

HFC Committee

From: Jo Anne J Winer <mynaboyd@icloud.com>
Sent: Wednesday, October 02, 2019 11:10 PM
To: HFC Committee
Subject: Testimony for Committee Meeting of October 3, 2019 - Agenda item HFC-3

October 2, 2019

Healthy Families and Communities Committee written testimony

Date of meeting: October 3, 2019

PERMITTED USE, OVERUSE and MANAGEMENT OF LAHAINA BANYAN COURT PARK, LAHAINA HISTORIC DISTRICT (HFC-3)

Dear Chair Hokama and Committee members -

I am sorry that I am unable to attend your meeting however I am attaching an old COW agenda from February 17, 1999 to illustrate how long the Banyan Tree and Courthouse use has been considered by the Council.

I also know that this issue was debated and discussed both during my Council term and afterward. At the time, the property was under the control of Maui County via Executive Order.

It is my understanding that the property has now been returned to the State and is under their control. If this is the case, then I would ask certain questions. If not, then the following questions should still be asked before taking any action.

Has the Governor rescinded the original Executive Order?

If the County no longer has jurisdiction over the area who will continue to pay for the maintenance, repair and related expenses associated with the facility?

Does the Council or Cultural Resources Commission even have any legislative authority over the area if it is state controlled?

Will past agreements with non-profits that are also County grant recipients be impacted by the state assuming control of the area?

Has the Council or any Committee done a comprehensive review of the costs associated with maintaining the Banyan Tree Park and Courthouse or the value of the leases to the Courthouse occupants and Park Vendors?

Is an impact analysis being conducted to determine overuse and/or possible harm to this historic area? If not, will the State or the County be responsible for any costs associated with such a study.

Until these fundamental issues are resolved and questions answered to the satisfaction of the Council how can a response to the State or the public be considered?

Please respectfully consider the questions posed and try to resolve the never-ending debate and controversy surrounding this issue.

Sincerely,

JoAnne Johnson Winer

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1 of 2

Sent from my iPhone

COMMITTEE OF THE WHOLE
Council of the County of Maui

RECEIVED

FEB 11 AM 11:03

Meeting Agenda

February 17, 1999
7:00 p.m.
Lahaina Intermediate School Cafeteria
871 Lahainaluna Road
Lahaina, Maui, Hawai'i

COMMITTEE MEMBERS

- Dain P. Kane, Chair**
- Patrick S. Kawano, Vice-Chair**
- Michael A. Davis**
- J. Kalani English**
- John Wayne Enriques**
- G. Riki Hokama**
- Dennis Y. Nakamura**
- Wayne K. Nishiki**
- Charmaine Tavares**

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE SHOULD CALL THE OFFICE OF COUNCIL SERVICES AT 243-7838 (FROM MAUI), 1-800-272-0026 (FROM MOLOKA'I), OR 1-800-272-0098 (FROM LANA'I) AT LEAST THREE DAYS IN ADVANCE.

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item. Oral testimony shall be limited to three minutes. An additional minute to conclude testimony may be granted subject to discretion of the Committee Chair. If testimony is incomplete, an additional three minutes will be given after all others have been heard.

Agenda items are subject to cancellation. Please contact the Committee Staff (David Raatz or Yvette Bantilan) at the Office of Council Services at 243-7838 (from Maui), 1-800-272-0026 (from Moloka'i), or 1-800-272-0098 (from Lana'i) for a confirmation of the meeting date and time, and for tentative scheduling of agenda items.

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.

To learn more about Council-related issues, tune in to Akaku: Maui Community Television on cable channel 44 (TCI customers on Maui), channel 13 (TCI customers on Moloka'i and Lana'i), or channel 50 (Hawaiian Cablevision customers). Council time slots are: Saturdays at 4:00 p.m., Sundays at 12:00 p.m., Mondays at 8:00 p.m. and Thursdays at 12:01 a.m. Each time slot consists of about four hours.

1. USAGE OF THE OLD LAHAINA COURTHOUSE (COW-9)

- DESCRIPTION:** This matter relates to the proposed usage of the Old Lahaina Courthouse and the adjacent "Banyan Tree Park".
- STATUS:** The Committee will receive an update on this matter from the Administration. The Committee will consider whether there is any appropriate legislative action for the Council to take regarding this matter. The Committee may also consider other related action.