

WASSP Committee

From: John Blumer Buell <johnblumerbuell@gmail.com>
Sent: Friday, May 26, 2023 9:51 AM
To: WASSP Committee; Mayors Office; leo.Caires@mauicounty.gov; County Clerk; council.services@mauicounty.us; Alice L. Lee; Thomas M. Cook; Gabe Johnson; Tasha A. Kama; Tamara A. Paltin; Keani N. Rawlins; Shane M. Sinenci; Yukilei Sugimura; Nohe M. Uu-Hodgins; maui.clerk@mauicounty.us; Maui_County Council_mailbox; James G. Krueger
Cc: John Blumer Buell
Subject: NEW & URGENT PUBLIC TESTIMONY for the WASSP committee meeting of May 30, 2023. Agenda Item WASSP-2 Appointments to the East Maui Regional Community Board.
Attachments: WASSP COMMITTEE 5-26-2023.pdf; <https://mauicounty.legistar.com/View.ashx?M=F&ID=11945734&GUID=12D54839-EF52-4315-BB22-C06D0B069365>.pdf; Applicants, Excluding new ones East Maui Water Board .pdf

Some people who received this message don't often get email from johnblumerbuell@gmail.com. [Learn why this is important](#)

New Public Testimony. Please Confirm Receipt. Mahalo!

Wishing you a great Memorial Day weekend.....

JBB

John Blumer-Buell

Concerned Maui Citizen.

Applicant for the East Maui Regional Board.

johnblumberbuell@gmail.com 808-248-8972

Post Office Box 787 Hana, Hawai'i 96713

May 26, 2023

PUBLIC TESTIMONY for the WASSP committee meeting of May 30, 2023. Agenda Item WASSP-2 Appointments to the East Maui Regional Community Board. TESTIMONY AND EXHIBITS FOR PUBLIC DISTRIBUTION.

Subject: **Urgent and Timely** Concerns and Questions Regarding the **Maui County Charter 8-19.2 Regional Community Boards Requirements** in relation to the first ongoing “Applications Process” for the East Maui Regional Community Board.

Maui County Council Water Authority, Social Services, and Parks Committee (WASSP), Shane Sinenci, Chair

Sent via email with requests for confirmation of receipt to:

WASSP.Committee@mauicounty.us

Mayor Bissen mayors.office@mauicounty.gov

Mayor's Chief of Staff Leo Caires leo.Caires@mauicounty.gov

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Maui County Council Services county.council@mauicounty.us

Maui County Clerk maui.clerk@mauicounty.us

James G. Krueger james.krueger@mauicounty.us

Aloha Chair Sinenci and Committee Members,

I am writing to request your committee to carefully consider and legally resolve the “Urgent and Timely Concerns and Questions” before voting to confirm any appointments to the East Maui Regional Community Board.

Importantly, this will make the appointment process legally credible and understandable to the applicants and the citizens of Maui County.

My current understanding is there are contradictions between the enabling Maui County Charter Section 8-19.2 Regional Community Boards and the “interpreted” records and public information available in the ongoing “Application and Appointment Process”.

Here are two examples for your careful consideration:
FIRST, an example and excerpt from the enabling Maui County Charter approved by the voters, “**Section 8-19.2 Regional Community Boards**”. To be certain of accuracy, please check the correctness of the quoted language from the County web site.

“There is an East Maui regional community board. In conjunction with the investigation, acquisition, or control of water collection and delivery systems by the water authorities, the council may establish additional regional community boards by ordinance”.

1. “The East Maui regional community board is concerned with the Nāhiku, Ke'anae, Honomanū, and Huelo license areas, and consists of eleven members with a minimum of two members from each license area. **Eight members must have experience in water resource management and watershed restoration in the applicable watershed and reside in the applicable community plan area.** Of these eight members, four are appointed by the council, and four are appointed by the mayor. The three remaining members are appointed by the council based on the following requirements: one member with experience in water resource management who is actively engaged in ranching, farming, aquaculture, or loko i‘a in the area where water service is provided; one member with experience in water resource management who resides full-time in the area where water service is provided; and one member who is a

representative of the Hawaiian Homes Commission, and is recommended by the Department of Hawaiian Home Lands. If the Department of Hawaiian Home Lands fails to recommend a member within thirty days after receiving notice of a vacancy, the council will appoint a Hawaiian Home Lands representative as member”.

The first essential phrase for consideration is. “..... **reside in the applicable community plan area**”. The applicable community plan areas are “....the Nāhiku, Ke'anae, Honomanū, and Huelo license areas”.

Honorable Mayor Bissen’s May 2, 2023, letter to Chair Sinenci and the WASSP Committee (attached) stated in part, “In accordance with Section 8-19.2 of the Revised Charter of the County of Maui, as amended, I am transmitting my selected appointees for the East Maui regional community board and their assigned license areas, as follows: Mr. Kyle Nakanelua (Ke’anae), Mr. Moses Kahiamoe, Jr. (Nāhiku), Mr. Hugh Starr (Honomanū), Mr. Lester Wong (Huelo)”.

In my research and discussions to actually understand the process, I talked to several community members in Nahiku and Huelo. **I was informed the mayor’s appointment for the “applicable community plan area” of Nahiku does not live in the Hana Community Plan area as required by the enabling Maui County Charter approved by the voters. I was informed he lives in Huelo, grows kalo, is a well informed regarding that watershed area and attends the Door of Faith Church in Huelo.**

However, one person commented, “...As for the East Maui water authority. The requirements for the Mayor’s appointments are different than those of the Council”. And, “The mayor is not required to appoint one person from each of the lease areas”.

Those statements do not appear to be accurate or in agreement with the enabling Maui County Charter “Section 8-19.2 Regional Community Boards”.

Please publicly discuss and resolve this dilemma immediately..

This dilemma puts the legality and credibility of the new East Maui Regional Community Board at risk and undermines the legal authority of Maui County to acquire the Nāhiku, Ke'anae, Honomanū, and Huelo license areas.

The mayor needs to address and fix this situation IMMEDIATELY with the cooperation and constructive interaction of this committee.

**ʻA ʻohe hana nui ke alu ʻia.
No task is too big when done together by all.**

For timely and immediate resolution, I now publicly submit my name and qualifications to Mayor Bissen for consideration to fix this error. I will also ask Moses Bergau, Jr. of Nahiku to volunteer his services. We are both qualified applicants to serve as East Maui Regional Community Board Members as required by the enabling Maui County Charter approved by the voters, “Section 8-19.2 Regional Community Boards.”

If this dilemma has been intentionally created for “political purposes” that lead to intentionally created delays in the County of Maui’s ability to acquire the “...the Nāhiku, Ke'anae, Honomanū, and Huelo license areas”, legal “Obstruction of Justice” charges should be considered. **AUWE !**

I have not researched the other three appointments by the mayor. Those issues are best left for the WASSP Committee to discuss and determine. *MAHALO !*

SECOND, another example and excerpt from the enabling Maui County Charter approved by the voters, “Section 8-19.2 Regional Community Boards”. To be certain of accuracy, please check the correctness of the quoted language from the County web site.

“Eight members must have experience in water resource management and watershed restoration in the applicable watershed and reside in the applicable community plan area”.

For some unknown reason to me, the “Applicants Document” (attached) states in part, “....resides in the Hana or Paia-Haiku Community Plan Area” for the Huelo License Area. This appears to contradict County of Maui Charter Section 8-19.2 Regional Community Boards which states in part, “....and **reside in the applicable community plan area**”.

Please explain any “interpretation” of this apparent contradiction. Any “interpretation” must strictly align with the County of Maui Charter Section 8-19.2 Regional Community Boards.

Please publicly discuss and resolve this dilemma. *MAHALO !*

In closing, I would appreciate your consideration of the following comments:

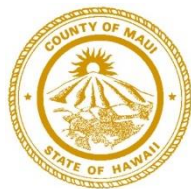
- * These Comments, Concerns and Questions are in no way disparaging or negative comments toward anyone. Particularly, Mayor Bissen, the Applicants or Council Services. We are fortunate to have these good Public Servants and Applicants.
- * The public was legally, properly and adequately informed of this new board and appointment process. Every voter was informed during the last election cycle. There is no need to delay the process and “start over”.
- * This particular appointment process can and should be improved in the near future. For example, applications should also be accepted by the mayor. The mayor would likely receive many applications to choose from. I would like to have applied to the mayor, not just the council. **Today, I have publicly applied to Mayor Bissen.** It would still be the mayor’s final choice through a transparent public hearing process.
- * Mahalo nui to the last County Council, this committee and Chair Sinenci for making this important issue “come to life” through the democratically expressed approval of the Maui County voters.

Sincerely yours and Malama Pono !

John (Blumer-Buell)

RICHARD T. BISSEN, JR.
Mayor

KEKUHAUPIO R. AKANA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

May 2, 2023

Honorable Shane M. Sinenci, Chair
Water Authority, Social Services, and Parks Committee
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Sinenci:

**SUBJECT: MAYOR BISSEN'S APPOINTMENTS TO THE EAST MAUI
REGIONAL COMMUNITY BOARD (WASSP-2)**

In accordance with Section 8-19.2 of the Revised Charter of the County of Maui, as amended, I am transmitting my selected appointees for the East Maui regional community board and their assigned license areas, as follows:

- Mr. Kyle Nakanelua (Ke'anae)
- Mr. Moses Kahiamoe, Jr. (Nāhiku)
- Mr. Hugh Starr (Honomanū)
- Mr. Lester Wong (Huelo)

Mahalo for the opportunity to provide my selected appointees, and if you have any questions, please feel free to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard T. Bissen, Jr.".

RICHARD T. BISSEN, JR.
Mayor

APPLICANTS

EAST MAUI REGIONAL COMMUNITY BOARD

<u>Name</u>	<u>Seat</u>
1. Jonathan Scheuer	Representative of the Hawaiian Homes Commission and recommended by the Department of Hawaiian Home Lands.
1. Francis Quitazol 2. Christopher Schuler	Experience in water resource management who resides full-time in the area where water service is provided.
1. Brendan Balthazar 2. William Greenleaf 3. Jennie Kaahui	Experience in water resource management and is actively engaged in ranching, farming, aquaculture, or loko i'a in the area where water service is provided.
1. Norman "Bush" Martin Jr.	Experience in water resource management and watershed restoration in Ke'anae license area and resides in the Hāna Community Plan Area.
1. Moses Bergau Jr. 2. John Blumer-Buell	Experience in water resource management and watershed restoration in the Nāhiku license area and resides in the Hāna Community Plan Area.
1. Alicia Hueu 2. Jerome Kekiwi, Jr. 3. Jesse Nakooka	Experience in water resource management and watershed restoration in the Honomanū license area and resides in the Hāna Community Plan Area.
1. Antoinette de Naie	Experience in water resource management and watershed restoration in the Huelo license area and resides in the Hāna or Pā'ia-Ha'ikū Community Plan Area.