

## GET Committee

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**From:** Tom Croly <TCroly@maui.net>  
**Sent:** Thursday, January 16, 2020 3:22 PM  
**To:** GET Committee  
**Cc:** Gladys Baisa  
**Subject:** Public Testimony for GET-40

Public Testimony for GET-40 AMENDING CHAPTER 2.41, MAUI COUNTY CODE, RELATING TO ATTENDANCE AT BOARD, COMMISSION, AND COMMITTEE MEETINGS BY APPOINTED MEMBERS

Submitted by Thomas Croly

I support the proposed amendments to Maui County code chapter 2.41 relating to attendance requirements for Board and Commission members. It is vital that all Board or Commission members be present at any meeting in order for the applicants or appellants to receive a fair hearing. Absence of a Board or Commission member does a disservice not only to the process, but to the public, who might wish to be heard on the issue, the staff, who must prepare for the meeting and to their fellow Board and Commission members.

I have been to and participated in many meetings where Commission member absences has caused a problem. The worst thing that happens is when a permit applicant has gone to the effort an expense to send notice of a public hearing (by certified mail) to all property owners within 500 feet (sometimes as many as 500 letters at \$5.00/letter) and then the meeting is cancelled because of lack of quorum. The applicant is then asked to send notice of a new hearing date, a second time, at great expense. And in many cases the applicant is not a resident of Maui and has flown in for the hearing and must make another trip to attend the hearing at a later date. Worse yet, sometimes the hearing is held with bare quorum, but lack of a majority vote prevents the Commission from making a decision and the Commission must defer action on the item to a future meeting.

I support the provision in section F that calls for removal of any Board or Commission member who misses more than 50% of the meetings in any 12 month period. But I also think the rules should be even stricter for unexcused absences. I would suggest amending section E to add a sentence the end to say: Should any board member accumulate 3 or more unexcused absences in any 12 month period, the chairperson shall send a letter to the Mayor to recommend the the member be removed.

Service on a Board or Commission is voluntary and the County and public are deeply indebted to any person who performs such volunteer service. But the gravity of the member's faithful and regular attendance is paramount. No person should offer to serve, unless they are ready to make their very best effort to attend all meetings and limit any absences to a rarity with ample notice given, except in the case of emergencies.