

COMMITTEE OF THE WHOLE

Council of the County of Maui

Meeting Agenda

October 4, 2005

9:00 a.m.

Council Chamber, 8th Floor

200 South High Street, Wailuku, Hawaii

website: <http://www.co.maui.hi.us/committees/COW/>

e-mail: cow.committee@mauicounty.us

COMMITTEE MEMBERS

Michael J. Molina, Chair

Dain P. Kane, Vice-Chair

Michelle Anderson

Robert Carroll

G. Riki Hokama

Jo Anne Johnson

Danny A. Mateo

Joseph Pontanilla

Charmaine Tavares

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Richelle Kawasaki or Clarita Balala) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

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COW-2(13) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (VARIOUS)

DESCRIPTION: The Committee is in receipt of correspondence dated September 9, 2005 and September 12, 2005 (both received on September 13, 2005), from the Mayor, requesting consideration of the following nominations to boards, committees, and commissions:

A. AFFIRMATIVE ACTION ADVISORY COUNCIL

1. Larry Laird (replacing Brenda Plant), for a term expiring on March 31, 2006.

B. BOARD OF WATER SUPPLY

1. Carl Holmberg (replacing Michele McLean), for a term expiring on March 31, 2009.

MORE →

C. LIQUOR CONTROL COMMISSION

1. Mary Cabuslay (replacing Edwin Vila), for a term expiring on March 31, 2010.

D. MAUI COUNTY GRANTS REVIEW COMMITTEE

1. Christina Paleka (replacing Punahele Alcon), for a term expiring on March 31, 2007.

STATUS: The Council must approve or disapprove the nominations by November 12, 2005, or the nominees will be deemed approved. The Committee may consider whether to recommend approval or disapproval of the nominations. The Committee may also consider other related action.

**COW-2(14) NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS
(URBAN DESIGN REVIEW BOARD)**

DESCRIPTION: The Committee is in receipt of correspondence dated September 19, 2005 (received on September 20, 2005), from the Mayor, requesting consideration of the nomination of Bryan Maxwell to replace Christopher Hart on the Urban Design Review Board for a term ending March 31, 2010.

STATUS: The Council must approve or disapprove the nomination by November 19, 2005, or the nominee will be deemed approved. The Committee may consider whether to recommend approval or disapproval of the nomination. The Committee may also consider other related action.

**COW-5(7) SPECIAL COUNSEL AUTHORIZATION (TRINIDAD K. ALCONCEL, ET AL.
V. COUNTY OF MAUI, HAWAII, CIVIL NO. CV05-00280 SPK BMK)**

DESCRIPTION: The Committee is in receipt of correspondence dated September 26, 2005, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL, MARR HIPP JONES & WANG, IN TRINIDAD K. ALCONCEL, ET AL. VS. COUNTY OF MAUI, CIVIL NO. CV05-00280 SPK BMK". The purpose of the proposed resolution is to authorize special counsel in the aforementioned case due to the complexity of litigation issues.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

**COW-5(8) SPECIAL COUNSEL AUTHORIZATION (JACK HENRY WILLIAMS, JR., ET
AL. V. COUNTY OF MAUI, HAWAII, CIVIL NO. CV05-00278 DAE LEK)**

DESCRIPTION: The Committee is in receipt of correspondence dated September 26, 2005, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL, MARR HIPP JONES & WANG, IN JACK HENRY WILLIAMS, JR., ET AL. VS. COUNTY OF MAUI, HAWAII, CIVIL NO. CV05-00278 DAE LEK". The purpose of the proposed resolution is to authorize special counsel in the aforementioned case due to the complexity of litigation issues.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

NOTE: With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.

COW-19 STATE FIRE CODE

DESCRIPTION: The Committee is in receipt of the following:

1. County Communication No. 05-90, from the Fire Chief, transmitting a proposed bill to adopt the State Fire Code with modifications
2. Correspondence dated August 18, 2005, from the Department of the Corporation Counsel, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE ADOPTING THE STATE FIRE CODE, WITH CERTAIN AMENDMENTS THERETO". The purpose of the revised proposed bill is to adopt the State Fire Code with modifications.

STATUS: The Committee may consider whether to recommend passage of the revised proposed bill on first reading, with or without revisions. The Committee may also consider the filing of County Communication No. 05-90 and other related action.