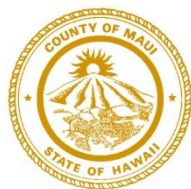


Jason Stone, Chair
Jennifer Sullivan, Vice Chair
Viola Diego
Gina Gormley
Stephen Kealoha
Cory Lehano
Kilia Purdy-Avelino
Kanoë Shimizu
Chad Viela



INDEPENDENT NOMINATION BOARD
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
Board.INB@mauicounty.gov

September 12, 2024

Nohelani U'u-Hodgins, Chair
and Members of the Government Relations, Ethics, and Transparency Committee,
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Dear Chair U'u-Hodgins.

**SUBJECT: RESPONSE REGARDING INDEPENDENT NOMINATION
BOARD (GREAT-5(7))**

Thank you for the opportunity to appear at the Maui County Council's Government Relations, Ethics, and Transparency Committee on September 12, 2024 at 1:30 p.m. I and Vice Chair Sullivan accept and will be available to address your questions as submitted to the Independent Nomination Board (the "INB") on August 30, 2024. Per your request, please see the INB responses to the questions listed below regarding the duties and processes of the INB.

1. Will the INB notify the Maui County Council when a list of nominees for boards and commissions are sent to the Mayor's office? Will the INB also send the Council vacancy notices when resignation letters are received by the Mayor's office?

INB response to question no. 1. is separated into two:

- i. List of Nominees: Pursuant to Section 13-2.18. of the Revised Charter of the County of Maui (1983), as amended ("Charter"), the INB is required to transmit a list of applicants or candidates for nomination to fill a vacancy to the appointing authority (either the Mayor or Council) within a prescribed period of time.
Should a meeting include the transmittal of a list to an appointing authority the INB is agreeable and willing to extend the courtesy of a notification that summarizes actions taken on agenda items related to

application review or the number of applicants placed on a board or commission vacancy list to the “non-appointing authority” (either the Council or the Mayor) within 10 days of a meeting. See sample summary example below.

- ii. Notification of Vacancies: The INB does not directly receive resignations, withdrawals, or removals nor are they within the duties of the INB to process. The INB Chair is notified during agenda preparation by the Office of the Mayor and the assigned Deputy Corporation Counsel of any recent resignations, withdrawals or removals at which point they are placed on an agenda for notification to the remaining INB members. I defer any further questions to Corporation Counsel.
2. INB meeting minutes have not been posted on the County of Maui’s website. May I please ask you to transmit copies of the minutes for all INB meetings and to upload the minutes to the website so they are publicly available?
- We have requested staff to post summaries of meeting actions and audio transcripts to the County’s INB’s webpage within the next 21 days or as soon as reasonably possible. Written minutes per the Sunshine Law for boards, commissions, and committee meetings are required to be electronically available on the board’s website for the public within 40 days after a meeting pursuant to Chapter 92, HRS section 92-9(b)).

We understood that pursuant to Governor Josh Green’s Emergency Proclamations 1 thru 16 Related to the Maui Wildfires (put in place August 8, 2024) the following suspension was/is applicable to the INB though not indefinite.

“2. Suspension of Laws - “Chapter 92, HRS, **public agency meetings and records**, as follows: section 92-3.7(a), to suspend the physical location requirement for Maui-based boards; section 92-15, for boards with Maui-based members, to suspend the quorum requirements, and to the extent the absence of Maui-based members would prevent a board from meeting them, the voting requirements under section 92-4(a) (executive meetings); **section 92-9(b), for Maui-based boards, to suspend the deadline for posting minutes;** and section 92-3.1(a), for limited meetings of any board related to the emergency, suspend the requirement for the board’s vote and concurrence by the Office of Information Practices.”

- Please note, Video recordings of INB meetings are posted and available on the INB designated webpage for the public as soon as practicable (formatted and approved by Akaku). Availability can vary from 3 days upwards but required within 40 days after the meeting pursuant to Chapter 92, HRS section 92-9(b).

Again, we thank you for, yours and the Councilmembers consideration of the information provided above and the privilege to serve the County of Maui.

Should you have any further questions for myself or Members of the INB, do not hesitate to contact us via our Board staff, Cory Lynn Vicens at, board.INB@mauicounty.gov or ext. 8222.

Sincerely,

/s/ Jason Stone

JASON STONE

Chair, Independent Nomination Board

cc: Mayor Richard T. Bissen, Jr.
David Raatz, Director, Office of Council Services
Yukari Murakami, Deputy Corporation Counsel
Cory Lynn Vicens, Boards and Commissions Liaison

Enclosures

QUESTION 1.i EXAMPLE

*INB SUMMARY OF ACTIONS RELATED TO THE REVIEW OF APPLICATIONS AND POSSIBLE NOMINEES FOR VACANCY REPLACEMENT

The INB Reviewed and Considered the following agenda items at its July 31, 2024 Regular meeting.

- a. Review of applicant's applications for the following Boards and Commissions

Boards, Commissions, and Committees	# of applications reviewed	# of applicants invited to be Interviewed
Civil Service Commission	2 reviewed	1 request to interview
Public Works	1 reviewed	0 request to interview

- b. Interviewed and added to a Boards, Commissions, and Committees list. List transmitted to appointing authority for consideration on August 10, 2024.

Boards, Commissions, and Committees	# of Applicants interviewed and/or considered	# of Applicants Added to List	Vacancy Replacement (if applicable)
Animal Control Board	2 out of 2 interviewed	2 added to list	Replacing Joe Smith who resigned on 9/01/24
Lanai Planning Commission	2 out of 3 interviewed (1 no show)	2 added to list	Replacing Susan Jones who resigned on 8/04/24
Liquor Control Adjudication Board	3 out of 3 interviewed	0 added to list 1 under further review	Replacing Bill James who resigned on 9/09/24

*** The boards and commissions information, names and dates listed in the table above are for demonstrative purposes only.**