

COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

March 11, 2005

**Committee**  
**Report No.** 05-13

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

Chair and Members:

Your Committee of the Whole, having met on February 15, 2005, makes reference to County Communication No. 05-20, from the Council Chair, relating to the matter of nominations to boards, committees, and commissions.

By correspondence dated January 27, 2005 (received on January 28, 2005), the Mayor transmitted a listing of nominees to the various boards, committees, and commissions, along with their personal history forms. The nominees are as follows:

1. Nominees to boards, committees, and commissions that require Council approval or disapproval within 60 days:
  - A. REAL PROPERTY TAX REVIEW BOARD
    1. Marilyn Colvin (replacing Kyle Yamashita), for a term expiring on March 31, 2007.
  - B. SALARY COMMISSION
    1. Frederick Rohlfing (replacing Gladys Baisa), for a term expiring on March 31, 2008.
2. Nominees to boards, committees, and commissions that require Council approval or disapproval with no time limitation:
  - A. URBAN DESIGN REVIEW BOARD
    1. John Sprinzel (replacing Robert Henriques), for a term expiring on March 31, 2008.

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

1. For most of the boards, committees, and commissions, the Mayor is required to submit nominees 60 to 70 days before the prior members' terms expire, and the Council must approve or disapprove the nominee within 60 days thereafter or the nominee is deemed appointed. If the Council disapproves a nominee, it shall immediately notify the Mayor of its action. In the event that the Council fails to approve or disapprove the Mayor's nominee within the time period provided, the nominee shall be deemed appointed to fill the vacancy upon its occurrence. This procedure applies to the following boards, committees, and commissions:
  - A. Affirmative Action Advisory Council (Maui County Code, Sections 2.29.010, 2.29.020, and 2.40.080; Maui County Charter, Section 13-2);
  - B. Animal Control Board (Maui County Code, Section 6.04.095; Maui County Charter, Section 13-2.17);
  - C. Board of Code Appeals (Maui County Code, Sections 2.40.190 and 16.20A.190; Maui County Charter, Section 13-2);
  - D. Board of Ethics (Maui County Charter, Sections 10-2, 13-2);
  - E. Board of Variances and Appeals (Maui County Charter, Sections 8-8.7 and 13-2);
  - F. Board of Water Supply (Maui County Charter, Sections 8-11.3 and 13-2);
  - G. Civil Service Commission (Maui County Charter, Sections 8-9.4, 13-2; Hawaii Revised Statutes, Sections 76-71 and 76-47);

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- H. Commission on Children and Youth (Maui County Code, Section 2.39.010; Maui County Charter, Section 13-2);
- I. Commission on Culture and the Arts (Maui County Code, Chapter 2.37 and Section 2.40.200; Maui County Charter, Section 13-2);
- J. Commission on Naming Streets, Parks, and Facilities (Maui County Code, Sections 2.38.030 and 2.40.140; Maui County Charter, Section 13-2);
- K. Commission on Persons With Disabilities (Maui County Code, Sections 2.32.020 and 2.32.030; Maui County Charter, Section 13-2);
- L. Cost of Government Commission (Maui County Charter, Sections 8-15.2, 3-15.3, and 13-2);
- M. Council on Aging (Maui County Code, Sections 2.34.020, 2.34.030, and 2.40.010; Maui County Charter, Section 13-2);
- N. Fire and Public Safety Commission (Maui County Charter, Section 8-7.2 and 13-2);
- O. Hana Advisory Committee (Maui County Code, Sections 2.28.060 and 2.40.130; Maui County Charter, Section 13-2);
- P. Lanai Planning Commission (Maui County Code, Section 2.28.025; Maui County Charter, Sections 8-8.4 and 13-2);
- Q. Liquor Control Adjudication Board (Maui County Charter, Sections 8-13.3 and 13-2);
- R. Liquor Control Commission (Maui County Charter, Sections 8-13.2 and 13-2);

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- S. Maui County Cultural Resources Commission (Maui County Code, Sections 2.88.030 and 2.40.110; Maui County Charter, Section 13-2);
  - T. Maui County Grants Review Committee (Maui County Code, Sections 2.40.160 and 3.36.020; Maui County Charter, Section 13-2);
  - U. Maui Planning Commission (Maui County Code, Section 2.28.010; Maui County Charter, Sections 8-8.4 and 13-2);
  - V. Molokai Planning Commission (Maui County Code, Section 2.28.020; Maui County Charter, Sections 8-8.4 and 13-2);
  - W. Police Commission (Maui County Charter, Sections 8-12.2 and 13-2);
  - X. Real Property Tax Review Board (Maui County Code, Sections 2.40.170 and 3.48.620; Maui County Charter, Section 13-2);
  - Y. Salary Commission (Maui County Code, Section 2.40.210 and Chapter 2.42; and Maui County Charter, Sections 8-16.1 and 13-2);
  - Z. Street Lighting Committee (Maui County Code, Sections 2.40.030, 12.17.010, and 12.17.020; Maui County Charter, Section 13-2); and
  - AA. Subdivision Engineering Standards Committee (Maui County Code, Sections 2.40.020 and 18.40.010; Maui County Charter, Section 13-2).
2. For the following boards, committees, and commissions, the Mayor is required to submit nominees for Council approval, but there is no time limitation for the Council's approval, except for the

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representative from Council who shall be appointed by the Council for a two-year term:

- A. Kula Agricultural Park Committee (Maui County Code, Sections 2.40.180 and 22.04.070);
- B. Maui Redevelopment Agency (Maui County Code, Section 2.40.050; Hawaii Revised Statutes, Section 53-2); and
- C. Urban Design Review Board (Maui County Code, Sections 2.26.030 and 2.40.100; Maui County Charter, Section 13-2.1).

Your Committee further notes that the deadline for the Council to approve or disapprove the nominees who are subject to the 60-day Council approval process is March 29, 2005.

At its meeting, your Committee met with the Senior Executive Assistant to the Mayor and the First Deputy Corporation Counsel.

There was no public testimony.

Your Committee discussed the nomination of persons from Lanai and Molokai to serve on various boards, committees, and commissions. The Senior Executive Assistant to the Mayor indicated that persons from the outer islands are nominated when required by law, and also for the more "major" boards and commissions where the functions of the County will be affected. He noted that quorum issues have arose due to the inability of outer island members to attend meetings on Maui, and that cost considerations are also taken into account when the Mayor considers nominations.

Your Committee voted to recommend approval of the nominations of Marilyn Colvin to the Real Property Tax Review Board, Frederick Rohlfing to the Salary Commission, and John Sprinzel to the Urban Design Review Board.

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Your Committee of the Whole RECOMMENDS the following:

1. That the following nominees to the County boards, committees, and commissions be APPROVED:
  - A. REAL PROPERTY TAX REVIEW BOARD
    1. Marilyn Colvin (replacing Kyle Yamashita), for a term expiring on March 31, 2007.
  - B. SALARY COMMISSION
    1. Frederick Rohlfing (replacing Gladys Baisa), for a term expiring on March 31, 2008.
  - C. URBAN DESIGN REVIEW BOARD
    1. John Sprinzel (replacing Robert Henriques), for a term expiring on March 31, 2008.
2. That a copy of this committee report be TRANSMITTED to the Mayor of the County of Maui.

Adoption of this report is respectfully requested.

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MICHAEL J. MOLINA Chair

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JO ANNE JOHNSON Member

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DAIN P. KANE Vice-Chair

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DANNY A. MATEO Member

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MICHELLE ANDERSON Member

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JOSEPH PONTANILLA Member

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ROBERT CARROLL Member

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CHARMAINE TAVARES Member

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G. RIKI HOKAMA Member