COUNCIL ON AGING**

1. Branch Isole;
2. Genevieve Clubb; and
3. Amy Kastens.

**M. FIRE AND PUBLIC SAFETY COMMISSION**

1. Ella Alcon (Reappointment); and
2. Wendy Osher.

**N. LIQUOR CONTROL ADJUDICATION BOARD**

1. Jerrybeth DeMello; and
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**O. LIQUOR CONTROL COMMISSION**

1. Merlyn Winters; and
2. Robert Tanaka.

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P. MAUI COUNTY COMMISSION ON PERSONS WITH  
DISABILITIES

1. Karen Hue Sing-Ledesma;
2. Alexander Yray; and
3. Kealoha Laemoa.

[Q. MAUI COUNTY CULTURAL RESOURCES COMMISSION

1. Raymond Phillips.]

[R.]Q. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Kenneth Rothman (Reappointment); and
2. Christina Paleka (Reappointment).

[S.]R. MAUI COUNTY OUTDOOR LIGHTING STANDARDS  
COMMITTEE

1. Kaiulani Piper.

[T.]S. MAUI PLANNING COMMISSION

1. [Robin Knox; and
- 2.] Joan Pawsat.

[U.]T. MOLOKAI PLANNING COMMISSION

1. Michelle Pescaia; and
2. Linda Kauhane.

[V.]U. POLICE COMMISSION

1. Calmentina Pedro.

[W.]V. REAL PROPERTY TAX REVIEW BOARD

1. Matthew Driggers.

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[X.]W. SALARY COMMISSION

1. Paulette McFaul.

[Y.]X. KULA AGRICULTURAL PARK COMMITTEE

1. Benjamin Buttaro.

[Z.]Y. MAUI REDEVELOPMENT AGENCY

1. Alexa Basinger.

[AA.]Z. URBAN DESIGN REVIEW BOARD

1. Gary Brauner; and
  2. Susan Liscombe.
2. That the [nomination of Ronald Vaught to the Police Commission be DISAPPROVED; and] following nominees to County boards, committees, and commissions be DISAPPROVED:
- A. MAUI COUNTY CULTURAL RESOURCES COMMISSION
    1. Raymond Phillips.
  - B. POLICE COMMISSION
    1. Ronald Vaught.
3. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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**DANNY A. MATEO** **Chair**

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**BILL KAUAKEA MEDEIROS** **Member**

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**G. RIKI HOKAMA** **Vice-Chair**

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**MICHAEL J. MOLINA** **Member**

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**MICHELLE ANDERSON** **Member**

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**JOSEPH PONTANILLA** **Member**

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**GLADYS C. BAISA** **Member**

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**MICHAEL P. VICTORINO** **Member**

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**JO ANNE JOHNSON** **Member**