

LAND USE COMMITTEE

Council of the County of Maui

MINUTES

September 17, 2008

Council Chamber

CONVENE: 1:37 p.m.

PRESENT: Councilmember Michael J. Molina, Chair
Councilmember Joseph Pontanilla, Vice-Chair (Arrive 1:43 p.m.)
Councilmember Michelle Anderson, Member
Councilmember Gladys C. Baisa, Member
Councilmember G. Riki Hokama, Member (Arrive 2:35 p.m.)
Councilmember Bill Kauakea Medeiros, Member (Leave 4:16 p.m.)
Councilmember Michael P. Victorino, Member

EXCUSED: Councilmember Jo Anne Johnson, Member
Councilmember Danny A. Mateo, Member

STAFF: Tammy M. Frias, Committee Secretary
Carla M. Nakata, Legislative Attorney

ADMIN.: Kathleen Aoki, Deputy Director, Department of Planning
Clayton Yoshida, Planning Program Administrator, Current Planning Division,
Department of Planning
Joseph Alueta, Administrative Planning Officer, Department of Planning (Leave 3:10 p.m.)
Michael Miyamoto, Deputy Director, Department of Public Works
James A. Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Cheryl Vasconcellos, Executive Director, Hana Health Center, Inc.
Mich Hirano, Project Manager, Munekiyo & Hiraga, Inc.
Ed Cashman, Board member, Hana Health Center, Inc.
Leinala Perry, Board member, Hana Health Center, Inc.
John Blumer-Buell
Ronald S. Lecker
Lucille Lecker
Charlotte Oliveira
Joseph Kahaleuahi
Masao Motooka
Jonathan Tolentino
Harry Hasegawa, Treasurer, Hana Health Center, Inc.
John Kahalehoe, Sr., President of the Board, Hana Health Center, Inc.
Samuel Kalalau III
Additional attendees (5)

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PRESS: Melissa Tanji, *The Maui News*
Akaku--Maui County Community Television, Inc.

ITEM NO. 1: DISTRICT BOUNDARY AMENDMENT AND CHANGE IN ZONING FOR HANA COMMUNITY HEALTH AND WELLNESS VILLAGE (C.C. No. 06-313)

CHAIR MOLINA: . . .(*gavel*). . .The Land Use Committee meeting for September 17, 2008 is now in session. For the record, we have in attendance Chair Molina, Members Anderson, Baisa, Medeiros, and Victorino. Excused are Members Pontanilla, Hokama, Johnson, and Mateo.

Members, we have one item on our agenda, which is the District Boundary Amendment and Change in Zoning for Hana Community Health and Wellness Village. Before we begin our deliberations today, the Chair will start off with public testimony, but before we do that the Chair would like to recognize Staff in attendance. We have our Legislative Analyst Carla Nakata as well as our Committee Secretary Tammy Frias. And from the Corporation Counsel's Office we have Mr. James Giroux, and we welcome the new Deputy Director of Planning, Ms. Kathleen Aoki and Senior Planner, Mr. Joe Alueta. Thank you. Thank you for being here, folks. The Chair would like to go over a few ground rules with regards to public testimony, and the Chair would like to welcome the residents of Hana who are in the gallery here today. The Chair very much appreciates you making the effort to come here. We all know how much time it takes as well as how cheap gasoline is, so we definitely appreciate you coming here to share your mana'o with us on this very important item.

With regards to public testimony, you'll have three minutes to testify with one minute to conclude. Please state your full name and any organization you may be representing. And please turn off all cell phones and pagers so as not to disrupt our proceedings today. So with that, let us start with public testimony. We have John Blumer-Buell followed by Ronald Lecker. And I've been told Members Hokama, Mateo, and Pontanilla will be joining us shortly.

. . .BEGIN PUBLIC TESTIMONY. . .

MR. BLUMER-BUELL: Aloha, Chair Molina and Council Members, and aloha to the members of the Hana community that are here. I request the Land Use Committee to hold the next hearing on this matter in Hana. There are Hana residents who would like to have been at today's meeting. Many are working or cannot afford the cost of attending. Please note the previously submitted petition signed by hundreds, that is hundreds of Hana residents against, against the proposal and for the reinstatement of the community membership, and that's already part of the record. Today I'm submitting, for your consideration, "Hana Deserves Better" written by me and "Presentation, Hana Community Health Center Community meeting, March 25, 2005" by Cheryl Vasconcellos.

I request the Planning [*sic*] Committee to require restoration of the community membership and the community membership elected board of directors as a prerequisite to hearing and making any decision on this proposal. The community membership and new board of directors should

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be in support of any proposal put forward to this Committee. If Hana Health will not agree to bring the community back into the organization, the Planning [*sic*] Committee should deny and file this request. I'm now going to go to Page 2 and the third, second paragraph.

The "Presentation, Hana Community Health Center Community meeting, March 25, 2005" by Cheryl Vasconcellos is a 42-page, publicly read diatribe that contains many misleading statements, half truths, and lies. The Hana and Maui community members she names and accuses of various statements and actions should be asked by the Land Use Committee to come forward and be given the opportunity for a full rebuttal. Three minutes each will not suffice. Those named and accused include: myself as a Hana Community Association Board Member, who worked to help transfer the Hana Medical Center to the Hana community beginning in 1993; Kathleen Street, Hana's public health nurse, who worked to help transfer the Hana Medical Center to the Hana community beginning in 1993; Chad Meyer, M.D., former doctor at the Hana Community Health Center; the old Hana Medical Center nurses, there's at least six of those; the town, the town chiropractors, Brian Smith and Gaie Feuerstein; Ohana Makamae; the Ohana Makamae Executive Director; Kit Gillette, who is the Ohana Makamae staff member; Hui No Ke Ola Pono; County of Maui's Seniors Nutrition program; Alu Like; Hale Hulu Mamo; and Dr. Lorrin Pang, who is the State Department of Health officer. Those were all people that are named in the document I just gave to you.

MS. NAKATA: Three minutes.

MR. BLUMER-BUELL: On Page 9 of the tirade, the Executive Director of Hana Health states: "The Legislature did not transfer the health center to the community." That is a false statement and is the basis of the current problems. The Legislature in fact transferred the former Hana owned and operated Hana Medical Center to the Hana Community Health Center, which was a community membership, nonprofit organization with a community membership elected board of directors. And finally, the Governor's Advisory Committee had a meeting in Hana in 1994. They recommended mediation as a way to try to get the community working together again. The board of directors of Hana Health flatly refused that offer, and here we are today. Mahalo.

CHAIR MOLINA: Okay. Thank you, Mr. Blumer-Buell. Committee Members, questions for the testifier? Mr. Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Mr. Blumer-Buell, thank you for coming here and testifying. From your previous testimonies and your sharing of information that you provide to the Members of the Council, you have a very in-depth knowledge about the organization historically when it went from the Hana Medical Center to the Hana Community Health Center. Since . . . and you say in 1993 it transferred to the Hana Community Health Center from the Hana Medical Center. Is that a correct statement?

MR. BLUMER-BUELL: No, actually in, in 1993 there was, there was an employee of the State Health Department named Barbara Pearson, and she was in touch with Kathleen Street, Kathleen Morton, I believe, at that time. And it was Barbara and Kathleen that approached the

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Hana Community Association to hold a number of workshops which we did, and that was a brain storming and the plan that was ultimately come up with by the community in 1995 and signed by Harry Hasegawa, is a plan called Ho`o Ku`i Kahi. And most of the, you know, I would say that was 95 percent of the community supported the report. That was submitted to Dr. Miike who was the head of the State Department of Health at the time, and that was the basis upon which the, the State Legislature passed Act 263 in 1996. That Act was, is what enabled the transfer of the State owned and operated Hana, Hana Medical Center to the Hana Community Health Center in 1997.

COUNCILMEMBER MEDEIROS: Okay, and so under Act 263, which was a State Legislative Act, it, it provided the structure for the Hana Health Center as a member, a community member board; is that correct?

MR. BLUMER-BUELL: That's correct. That was, that was the model that the community chose and the report Ho`o Ku`i Kahi. And there were several models that were in there, but the one the community decided to use and the Legislature acknowledged was a community membership elected board of directors with the membership from basically Kaupo or Kahikinui through Keanae and Wailuanui. And there were approximately 300 members of that organization when the, the membership was secretly abolished without ever being, having notice by the, the board at that time. Now, it's my understanding that could no longer happen in the State. You can't have a community membership organization and abolish the membership without a community membership meeting.

COUNCILMEMBER MEDEIROS: So, so it went from a community membership organization to a board that the members were no longer elected by the community?

MR. BLUMER-BUELL: That's correct.

COUNCILMEMBER MEDEIROS: And so how are the board members elected?

MR. BLUMER-BUELL: Well, at this point, it's an internal operation, so I suppose they get nominations from within the organization and, and handle it that way. I'm sure they can explain how it operates.

COUNCILMEMBER MEDEIROS: And, and so why isn't that organization needing to comply with the requirements and mandate of Act 263?

MR. BLUMER-BUELL: I, I think they should be, and I think that is, that there was a great spirit to this whole transfer in working up to that point, and I think that's clearly the intent of the legislation and the intent of the community plan designation, and a whole bunch of things. So there's a real, you know, community spirit that's been violated in all this, and all I'm asking for is to simply reinstate the membership, elect a community elected board of directors, and move forward from there.

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COUNCILMEMBER MEDEIROS: Mr. Chairman, just one more question. I'd like to allow my colleagues to also ask Mr. Blumer-Buell questions.

CHAIR MOLINA: Proceed.

COUNCILMEMBER MEDEIROS: Maybe finally my, my question for you, Mr. Blumer-Buell, is that have there been any inquiries from community members to attend the board meetings, and what has been the response to requests to attend the board meetings if you were just a community member and not a board member?

MR. BLUMER-BUELL: There's been, you know, people have requested and not been allowed to do that. I think the, the best, the best example that I can give is former Councilmember Robert Carroll in a 19, no, 19. . .2004 article in *The Maui News* basically made it clear there's no access to the board. He had tried to approach the board regarding dialysis and other issues and was not given any access. So I'd rather, I've been basically making the same appeal to their organization for years, and they just simply have not been willing to meet with the community.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Mr. Blumer-Buell, and mahalo, Mr. Chairman, for my opportunity.

CHAIR MOLINA: Okay. Thank you, Mr. Medeiros. The Chair would like to recognize Member Pontanilla to our proceedings today, and, Member Pontanilla, you have a question for the testifier? Proceed.

VICE-CHAIR PONTANILLA: Thank you. Thank you, John, for being here this afternoon, just a fast question. I understand that there's two separate groups that have these differences in regards to the Hana dialysis as well as the Hana Community Health and Wellness Village because they're separate issues, and they are separate issues, but in the sense they are the same issues. Have the two groups ever thought about mediation or have a facilitator to conduct a meeting that is meaningful to both sides so that we can come up with a solution for a win-win situation?

MR. BLUMER-BUELL: We have tried and unsuccessfully. Now, if this Committee could somehow enable a process like that, I would be a very willing participant. The best example of the attempt that we had to do that was in, I believe it was in 19... , 2004, pardon me, the Governor's Maui Advisory Committee held a meeting in Hana at the old school cafeteria. Madge Schaefer was the chair of that committee. Carl Lindquist from Hana was on that committee. And they, they recommended that the, there be a negotiation or sit down, talk story with members selected from the community and members from the Hana Health Board, and that was, I believe that was going to exclude the Executive Director, and try to get a dialogue going. Now, Harry Hasegawa took that proposal back to the board, and they rejected the proposal.

So there has been an attempt to do that, and I know people would still, are still willing to do that. You know, I, I, I don't really like to characterize it as this group or that group. I mean it's the Hana community and, you know, even though I may disagree with people over this particular

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issue, they're still friends. So I think this Committee would do a great service to the Hana community to, you know, require Maui Mediation Services or somebody to sit down. I mean all the community is asking is to be involved in their own health center as envisioned by the community and the enabling legislation. That's all. We're not asking for something new.

VICE-CHAIR PONTANILLA: Thank you for your response. And, and, you know, for me I hate to see a community such as Hana, which is small, be so separated, in, in an issue like this, that somehow, and I think would be beneficial that some mediation or, or have a facilitator that can facilitate this meeting in regards to this. Well, both of them are separate items, but in, in my mind they are one of the same thing. So, thank you. Thank you, Chairman.

MR. BLUMER-BUELL: Yeah, thanks, thanks for your question.

CHAIR MOLINA: Thank you, Mr. Pontanilla. Committee Members, any other questions for the testifier? Member Baisa?

COUNCILMEMBER BAISA: Thank you much, very much, Chair, but what I have is not a question, but a request. At some point, I don't know how much testimony we have. If we're through, could we have a brief recess to read this big document that we just got? It sounds like there's a lot of important information in it, and I haven't had a chance to review it.

CHAIR MOLINA: Sure.

COUNCILMEMBER BAISA: Thank you.

CHAIR MOLINA: The Chair will take that into consideration. Thank you. Any other questions for Mr. Blumer-Buell? Member Anderson?

COUNCILMEMBER ANDERSON: Thank you very much, Mr. Blumer-Buell, for being here. Has the community had any input on the plan that's before us today for expansion of the health center?

MR. BLUMER-BUELL: Yeah, there was a, there was an Environmental Assessment process, and Mich Hirano would be the, I think could definitive information. My recollection is that they, they made a negative declaration, but that they went back because of the materials not being at the Hana Library or notice or something and redid it. So there was a revised. . .and if you go back in the files, I mean I complimented Mich Hirano and the applicants for doing that because there wasn't enough input. So, the, the--

COUNCILMEMBER ANDERSON: But I mean as, as far, as far as the final design that's in front of us, did the, did the community have any say in, in how it was developed or does it reflect community wishes?

MR. BLUMER-BUELL: No, I don't think so. And the fact there's a petition with close to 300 names against it is, I think says a lot. You know, there's, the thing that's kind of sad here is that, you

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know, we have a lot of duplication of services going on in the community and there's a lot of things that, there are things in the plan that I think are good. But the original plan was for the community to be working together with Ohana Makamae, Hale Hulu Mamo, and, and Hui No Ke Ola Pono, and the kupuna housing and everything. That, there was, we have 12 acres up there. The State purchased an additional 10 acres and there was a community vision for the 12 acres.

At this point, you have a lot of good organizations competing for the same funds, and I, I'm just, again, my, my reason for asking for the mediation or whatever is to get everybody on the same page, and I think it's achievable. I don't know why it hasn't been. It's not unreasonable to ask for, to, to reinstate a community membership that elects your board of directors. That's what the enabling legislation called for. The original bylaws of the Hana Community Health Center said--

CHAIR MOLINA: Excuse me, Mr. Blumer-Buell, I think you've answered Member Anderson's first question.

COUNCILMEMBER ANDERSON: Yeah.

CHAIR MOLINA: Member Anderson, you have another question?

MR. BLUMER-BUELL: Sorry.

COUNCILMEMBER ANDERSON: Yeah, and, and thank you. The, the petition that we have here specifically asked us to deny the reclassification for this proposal, and that we recommend that the Hana Community Health Center board of directors reestablish community membership in a community membership elected board of directors to fulfill the need and promise for a democratic community participation in the planning and future of Hana Community Health Center. It doesn't specifically say that this proposal does not have community input. That's why I asked you if there was any community support for this proposal.

MR. BLUMER-BUELL: Well, there's some people that support it, but I don't think it's, you know, it's not widespread community support.

COUNCILMEMBER ANDERSON: Okay. Thank you, Mr. Blumer-Buell.

CHAIR MOLINA: Thank you, Member Anderson. Any other questions for Mr. Blumer-Buell before I excuse him? Seeing none, thank you, Mr. Blumer-Buell.

MR. BLUMER-BUELL: Aloha and thanks.

CHAIR MOLINA: Next to testify, we have Ronald Lecker followed by Lucille Lecker.

MR. LECKER: Chair Molina, Council Members, Land Use Committee, I am Ronald Lecker, and I'm a resident of Hana. I'm here to ask you, please, to support the Health Center. They need a new building for the, the fitness program that they have, a new clinic, and a new project. With your

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support this can be done. As we all know that there are two sides of the story, some is for and some is for, against. And I hope we all can work together, and come together, and make pono so this can be all right. Sometime people they get huhu with one another, but gotta make pono sometime. So with your support, I hope this zone can be changed. Mahalo.

CHAIR MOLINA: Okay. Thank you, Mr. Lecker. Committee Members, questions for the testifier? Seeing none, mahalo for your testimony.

MR. LECKER: Thank you.

CHAIR MOLINA: Next to testify, we have Lucille Lecker followed by Charlotte Oliveira.

MS. LECKER: Good afternoon, Council Members. My name is Lucille Lecker. I am a resident of Hana. That was my dad that just spoke before you. I am here to ask for your support in the zone change for Hana Health. This is much needed. It's been a long fight and battle for us to do the best that we can for the community of Hana. Today we need to strive for health and wellness so that we can stay away from dialysis, so we can stay away from chronic diseases. So if we think positively towards living healthy, eating healthy, exercising, those can cure the point of dialysis or any other type of chronic disease.

I want to also talk about some of the things that John Blumer-Buell spoke about, community members not being involved. That is not true at all. I have never seen an organization that sent out so much information, bulk mailing, 1,015 to be exact, to the community. How I know this is because I'm the one that makes the copies, and folds it, takes it to the post office, and I also see it being delivered to people because in the community they then respond to the newsletter or information that Hana Health has put out.

Duplicate of service. If you can show me an organization that provides meals five days a week both at the clinic and home delivered from all the way past Puuiki, Hana District, Nahiku, and Keanae, then I would say, yes, we are duplicating the service, but I have not seen any duplicate of service regarding kupuna meals. I haven't seen any duplicate service of medical or healthcare. Fitness program there is none in Hana other than what the Health Center has put on. So I have not seen any duplicate service. Kupuna housing, I have seen a lot of talk from different organizations. As far as them putting a plan together, I have not seen any other than what the health center is looking at. So duplicate of service, that is my statement on that. I have not seen any, and correct me if I'm wrong, with duplicate service.

The other thing is board members or community members not being involved. Our board members are Hana resident community members, but not just board members or community members, they are also participants of Hana Health. They are patients that visit our doctors. They are people that have participated in fitness programs and also receive meals. So, Mr. Blumer-Buell, I guess my question is are you a member of Hana Health? Do you visit the health center? Is your medical and dental care at the Health Center?

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MS. NAKATA: Three minutes.

MS. LECKER: Do you participate in the fitness program? That's the kind of community people we want involved with the Health Center, people who are patients, people who use the facility, people who buy vegetables from the facility. These are community members that we want involved with Hana Health. And those who come, they are participants and, and that's what we're looking at.

I understand that there is, when he speaks we, I am standing here myself. I am not saying we. I'm standing here as Lucille Lecker, a community member of Hana Health and, yes, I work there, and I'm thankful because I'm a single parent. My income is the only income that provides for my family. I'm, I'm also a grandmother. I have two grandchildren. You know, one of my granddaughters lives with me. So I'm thankful for --

MS. NAKATA: Four minutes.

MS. LECKER: --Hana Health that has provided me with a job. Thank you.

CHAIR MOLINA: Okay. Thank you, Ms. Lecker. Committee Members, questions for the testifier? Mr. Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. And, Ms. Lecker, thank you for being here, and you've always spoken well at the podium. I appreciate you coming forth to give your testimony. But you are an employee of Hana Health?

MS. LECKER: Yes.

COUNCILMEMBER MEDEIROS: Okay, and in your knowledge of the operation, if a resident and a community member of Hana wanted to become a board member, how would they be able to do that? Would they have to be selected by the Executive Director? How, how do they do that? Because I've had a lot inquiries from community members saying that, you know, they, they cannot participate in the board because it's not an open process for people to become board members.

MS. LECKER: I guess my only question and my only way of answering that is I was asked by a board member if I knew anyone that may be interested in being a board member. And I think when the board members look at people that they need to have, they're looking at people that support or are participants, again, people who use the facility. And if there are community members that are not in the Hana Health or Hana area where they can be approached or asked, then they, it would be hard to find them. But like I said, I've, I've been asked if I knew anybody that may be interested and, and that's how it's passed about. I mean I guess just asking do you know anyone that would represent or would like to be a board member. And like I said if you're not in that area I guess to ask, you won't be asked.

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COUNCILMEMBER MEDEIROS: So . . .

MS. LECKER: I don't know how else to answer that.

COUNCILMEMBER MEDEIROS: Thank you. Hana Health is the only medical services facility in Hana notwithstanding Hui No Ke Ola Pono and groups like that. So if that's the main medical facility that provides services to the community, why would they need to be a patient or somebody that's employed by Hana Health to qualify to become a board member?

MS. LECKER: Can you repeat that again? I'm sorry, I'm just saying that, how, how I was asked was do you know anybody. That's what I, that's how I know. As far as detail-wise, like, I'm not...

COUNCILMEMBER MEDEIROS: Okay. Yeah, I'm, I'm not trying to, you know, make a difficult question.

MS. LECKER: Put me on the spot with that question.

COUNCILMEMBER MEDEIROS: Right. Yeah.

MS. LECKER: Yeah.

COUNCILMEMBER MEDEIROS: But I, I, I think--my, my other question is dialysis services in Hana has become a very important concern for the community, and it's been a concern for many, many years. You know, in recent years we've lost, I think, two or three patients that were dialysis patients. Wouldn't you think Hana Health being the medical facility of Hana would incorporate dialysis services as part of their services to the Hana community?

MS. LECKER: It was incorporated, and then it was also shut down. When Hana Health did make their step and effort towards dialysis, the same community member that is against Hana Health was then against the dialysis that Hana Health was trying to establish. And that goes back to I believe, and correct me if I'm wrong, the HB 2503 Bill, and it did involve a dialysis.

COUNCILMEMBER MEDEIROS: Okay. Yeah, we have conflicting, you know, information on that. But I appreciate your testimony and for being up here, and over here from Hana. Thank you.

MS. LECKER: Thank you.

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman.

CHAIR MOLINA: Thank you, Member Medeiros. Any other questions for the testifier? Member Baisa?

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COUNCILMEMBER BAISA: Yes, thank you, Chair. Just one brief question, you've sparked my interest. You mentioned people coming to the center, and you mentioned coming to buy vegetables. Can you tell me what that's about? It's interesting.

MS. LECKER: Well, Hana Health, well, again, our whole focus is health and wellness. And Hana Health has Hana Fresh which grows fresh fruits, vegetables. So Monday there's a farmer's market right in front of the Health Center with big tents that say Hana Fresh, and it's all organic vegetables down to eggplants, cucumbers, lettuce, tomatoes, all of that, and papayas, bananas, and also on Thursdays. And because of the numerous amount of, of community members that have been buying the vegetables ...*(end of tape, Side 1A)*... place, the second Saturday of every month where other local Hana resident vendors can also participate in the Hana Market Place.

COUNCILMEMBER BAISA: That's wonderful. So is it a business venture then of Hana Health?

MS. LECKER: I think if you're looking at Hana Health in trying to be self-sustained, that is one of the projects that has been able to produce, and then bring in income. On a positive note now, I mean we're talking, you know, not, you know, I mean vegetables and fruits that's. . .

COUNCILMEMBER BAISA: Well, you know, I've been involved in trying to do that kind of stuff myself, so I'm very interested in it. I think it's a good thing for any nonprofit organization to be doing. Thank you.

MS. LECKER: Thank you.

CHAIR MOLINA: Okay. Thank you, Member Baisa. Any other questions before I excuse the testifier? Seeing none, thank you, Ms. Lecker, for your testimony. Next to testify, we have Charlotte Oliveira followed by Joseph Kahaleuahi. Charlotte Oliveira? Okay, Ms. Oliveira is not here.

MR. KALALAU (from the audience): She's here.

CHAIR MOLINA: Oh, she's here? Oh, okay.

MS. LECKER (from the audience): She's shy.

CHAIR MOLINA: Oh, okay. All righty. Okay. We'll let Mr. Kahaleuahi, if there's no objections, Members, before Ms. Oliveira.

COUNCIL MEMBERS: No objections.

CHAIR MOLINA: Okay.

MR. KAHALEUAHI: Aloha.

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COUNCIL MEMBERS: Aloha.

MR. KAHALEUAHI: I'm Joseph Kahaleuahi. I live Hana all my life, and we need our, our Health Center in Hana good because in case I should go, I get my family to use the building. Thank you.

CHAIR MOLINA: Okay. Thank you, Mr. Kahaleuahi. Committee Members, questions for the testifier? Seeing none, mahalo for your testimony. Next to testify is Ms. Oliveira. Would she be prepared to testify at this moment? Okay. We shall ask Ms. Oliveira at a later point if she would like to testify. Next in line we have Masao Motooka followed by Jonathan Tolentino.

MR. MOTOOKA: Good afternoon, Council Members.

COUNCIL MEMBERS: Good afternoon.

MR. MOTOOKA: My name is Masao Motooka, and I would like to support whatever the Hana Health is endeavoring to do. That's all. Thank you.

CHAIR MOLINA: Okay. Thank you. Committee Members, questions for the testifier? Seeing none, mahalo for your testimony, Mr. Motooka.

MR. MOTOOKA: Thank you.

CHAIR MOLINA: Next to testify, we have Jonathan Tolentino followed by Harry Hasegawa.

MR. TOLENTINO: Aloha, Council Members, and aloha, Mr. Molina. Thank you for having me up here. I'm not a public speaker as you can see. But I think that this is a very important thing that, what the Hana Health is trying to do to support our community in Hana. I, I worked for the Hana Health, Hana Community, Hana Medical Center for nine years before they transferred over to the Hana Health. And in that one point for about two years I worked on the ambulance. So as being a member for that long in Hana, I have seen a lot of what the Hana Health Center has done for the people, for the community in Hana. One of them is their exercise program, which I'm on, and that has helped my health a lot. And, yes, I am a member, I am a, I work for the Hana Health as a phlebotomist and as a medical assistant there in Hana and, and plus I work on the ambulance in Hana.

So I've seen a lot of things that happened in Hana and majority of them is, one of them is we see a lot of visitors that come to Hana who get stranded in Hana because their family had an emergency. And one of the, the things that we didn't get at that time at, at the emergency is we didn't have a kitchen which probably would have help feed these people. So that would be a big progress for the Hana community. And another thing that really would have, is going to help Hana is because I work at the clinic I see a lot of chronic disease that, that goes through the, through the center, and, and one of them is, is diabetes, you know, and it's a high, you know, it's a high chronic disease in Hana. I hate to say it but, you know, it does happen. And, and being on

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the program here, being on the program at the Community Health Center, I've seen a lot of people who has turned their life around. And, and because of these programs that we're having which is the nutrition program and the exercise program, a lot of people who was taking, you know, a lot of pills now has converted and, and they're, you know, instead of taking ten, they're taking three.

MS. NAKATA: Three minutes.

MR. TOLENTINO: Thank you. And so, as, as for me I see the Hana Health Center as, as a big, as a real big change right now, because when the Hana Health, I mean when the Hana Community Center was running you didn't see changes. You seen a lot of workers, but not a lot of changes. And now I see less workers, but more changes. So as, as for me today, you know, I'm, I'm here really to, to support whatever the Hana Health Center has, you know, wants to change, the zoning. Thank you.

CHAIR MOLINA: Okay. Thank you, Mr. Tolentino. For someone who stated that they're not very good at public speaking, you did a pretty darn good job. Committee Members, questions for the testifier? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Mr. Tolentino, I get hard time call you that, Mr. Tolentino. . . .(chuckle). . .

MR. TOLENTINO: . . .(chuckle). . .

COUNCILMEMBER MEDEIROS: That's what I called your dad, but out of respect I'll call you that, even though I know you more by Jonathan. Yeah, so you work on the ambulance I know that, but you also work at Hana Health?

MR. TOLENTINO: Yes.

COUNCILMEMBER MEDEIROS: I see. And, and your position with Hana Health is what?

MR. TOLENTINO: Medical assistant, and I do the phlebotomy work there.

COUNCILMEMBER MEDEIROS: Okay. When you worked for Hana Medical Center, was Dr. Howell already gone?

MR. TOLENTINO: No.

COUNCILMEMBER MEDEIROS: He was still there?

MR. TOLENTINO: I, I worked with him for nine years --

COUNCILMEMBER MEDEIROS: Right.

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MR. TOLENTINO: --and then he retired in 1985, and...

COUNCILMEMBER MEDEIROS: Okay. So, of course you were probably not even born yet when the Hana County Hospital was there which I remember, I don't know if you do, because you're not...

MR. TOLENTINO: Yes, I do.

COUNCILMEMBER MEDEIROS: You do?

MR. TOLENTINO: I remember some, not all.

COUNCILMEMBER MEDEIROS: All right. But anyway when, when Hana Medical Center was there and Dr. Howell was the doctor there, they had the full range of services, including delivering babies. My three children were born in that medical center.

MR. TOLENTINO: Yes.

COUNCILMEMBER MEDEIROS: Well, that doesn't happen anymore.

MR. TOLENTINO: Yes.

COUNCILMEMBER MEDEIROS: Two cases that were related to me, one that I know of personally are friends from New York, their father broke the hip, they went to Hana Health, and they couldn't even x-ray his hip. So he had to be driven with that pain all the way to Central Maui to go get it x-rayed. Now, do you think as far as improvements we should be improving those kinds of things first, things that the people of Hana need immediately, like a good x-ray machine that works and technicians that can operate it? Because the doctor that attended to this patient was not familiar in operating that machine, and it wasn't operating well. And, you know, when it was Hana County Hospital, Hana Medical, my aunty Cissy Medeiros was the x-ray technician. So things were operated very well when you have a technician that knows how to operate the machine. So, in your knowledge, has the machine been improved or is it working the way it should be?

MR. TOLENTINO: Well, well, it has been improved, but because it's another ten years now when it got improved, approved, and, and then now it's, the x-ray machine is acting up now. So, you know, not really actually. And maybe, yeah, you guys should put money in there to get a new x-ray and not only an x-ray, there's more things that the clinic really needs, and, and as, because the Hana Health has only so much money to spend. And so, so, I don't know who's going to help to, to, to get the money to, you know, to pay for this x-ray machine.

COUNCILMEMBER MEDEIROS: But you can understand the concerns of community members --

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MR. TOLENTINO: Yes.

COUNCILMEMBER MEDEIROS: --when they see plans coming up for Hana Health that includes cottages for visiting people, when it includes some kind of spa, when it includes certified kitchen, but there's no money to fix the x-ray machine which seems to be a more immediate requirement of a small community?

MR. TOLENTINO: Well, in order to get money, I think that's the purpose of them to, to, to build up this, whatever they're trying to do now. So that would be one way of getting the money instead of getting it from the County, or the County can help, can help them to, to get that amount, amount of money that they need because of what they're trying to do right now. Right now, I guess we don't have enough money to put out to, to buy a new x-ray machine. So if, if we, if they, they pass this zoning, then maybe with all the help from, you know, from you guys and from them, then we might get enough money to, to get the machines that we need for the clinic. And, and that clinic right now is really down to bare. We are, you know, we only have one nurse and me, that's it, and then we have the two doctors. One doctor works on the weekend and the one works four days.

COUNCILMEMBER MEDEIROS: And, and, Jonathan. . .

MR. TOLENTINO: Yeah.

COUNCILMEMBER MEDEIROS: . . .the only reason I ask you those questions is because I know you have a lot of knowledge about medical services --

MR. TOLENTINO: Okay.

COUNCILMEMBER MEDEIROS: --because you are on the ambulance crew, you have worked in the Hana Medical Center, and I, I respect you for the work you do. So that was just my inquiry, not to put you on the spot.

MR. TOLENTINO: Yeah. Okay.

COUNCILMEMBER MEDEIROS: I'm just trying to ask you, you know, what you thought about that, because I'm not sure if my information is correct, but the plans being submitted for our consideration that goes along with the zoning change would require like, something like \$27 million to build-out. Now if that's the kind of funding that is expected, whether it's Federal, State or County, you would think funding would be able to cover an x-ray machine first before going into anything like that.

And that's my concern. And there's a second case that came to my attention of a little girl that broke her ankle, went up there, and again couldn't x-ray her ankle, and they had to bring her all the way out here. So immediate services like that at the only medical center in Hana is my concern, that we should be improving things like that first, providing immediate services, instead

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of looking at something that seems to be more of a spa than a medical center for a small community. But I want to thank you for your testimony.

MR. TOLENTINO: Can I answer?

COUNCILMEMBER MEDEIROS: Sure.

MR. TOLENTINO: Bill, and you're right, you know, things does happen like that in Hana because, because the machines broke down. But you got to look at the other end, our ambulance service has improved so much that we can handle these patients to drive on the road to take them out and, you know, and transfer with another ambulance on the Hana Highway. And as, as, as you know, you know, Hana Highway not the best highway, but it's the good highway that, you know, the people, the people who travels that road even get sick on it. And it's another thing that the Hana Clinic takes, take care of, too.

COUNCILMEMBER MEDEIROS: Yeah, and, and I thank you for your testimony, Jonathan, because, you know, I respect you, and you, you have a lot of good knowledge about the medical services in Hana. And we, we're just trying to work towards improving the medical center so that it first serves the Hana community, then other people that might want to come in as visitors, and so forth.

MR. TOLENTINO: Right.

COUNCILMEMBER MEDEIROS: Thank, thank you for your testimony.

MR. TOLENTINO: Right. Okay. Thank you.

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you, Member Medeiros. Members, any other questions for the testifier before I excuse him? Seeing none, thank you. Thank you for your testimony, Mr. Tolentino.

MR. TOLENTINO: Thank you.

CHAIR MOLINA: Next to testify, we have Harry Hasegawa followed by John Kahalehoe, Sr. Before we proceed with Mr. Hasegawa's testimony, Members, again, the Chair would ask you, if possible, to confine your questions as much as possible to the zoning request. Other financial considerations for the center might be more appropriately asked in Mr. Pontanilla's Committee, the Budget Committee for future considerations anyway. Good afternoon, Mr. Hasegawa, proceed.

MR. HASEGAWA: Good afternoon, Chairman Molina and Council Members. I forgot my flak jacket, so I'll go on from there. . . .(chuckle). . . We at the Hana--I'm, I'm a resident of Hana. I was

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born there, and I'm on the board of the Hana Health. And we cannot be a specialty type of a clinic because we just don't have the population to, to focus on something like that. So we're, what you call, a clinic that has to think in terms of what they can, how we can keep our community healthy so that we have less problems in the future. And the board thought about what we would do because funding is not as appropriate as we would like it to be, and we started out being a State organization and when we became a nonprofit, they cut our budget down quite a bit, so we ended up going to the Feds to get Federal funding. And so, we're, we got funding but, you know, everything is down the line. This is what you got to do with the money we give you. And so that's what we've been doing.

But in looking into the future we thought that perhaps one day we will not get the funding that we would like to have, and that is evidenced by how the State cut funding and, and if your representative and senator does well, it gets up there a little bit more, but then it goes back down. So we thought perhaps we should look ahead and see what we can do. And one of them was a twofold thing. We can try to make some money out of farming, but at the same time the produce that we would have would help the, the community's dining room table with more healthy food. And that's all in line with healthy living. And, and being a farmer, that life is tough. You don't make much money. We know that. The other part is trying to promote healthy nutrition and that would mean using healthy foods and healthy diet. And so we thought that it would be incorporated with the farm, farming and with the exercise program to have a healthy community. And so we've been striving toward that end.

Now, in looking down the line, the tourism is down, the Governor has said that perhaps this is the time that they should do capital improvement, which is true --

MS. NAKATA: Three minutes.

MR. HASEGAWA: --because no matter how you look at it, you got to get money from somewhere. So in this zoning that we have before you we think that we have the money to help the community with funding, with money for jobs, because we basically are a tourism community. We depend on that road to get people over. But, you know, Aloha went out, ATA went out, you had the three Norwegian Cruise Lines and two of them are out. So it is down, we know that, and I think that's evidenced too by the stock market dropping 500 points on Monday, and I think 400 today. So these are kind of scary times, but we might be able to help with the capital improvement.

MS. NAKATA: Four minutes.

MR. HASEGAWA: Thank you.

CHAIR MOLINA: Thank you for your testimony, Mr. Hasegawa. Member Pontanilla?

VICE-CHAIR PONTANILLA: Thank you. Thank you, Mr. Hasegawa, for being here. My question is that without the change in the State land use as well as the zoning, will the organization lose any Federal or State monies?

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MR. HASEGAWA: For what purpose?

VICE-CHAIR PONTANILLA: For the purpose of your project.

MR. HASEGAWA: For the purpose of what?

VICE-CHAIR PONTANILLA: Of your project that's being planned, the Hana Health Center.

MR. HASEGAWA: This is for the capital improvement?

VICE-CHAIR PONTANILLA: Yes.

MR. HASEGAWA: Yes. Exactly how much and from where I, I'm not able to tell you.

VICE-CHAIR PONTANILLA: So you already gone to the Feds as well as the State for funding?

MR. HASEGAWA: I, I think so. I think that question should be directed to the Executive Director.

VICE-CHAIR PONTANILLA: Okay, fine. Thank you.

CHAIR MOLINA: Okay. Thank you, Member Pontanilla.

VICE-CHAIR PONTANILLA: One more question.

CHAIR MOLINA: Proceed.

VICE-CHAIR PONTANILLA: In regards to your membership, does the organization have bylaws and policies that can, I guess, lead the organization on a path that is similar to what we have here?

MR. HASEGAWA: Would you mind clarifying that?

VICE-CHAIR PONTANILLA: You know, in most organization, you know, you have membership, you elect a board of directors, you create your own bylaws and policies to run the organization. Do you have anything similar to that?

MR. HASEGAWA: Yes, we have bylaws.

VICE-CHAIR PONTANILLA: You do? Okay, thank you. Thank you, Chair.

CHAIR MOLINA: Okay. Thank you, Member Pontanilla. Any other questions for the testifier?
Member Baisa?

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COUNCILMEMBER BAISA: Thank you, Mr. Hasegawa, for being here. It's a long road from Hana. Question, how many directors do you, how many are on the board of directors?

MR. HASEGAWA: I think right now we have 9, and we go up to about 13. I think it's somewhere in between there.

COUNCILMEMBER BAISA: I see. And do you know if there's term limits?

MR. HASEGAWA: Yes.

COUNCILMEMBER BAISA: So do you know what those are or should I wait for your ED?

MR. HASEGAWA: I think that would be better.

COUNCILMEMBER BAISA: Okay. I'll hold my questions till she comes up. Thank you.

CHAIR MOLINA: Thank you, Member Baisa. Okay. Member Anderson?

COUNCILMEMBER ANDERSON: Yes, just a quick question. Mr. Hasegawa --

MR. HASEGAWA: Yes.

COUNCILMEMBER ANDERSON: --thank you for being here. Do you know when your term ends?

MR. HASEGAWA: I think it's next year, I think it is.

COUNCILMEMBER ANDERSON: And do you know if, if you guys have already received the \$26 million needed for this capital improvement project? I mean if it's all committed already?

MR. HASEGAWA: I think you should leave that question for the Executive Director.

COUNCILMEMBER ANDERSON: Okay. Thank you very much.

COUNCILMEMBER VICTORINO: Mr. Chair?

CHAIR MOLINA: Thank you, Member Anderson. Member Victorino?

COUNCILMEMBER VICTORINO: Yes, and again, thank you, Mr. Hasegawa. My question to you is was there any prerequisite when they asked you to join? Was there any qualifications that they outlined to you or they just asked you to join?

MR. HASEGAWA: I think you have to be a member, I mean not a member, but a client of the medical center. Obviously you have to use it. Basically, that would be the thing.

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COUNCILMEMBER VICTORINO: Okay. So there's no outside participation from the public at large that may not participate or, or don't use it at all?

MR. HASEGAWA: I, I think there's something that, like on the board, you know, we had a doctor come on the board. He was a part-time resident. We also, because you need some, sometimes some input on things that we don't know anything about and that a more professional person could. We cannot have anybody who works at the medical center be part of the board, and it's pretty strictly enforced. So I don't know if that says if the person has to be from Hana or outside of Hana and whether it satisfies your question or not.

COUNCILMEMBER VICTORINO: Oh, I think you answered the question. I just was curious, you know, if there was, you know--you answered the part about the user or, or a part of the facility, a member of the facility. So, thank you. And as far as the outside expertise, like an accountant or doctor, sometimes boards bring in what we call outside for their specific expertise, so that's not unusual. But thank you, Mr. Hasegawa, for your answer.

MR. HASEGAWA: All right.

CHAIR MOLINA: Okay. Thank you, Mr. Victorino. Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Mr. Hasegawa, thank you for being here and for your testimony. You've always been somebody that I highly respect in our community. I wanted to know because information that was relayed to me--well, let me ask it this way. Are the doctors that work at the Hana Health always a member of the board as the medical director?

MR. HASEGAWA: May I just repeat that question?

COUNCILMEMBER MEDEIROS: Yeah.

MR. HASEGAWA: Are all the doctors that work...

COUNCILMEMBER MEDEIROS: When doctors come to work at Hana Health, because they rotate, I guess the same doctor is not there for many, many years like Dr. Howell was.

MR. HASEGAWA: Unfortunately, yeah.

COUNCILMEMBER MEDEIROS: Right. So when a doctor comes are they, is there a position on the board that the doctor sits on so that he is the medical director of that board?

MR. HASEGAWA: No.

COUNCILMEMBER MEDEIROS: No. So the doctor is not always a board member?

MR. HASEGAWA: The doctor cannot be a board member.

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COUNCILMEMBER MEDEIROS: Because he's an employee?

MR. HASEGAWA: Yes.

COUNCILMEMBER MEDEIROS: Okay. So the, so you did say there's term limits. When a board member reach its term date, can they be re..., can they start a new term or they have to leave the board and then come back at another time?

MR. HASEGAWA: I think that works with being an officer of the, of the board where you have so many terms and you're out, and then you have to stay away for one term, and then you can come back again.

COUNCILMEMBER MEDEIROS: Oh, I see.

MR. HASEGAWA: But that, I think, does not hold true for board members.

COUNCILMEMBER MEDEIROS: Okay, and maybe we can get more clarification from the Executive Director. But, so who's the president of the board currently?

MR. HASEGAWA: John Kahalehoe.

COUNCILMEMBER MEDEIROS: Okay. All right. Thank you, Mr. Hasegawa. Mahalo, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you, Mr. Medeiros. Committee Members, any other questions? Seeing none, thank you, Mr. Hasegawa, for your testimony.

MR. HASEGAWA: Thank you, Board Members.

CHAIR MOLINA: Next to testify, we have John Kahalehoe, Sr. followed by Samuel Kalalau III.

MR. KAHALEHOE: Good afternoon, Council Members. Good afternoon, Chairman. Good afternoon, Land Use Committee. Good afternoon, Staff. I'm John Kahalehoe. I'm a resident of Hana, a permanent resident. I also serve on the Hana Health Board as President. Before I forget, I have already turned in, Mr. Chairman, I have already turned in 61 written testimonies to your Staff member.

I don't want to repeat all what was said previously by the previous testifiers. It is all true that they testified in good faith. All I'm asking you is that you do support our changing in zone that we, we are asking for so Hana Health can proceed with their project.

CHAIR MOLINA: Okay. Thank you, Mr. Kahalehoe for your testimony. Committee Members, questions for the testifier? Member Baisa?

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COUNCILMEMBER BAISA: Thank you, Mr. Kahalehoe. Thank you for coming.

MR. KAHALEHOE: Thank you.

COUNCILMEMBER BAISA: Just one quick question, how long have you been on the board?

MR. KAHALEHOE: It's been eight years now.

COUNCILMEMBER BAISA: You've served well. Thank you.

MR. KAHALEHOE: Thank you.

CHAIR MOLINA: Okay. Any other questions for the testifier? Seeing none, thank you, Mr. Kahalehoe.

MR. KAHALEHOE: Thank you, Mr. Chairman.

CHAIR MOLINA: Thank you. Next to testify, we have Samuel Kalalau, III and one last opportunity for Ms. Oliveira if she would like to testify.

MR. KALALAU: Good afternoon, Chairman Molina, Councilwomen Baisa and Anderson, Councilman Medeiros, Councilman Hokama, Councilman Pontanilla, Councilman Victorino. I'm Sam Kalalau, lifetime resident of Hana.

Just a little history on this, on this land that is in question. I, I have a map here, but, but I'll take a little bit more than four minutes to explain the map because this map was designed in 1991. It was designed--anyway, just a little history on the property that is before you for a zone change, so it may become in compliance with the community plan and the surrounding properties. For example, some of the surrounding properties are the Maui County Public Works Department, Maui County Police Department, Maui County Fire Department, Maui County Water Department, and also the, the future land for affordable housing hopefully. On the western, northern end we have the Maui Electric backup generator site and, and right in the back of that is the self-help housing project, and right in the back of the self-help housing project is another large subdivision that has already been in the Planning Department for a while.

And, and just getting back to this piece of property. Back in 1991, in Hana we created the Hana Affordable Housing Advisory Committee, and this, and this committee was people selected from all different parts of, of the entire East Maui and also people selected from different companies and different work sites. We actually sat down with Keola Hana Maui, who at that time owned Hana Ranch and Hotel Hana Maui under the leadership of Libert Landgraf. And at that time we negotiated on three properties, okay. The first property was dedicated to the County for the fire station. The second property was dedicated to DLNR for the State for the Health Center expansion and, and future medical expansions. This is that property that is in question right now.

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And the third property is where the affordable housing property, affordable housing project supposed to go in.

And, and, and if you have a good concept about that ...*(end of tape, Side 1B)*... that the population of Hana will shift to become centralized in this area. On both sides of this property is going to be housing projects on the, on, on the far north and on the far south. This is why to me it's very important that, that, that we look at this piece of property--I mean we need to refocus our mind not on dialysis, and finances, and stuff like that. We need to look at the future of Hana. You know, when you centralize your population into this area, why, why it's important to have this rezoning is, is so that when, when your bulk of your community is there, you're providing them safety, you're providing them fire protection, you have, you're providing them with the, with the maximum amount of water that you need for fire protection and for housing development. The County has put in new mains under the road there.

Also, this, we. . .the, the Advisory Committee, the Affordable Housing Advisory Committee eventually got its 501 status in, in Hana, and it became the Hana Affordable Housing Economic Development Corporation.

MS. NAKATA: Three minutes.

MR. KALALAU: That, that corporation is no longer in service. It's because we went out and we raised the million dollars to start the affordable housing project, and at that time, at the same time Keola Hana Maui filed for bankruptcy. And the mistake that we didn't do was that we didn't get Keola Hana Maui to dedicate that, that piece of property for housing. If not, we could have 'em today. And it's gone through two owners and still that property is dedicated for housing, but we didn't do anything about it. So, and now they're thinking about selling it again.

You know, I don't, I don't think the Health Center is, is building a, a hotel type spa. I think what people got to look at it, it's a Cameron Center concept. That's what it is. We're going to offer the people all the services, the social services that they need, all these health services that, you know --

MS. NAKATA: Four minutes.

MR. KALALAU: --you, you cannot go to Hotel Hana Maui and get a massage because your back sore, it'll cost you \$400. Why can't you go to Hana Health Center and do 'em? You know, we have that services, but we just need facilities for 'em. That's all it is. We're, we're not building a. . .some people they're kind of afraid, they think we're building a health spa. No, we're building a Cameron Center. That's what it is in Hana.

CHAIR MOLINA: Okay. Mr. Kalalau, you need to conclude, please.

MR. KALALAU: Okay. But, but, you know, a lot of, a lot of us get confused about this agenda item today. This agenda item is, is for a zone change, not for dialysis. And those people who is

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saying that the Health Center is not standing up on dialysis, hey, this is the opportunity. If you get the zoning now, you can put in that. And, and, and one of our surveys that we did back in '91 as the Housing Advisory Committee, the, you know, the popular thing was elderly housing. You know, it's funny when we went out and surveyed all the people, they talked about elderly housing and home care units so that they don't have to drive this side of the island--

MS. NAKATA: Five minutes.

CHAIR MOLINA: Okay.

MR. KALALAU: --so they don't have to come to Hale Makua or Hale Mahaolu, that they can have their own--

CHAIR MOLINA: Okay. Sorry, Mr. Kalalau, I have to stop you at this point.

MR. KALALAU: Okay. Thank you.

CHAIR MOLINA: But thank you.

MR. KALALAU: But this is why this is important. It's not, it's not building one spa, people. You know, and, and--

CHAIR MOLINA: Okay. Hang on.

COUNCILMEMBER VICTORINO: Mr. Chair.

CHAIR MOLINA: Okay. Committee Members, questions for the testifier? Mr. Victorino?

COUNCILMEMBER VICTORINO: Well, first thing is I'd like to ask Mr. Kalalau--and thank you for being here--the map that you're referring to, you have copies that could be distributed, if that's okay, Mr. Chair. I'm, because I'm looking in here to see if we have a copy of the--

MR. KALALAU: Oh, no, in, in your guy's plans it's not there because this is the preliminary drawings that we did in, back in, back in '91 of, of how all the, the fire station would come in play, the property of the fire station which was dedicated to Maui County and, and also the piece of property up here by the, by the Health Center that is in question right now that was dedicated to, I guess, DLNR --

COUNCILMEMBER VICTORINO: I see.

MR. KALALAU: --for, specifically was for health center expansions.

COUNCILMEMBER VICTORINO: Okay.

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MR. KALALAU: Because we knew in the future that, you know, if you guys look at all the, the community plan and the developments coming on in Hana, it's going to be smack right there.

COUNCILMEMBER VICTORINO: I guess the next question I have for you, Mr. Kalalau, is I've been going through the Environmental Assessment that was given, that was completed in 2004, and there's not much mention about this plan. They have their own in here. Was, was there ever an integration of two plans, I mean this one, and were they ever sent, did anybody sit down and try to work on the same?

MR. KALALAU: No, those, those plans came way after. There was other plans came way after. And after we started these designs, the County also came up with their own plans in the, for the affordable housing project on those same property.

COUNCILMEMBER VICTORINO: Okay. Okay, thank you, Mr. Chair. I'll yield to my, my colleagues.

CHAIR MOLINA: Okay. Thank you, Mr. Victorino. Before I recognize Member Pontanilla, the Chair would like to recognize Chairman Hokama to our proceedings today as well. Mr. Pontanilla?

VICE-CHAIR PONTANILLA: Thank you. Thank you, Sam, for being here. I, I just want to clarify in regards to, you know, that parcel directly across the Fire Department as well as the police station, that is the parcel that is being designated for affordable housing?

MR. KALALAU: Yes, sir.

VICE-CHAIR PONTANILLA: That's not the one that went bankrupt; right?

MR. KALALAU: That's the. . .well, the, the ranch owner at that time we negotiated was, was Keola Hana Maui, and they were, they were the ones that went bankrupt. That is why, you know, after raising the million dollars we couldn't do anything, and we had to close down our, our affordable housing corporation.

VICE-CHAIR PONTANILLA: And, and the land is designated as Agriculture?

MR. KALALAU: Yes, sir.

VICE-CHAIR PONTANILLA: Thank you. Thank you, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you, Member Pontanilla. Any other questions for Mr. Kalalau? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. And thank you, Mr. Kalalau, for being here. I just want to ask one question because in your testimony I heard you say that if the zoning is approved, then Hana Health could have dialysis. And I have a concern with that because when

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I personally asked the Executive Director to provide space at Hana Health for dialysis, in the meeting at my office with my executive assistant present, she told me she cannot have dialysis at Hana Health because of the funding requirements.

MR. KALALAU: Funding, yeah.

COUNCILMEMBER MEDEIROS: But now are you saying that zoning has a bearing on whether dialysis are allowed at Hana Health?

MR. KALALAU: Zoning --

COUNCILMEMBER MEDEIROS: Yeah.

MR. KALALAU: --would make it much easier, because, because even if, if they want to do 'em in the, in the so-called doctor's house, County house, it's not in the appropriate zoning.

COUNCILMEMBER MEDEIROS: No, we're talking about Hana Health property.

MR. KALALAU: Well, it's the same thing. It's State land, and, and it's a subdivision.

COUNCILMEMBER MEDEIROS: So you're, you're saying zoning can make a difference that dialysis can be now conducted at Hana Health, even though the Executive Director said her funding would not allow it?

MR. KALALAU: Well, yeah, her funding. But, you know, if, if you get somebody that, who's got money to develop a dialysis center, and they can work with the, with the, with the Health Center on this, on this, on the proposal or something, I mean, but the Health Center been proposing to this community for years on dialysis. They gave you options to even, what for do.

COUNCILMEMBER MEDEIROS: Okay. Yeah, I have a different opinion of that, but thank you for your testimony. Mahalo, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you, Mr. Medeiros. Any other questions before I excuse Mr. Kalalau? Okay. Thank you, Mr. Kalalau, for your testimony.

MR. KALALAU: Thank you.

CHAIR MOLINA: The Chair will ask Ms. Oliveira one last opportunity for testimony. No? Okay, mahalo. Committee Secretary, have we had any additional sign-ups for testimony on this item?

MS. FRIAS: No, Mr. Chair.

CHAIR MOLINA: Okay. The Chair will give the, anyone in the gallery for one last opportunity for testimony. Okay. Member Anderson?

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COUNCILMEMBER ANDERSON: Yeah, I thought we were going to have the Director come up? We have, you know, we had questions that we had for her.

CHAIR MOLINA: Yes, we will have the Director come up at a later point in our deliberation, after the presentation.

COUNCILMEMBER ANDERSON: Okay. Thank you.

CHAIR MOLINA: Okay, Members, seeing no one else approaching from the gallery for testimony, if there are no objections, the Chair will close public testimony on Land Use Item 1.

COUNCIL MEMBERS: No objections.

CHAIR MOLINA: Okay. So ordered.

...END OF PUBLIC TESTIMONY...

CHAIR MOLINA: Members, we have a presentation from the applicant's consultant on this particular project. The Chair is going to call for a brief recess to set the Chambers up for the presentation, so please don't go far. And once the presentation is completed, we'll take our afternoon break from there. Okay, Members, meeting in recess, subject to the call of the Chair. ...*(gavel)*...

RECESS: 2:45 p.m.

RECONVENE: 2:47 p.m.

CHAIR MOLINA: ...*(gavel)*... The Land Use Committee meeting for September 17, 2008 is now back in session. We have a presentation from Munekiyo & Hiraga related to Land Use Item 1, and we have Mr. Mich Hirano to do the proceedings. Mr. Hirano.

Note: Computer-generated presentation.

MR. HIRANO: Thank you, Chair Molina and good afternoon, Council Committee Members. My name is Mich Hirano with Munekiyo & Hiraga. With me today is Cheryl Vasconcellos, who is the Executive Director of Hana Health, and we have prepared an informational PowerPoint presentation for you to just give you a little bit of background on the application before you this afternoon.

This is the regional location map of Hana. Up at the top of the screen is Hana Highway and the subject property is this L-shaped property. That lighter smaller parcel is parcel 24 and that is the existing Hana Health Center parcel. It's an approximate 2.03 acre parcel. Adjacent to the west of the parcel is this L-shaped addition that is also subject of the application before you today. It's approximately 10.01 acres and that is also part of the Hana Health Center. The land is owned by

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the State Department of Land and Natural Resources and the Hana Health Center has a 50-year lease on both parcels.

Just to give you an orientation, as you come into Hana on Hana Highway, the Hana Health Center is on the mauka side or on your right-hand side. It's just, and as Mr. Kalalau had mentioned, this area here is where you have the fire station, the police station, and the County baseyard, and those are public/quasi-public uses. The adjacent property that is the subject of the affordable housing area is just in this area, which is to the, the south of the Hana Center.

CHAIR MOLINA: Mr. Hirano?

MR. HIRANO: Yes.

CHAIR MOLINA: Before you continue, could you pull the mic back just a little bit?

MR. HIRANO: Back?

CHAIR MOLINA: The mic is a little loud.

MR. HIRANO: I'm sorry.

CHAIR MOLINA: It's not that we don't like the sound of your voice or anything, but if you could help us out on that.

MR. HIRANO: Okay. Thank you.

CHAIR MOLINA: Appreciate it. Thank you, proceed.

MR. HIRANO: Existing medical services include primary healthcare. And the Health Center employs presently 30 full-time positions. In terms of the primary healthcare, last year they had 1,650 individual patient visits and, I'm sorry, patients, 1,650 individual patients to the Health Center and over 5,000 patient visits. They also have the emergent, the urgent emergency care which operates 24/7. They have a behavioral health/mental health services. Last year they had 488 individual patients in their behavioral health/mental health program. Dental care is also provided by dentists at the Hana Health Center, and last year there were 500 individual dental patients coming to the Health Center. The Health Center also offers complimentary health services. They have acupuncture and lomi lomi massage, and last year they had 375 individual visits taking advantage of these services at the Health Center.

The Health Center also operates the enabling and support services, and these are some of the preventative services that you had heard in your testimony this morning or this afternoon. They have the kupuna programs, and they have within that kupuna program, congregate and home delivery meals. And last year they provided over 11,000 meals to the kupuna in Hana. They have social activities, and they also have caregiver support where they help kupuna find the

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appropriate care for their ailments or for their medical needs. Hana Health also operates an outreach services to access public and private services. They have exercise and fitness classes all on the facilities. They have chronic disease management programs, and they also operate an organic farm. These services are, as, as I mentioned with the numbers, well supported in the Hana community. And Hana Health has been operating these services with the board of directors for 11 years. And indications are that their program delivery is expanding and the patient support is growing.

This is a picture of the existing Hana Health Center. It's approximately 4,000 square feet and plans are, as I will discuss later, to expand the facility by approximately another 4,000 square feet. This is the ambulance station, paramedic housing. As you can see, you know, these buildings are old plantation style buildings that have been converted from residential structures to important and urgent medical needs kind of structures. This is where the ambulance is housed, and then the paramedics live in this section of, of the house. And they're available, you know, 7 days a week, 24 hours a day.

This is again another old plantation house that has been converted into medical use. This is where the kupuna meals are, are made. There's a small kitchen in this house. It's just a residential kitchen, however, this is the place where the 11,000 meals that were served to the kupuna last year were, were prepared and made. This section of the house, there are three sections to this old house. One is where the kitchen is used and that's the kupuna kitchen, and the nutrition center. This middle section is the records keeping and the administration. So there's an office in that area of the house and medical records are kept there as well as office administrative files. And then this is the residential area where the Executive Director lives. This is the Executive Director's office and, as you can see, it's a temporary trailer and there are six trailers like this on the site, and these trailers provide housing for the psychiatric, psychiatrist, counseling rooms, and the programs, the medical programs are operated out of trailer facilities.

This is looking from the organic garden back onto the Executive Director's office. And as you can see, there are some tents that are put up. These are shelters, but this is where the preventative exercise programs are operated for the kupuna as well as for other members for exercise classes. And with the inclement weather that's often experienced in Hana these facilities are really makeshift at best, and I think the Hana Health would like to provide better facilities for their programs, and that's why they're embarking on this expansion and building program, because right now they're offering these programs, but the facilities are very temporary and makeshift. This is, again, looking at the organic farm that is growing, that, that, where they grow fruits and vegetables which they use in the kupuna kitchen, and they also sell at a farmer's market, and as you can see in the background, again, the, the shelter that is used for their program activities.

The proposed project, in terms of their expansion, involves expanding the existing Health Center. That's the, that's a high priority for the, the board and that would be approximately a 4,000 square foot expansion. Kupuna housing has been identified by the community as a very high priority and when we were going through the entitlements for this application with the Hana

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Advisory Committee, we had three meetings before the Hana Advisory Committee that spanned over a year and a half, and the priority list had been established by the Hana Community Advisory Committee in terms of the programming for the Health Center.

The other high priority is the nutrition training center, and that is one that has been funded and it has been funded by CDBG funding from the County and Federal government. There has also been other Federal funds that are putting into this facility. And this is where the kupuna meals will be prepared. The conference and technology center is also a facility that, where long-distance learning can take place. A lot of the technical services now are, are done through electronic programming. There is a telecommunicative pharmacy. They have long-distance learning, and conferencing, and training through centralized media and training centers that are, you know, on the mainland, but they provide satellite courses in more remote areas. You can see the need for administrative offices. That's another facility that the Health Center would like to develop.

Again, focusing on the traditional preventative programs, it's the traditional cultural healing area, healing center with treatment rooms, physical therapy and fitness center for health programs, swimming pool. Wellness cottages were developed because a lot of the programs are intensive residential programs where, for example, chronic weight management or breaking addictions where you have to stay on site. It's a 24-hour intensive, or 24-hour month long program, or longer as the needs are, as the needs require where you stay on facility, stay on the, onsite, and you go through intensive programming.

There's a maintenance building to maintain the facility, a laundry room, and some employee housing. And the employee housing is basically overnight accommodations for technical specialists that come from Honolulu or off-island, and they provide the service maybe once a week. So they, they need a place to stay while they're in Hana providing that service, and then they return home, or return off-island. So the employee housing is just temporary overnight housing basically for the technical staff.

This is a site plan, that has been prepared by GYA Architects, of the overall health and wellness program. This is the existing Health Center. These are the, are the kupuna housing units. This is the nutrition center. And the nutrition center, again, is and will be underway fairly soon. Most of the funding has been secured for the nutrition center. This is an area for the technology and administrative offices. This is the fitness area, the fitness training, again, the exercise, exercise area. These are the, what they call the wellness cottages and the employee housing, and laundry, and maintenance facilities at the top end of the screen. Now, as well this area here is the organic garden and up in this area is the organic garden. And that area is presently in production.

This is a very ambitious plan. You know, there have been cost estimates of \$26 million for this plan. The funding has not all been secured. In fact, only the, at this time, the nutrition center has been funded and it will be underway. The next priority would be to expand the medical facility. And the way the board operates is that it does a feasibility study for a program that they would like to expand on or expand into. They do a business plan after the, after it's deemed to be

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feasible, they do a detailed business plan, and then they go out, they raise the funds, capital programs and grants, and then implement the program. So this is a very long-term development plan that has very long-term time horizon, and it's really based on public support and funding, and the ability to raise funds to develop the physical infrastructure.

The other thing I would just like to comment on, and as I mentioned, and as Mr. Kalalau had also mentioned, the affordable housing program is just adjacent to the south of the, the property and there is initiatives right now with Hale Mahaolu, Hale Hulu Mamo which is an extension of Kaunoa Senior Center to look at the feasibility of doing a senior support housing like the one in Kihei. And if that goes forward, if that moves forward, then, you know, the Health Center is not going to compete with funds or for programs with those adjacent or other initiatives, and if that is the case, then maybe they would not advance these kupuna housing until the market, or until the situation arose where it wouldn't be in conflict. However, it's also very compatible where the nutrition center can provide kitchen and meal facilities to the senior housing project.

In terms of the existing entitlements, the parcel 24, which is the parcel where the present community Health Center is in, is State Land Use Rural, the zoning is Interim, and the Community Plan is designated Quasi/Public, Public/Quasi-Public. It's approximately two acres in size. The parcel 22, which is the larger ten acre parcel that adjoins parcel 24, the State Land Use designation is both Rural and Agricultural, there's just a sliver of Rural designated land which is just adjacent to the Health Center, and the rest of that land is Agricultural, and the zoning is Interim, and the Community Plan is Public/Quasi-Public. The reason it's Interim is the Community Plan designation is different from the State Land Use designation. They're not in, they're not in conformity, so the zoning for that reason is Interim.

The entitlements requested is to change parcel 24 is . . . the Rural designation is okay and the community plan, I'm sorry, is okay. Parcel 22 should be changed from, parcel 22, I'm sorry, I think these were reversed. The existing Health Center is okay. There's no change in the State Land Use designation. It is Rural. The larger parcel, ten acre parcel, needs to be changed from Agricultural to Rural and that's the State Land Use District Boundary Amendment that's before you today. The entitlements for the Change in Zoning is to change the zoning on both parcels from Agricultural, I'm sorry, from Interim to P-1 Public/Quasi-Public for both parcel 22 and 24. And for the Community Plan since they are both community plan designated Public/Quasi-Public, there's no need to change the Community Plan.

As we have gone through this process and today you've heard testimony about the, you know, the services that are provided by Hana Community Center, we don't want to see Hana Health as being obstructionist or being, to interfere with the initiatives that are being carried out by other groups within the community. So on that note, you know, the dialysis has been an issue and that there is a movement by a community group to put the dialysis into the residence where the existing doctor lives that services Hana Health. And I think to clear the way for that program to go forward and to clear the way for this, this application before you to go forward, Hana Health Center has a statement to make on that regard. And I'd like to just ask Cheryl Vasconcellos to make that statement.

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CHAIR MOLINA: I'm sorry, Mr. Hirano, I'm sorry, I believe we can conclude this portion of the presentation. Once we come back from our recess, then we'll give Ms. Vasconcellos the opportunity to make a statement, and then respond to questions. Okay?

MR. HIRANO: Okay.

CHAIR MOLINA: All right, Members, it is ten minutes after three o'clock. This meeting will be in recess, and we shall return at 3:25. Meeting in recess. . . .(gavel). . .

RECESS: 3:10 p.m.

RECONVENE: 3:32 p.m.

CHAIR MOLINA: . . .(gavel). . . The September 17, 2008 Land Use Committee Meeting is now back in session. Members, we're on Land Use Item No. 1, which is a District Boundary Amendment and Change in Zoning for Hana Community Health and Wellness Village. I'd like to thank the Applicant's representative, Mr. Mich Hirano of Munekiyo & Hiraga, for the presentation. At this point, the Chair will ask Mr. Clayton Yoshida from the Department of Planning to give us a brief overview of the proposal and from there I will open the floor up for questions for the Members as well as an opportunity for Executive Director Cheryl Vasconcellos to give an opening statement and respond to questions from the Committee. Mr. Yoshida?

MR. YOSHIDA: Thank you, Mr. Chair, Members of the Council Land Use Committee. These applications went to the Hana Advisory Committee to the Maui Planning Commission for three meetings on March 10, 2005, April 21, 2005, and May 18, 2006. And in the course of the Hana Advisory Committee's review, the request for the boundary reclassification was changed from a request to urbanize the lands to a request to change the State Land Use designation to State Rural for portions of the land . . .(end of tape, Side 2A)... He did recommend approval of the boundary reclassification and the Change in Zoning request, and then it went to the Maui Planning Commission on August 8, 2006, where they did recommend approval of the State Land Use reclassification to Rural for a portion of the property and a Change in Zoning to P-1 Public/Quasi-Public (conditional zoning) subject to the following seven conditions.

Briefly summarizing: One, that the applicant shall participate in required infrastructural improvements for water, sewage, drainage, and roadway/traffic as determined by the appropriate County agencies. Two, that all future buildings on the site be reviewed and approved by the Urban Design Review Board as conforming to the character of the community as noted in the Hana Community Design Guidelines. Three, that as presented the proposed "guest cottages" shall be used exclusively for patients participating in medical programs that require on-site housing as part of the treatment. Four, that the applicant shall confirm in writing the significance of the aqueduct located on property with the State Historic Preservation Division and perform any mitigative measure recommended by the State Historic Preservation Division. Five, that all buildings shall be limited to a maximum of two-stories (35 feet) in height. Six, that only medical

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and health related facilities and services presented at the May 18, 2006 Hana Advisory Committee meeting shall be allowed on the property. And, seven, that the Hana Advisory Committee encourage the applicant to develop the project in the following order of priority: one, Medical Center Expansion; two, Nutrition Training Center; three, Physical Therapy/Fitness Center; and, four, Kupuna Housing, and whatever, and whenever funding is available.

That basically summarizes the review of the application by the Hana Advisory Committee and the Maui Planning Commission.

CHAIR MOLINA: Okay. Thank you, Mr. Yoshida. And just for the Committee's clarification, this is the November 27, 2006 application in which the conditions that you have just expressed to ourselves. This is what is attached, it's attached to that document dated November 27, 2006; am I correct?

MR. YOSHIDA: Yes, Mr. Chair.

CHAIR MOLINA: Okay. All right. Thank you very much, Mr. Yoshida. The Chair has just one question before I turn matters over to the Committee. With regards to the, if you, if you can answer the question, with regards to the lease with the State--we were unable to get someone here from the State to give us some clarification--do you know off-hand how many years are remaining on the lease with the State and what are the authorized uses with regards to the lease?

MR. YOSHIDA: Mr. Chair and Members of the Commission [*sic*], we just have that, we, I don't know how many years are remaining on the lease. We did receive a letter dated October 26, 2005, from Peter Young, Chairperson of the Department of Land and Natural Resources authorizing, as the owner, authorizing the lessee Hana Community Health Center to process these applications.

CHAIR MOLINA: Okay, and that was dated October 26, 2005 from DLNR and at the time the Chairperson Peter Young. Okay, thank you. All right. Committee Members, the floor is now open for questions to the Planning Department. Member Anderson?

COUNCILMEMBER ANDERSON: I have a question for the consultant on the presentation.

CHAIR MOLINA: Okay. Members, before we get the responses from the consultant and the Executive Director, any questions for the Department? Otherwise, I will call up the, okay, the applicant. All right. We'll go, I guess we have two Members with questions for the Department, Planning Department. Okay. We have Member Hokama followed by Member Medeiros.

COUNCILMEMBER HOKAMA: Chairman, thank you. My question is for Mr. Yoshida from the Planning Department, Chairman. There seems to be a lot of potential accessory uses than primary permitted uses under Public/Quasi-Public. So let me ask you from the Department, this guest cottage component--and I heard your reading of Condition No. 6 I believe it is, the proposed Condition 6. So is this in a way that they're saying that they have like a hospital type of facility and operation, because the hospital does allow for its patients overnight

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accommodations? I just would like to be clear how the Department is viewing this and whether we need to be very clear in what we're going to consider for approval under accessory. Because your response will then determine how I'm going to approach Finance, Real Property Tax on how is Real Property Tax then going to assess and tax this portion of this property.

CHAIR MOLINA: Mr. Yoshida?

MR. YOSHIDA: Thank you, Chair Hokama. I guess the Department had viewed the guest cottages as being accessory to the Health Center use, provided that it be used exclusively for the patients that are participating in its medical programs.

COUNCILMEMBER HOKAMA: When you say exclusively, I'm trying to get a good understanding for the record so that in case there's questions later we can refer back to the minutes and be very clear what the Committee's recommending to Council for consideration. If, if you use a facility that is good enough to stay in the housing, whether or not you need to be there overnight or not--because what I hope is not being, you know, going on in a roundabout way is trying to get a type of unofficial Hotel zoning under Public/Quasi-Public.

MR. YOSHIDA: No, I believe, you know, there was that concern raised in the context of the public hearing by representatives of the Hotel Hana Maui, and basically this proposed Condition No. 3 was sort of put in as a way of ensuring that the cottages only be used for patients participating in medical programs that require onsite housing as part of the treatment.

COUNCILMEMBER HOKAMA: So the house, the, the, you know, that's not one good term either, "housing". I guess the "accommodations" that would be provided will, will be designed--is, is it your, the Department's understanding that the, the accommodations that are being planned to be provided then will be designed and engineered to assist in providing the medical treatment that the client or patient will be seeking from the center and not just a bed, shower facilities, and other types of bedroom furniture? You know, like the hospital room you have the, the appropriate components, whether it be blood pressure reading gauges, or whether it be oxygen lines, whether it be emergency connections to the nurse-on-call or doctor-on-call. Because if you're telling me it's just a cottage type of facility where you just have the bedroom and what not, then my question is don't we have other appropriately zoned properties that provide that accommodation?

CHAIR MOLINA: Mr. Yoshida?

MR. YOSHIDA: Well, there, there may be other zoned properties that provide transient type accommodations, but in this case it's looking at the cottages as accessory to the operation of the, the wellness center.

COUNCILMEMBER HOKAMA: Is there a difference in the Department's perspective whether it's a wellness center, a hospital, a medical clinic, you know, for the various terms being utilized in describing components of this project, proposed project? So, you know, under permitted use a

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hospital is a permitted use under Public/Quasi-Public. But what you're telling me is with the treatment being provided and then the need for an overnight, it is an accessory use. So I'm just trying to be very clear what kind of facility are we being asked to approve, because I need to understand the, the determination that you're making between permitted and accessory uses.

CHAIR MOLINA: Mr. Yoshida?

MR. YOSHIDA: Yes. Well, that, that's why we're putting some, well, we're recommending restrictions on who can stay in the guest cottages. But, you know, things like the hospital would be permitted in the Public/Quasi-Public District.

COUNCILMEMBER HOKAMA: I, I'm sorry I'm not stating my question accurately enough because I know hospital is a permitted use in, in this zoning category that's being considered, Mr. Yoshida. My question is how, why this is an accessory use and not part of an overall permitted use under what is already in the Zoning Code, Title 19, hospital? What is the main difference? I've heard about ambulance service that's located on the property, I've heard of treatment, I've heard of overnight. So what's the difference then? And if you're not able to respond this afternoon that, that's fine with me. I can, I can wait for you to respond back in writing to the Committee through our Chairman, Mr. Molina, if that is more, more reasonable as to my request from the, to the Department. Thank you, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you, Mr. Hokama. And the Committee will take that request under consideration as well to get an additional response from the Department. Mr. Medeiros, you had a question for the Department?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. And, and it's along the same lines as Council Chair Hokama, and I'd, you know, like to ask it this way. The condition placed by the Planning or recommended by the Planning Department is that the cottages, for someone to stay in the cottage they would have to be a patient or a participant in the programs at the Hana Health. So if somebody comes from New York and wants to get a massage for the next three days they get to stay in the cottage under your description, Mr. Yoshida?

CHAIR MOLINA: Mr. Yoshida?

MR. YOSHIDA: Well, I guess, Councilmember Medeiros, if the massage program required the person to have to stay there, stay overnight because of the frequency of the treatments, we would say yes.

COUNCILMEMBER MEDEIROS: So that would be allowed? So, so that would fall in line also to somebody that wants to be in the nutrition program and, and be a part of the meals for one week and see how it helps their health, and they're from New England, they can stay in the cottage?

MR. YOSHIDA: Well, again, as written if their medical program required them to be housed onsite. I mean if they could stay at some other accommodation then, no.

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COUNCILMEMBER MEDEIROS: Why wouldn't the consideration have been if a resident of East Maui or Hana required the services and needed accommodations in order to receive those services, that they be allowed to stay there? The way it is anyone could come and stay there, and I think that was the concern of the hotel when that was proposed, that the Hana Health would be competing with them for accommodations. Was that a consideration under the review of the Planning Department?

MR. YOSHIDA: I think as long as they're patients, whether they're from the Hana area or not, that require medical treatment requiring onsite housing as part of their treatment, they could stay in the guest cottages.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Mr. Yoshida. Mahalo, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you very much, Mr. Medeiros. Before I recognize Member Baisa, I would like to let the Committee be aware that we are going to lose quorum at 4:30 today. And if there are no objections after Member Baisa's questions for the Department, we have a request from Member Anderson to have the Applicant's representative as well as the Executive Director, Ms. Vasconcellos, to come up and respond to questions. So we'll proceed in that fashion. And we also have Mr. Miyamoto from Public Works available if you do have questions along the lines for the next 45 minutes. Member Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. Just one additional question along the line of the previous questions. Was there any discussion in the Planning Commission about having a physician certify the need for the medical treatment as a prerequisite for being able to stay in the cottage? You know, if I went to the doctor, and he says, well, you know, you need to have this massage three times a day, and so you and. . .or you need to have these meals three times a day or whatever, it would, to me, distinguish that the person really needed that medical care rather than, you know, my prescribing it myself.

MR. YOSHIDA: Off-hand I guess, you know, I can't recall. There was, as you know, a lot of discussion on this --

COUNCILMEMBER BAISA: I'm sure.

MR. YOSHIDA: --particular application over the past three years.

COUNCILMEMBER BAISA: I understand it's probably, you know, lost somewhere in memory. I'm looking at a document that was put together in 2005. This is 2008, and many of us can't remember what happened in January, so I understand. But, you know, I think to allay this fear of who's going to be permitted to stay there, it might, you know, solve the problem if you get a paper from a doctor saying you need to have the treatments, and you need to stay. I just wanted to make that comment. Thank you.

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CHAIR MOLINA: Okay. Thank you, Member Baisa. Okay, Members.

COUNCILMEMBER ANDERSON: Just one more question.

CHAIR MOLINA: Oh, go ahead, Member Anderson.

COUNCILMEMBER ANDERSON: Thanks, I just want to follow-up. Mr. Yoshida, if someone were to come and take advantage of the nutrition center, the 12,000 square foot swimming pool, and the 24,000 square foot fitness studio, would that be considered a medical, a medical need as you stated?

CHAIR MOLINA: Mr. Yoshida?

MR. YOSHIDA: Councilmember Anderson, I guess if, you know, their physician had required them to be housed, you know, have these medical programs, participate in regularly that would require them to be housed onsite as part of the treatment, I guess that could be considered as meeting the condition.

COUNCILMEMBER ANDERSON: As medical treatment as long as they had a physician's prescription, I guess. Okay, thank you. Thank you, Mr. Chairman.

CHAIR MOLINA: Okay. Thank you, Member Anderson. Members, at this time--Mr. Pontanilla, you have a quick question for the Department? Proceed.

VICE-CHAIR PONTANILLA: Yes. In regards to the land itself, do we have any feedback from DLNR in regards to the use of the land?

MR. YOSHIDA: Feedback from DLNR...

VICE-CHAIR PONTANILLA: Yeah, in regards to the use of the land that is being proposed?

MR. YOSHIDA: Again, we did reference a letter dated October 26, 2005, from the Chairperson at that time, Peter Young, as representing the owner, State Department of Land and Natural Resources, authorizing Hana Community Health, Inc., to prepare, file, and process the zoning change and District Boundary Amendment, that they had been provided with a conceptual plan of the project. They do fully support the plan to expand the existing medical facilities. They do have some concerns about other aspects of the conceptual plan, and then referring us to their land agent, Daniel Ornellas or their State Land Administrator, Russell Tsuji.

VICE-CHAIR PONTANILLA: Have we done that? And, and the reason why I ask is that we had a similar problem at the Puunene Raceway Park where we were going to have a vendor do those vehicle storage, and because of, a vendor is a for profit, the DLNR had second thoughts about for-profit entities, allowing entities to utilize that particular parcel. And if this is for profit in

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regards to some of the facilities that are being talked about, you know, what is the DLNR, Mr. Ornellas', I guess, take to this particular request here?

CHAIR MOLINA: Mr. Yoshida, are you able to respond to the question?

MR. YOSHIDA: Yes, I believe as part of the application the, it was sent to the Department of Land and Natural Resources, Land Division. Their comments are included in the Department's report as Exhibit 28, various letters from several of their divisions, including the Land Division, but they didn't seem to have any outstanding comments from the various divisions.

VICE-CHAIR PONTANILLA: And this was dated when? What was the date on that, on the letter from DLNR?

MR. YOSHIDA: Oh, these were back in 2003 when...

VICE-CHAIR PONTANILLA: Maybe we should have another opinion based on what was said some time earlier in the year regarding the Raceway Park, and I think they're also taking a look at how to, how they'd approach vendors utilizing the beach. So, thank you, Chairman.

CHAIR MOLINA: Okay. Thank you, Member Pontanilla. Members, at this time the Chair is going to give the applicant's representative, Mr. Hirano, as well as the Executive Director, Cheryl Vasconcellos, an opportunity to just make a brief statement, and then respond to questions from the Committee. And while they're approaching the front, Members, you will be having a letter dated October 26, 2005, which was talked about earlier from then-DLNR Chairperson Young, which relates to the request for the Hana Community Health and Wellness Village. Good afternoon.

MR. HIRANO: Thank you, Chair Molina. Mich Hirano with Munekiyo & Hiraga.

MS. VASCONCELLOS: Cheryl Vasconcellos, Executive Director of Hana Health. Good afternoon. I really want to open with a statement that is not related, but sort of related. We have been asked--oh, can you hear?

COUNCILMEMBER VICTORINO: Yeah, now that's better. Thank you.

MS. VASCONCELLOS: We have been asked to vacate the current physician's house so that dialysis may be able proceed in that facility, and it has been agreed by the board of directors of Hana Health to relinquish the house to the County to use how they see fit, and that we have begun the search for new accommodations for the Hana Health physician. So we hope to find something. There is no guarantee that will happen, but we're hoping to have the doctor and her children relocated by the end of the year.

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CHAIR MOLINA: Okay. Thank you, Ms. Vasconcellos. At this point, the request for you to come up and respond to questions was first made by Member Anderson, so I'll give you the floor, Member Anderson.

COUNCILMEMBER ANDERSON: Thank you. The 20 estimated, approximate \$26 million to build-out this project, how much of that has been secured?

MS. VASCONCELLOS: We are not securing \$26 million. We, this is a long-range conceptual design, and we're going to take each component of the project, do a business plan, and raise the fund as it's deemed feasible. So we're not approaching it that way. We're approaching it on a project-by-project basis, the first being the nutrition center, and we've raised most of the money for that; and second, we'll be starting on the medical facility. So...

COUNCILMEMBER ANDERSON: And how much have you raised for the nutrition center?

MS. VASCONCELLOS: About 1.5 million.

COUNCILMEMBER ANDERSON: And how much will it cost?

MS. VASCONCELLOS: Well, it's being value engineered right now because the construction estimates were in quite high. So we're looking at 1.5 as the figure we're working with right now.

COUNCILMEMBER ANDERSON: Oh, you've raised all the money you need then?

MS. VASCONCELLOS: We, we still have a little more to go, but we're getting close.

COUNCILMEMBER ANDERSON: And that's about 12,000 square feet?

MS. VASCONCELLOS: It has been reduced, it will be reduced in size to be, I think we're going to be right around 8,000, but we're still working on the, the revision.

COUNCILMEMBER ANDERSON: Okay, and so, you're raising the money through private sources?

MS. VASCONCELLOS: And public, public sources as well.

COUNCILMEMBER ANDERSON: And what are those public sources?

MS. VASCONCELLOS: HUD, CDBG, private foundations, Economic Development Agency.

COUNCILMEMBER ANDERSON: Okay.

MS. VASCONCELLOS: And State Legislature also.

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COUNCILMEMBER ANDERSON: Okay. And so, you say it's long-range. How long? I mean what is your plan for the build-out?

MS. VASCONCELLOS: Well, we were looking at a minimum of ten years, and so much is changing just in terms of funding availability and all of that. So we're hoping to have build-out of the nutrition center within the year, and then proceed to the medical center which will require a feasibility study first, and then conceptual design work. So even the medical center itself we're going to need to step-by-step go through the process. So I envision that's going to take--well, based on the process we've been going through, I envision that's going to take probably three years at least to, to get to the point where we can actually construct or renovate the clinic.

COUNCILMEMBER ANDERSON: And do you anticipate closing the clinic while you renovate?

MS. VASCONCELLOS: No. No, we will operate.

COUNCILMEMBER ANDERSON: I noticed in the, the site plan that came with the application and the site plan that we have in the Environmental Assessment, it doesn't show the expansion of the medical center as Mr. Hirano showed us in the PowerPoint. And I'm wondering if we have any hard copies of that PowerPoint, at least, for the site plan, so we can see something that's more current? Do you have any extra copies?

MR. HIRANO: Yes, I, I believe we delivered the hard copies --

CHAIR MOLINA: It should be in your binders.

MR. HIRANO: --16 copies of the PowerPoint.

COUNCILMEMBER ANDERSON: It should be in our binder?

CHAIR MOLINA: Yeah, near, near the end of Item 1.

COUNCILMEMBER ANDERSON: Well, I, I looked, and I didn't see it. Well, if you could tell us what is the current square footage of the medical center?

MS. VASCONCELLOS: It's about 4,000 square feet.

COUNCILMEMBER ANDERSON: And how much are you expanding it?

MS. VASCONCELLOS: Well, until we actually do the conceptual design and look at the feasibility it's hard to know. I think we're going to need to at least double the size and maybe even larger than that.

COUNCILMEMBER ANDERSON: What, it look like it's...

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MR. HIRANO: The conceptual plans, Councilmember Anderson, showed I think a ten, it's about a 10,000 square foot total area, so it's about a 6,000 square foot expansion, which is very conceptual at this point. I think it was just based on the needs, but once you get, as Ms. Vasconcellos mentioned, once you get into the value engineering when you start raising money and identifying funds, you know, that's when you really look at what you can afford to build.

COUNCILMEMBER ANDERSON: Okay. Well, I mean there's, there is a conceptual price of \$26 million being batted around, so you must have some idea of what it's going to cost each phases, and, and I don't expect you to be exact because I know things will be variable as you go forward. But how much are you putting towards the expansion of the medical center?

MS. VASCONCELLOS: It's, I'm going to give you a very rough, rough ballpark.

COUNCILMEMBER ANDERSON: All right.

MS. VASCONCELLOS: Based on the numbers I've been seeing just on the nutrition center, I feel like we're probably looking at around \$10 million for the medical center.

COUNCILMEMBER ANDERSON: Ten million for the medical center?

MS. VASCONCELLOS: Yeah, very rough ballpark.

COUNCILMEMBER ANDERSON: And then how much for the--the nutrition center you said 1.5--how much for the conference center?

MS. VASCONCELLOS: I, I have not even plotted any of that out yet. I couldn't even take a guess at it.

COUNCILMEMBER ANDERSON: Well, that's 8,540 square feet.

MS. VASCONCELLOS: Depending on what's in there. So it's not just the square foot price. It depends on the contents. So with the technology it will probably be less than, less, it will be a lot less than the clinic, and it will be less than the nutrition center in terms of contents. So, how, what is the size you're showing on that?

COUNCILMEMBER ANDERSON: This includes the administrative offices and the conference center 8,500 square feet, 8,540.

MS. VASCONCELLOS: We can figure \$250 a square foot. Does that sound about close? I'm, I mean that's all I have at this point. I'm just ball parking.

COUNCILMEMBER ANDERSON: So I mean how, Ms. Vasconcellos, how can you know if this is feasible if you really don't know what the cost figures are going to be? I mean next we have

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almost a 10,000 square foot healing center, a 24,000 square foot fitness studio, and then 20 cottages, and --

MS. VASCONCELLOS: I think you have--

COUNCILMEMBER ANDERSON: --five or six kupuna cottages.

MS. VASCONCELLOS: I think you have ...*(end of tape, Side 2B)*... already been reduced quite a bit.

COUNCILMEMBER ANDERSON: What's been reduced?

MS. VASCONCELLOS: All of that. All of it's been reduced. Do you have--

COUNCILMEMBER ANDERSON: Well, maybe--

MR. HIRANO: In, in the draft Environmental Assessment, the final revised Environmental Assessment, the plans were modified, and it was described in the, in the Environmental Assessment. This was what went to the Hana Advisory Committee and to the Planning Commission.

COUNCILMEMBER ANDERSON: Well, I'm looking at the, I'm getting these square footage figures from the Environmental Assessment.

MR. HIRANO: Yes, on Page 8 of the Environmental Assessment, it says that the nutrition center...

COUNCILMEMBER ANDERSON: Page 8?

MR. HIRANO: Yeah.

COUNCILMEMBER ANDERSON: I'm looking at the site plan, Exhibit. . .*(inaudible)*. . .

MR. HIRANO: The administrative offices will be approximately, on Page 6, administrative offices will be approximately 5,590 square feet in size and will include the staff room, restrooms, the mailroom, and a small kitchen, and five administrative offices. The conference and technology center will be approximately 8,540 square feet.

COUNCILMEMBER ANDERSON: Yeah, that's what I've got. And so, I'm looking at the fitness center studio and center and that, actually on the plan it says childcare facilities, but then when I look at the, another site plan it looks like the childcare facilities have been connected to the fitness center. But, nonetheless, are, are you still planning for childcare facilities?

MS. VASCONCELLOS: When we get to the point of being able to have a fitness center, we would like to include childcare because a lot of the parents bring their children, and they sort of play while they're doing their fitness program.

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COUNCILMEMBER ANDERSON: Okay. Well, the childcare, care facility is 3,900 square feet and the fitness center and studio is 17,980 square feet. So combined they're in the neighborhood of 24,352 square feet. So do you have an overall idea?

MS. VASCONCELLOS: Well, the cost--

COUNCILMEMBER ANDERSON: I mean 10 million for the expansion of the medical center, and 1.5 million for a 12,000 square foot nutrition center. I mean we're, we're getting up there, and we haven't even gotten halfway through, you know, all these parking facilities, there's two guest cottages here, and the kupuna, who--the guest cottages that are next to the kupuna housing or the cottages, it just says cottages, they're rather large, larger than all the others. Who, who are those cottages for?

MS. VASCONCELLOS: I, I don't have that in front of me, but as I recall the plan there were kupuna, the kupuna housing and group living, kupuna group living housing that also included the overnight staff who would be onsite all the time. So it was, it was a larger group home for sort of a congregate living situation.

COUNCILMEMBER ANDERSON: Okay. So, anyway, I mean...

MS. VASCONCELLOS: The \$26 million figure, which is being thrown around, was an estimate given, oh, my gosh, easily five years ago when we started putting this together, and it was provided to us by the architect, and their estimate on what they believed a project of this magnitude was going to cost. As we started moving forward with the nutrition center, for example, that's when you get very real about what the number's going to look like, and, and design the facility so that you can afford to build it. So the 26 million was an estimate from five years ago. I think everyone knows what's happened to construction costs. The cost of the nutrition center doubled in 12 months, which forced us back to the drawing board to cut it back. So...

CHAIR MOLINA: Excuse me, Ms. Vasconcellos, if we could ask for your indulgence as well as Member Anderson. Member Medeiros has to leave, and I'd like to give him one last opportunity.

COUNCILMEMBER ANDERSON: I will yield.

CHAIR MOLINA: And, and I'll come back to you Member Anderson --

COUNCILMEMBER ANDERSON: Thank you.

CHAIR MOLINA: --right after Member Medeiros, as the area representative. Do you have a couple of questions, Mr. Medeiros, before you have to leave?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. One for, first for the consultant on, on the PowerPoint presentation. I heard during the testimony period of our meeting that the, the employees were reduced down to, well, I guess in the medical center, to the doctor, a nurse, and a

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medical technician, and then the PowerPoint says there's 30 full-time employees. Where are the 30 employees?

MR. HIRANO: I'd like the Executive Director to just answer that, but that's the information I had received from her.

MS. VASCONCELLOS: The clinic has more employees than that. The clinic has two full-time doctors, a full-time nurse, a full-time medical assistant, a clinic manager, three medical receptionists, a dentist, a dental assistant, and the behavioral health psychologist will be coming on board in October. The kupuna nutrition program has currently three people in it. The farm has, I think we're at eight right now, and administrative staff includes accounting, my position, operations manager, and behavioral health director. So there's four. So that should be in the ballpark of 30.

COUNCILMEMBER MEDEIROS: Okay, and right, the PowerPoint also mentioned behavioral health and mental health services. Now, do you contract that out or do you have a full-time person that does that and what's the qualifications of that person? Do you have a psychologist or a psychiatrist?

MS. VASCONCELLOS: A licensed psychologist will be starting in October. We've had them in the past and for various reasons Hana was not a fit, but we have somebody who will be starting, a full-time licensed psychologist in the State who will be starting in October.

COUNCILMEMBER MEDEIROS: Okay. So you said it was off and on prior to that?

MS. VASCONCELLOS: Well, for a year at a time it's been.

COUNCILMEMBER MEDEIROS: Okay. Now, you made a statement that you be, well, Hana Health--I don't want to say you as a personal person, but you are the Executive Director, and so when I say you, it's Hana Health.

MS. VASCONCELLOS: I understand.

COUNCILMEMBER MEDEIROS: Right. You did make a statement that Hana Health would be willing to give up the physician's house in order to kind of mediate between dialysis there, and then having your physician find some other accommodations. But actually you're not giving up anything because you don't have a lease for the physician's house; do you?

MS. VASCONCELLOS: That's correct, we don't have a lease. Historically, that house has been made available to the physician who serviced Hana whether it was by, whether the State was operating the clinic or Kaiser was operating the clinic, or in this case, Hana Health was operating the clinic. And 11 years ago, at the time of the privatization and before I arrived on the scene, the board did write a grant application to the County to renovate the facility for use by the, by the Hana Health doctor, and based on that and the historical use of the facility, we've been using it. And so...

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COUNCILMEMBER MEDEIROS: Okay. So you're on the County property without a lease. Do you pay any kind of rent?

MS. VASCONCELLOS: No, we do not.

COUNCILMEMBER MEDEIROS: So the County hasn't received any kind of payment for the property that you used for how long?

MS. VASCONCELLOS: We've used it for 11 years, and we, maybe incorrectly so, believed that that was the County's contribution to making sure we had good healthcare in the community and--

COUNCILMEMBER MEDEIROS: Okay. Your organization is a private organization --

MS. VASCONCELLOS: Private--

COUNCILMEMBER MEDEIROS: --it's not a County, or State, or Federal?

MS. VASCONCELLOS: Private nonprofit, correct.

COUNCILMEMBER MEDEIROS: Right. And the executive order from the State to the County in 1928 for that physician house specifically says that that house would be used for a County physician. The County physician, the County closed the County hospital many years ago.

MS. VASCONCELLOS: Correct.

COUNCILMEMBER MEDEIROS: And you don't have a County physician, you have a private physician.

MS. VASCONCELLOS: We don't have a County physician.

COUNCILMEMBER MEDEIROS: Right. So why would you think you had the right to use that property under those circumstances and under the description of the executive order?

MS. VASCONCELLOS: Well, because the State was using the house for a State-employed physician, and then Kaiser was using the house for a Kaiser-employed physician, and then we began to use the house for the Hana Health-employed physician. So based on the historical use, we assumed, again maybe incorrectly so, that we had that house made available to us for use by our physician.

COUNCILMEMBER MEDEIROS: So in your applications for CDBG funds you did make the entry on your application that you had a lease with the County for that property. Now, so was that incorrect that you put that down?

MS. VASCONCELLOS: I don't believe, I don't believe we said we had a lease for the property.

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COUNCILMEMBER MEDEIROS: We did look at the copy of your application and the, to CDBG, and it does show that you mentioned that you had a lease for the use of that house and that's why you were applying for applica..., for funding to make the improvements to that structure.

MS. VASCONCELLOS: That, again, I don't think you'll find my signature on that. That was prior to my being on board, and so the board of directors at the time believed that there was a lease involved.

COUNCILMEMBER MEDEIROS: Okay. Well, thank you for your responses. And, Mr. Chairman, thank you for the opportunity. And may I make, say something before I leave?

CHAIR MOLINA: Proceed, Mr. Medeiros.

COUNCILMEMBER MEDEIROS: Thank you, Mr. Chairman. You know, in, in light of many unanswered questions regarding this application, my recommendation would be to defer this until we can get some more, more accurate information on this application. And that would be my recommendation before I leave, but thank you for this opportunity, Mr. Chairman.

CHAIR MOLINA: So noted, Mr. Medeiros. Back to Member Anderson to conclude your line of questioning and thank you for yielding to Mr. Medeiros. And after you're done, we'll have Member Baisa who has a question for Ms. Vasconcellos.

COUNCILMEMBER ANDERSON: Yeah, I just want to make one comment before Member Medeiros leaves. This issue was brought before the, actually the physician's house and the dialysis needs in Hana were brought before the Governor's Advisory Committee some months ago. And at that meeting Daniel Ornellas from DLNR advised the Advisory Committee that there would be no need to change the zoning to use that house as a physician, I mean as a dialysis center. And I just wanted to make that clear, because it was stated earlier that there would be a need for a Change in Zoning.

So I guess the only other question I have is do you have a more accurate figure on what the required build-out will be because, I mean it looks so ambitious that I think 26 million is, especially given the fact that just the medical center is going to take 10 million, I think we need to have some idea on what your expectations are as far as the overall build-out and what it would take to do it.

MS. VASCONCELLOS: It's very ambitious which is why it's long-range. It's a conceptual plan of what we would like to see happen given all the resources lining up accordingly, but, you know, we're also realistic which is why we are not approaching this as a \$26 million project. We're approaching it as a, first, we're going to do a nutrition center, raise the money for that, and next we're going to do--

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COUNCILMEMBER ANDERSON: So you don't have any idea on what it would cost, say you could build it all in five years? You haven't projected out what, how much money you're going to have to have in order to do that?

MS. VASCONCELLOS: The last projection was \$26 million which was--

COUNCILMEMBER ANDERSON: And that was five years ago?

MS. VASCONCELLOS: That was five years ago.

COUNCILMEMBER ANDERSON: Okay. Thank you. Thank you, Chairman.

CHAIR MOLINA: Thank you, Member Anderson. Member Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. I, too, have a lot of questions, and I still haven't had the opportunity to read this whole document. I read half of it, and I feel there's a lot of information in it that I'd like to spend more time looking at. But for now, I'm interested in the nutrition center because it seems to be that that's the eminent piece of this.

MS. VASCONCELLOS: Right.

COUNCILMEMBER BAISA: How many clients do you serve at present?

MS. VASCONCELLOS: Kupuna, we have 95 kupuna who we serve in the Hana district as well as, are you talking--

COUNCILMEMBER BAISA: Daily, how many people do you feed?

MS. VASCONCELLOS: Do we feed daily? It could range from probably 35 to 100 depending on whether we're doing delivery to Keanae and, and Nahiku that day.

COUNCILMEMBER BAISA: And so a lot of this is home-delivered meals and not necessarily people coming to the center?

MS. VASCONCELLOS: Yes, coming to the center probably 15 to 20.

COUNCILMEMBER BAISA: And is this an income qualified program or, and do they pay?

MS. VASCONCELLOS: It is not income qualified. It is native Hawaiian qualified.

COUNCILMEMBER BAISA: And so the meals are free to the participants?

MS. VASCONCELLOS: They are free to the participants, and we can ask for contributions.

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COUNCILMEMBER BAISA: And that, that's--

MS. VASCONCELLOS: Of course, that's very limited.

COUNCILMEMBER BAISA: No, that, that's great. And how many days a week do you do this and is it one meal a day?

MS. VASCONCELLOS: Monday, Wednesday, Friday we do lunch; and Monday, Tuesday, Wednesday, Thursday we also do dinner.

COUNCILMEMBER BAISA: So there's days of the week where you do two meals a day?

MS. VASCONCELLOS: Yes.

COUNCILMEMBER BAISA: You know, I'm really happy to hear that. I always have a problem with only lunch because I don't know about everybody else, but I eat three times a day.

MS. VASCONCELLOS: Yes.

COUNCILMEMBER BAISA: And, you know, if you're sick enough to really need assistance with meals --

MS. VASCONCELLOS: Yes, I know.

COUNCILMEMBER BAISA: --you probably need them three times a day, seven days a week. So that would be, my ideal meals program is that people could have, you know, meals three times a day, seven days a week.

MS. VASCONCELLOS: I agree.

COUNCILMEMBER BAISA: So I was just curious of the extent of what you're doing right now.

MS. VASCONCELLOS: Okay.

COUNCILMEMBER BAISA: Now, in your planning do you see or have you any idea of what you think you'll be doing?

MS. VASCONCELLOS: In the nutrition center?

COUNCILMEMBER BAISA: Yes.

MS. VASCONCELLOS: Well, part of what we're currently doing, we do a lot of chronic disease management, and so we're really working with diabetic patients to do meal planning, cooking, training, helping serve meals to them so they are eating better. We have done salad bar for Hana

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School. We're planning to start a breakfast program with Hana School where we provide fruit, at least fresh fruit every morning, but we're waiting for a funding source to come through on that one. We'd like to continue to do some kind of a salad program for the school. We do salads for the community. We provide a healthy meal for all the fitness participants, so there's another group of people who get regular meals. So...

COUNCILMEMBER BAISA: And, and for now most of this is funded by a Federal program?

MS. VASCONCELLOS: Federal, State. The kupuna program has a dedicated funding source, but it doesn't cover the cost, and so we also use State and Federal funding to help cover.

COUNCILMEMBER BAISA: Yeah, these meals programs can be quite expensive.

MS. VASCONCELLOS: Yes, they are.

COUNCILMEMBER BAISA: And so, I'm concerned about, you know, having income to pay expenses. You know, it was mentioned earlier that, by one of the testifiers, comparing this with Cameron Center. And I sit on the Cameron Center board, and I'm a recent board member, probably been on it now for about three years, and so I'm pretty familiar. And, you know, one of the issues in building something like this, of course, is the cost of maintenance.

MS. VASCONCELLOS: Yes, that's right.

COUNCILMEMBER BAISA: And I'm wondering how much attention has been paid to that. You know, just the electric bill alone --

MS. VASCONCELLOS: I know.

COUNCILMEMBER BAISA: --is a nightmare.

MS. VASCONCELLOS: Yes, I know. We, we are dealing with that now with our facilities. We've watched the electric bill really doubled, more than doubled in the last year. But as we do the feasibility for each component of the project maintenance is, is plugged in there. That is a piece of what we know we need to cover, and that, that goes into the feasibility plan.

COUNCILMEMBER BAISA: And, and, of course, my concern was, you know, being that Hana is a very tiny community, I'm assuming that there would have to be income derived from non-Hana residents in order to make this feasible, because it's a big complex.

MS. VASCONCELLOS: If it all actually comes to fruition, it will be huge and it won't be built unless we can afford it and unless we can sustain it. Realistically looking at the next ten years, I will be thrilled to have built out the nutrition center and the medical center. I mean those, those are the two major priorities right now. Senior housing is, is high on the list as well. So it's very

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ambitious. Again, realistically I don't believe we're going to see a lot of components of this plan on an immediate basis. It's going to be pretty long-range.

COUNCILMEMBER BAISA: Well, the reason I'm real interested in this is, of course, you know my background in, in the nonprofit sector.

MS. VASCONCELLOS: Yes.

COUNCILMEMBER BAISA: And, you know, we've been encouraged to think about social entrepreneurship --

MS. VASCONCELLOS: Yes.

COUNCILMEMBER BAISA: --as a way of keeping our services alive. So if this is feasible, and if you have the good numbers and the support, then it will work.

MS. VASCONCELLOS: Yes.

COUNCILMEMBER BAISA: So I'm very interested in feasibility. So thank you very much.

MS. VASCONCELLOS: Okay. Thank you.

CHAIR MOLINA: Thank you, Member Baisa. Before the Chair recognizes other Members for questions, the Chair has one question for you, Ms. Vasconcellos.

MS. VASCONCELLOS: Yes.

CHAIR MOLINA: The issue of mediation has been brought up by folks here today as well as from some of our written testimony that I've received. I would consider you taking that as something for your consideration as well. I know it's been a rather divisive issue in the community and, you know, I think as one Member stated, it was so unfortunate a nice, small community like Hana there's something like this, you know, causing some divisiveness in the community, and obviously there is a need for some type of medical facility out there. Can I get your comments on this issue of mediation?

MS. VASCONCELLOS: Well, the board did address this quite a while ago and, and there is a primary issue that really is not very negotiable. We have followed our legal counsel's advice with regards to changes to the bylaws and the membership and that seems to be the underlying issue for at least one member of the Hana community. Frankly, I think people really want good, high quality healthcare and most people are not that concerned about who is electing the board of directors. They know that this board is nominated through the nominating process, that they are members of the community, that they live there, that they want the best medical care and social services available for Hana, for themselves as well as their families.

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And I think that that sort of a red herring that people keep waving. We serve 1,800 people, 1,800 people seem to be pretty satisfied with the services that we're providing and our numbers are growing. So I think there are these side issues that have resulted from the privatization of the health center where people lost jobs, and unions sued us, and all of that kind of stuff, but looking at what we really do and who we really service, people are pretty happy with what we're doing over there and the one point that's really bugging John is this board issue. And, again, we have followed our legal, our legal counsel's advice to have our bylaws look the way they do which is in compliance with State and Federal law and with Federally qualified health centers. So I don't see how mediation is going to resolve that and that seems to be the underlying issue.

CHAIR MOLINA: Okay, and you mentioned the board met on this or was it a meeting where other members of the community could come in and give their input on this?

MS. VASCONCELLOS: We, no, it was not where other members could come in, but they, the board had been involved in a community meeting where this issue was raised, and so there were a lot of community members present at that.

CHAIR MOLINA: Could you provide us, at a later point, I guess when that meeting occurred and, if possible, if there are some minutes, for future reference?

MS. VASCONCELLOS: That was, I think, in 2005.

CHAIR MOLINA: Okay.

MS. VASCONCELLOS: And that was when the Governor's Advisory Committee stormed into town.

CHAIR MOLINA: Okay. We'll, we'll try and get the minutes of those meetings.

MS. VASCONCELLOS: Okay.

CHAIR MOLINA: Thank you. January of 2005. Okay, Members, the floor is open for more questions for Ms. Vasconcellos. Chairman Hokama?

COUNCILMEMBER HOKAMA: Chairman, thank you. This would be for either the Director or Mr. Hirano, but I would like the Department to think about a response to it. And, Chairman, and we thank you for a copy of the October 26, 2005 correspondence from then-Chairman Peter Young to Mr. Foley, then-Planning Director. And, and, Ms. Vasconcellos and Mr. Hirano, we, we note that while Director, Chairman Young did provide his approval to move your project forward, and he clearly states that what he is providing comments on is a conceptual plan that was presented to what I believe was the Land Board. He also states in the middle of the second paragraph that we, and again I am assuming he is speaking on behalf of the Land Board, do have some concerns about other aspects of the conceptual plan.

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So I was trying to go through the minutes of the Advisory and Planning Commission's meetings on this project. Could you tell us what was the Land Board's issues regarding components of conceptual plan that Chairman Young is referring to, please?

MS. VASCONCELLOS: They haven't really expressed to us what those are, but I can tell you that our lease agreement with DLNR requires that any construction project come before DLNR for final approval. So although they've written that letter, I, I'm sure that as we bring projects forward we will hear what their concerns are and will have to address them.

COUNCILMEMBER HOKAMA: So at this time you're unaware of any specific aspects of their stated concern and, therefore, the plan that you are presenting to us for consideration has not in anyway been adjusted to mitigate any of those concerns? Since you, since, as we understand it, you are unaware of any concerns, specific concerns to mitigate?

MS. VASCONCELLOS: Specific concerns, correct. And so, this plan was modified, I think, almost two and a half, three years ago based on all of the input we got in three Hana Advisory Committee meetings which there was a lot of active involvement by the community, and we responded to that, and we, you know, revised the plans, we made changes to the zoning requests. So everything you see is based on community input at this point, and as we move projects forward and have to go to DLNR, they, I'm sure, will have other issues that they're going to raise that we'll need to address.

COUNCILMEMBER HOKAMA: Okay. Thank you.

MR. HIRANO: Chair, Chair Hokama, I'd like to just add to that. I was not at the board meeting where the lease was discussed, however, we did meet with Peter Young at the time onsite, with Russell Tsuji, and I believe that was--and Daniel Ornellas. What Mr. Young had expressed during that meeting I think was really the terms of the lease and the, the aspect of if this is a revenue generating enterprise, if the lease agreement that they have right now would be fair to the State in that it's only a nominal rent that is paid for the lease. And so, I think it was that aspect that raised the query about, you know, looking at it further in terms of the development of the site plan. It would need the approval of the Board of Land and Natural Resources, and then whether or not there would be revenue, and that would affect the terms of the lease.

COUNCILMEMBER HOKAMA: Thank you for the comment. Chairman, I just would like to ask the Department if that's their understanding, and it's to the same question, please.

CHAIR MOLINA: Okay. Proceed, Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman. So, Planning Department, either our new Deputy Aoki or Mr. Yoshida, is that our Planning Department's understanding of Chairman Young's comments regarding his, his stated concerns? And, again, I'm just relying on this one correspondence. Again, if you can direct me to somewhere in the minutes that further expresses or clarifies these comments from the Department of Land and Natural Resources, I

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would appreciate it. But as shared by Ms. Vasconcellos and Mr. Hirano, is that the Planning Department's understanding also regarding DLNR's concerns?

CHAIR MOLINA: Mr. Yoshida?

MR. YOSHIDA: Chair Hokama, I guess we don't have any further information on this specific reference, I guess, made by the then-Chairperson Young on the conceptual plan. I mean the comments from the Department of Land and Natural Resources which are attached to the staff report are, you know, fairly benign. I guess, the applicant in Exhibit 28. . .and the applicant had just responded to comments from the Water Resource Management, the Commission on Water Resources Management and the Engineering Division.

COUNCILMEMBER HOKAMA: Okay. Mr. Yoshida, thank you. And, again, my, the purpose of my question is that if there is something specific that we can refer back to the applicants of how they tried to mitigate those specific concerns. And, again, Chairman, you know, it's difficult for us because it's already in his written communication that the Department of Land and Natural Resources has concerns, but we're unsure of specifically what they are and how the applicant or their, their representative would work to mitigate those areas of concern. I would ask, again, under your direction and, and consideration, Chairman, if it is worthwhile for us to ask the State Department to express more clearly and specifically if they do have concerns, that they need to share that with this Committee so that we can address and provide reasonable mitigative efforts to correct or, or eliminate those areas of concern if this still exists, and I'll put it in, in that sense. But I leave that to your discretion, Chairman Molina. Thank you.

CHAIR MOLINA: Okay. All right. Thank you, Mr. Chair, and I certainly can agree with you. The letter from then-Chairperson Young is not, doesn't quite give specifics, and I think it would be appropriate being that that letter was written in 2005 and in 2008 we should get a more explicit letter explaining what these concerns are from the DLNR, if there are still any.

Members, it's 4:30, and I realize we're going to be losing quorum real soon. Obviously, we're not going to get to a decision being made here on this matter, but obviously some very good issues have been brought up. I would like to just offer some comments on this for consideration.

Again, I think the, I know Ms. Vasconcellos stated that the board didn't feel mediation is necessary. I would still like to offer, again, at this point my own opinion that mediation might be something to consider being that this has been such a somewhat unfortunate divisive issue in the community. And, of course, being that it's not a decision-making point here for this Committee on this matter, this is just a suggestion. I will concur with an earlier testifier that the next meeting should be held in Hana whether it be this term or next. Obviously, we would get a lot more testimony as well and a lot of additional input on this particular matter.

Members, I'd like to hear any other comments or suggestions from you that we could add into the Committee report as it relates to this particular matter here today. And this has been the first,

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I've been told, official meeting on this matter as far as the Land Use Committee goes. Any comments? Chairman Hokama?

COUNCILMEMBER HOKAMA: Chairman, just maybe one request to the Director and her, her consultant, Mr. Hirano, that since it has been brought forward this afternoon and questioned, if you have the resources available, it might be worthwhile for you to get an update on the potential cost of your phases of build-out, and, and, again, you know, for Lanai we use \$350 a square foot already and whether or not we have similar situations. Obviously 250 is not going to work anymore, five years ago figures. So that might be, I would ask as a consideration you might want to update for the Committee and as well as your benefit to your potential funders.

And I share that, Mr. Chairman, because I had asked the Director, and she was very candid and upfront, whether or not it was the intention of the center to ask the County for financial funding of this project. And it is my understanding that at this point in time it is not the center's position to ask the County of Maui to fund this portion or the project itself. So I just share that, and I appreciate the center's efforts to not seek County funding for the build-out of this project. Thank you.

CHAIR MOLINA: Okay, thank you, Chairman Hokama. Committee Members, any other comments before we close today with regards to Land Use Item 1? Seeing none, Members, and the Chair will defer Land Use Item 1. Any objections?

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS (excused: JJ, DM, BM).

ACTION: DEFER pending further discussion.

CHAIR MOLINA: Okay, so ordered, Members. ...*(end of tape, Side 3A)*... Okay. Seeing none, it is 4:35. The Chair would like to thank the Administration as well as the Committee Staff, and Mr. Hirano, and Ms. Vasconcellos--

MR. HIRANO: Thank you, Chair Molina and Committee Members.

CHAIR MOLINA: --thank you--and all of our friends who came, made the long journey over here from Hana today to share their mana'o with us on this very important matter. So with that being said, I'd like thank Committee Members for all of your professionalism and dedication and the Administration as it relates to this and other Land Use matters. It is 4:36, Wednesday, September 17, 2008. This Land Use Committee meeting is now adjourned. ...*(gavel)*...

ADJOURN: 4:36 p.m.

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APPROVED:



MICHAEL J. MOLINA, Chair
Land Use Committee

lu:min:080917

Transcribed by: Jessica Cahill

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CERTIFICATE

I, Jessica Cahill, 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 2nd day of October, 2008, in Wailuku, Hawaii


Jessica Cahill