

**COUNCIL OF THE COUNTY OF MAUI
REGULAR MEETING MINUTES**

**March 24, 2023
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via BlueJeans <https://maui.bluejeans.com/295235670>.

In person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Floor, 200 S. High Street, Wailuku, Hawaii.

Video recording of meeting available at: www.mauicounty.legistar.com

TIME MEETING CONVENED: 9:04 a.m.

A. ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
Pro Tempore Tasha Kama	√			
Vice Chair Yuki Lei Sugimura	√			
Tamara Paltin	√			
Gabe Johnson	√			
Keani Rawlins-Fernandez	√			
Tom Cook	√			
Nohelani U‘u-Hodgins	√			
Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	9	0	0	

- B. OPENING REMARKS – Councilmember U‘u-Hodgins**
- C. PLEDGE OF ALLEGIANCE TO THE FLAG**
- D. PRESENTATION OF WRITTEN OR ORAL TESTIMONY**
- E. CEREMONIAL RESOLUTIONS - none**
- F. CONSENT CALENDAR - none**
- G. MINUTES - none**
- H. ACTION ON THE CONSENT CALENDAR - none**
- I. COUNTY COMMUNICATIONS**

NOTE: SOME ITEMS TAKEN OUT OF ORDER; ORDER OF MINUTES REFLECTS AGENDA. TIME OF DELIBERATIONS AND ACTIONS AS NOTED.

1. COUNTY COMMUNICATIONS

CC 23-7 COUNCILMEMBER SUGIMURA, relating to Councilmembers’ report on the Maui Metropolitan Planning Organization Policy Board meeting on March 16, 2023.

	AYE	NO	EXC	Time Deliberations Began	9:57 a.m.
Pro Tem Kama	√			Time Motion Made	9:57 a.m.
Vice-Chair Sugimura	√			Motion	FILE
CM Paltin	√			Maker	SUGIMURA
CM Johnson	√			Secunder	KAMA
CM Rawlins-Fernandez	√			Time Vote Taken	9:59 a.m.
CM Cook	√				
CM U’u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

CC 23-8 COUNCIL CHAIR LEE, relating to the referral of various matters from the 2021-2023 Council to the Council Chair for the term beginning January 2, 2023.

	AYE	NO	EXC	Time Deliberations Began	9:59 a.m., at 10:44 a.m. deferred
Pro Tem Kama	√			Time Motion Made	10:01 a.m.
VC Sugimura	√			Motion	FILE GREAT 11-10, 11-31
CM Paltin	√			Maker	U’U-HODGINS
CM Johnson	√			Secunder	None
CM Rawlins-Fernandez	√			Time Vote Taken	10:02 a.m. unanimous consent w/o objections
CM Cook	√				
CM U’u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

NOTES ON CR23-8: Council recessed at 10:27 a.m., resumed deliberations and determined to defer the remaining consideration of CC23-8 to later in the day. At 3:43 p.m., CC23-8 was recalled, and deliberations continued. Following discussion, CM SINENCI moved to FILE items as noted in CC23-8, as further discussed by Councilmembers, and refer remaining matters to committee. Councilmembers approved by unanimous consent at 3:56 p.m.

2. GENERAL COMMUNICATIONS – none

J. COMMITTEE REPORTS

CR 23-14 Recommending FIRST READING of Bill 9 (2023) to amend the Fiscal Year 2023 Budget, Appendix A, Part II, Special Purpose Revenues - Schedule of Revolving/Special Funds, by amending the conditional language for the Plan Review, Permit Processing, and Inspection Revolving Fund to transfer \$43,400 from operations or services to equipment.

	AYE	NO	EXC	Time Deliberations Began	2:41 p.m.
Pro Tem Kama	√			Time Motion Made	2:41 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	SUGIMURA
CM Johnson	√			Secunder	KAMA
CM Rawlins-Fernandez	√			Time Vote Taken	2:42 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

CR 23-15 Recommending FIRST READING of Bill 5 (2023) to amend the Fiscal Year 2023 Budget, Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs, by increasing the grant, entitled “Private Donations,” under the Department of Fire and Public Safety, by \$30,000 to reflect cash donations received from a fundraiser held by the Lahaina community for the benefit of the Maui Fire Station in Lahaina.

CR 23-16 Recommending FIRST READING of Bill 10 (2023) to amend the Fiscal Year 2023 Budget, Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs, by adding a new grant under the Department of the Prosecuting Attorney, entitled “Office for Victims of Crime (OVC),” in the amount of \$5,000.

	AYE	NO	EXC	Time Deliberations Began	2:43 p.m.
Pro Tem Kama	√			Time Motion Made	2:44 p.m.
VC Sugimura	√			Motion	ADOPT CR 23-15, 23-16
CM Paltin	√			Maker	SUGIMURA
CM Johnson	√			Secunder	KAMA
CM Rawlins- Fernandez	√			Time Vote Taken	2:46 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

CR 23-17 Recommending FIRST READING of Bill 4, CD1 (2023), to allow property owners of buildings located in the Apartment District to convert real property voluntarily and permanently from transient vacation rental use to long-term residential use by filing a declaration with the State of Hawai'i Bureau of Conveyances and providing notice to the County.

	AYE	NO	EXC	Time Deliberations Began	2:46 p.m.
Pro Tem Kama	√			Time Motion Made	2:46 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	PALTIN
CM Johnson	√			Secunder	JOHNSON
CM Rawlins- Fernandez	√			Time Vote Taken	2:56 P.M.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci		√			
Chair Lee	√				
TOTAL VOTES	8	1	0	MOTION PASSED, AS AMENDED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:49 p.m.
VC Sugimura	√			Motion	AMEND Bill 4, CD1 to require 100% ownership to convert
CM Paltin		√		Maker	COOK

CM Johnson		√		Second	U'U- HODGINS
CM Rawlins- Fernandez		√		Time Vote Taken	2:55 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci		√			
Chair Lee	√				
TOTAL VOTES	5	4	0	MOTION PASSED	

CR 23-18 Recommending ADOPTION of Resolution 23-81, authorizing settlement of Christine M. LaChance v. County of Maui, Civil 17-1-0428(1).

	AYE	NO	EXC	Time Deliberations Began	2:57 p.m.
Pro Tem Kama	√			Time Motion Made	2:57 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U'U- HODGINS
CM Johnson	√			Second	KAMA
CM Rawlins- Fernandez	√			Time Vote Taken	2: 59 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

CR 23-19 Recommending ADOPTION of Resolution 23-84, authorizing settlement of Ashley Hooks v. County of Maui, et al., Civil 2CCV-21-0000034(2).

	AYE	NO	EXC	Time Deliberations Began	2:59 p.m.
Pro Tem Kama	√			Time Motion Made	2:59 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U'U- HODGINS
CM Johnson	√			Second	KAMA
CM Rawlins- Fernandez	√			Time Vote Taken	3:00 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

K. RESOLUTIONS

Resolution 23-98 "NOMINATING AND APPROVING THE APPOINTMENT OF KE'EAUMOKU KAPU TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION"

Motion to discharge the committee from further consideration under Council Rule 5E made at 10:50.m. by Councilmember U'U HODGINS, seconded by Councilmember PALTIN. Passed unanimously: 10:51 a.m.

Motion to waive Council Rule 7G made at 10:51 a.m. by Councilmember U'U HODGINS, seconded by Councilmember PALTIN. Passed unanimously: 10:51 a.m.

	AYE	NO	EXC	Time Deliberations Began	10:51 a.m.
Pro Tem Kama		√		Time Motion Made	10:51 a.m.
VC Sugimura		√		Motion	Adopt Resolution
CM Paltin	√			Maker	U'U-HODGINS
CM Johnson	√			Seconded	PALTIN
CM Rawlins-Fernandez	√			Time Vote Taken	12:20 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	2	0	MOTION PASSED, AS AMENDED	

Motion to suspend Council Rule 19C made at 10:52 a.m. by Councilmember PALTIN, seconded by Councilmember U'U-HODGINS. Passed unanimously: 10:53 a.m.

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:53 a.m.
VC Sugimura	√			Motion	Substitute FD1 version
CM Paltin	√			Maker	PALTIN
CM Johnson	√			Seconded	U'U-HODGINS
CM Rawlins-Fernandez	√			Time Vote Taken	10:55 a.m.
CM Cook	√				

CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

Resolution 23-112 "APPROVING THE APPOINTMENT OF COUNCILMEMBER SHANE M. SINENCI AS A MEMBER OF THE COUNCIL ON AGING"

Motion to waive Council Rule 7G made at 2:10 p.m. by Councilmember SUGIMURA, seconded by Councilmember KAMA. Passed unanimously: 2:11 p.m.

	AYE	NO	EXC	Time Deliberations Began	2:10 p.m.
Pro Tem Kama	√			Time Motion Made	2:11 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	SUGIMURA
CM Johnson	√			Seconder	KAMA
CM Rawlins-Fernandez	√			Time Vote Taken	2:13 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

Resolution 23-114 "APPROVING THE REAPPOINTMENT OF ZHANTELL LINDO AS A MEMBER OF THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS"

Resolution 23-115 "APPOINTMENT OF MEMBERS TO THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS"

Motion to waive Council Rule 7G made at 2:15 p.m. by Councilmember RAWLINS-FERNANDEZ, seconded by Councilmember JOHNSON. Passed unanimously: 2:16 p.m.

Motion to waive Council Rule 19C made at 2:25 p.m. by Councilmember RAWLINS-FERNANDEZ, seconded by Councilmember JOHNSON. Passed unanimously: 2:26 p.m.

Motion to amend Resolution 23-115 to designate nominee RAZO as the commission member satisfying the criteria to be houseless or formerly houseless,

made at 2:26 p.m. by Councilmember RAWLINS-FERNANDEZ, seconded by Councilmember JOHNSON. Passed unanimously: 2:28 p.m.

	AYE	NO	EXC	Time Deliberations Began	2:14 p.m.
Pro Tem Kama	√			Time Motion Made	2:16 p.m.
VC Sugimura	√			Motion	ADOPT Resolutions 23-114, 23- 115
CM Paltin	√			Maker	RAWLINS- FERNANDEZ
CM Johnson	√			Secunder	SUGIMURA
CM Rawlins- Fernandez	√			Time Vote Taken	2:28 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED, AS AMENDED	

Resolution 23-116 "AMENDING RESOLUTION 22-255 AND AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL RELATED TO THE ENERGY PERFORMANCE CONTRACT"

Motion to waive Council Rule 7G made at 2:28 p.m. by Councilmember U'U-HODGINS, seconded by Councilmember PALTIN. Passed unanimously: 2:29 p.m.

	AYE	NO	EXC	Time Deliberations Began	2:28 p.m.
Pro Tem Kama	√			Time Motion Made	2:29 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U'U- HODGINS
CM Johnson	√			Secunder	SINENCI
CM Rawlins- Fernandez	√			Time Vote Taken	2:31 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

L. RESOLUTIONS – SECOND AND FINAL READING - none

M. BILLS – for referral

N. BILLS – SECOND AND FINAL READING - none

O. UNFINISHED BUSINESS:

Resolution 23-50, CD1 "APPOINTMENT OF MEMBERS TO BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	3:05 p.m.
Pro Tem Kama	√			Time Motion Made	3:05 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U`U- HODGINS
CM Johnson	√			Secunder	SUGIMURA
CM Rawlins- Fernandez	√			Time Vote Taken	3:11 p.m.
CM Cook	√				
CM U`u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

Resolution 23-56, CD1 "APPOINTMENT OF A MEMBER TO FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	3:11 p.m.
Pro Tem Kama	√			Time Motion Made	3:12 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U`U- HODGINS
CM Johnson	√			Secunder	SUGIMURA
CM Rawlins- Fernandez	√			Time Vote Taken	3:13 p.m.
CM Cook	√				
CM U`u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

Resolution 23-62, CD1 "APPOINTMENT OF MEMBERS TO MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	3:14 p.m.
Pro Tem Kama		√		Time Motion Made	3:14 p.m.
VC Sugimura		√		Motion	ADOPT
CM Paltin	√			Maker	U`U- HODGINS
CM Johnson	√			Secunder	KAMA
CM Rawlins- Fernandez	√			Time Vote Taken	3:38 p.m.
CM Cook	√				
CM U`u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	2	0	MOTION PASSED, AS AMENDED	

	AYE	NO	EXC	Time Deliberations Began	3:16 p.m.
Pro Tem Kama		√		Time Motion Made	3:16 p.m.
VC Sugimura		√		Motion	Amend to move nominee Wells to Exhibit C
CM Paltin	√			Maker	RAWLINS- FERNANDEZ
CM Johnson	√			Secunder	PALTIN
CM Rawlins- Fernandez	√			Time Vote Taken	3:34 p.m.
CM Cook	√				
CM U`u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	2	0	MOTION PASSED	

Resolution 23-67, CD1 "APPOINTMENT OF MEMBERS TO SALARY COMMISSION FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	3:39 p.m.
Pro Tem Kama	√			Time Motion Made	3:39 p.m.
VC Sugimura	√			Motion	ADOPT

CM Paltin	√			Maker	U'U- HODGINS
CM Johnson	√			Seconder	SUGIMURA
CM Rawlins- Fernandez	√			Time Vote Taken	3:43 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED, AS AMENDED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:41 p.m.
VC Sugimura	√			Motion	Amend to move nominee Ragusa to Exhibit C
CM Paltin	√			Maker	RAWLINS- FERNANDEZ
CM Johnson	√			Seconder	SINENCI
CM Rawlins- Fernandez	√			Time Vote Taken	3:43 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9	0	0	MOTION PASSED	

TIME MEETING ADJOURNED: 3:57 P.M.

TRANSCRIPTION

Council of the County of Maui on 2023-03-24 9:00 AM - Regular Meeting

[GAVEL] >> WILL THE MAUI COUNTY COUNCIL MEETING OF MARCH 24TH, 2023, PLEASE COME TO ORDER. GOOD MORNING EVERYONE. AND I ENCOURAGE YOU TO SAY EXPRESS YOUR MORNING GREETING IN YOUR OWN LANGUAGE TODAY. AND YOU'VE HAD ENOUGH PRACTICE FOR THE LAST THREE YEARS, ON HUNDREDS OF LANGUAGES. SO I KNOW YOU HAVE IT AT THE TIP OF YOUR MINDS. ROLL CALL. >> MADAM CHAIR, PROCEEDING WITH ROLL CALL, VICE-CHAIR YUKI LEI SUGIMURA? \r\n\r\n>> GOOD MORNING EVERYBODY. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA KAKOU. >> COUNCIL MEMBER GABE JOHNSON. >> WOW. >> OKAY. \r\n\r\n>> THANK YOU. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ? >> I HAVE TO GO AFTER GABE? ALOHA KAKAHIKA CHAIR. >> ALOHA. >> COUNCIL MEMBER TOM COOK. >> ALOHA AND GOOD MORNING. \r\n\r\n>> GOOD MORNING. >> COUNCIL MEMBER NOHELANI UU-HODGINS? >> HAPPY ALOHA FRIDAY AND GOOD MORNING EVERYONE. >> AND TO YOU AS WELL. >> AND COUNCIL MEMBER SHANE SINENCI? >> ALOHA KAKAHIKA KAKOU. >> VERY GOOD, THAT IS FILIPINO; RIGHT? \r\n\r\n>> COUNCIL CHAIR ALICE LEE. >> GOOD MORNING TO ALL. >> MADAM CHAIR, NINE MEMBERS PRESENT, NO MEMBERS ABSENT AND A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, I'M DEPUTY COUNTY CLERK RICHELLE THOMSON AND ALSO PRESENT FROM THE OFFICE OF THE COUNTY CLERK ARE THE COUNTY CLERK MOANA LUTEY, LEGISLATIVE DIVISION STAFF JOYCE MURASHIGE, LAUREN SALDANA AND DELL YOSHIDA. JOINING THE MEETING FROM THE DEPARTMENT OF CORPORATION COUNSEL IS SONYA TOMA. >> OPENING REMARKS WILL BE PROVIDED BY COUNCIL MEMBER NOHELANI UU-HODGINS. >> THANK YOU, CHAIR, FOR GIVING ME THIS OPPORTUNITY TO HUG THE MIC AND FORCE ME TO TALK-STORY. \r\n\r\nSO I WANTED TO START BY SAYING I HAVE A DEEP RESPECT FOR ALL PREVIOUS COUNCIL MEMBERS THAT HAVE COME BEFORE US, ALL CURRENT COUNCIL MEMBERS, AND ALL FUTURE COUNCIL MEMBERS. THIS IS A VERY DIFFICULT PROFESSION AND IT'S OUR JOB TO MAKE VERY TOUGH DECISIONS. A FEW DAYS AGO, WE HEARD OUR MAYOR GIVE HIS FIRST COUNTY ADDRESS. MAYOR BISSEN SPOKE ABOUT SOME OF THE DIVISIVENESS IN OUR COMMUNITY AND HE IS RIGHT. AND WE HEARD COUNCIL MEMBER SINENCI DISCUSSING HIS HOPES TO WORK WITH THE ADMINISTRATION, AND THIS MIGHT BE NAIVE TO SAY AS A FRESHMAN COUNCIL MEMBER, BUT I'M WILLING TO RISK IT, WE HAVE THE POWER AS A COUNCIL TO HELP NAVIGATE SOME OF THE DIVISIVENESS IN OUR COMMUNITY BY WORKING TOGETHER. I HOPE WE CAN GET TO A PLACE AND I KNOW WE CAN, I CAN FEEL IT, WHERE WE CAN RESPECTFULLY AGREE TO DISAGREE. TO CHALLENGE IDEAS, AND NOT PEOPLE. \r\n\r\nDISAGREEMENT DOESN'T HAVE TO BE DIVISIVE. WE ALL HAVE THE ABILITY TO DISAGREE WITH GRACE. MY GOAL IS TO COMPROMISE AND COLLABORATE WITH EACH OF YOU TO CREATE BALANCED POLICY. WE ALL COME FROM DIFFERENT BACKGROUNDS THAT SHAPED WHO WE ARE TODAY, BUT WE SHARE A COMMON GOAL, FOR A BETTER TOMORROW, EXCUSE ME, FOR THE LOVE OF OUR HOME, AND ITS PEOPLE. I FEEL THAT ULTIMATELY WE ALL HAVE SIMILAR GOALS. WE JUST MIGHT DIFFER ON TO YOU TO GET THERE. MAUI COUNTY HAS ROUGHLY 165,000 PEOPLE. \r\n\r\nWE LIVE IN WAY TOO SMALL OF A COMMUNITY TO HAVE CONSTANT CONFLICT, AND BEEF WITH OUR NEIGHBORS. THIS IS NOT WHAT HAWAII IS ABOUT. IN FACT, IN OUR HAWAII CONSTITUTION, IT EVEN DISCUSSES ALOHA, AND OUR ALOHA SPIRIT. I'M NOT GOING TO QUOTE THE ENTIRE PASSAGE, BUT I WILL SUMMARIZE: OUR CONSTITUTION SAYS ALOHA MEANS MUTUAL REGARD AND AFFECTION AND EXTENDS WARMTH AND CARING WITH NO OBLIGATION IN RETURN. ALOHA IS THE ESSENCE OF RELATIONSHIP, IN WHICH EACH PERSON IS IMPORTANT TO EVERY OTHER PERSON, FOR COLLECTIVE EXISTENCE. ALOHA MEANS TO HEAR WHAT IS NOT SAID, TO SEE WHAT CANNOT BE SEEN, AND TO KNOW THE UNKNOWABLE. NOW I DON'T MEAN TO OVERESTIMATE OUR IMPORTANCE AS A COUNCIL, BUT I BELIEVE THAT IF WE CAN FIND A WAY TO SHOW ALOHA, AND COMPROMISE IN THESE COUNCIL CHAMBERS, OUR COMMUNITY WILL ALSO FIND A WAY TO DO THE SAME. \r\n\r\nIN CLOSING, AS WE PREPARE TO REVIEW OUR COUNTY'S BUDGET, LET'S REMEMBER THAT ALOHA, RESPECT AND KINDNESS ARE FREE. MAHALO, CHAIR >> SUCH WISE WORD FROM OUR YOUNGEST MEMBER AND I'M SURE ALL OF US AGREE WITH YOU

WHOLE-HEARTEDLY. NOW MEMBERS PLEASE JOIN ME IN THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. BEFORE WE PROCEED WITH TODAY'S AGENDA, MAY I PLEASE REQUEST EVERYONE KEEP THEIR MICROPHONE MUTED, UNLESS YOUR TIME TO SPEAK. DECORUM SHALL BE MAINTAINED AT ALL TIMES. WE'LL BE ENFORCING THE RULES OF COUNCIL RULE 6A5 AND ROBERT'S RULE CHAPTER 61, ANY PERSON WHO BEHAVES IN A MANNER THAT DISRUPTS, DISTURBS OR IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING CAN AT THE DISCRETION OF PRESIDING OFFICER OR A MAJORITY OF PRESENT COUNCIL MEMBERS BE EJECTED OR BANNED FROM COUNCIL MEETINGS, OR IF PARTICIPATING REMOTELY, MUTED OR DROPPED FROM THE MEETING.\r\n\r\nEXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT NOT LIMITED TO HECKLING, SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF THE COUNCIL, STAFF, OR GENERAL PUBLIC. ORAL OR WRITTEN TESTIMONY WILL BE ACCEPTED AT THE BEGINNING OF THE MEETING, AND PRIOR TO THE COUNCIL'S DELIBERATION ON EACH SECTION OF THE AGENDA. EACH TESTIFIER WILL BE ALLOWED TO SPEAK FOR UP TO THREE MINUTES ON EACH ITEM. MEMBERS OF THE PUBLIC MAY TESTIFY IN-PERSON IN THE COUNCIL CHAMBER OR AT COURTESY TESTIMONY SITES. INDIVIDUALS PARTICIPATING REMOTELY MAY SIGN UP TO TESTIFY IN THE MEETING CHAT. INSTRUCTIONS ARE POSTED IN THE CHAT, ALONG WITH A LINK TO THE TESTIFIER LOG. IF YOU WISH TO TESTIFY ANONYMOUSLY, YOU MAY INDICATE THAT WHEN YOU SIGN UP TO TESTIFY IN THE CHAT, OR WHEN YOU SIGN UP AT THE DESK OUTSIDE OF THE COUNCIL CHAMBER.\r\n\r\nYOUR SCREEN NAME WILL MATCH THE NUMBER YOU HAVE BEEN GIVEN TO TESTIFY ANONYMOUSLY. PLEASE DO NOT CHANGE YOUR SCREEN NAME FROM THE ANONYMOUS NUMBER ASSIGNED TO YOU. AS A REMINDER, THE CHAT SHOULD BE USED ONLY TO SIGN UP FOR TESTIMONY AND NOT FOR PUBLIC COMMENTARY ON THE MEETING. IT WILL BE CONSIDERED A BREACH OF DECORUM FOR MEMBERS OF THE PUBLIC TO USE THE CHAT FOR ANYTHING OTHER THAN TESTIMONY SIGN UP. AS AN EXCEPTION TO THE PRACTICE OF TAKING TESTIMONY AT EACH SECTION OF THE AGENDA WITHOUT OBJECTION, JUST FOR THE TWO CEREMONIAL -- TODAY WE DON'T NOT HAVE CEREMONIAL RESOLUTIONS. MS. CLERK, PLEASE PROCEED.\r\n\r\n>> THANK YOU, CHAIR. INDIVIDUALS CONNECTED BY PHONE ARE AUTOMATICALLY MUTED TO PREVENT DISRUPTION OF THE MEETING. WHEN CALLED TO TESTIFY, YOU WILL BE UNMUTED AND ALLOWED TO TESTIFY. AT THIS TIME, INDIVIDUALS MAY TESTIFY ON ANY ITEM ON THE AGENDA. CHAIR, AT THIS TIME WE HAVE TWO TESTIFIERS SIGNED UP. THE FIRST IS VERNON KALANIKAU, FOLLOWED BY FOSTER OMPONG. >> GOOD MORNING, CHAIR AND COUNCIL.\r\n\r\nGOOD MORNING. >> GOOD MORNING. >> I'M HERE TO TESTIFY, PROVIDE TESTIMONY FOR RESO 23-98. THIS ONE IS A TOUGH ONE FOR ME. WE GOT A LONG HISTORY WITH HONOKOHOU AND THE COMMUNITY AND IT'S ALL ABOUT SUPPORTING OR NOT SUPPORTING HIS APPOINTMENT THIS MORNING. YOU KNOW REFLECTING BACK WHEN MR. KAPU WAS HERE A FEW DAYS AGO, HE PROVIDED HIS TESTIMONY, AND HE ALSO ANSWERED SOME OF YOUR QUESTIONS. I'M HERE TO SUPPORT HIS NOMINATION, AND ONLY BECAUSE JUST A FEW DAYS AGO HE WAS HERE.\r\n\r\nHE GAVE HIS TESTIMONY, AND I'M GOING TO HOLD HIM TO THAT. THE BEAUTIFUL THINGS THAT HE SHARED. I THINK HE CAN DO THAT. YOU KNOW, WE'RE DIFFERENT PARADIGM. I THINK MR. KAPU IS GOING TO JOIN OUR WAWA'U. WE GET CHALLENGE, HE GET CHALLENGES, WE DON'T LIKE A LOT OF THINGS GOING ON, BUT SO ONE-YEAR APPOINTMENT, I THINK HE IS GOING TO BE OKAY. I JUST AM HOLDING HIM TO EVERY WORD HE SAID A FEW DAYS AGO.\r\n\r\nMAHALO. >> MAHALO, VERNON. ARE THERE ANY QUESTIONS? IF NOT, THANK YOU FOR YOUR HEARTFELT TESTIMONY. IT'S APPRECIATED. >> THANK YOU. MAHALO.\r\n\r\n>> NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS FOSTER OMPONG, TESTIFYING ON RESOLUTION 23-98 FOLLOWED BY LENI HAWAII. >> ALOHA, GOOD MORNING, COUNCIL. >> GOOD MORNING. >> CHAIR, MAHALO FOR THIS OPPORTUNITY. MAHALO, VERNON KALAKAUA FOR YOUR TESTIMONY. >> CAN YOU BRING YOUR MICROPHONE A LITTLE HIGHER.\r\n\r\n>> MAHALO, HI EVERYONE. MAHALO FOR THIS. OKAY. I HAD SUBMITTED WRITTEN TESTIMONY OPPOSING RESOLUTION NO. 23-98 AND I STAND FIRMLY ON THAT OPPOSITION AND I GAVE MY WRITTEN TESTIMONY ALONG WITH THE SUPPLEMENT, AND ACCOMPANYING VIDEOS, AND AUDIO RECORDINGS. I THINK SPEAK FOR ITSELF. IT'S VERY DETAILED.\r\n\r\nI NEED TO MAKE A CORRECTION RIGHT OFF THE BAT, WHEN I WAS GOING OVER MY NOTES TO MAKE MY BULLET

POINTS FOR TODAY'S TESTIMONY, I NOTICED I HAD TYPOS. SO ON MY TESTIMONY, I HAD MARCH 21ST, 2022 AND IT'S SUPPOSED TO BE MARCH 24, 2023. NORMALLY I READ FROM THE NAHO AND DON'T LIKE PREPARED SCRIPTS BECAUSE IT'S NOT COMING FROM THE HEART SINCERITY, BUT MY OPPOSITION IS NOTHING TAKEN LIGHTLY. VERNON KALANIKAU HAVE A LONG HISTORY AND FUNDAMENTALLY MY POSITION AS FAR AS MY POLITICAL HISTORY HASN'T CHANGED. I'M VERY SINCERE AND PASSIONATE ABOUT THAT. WHAT I HAVE LEARNED OVER THE YEARS IN MY JOURNEY IS THAT THE APPROACH, THE TACTICS NEEDED TO CHANGE. SO I MADE COURSE CORRECTIONS IN MY OWN PERSONAL LIFE AND THIS IS PART OF IT. PLEASE, I GOT TO GET MY GLASSES.

ONE OF THE MOST SACRED ASPECTS OF THE HAWAIIAN CULTURE, AS WELL AS MANY OTHER CULTURES IS THE RESPECT AND CARE FOR OUR FAMILIES AND LOVED ONES THAT ARE PASSED AND BURIED THROUGHOUT OUR LANDS. CURRENTLY THE NOMINEE IN NATIVE HAWAIIAN IS PARTICIPATING IN THE BARRICADING AND BLOCKING OF ANOTHER NATIVE HAWAIIAN FAMILY FROM ACCESSING THEIR FAMILY BURIALS IN LAHAINA CURRENTLY. THIS HAS BEEN GOING ON SINCE THE FALL OF 2020. AND I WOULD REFERENCE THE VIDEOS, THE AUDIO RECORDINGS, AND THE DOCUMENTATION THAT I PROVIDED. AS SUBMITTED, AND PROVIDED IN WRITING WRITTEN TESTIMONY, AUDIO -- >> 30 SECONDS. >> VIDEO AUDIO RECORDINGS AND DOCUMENTATION OF THE NOMINEE'S TRANSGRESSIONS. >> FOSTER? >> YES.

IF YOU ARE JUST ABOUT OUT OF TIME, BUT I'M SURE THAT THE MEMBERS HAVE QUESTIONS. SO THAT YOU CAN CONTINUE TO CLARIFY YOUR TESTIMONY. >> OKAY. >> MEMBERS, DO YOU HAVE QUESTIONS? MEMBER KAMA. >> I WOULD LIKE FOR HIM TO CONTINUE HIS TESTIMONY SO THAT I CAN BE CLEAR WHAT I'M GOING TO BE ASKING HIM. BECAUSE I WANT TO KNOW EXACTLY WHAT HE'S TALKING ABOUT AND WHO THE FAMILY IS? AND HOW LONG THIS HAS BEEN GOING ON AND IS THIS THE ONLY FAMILY HE KNOWS? SO IF THE MEMBERS -- I'M GOING TO TAKE THAT AS A CLARIFICATION QUESTION. >> THANK YOU. >> THAT SHE IS ASKING FOR MORE CLARIFICATION ON WHAT YOU SPOKE OF GENERALLY. SO YOU CAN PROVIDE SOME DETAILS FOR MEMBER KAMA. >> YES, MAHALO. I HAVE ONLY A COUPLE OF PARAGRAPHS AND I WILL CONCLUDE MY ORAL TESTIMONY AND I WILL SEGUE INTO OTHER QUESTIONS IF THAT IS OKAY, CHAIR? ANY OBJECTIONS, MEMBERS >> CHAIR? >> YES. >> I DON'T OBJECT TO THE COMPLETION OF HIS ORAL TESTIMONY OF MORE PARAGRAPHS AND CLOSING. BUT IT'S -- WHAT MEMBER KAMA ASKED IS A LITTLE MORE THAN CLARIFYING. AND SO PERHAPS WE CAN TAKE UP THOSE QUESTIONS WHEN THE ITEM COMES UP, INSTEAD? >> OKAY. THAT IS ONE CONSIDERATION.

MEMBER PALTIN. >> THANK YOU, CHAIR. IF WE'RE DOING THIS FOR THIS TESTIFIER, WE'RE DOING IT FOR ALL TESTIFIERS. THAT'S CORRECT? YES. >> THANK YOU. >> SO MEMBERS, WHAT WE COULD DO IS FOSTER, WOULD YOU BE ABLE TO STAY? YES, I HAVE A DOCTOR'S APPOINTMENT AT 12:00 NOON. BUT I'M ABLE TO STAY UNTIL THEN. I TRIED RESCHEDULING. I CANNOT. >> OKAY. WE'LL TRY TO GET THAT, IF WE HAVE TO MOVE THAT ITEM UP, SO THAT YOU CAN ATTEND YOUR DOCTOR'S APPOINTMENT. FOR NOW, WHY DON'T WE JUST, YOU CLOSE UP, TAKE 30 SECONDS TO CLOSE, AND WE'LL CALL YOU UP LATER.

ANY OBJECTIONS TO HAVING FOSTER AS A RESOURCE PERSON? >> NO OBJECTIONS. >> WHEN THE ITEM COMES UP. OKAY. YOU JUST WANT TO CONCLUDE YOUR TESTIMONY? >> OKAY. AS I SAID, PROVIDED IN MY WRITTEN TESTIMONY, VIDEO AUDIO RECORDINGS AND DOCUMENTATION. NOMINEE'S MANY TRANSGRESSIONS SHOWS BEYOND ANY REASONABLE DOUBT RESOLUTION NO. 23-98 CONTRADICTS AND VIOLATES THE FUNDAMENTAL TENETS OF PROTECTING IWI KUPUNA AND IF APPROVED AND MOVED FORWARD BY THE COUNTY COUNCIL, IT SHALL RESULT IN THE DECONSTRUCTION OF COMMUNITY COHESION NEEDED TO MEET THE CHALLENGES OF TODAY. >> THANK YOU. THANK YOU, FOSTER. >> MAHALO. >> MY FURTHER QUESTIONS? CLARIFYING? HE'LL BE BACK. THANK YOU VERY MUCH. >> THANK YOU. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> CHAIR, THE NEXT TESTIFIER IS LANI HAWAII, TESTIFYING ON 23-98 AND NO OTHER TESTIFIERS SIGNED OFF AFTER MS. HAWAII. >> IS THIS PERSON IN THE CHAMBERS OR ONLINE? >> MR. HAWAII, I'M SO SORRY THAT'S OKAY. >> PLEASE PROCEED. >> STATE YOUR NAME FOR THE RECORD. >> YES, MY NAME IS ATONE KRUPNICK. >> PLEASE PROCEED WITH YOUR TESTIMONY. >> THANK YOU.

THANK YOU EVERYONE. GOOD MORNING. I'M GOING TO READ WHAT I HAVE WRITTEN DOWN, LIKE -- >> ON WHICH TOPIC? >> I'LL START NOW. ALOHA. MY NAME IS ATON AND TO OPPOSE KAPU'S NOMINATION FOR RESO 23-98 FOR MAUI COUNTY CULTURAL RESOURCES COMMISSION. I BELIEVE

HE IS UNFIT TO BE A CULTURAL ADVISOR.\r\n\r\nI HAVE PROPERTY THAT I OWN WITH MY FAMILY FROM THE VALLEY AND DESPITE PURCHASE OF THIS LAND IN 2020, THE NOMINEE HAS INSTIGATED THE HARASSMENT OF MY FAMILY. TO THIS DAY THE NOMINEE AND HIS ASSOCIATES HAVE CONTINUED TO TRESPASS ON MY PROPERTY, HARASS MY FAMILY, AND SPREAD LIES ABOUT ME AND MY FAMILY THROUGHOUT OUR LAHAINA COMMUNITY. THE NOMINEE AND HIS ASSOCIATES HAVE BARRICADED AND PHYSICALLY BLOCKED ALL OUR ACCESS TO THE PROPERTY THAT WE OWN. THE BULLYING, WHICH HAS BEEN INSTIGATED BY THE NOMINEE AGAINST MY FAMILY HAS CAUSED US SO MUCH ANXIETY. I HAVE WITNESSED AND FILMED MULTIPLE INCIDENTS OF THIS NOMINEE AND HIS ASSOCIATES BLOCKING US ACCESS, BLOCK ACCESS OF A RECOGNIZED LINEAL DESCENDANT, FOSTER OMPONG THAT I GAVE TO TAKE CARE OF HIS FAMILY BURIALS, WHICH ARE LOCATED ON A SEPARATE PIECE OF LAND ADJACENT TO MY PROPERTY, ADJACENT TO MY PROPERTY. THE NOMINEE AND HIS ASSOCIATES' ACTIONS ARE VIOLATING FOSTER OMPONG'S RIGHTS UNDER HAWAII STATE CONSTITUTION ARTICLE XII, SECTION 7, AND IS ALSO VIOLATING MY ACCESS RIGHTS UNDER HAWAII STATE CONSTITUTION ARTICLE XII, SECTION 7 TO RIGHTS TO LIVE AND FARM ON MY PROPERTY. BECAUSE OF THE NOMINEE'S BEHAVIOR, I FEEL UNSAFE BRINGING MY 2-YEAR-OLD SON, MY 14-YEAR-OLD DAUGHTER ONTO MY PROPERTY.\r\n\r\nIN SHORT, MY FAMILY AND I HAVE BEEN TERRORIZED AND BULLIED BY THIS NOMINEE, AND HIS ASSOCIATES. IT'S MY OPINION THAT THE NOMINEE IS NOT QUALIFIED TO FILL THIS POSITION. HIS ACTIONS INVOLVE TERRORIZING HAWAIIAN AND NON-HAWAIIAN LANDOWNERS THROUGHOUT OUR COMMUNITY WILL BE A HUGE CONFLICT OF INTEREST. I WORRY THIS POSITION WILL ONLY MEAN MORE AUTHORITY FROM WHICH THE NOMINEE CAN BULLY AND TERRORIZE COMMUNITY MEMBERS GOING FORWARD. >> CAN YOU PLEASE CONCLUDE YOUR TESTIMONY? >> I'M ALMOST DONE. FUTURE LAWSUITS THAT ARE SOON TO COME AGAINST HIM.\r\n\r\nIT IS FOR THESE REASONS AND MANY OTHERS THAT STATED THAT I STRONGLY REQUEST THAT YOU VOTE AGAINST THIS NOMINEE. I ALSO WANT TO ADD THAT I BELIEVE IT'S ENTIRELY INAPPROPRIATE, AND VERY SAD THAT COUNCIL MEMBER TAMARA PALTIN WOULD NOMINATE THIS PERSON KNOWING FULL WELL HIS POLARIZING BEHAVIOR AND THE HARM WHICH HAS INFLICTED UPON MEMBERS OF THE LAHAINA COMMUNITY. I QUESTION -- >> THANK YOU VERY MUCH. >> TO FILL A ROLE THAT IS MEANT TO BRING HARMONY AND RESOLUTION TO THE COMMUNITY'S PROBLEMS. >> THANK YOU VERY MUCH. MEMBERS, DO YOU HAVE CLARIFYING QUESTIONS? MEMBER SUGIMURA AND THEN MEMBER KAMA.\r\n\r\n>> YOU ARE SAYING YOU COPYRIGHT GET ONTO YOUR OWN PROPERTY? >> I'M BEING PHYSICALLY BLOCKED. THEY HAVE RECENTLY PUT UP BARRICADES WITH VEHICLES THAT DO NOT RUN ANY MORE, ABANDONED VEHICLES. I HAVE RECENTLY FILED TROS ON TWO OF THE PEOPLE UP THERE, JUST LAST NIGHT I GOT HOME FROM WORK AND KY MOKO'S SON CAME UP TO MY DRIVEWAY, WHERE I'M RENTING, BUT MOVING OUT THIS MONTH, NEXT MONTH, TO BE -- TO RELOCATE MY FAMILY. RIGHT NOW I LIVE -- MY FAMILY IS STILL IN THE RENTAL THAT WE HAVE. BUT I LIVE IN THE VALLEY FULL-TIME. HE CAME UP TO MY DRIVEWAY AND GOT IN MY FACE AND WANTED TO FIGHT ME, AND PRETTY MUCH YELLING, I WOULD LIKE TO PUT TROS ON HIS UNCLES, YOU KNOW?\r\n\r\nIT'S ALL FROM THE NOMINEE, YOU KNOW? HE INSTIGATES THESE THINGS TO THESE YOUNGER GENERATIONS TO THE PEOPLE THAT FOLLOW HIM. >> THANK YOU FOR YOUR CLARIFICATION. ANY MORE QUESTIONS? MEMBER KAMA. >> THANK YOU. THANK YOU FOR BEING HERE, MR.\r\n\r\nKUP -- NIC. >> THANK YOU, I APPRECIATE YOUR TIME. >> DID YOU SUBMIT YOUR TESTIMONY IN WRITING? >> I DID. >> OKAY. I'LL GO LOOK FOR THAT. >> THANK YOU.\r\n\r\n>> ARE THERE OTHER NEIGHBORS -- >> YES. >> WHO ARE BEING IMPACTED AND AFFECTED BY THIS? >> OUR WHOLE VALLEY COMMUNITY, WHICH IS A LOT, AND THEY ARE FILLED WITH LONG-TIME STRONG LAHAINA FAMILIES AND NON-HAWAIIANS TOO WITH THEIR SPOUSE AND THEIR FARMING AND THEY HAVE BEEN IMPACTED FOR THE LAST FEW YEARS NOW, YOU KNOW? AND IT'S A SAD SCENE TO SEE, AND NOT A LOT OF PEOPLE KNOW ABOUT IT, BECAUSE UNTIL YOU COME TO THE VALLEY, AND YOU SEE WHAT IS HAPPENING, I WOULDN'T BE SURPRISED IF MOST OF YOU GUYS CRY. >> SO LAST QUESTION, HOW MANY FAMILIES AND PEOPLE ARE YOU TALKING ABOUT. >> I WOULD SAY WITH KIDS, 15 THANK YOU SO MUCH FOR YOUR TESTIMONY AND BEING HERE. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH FOR YOUR TESTIMONY MAY WE HAVE THE NEXT TESTIFIER. >> U'ILANI KAPU, TESTIFYING ON RESOLUTION 23-98, FOLLOWED BY NOELANI AHIIA. >> GOOD MORNING EVERYONE. >> GOOD MORNING. >> I MY

NAME IS LEILANI KAPU, THE WIFE KE'EAUMOKU KAPU AND I WAS NOT GOING TO TESTIFY UNTIL I HEARD LIES. YES, WE HAVE A PROPERTY, MY HUSBAND DOES.\r\n\r\nYES, WE HAVE BEEN THERE, BUT WE DON'T RESIDE THERE. PHYSICALLY WE ONLY GO UP 2020, BECAUSE STEWARDS TAKE CARE OF OUR PROPERTY. WE DON'T RESIDE THERE. AND HIS FAMILY LIVES IN FRONT OF US, AND WE HAVE ACCESS THROUGH THEIR PROPERTY TO GET TO OUR PROPERTY, BECAUSE WE'RE LANDLOCKED. SO THEY ARE THE ONES -- NOT US, NOT KE'EAUMOKU KAPU. KE'EAUMOKU KAPU HAS NOT RECEIVED A TRO, BECAUSE HE HAS NOT BEEN IN ANY OF THEM SINCE 2020. ALL OF THIS IS PAST TENSE AND WE HAVE NO JURISDICTION WHO CAN GO ON, BECAUSE HIS COUSIN RESIDES IN FRONT OF US. SO WE HAVE NO SAY.\r\n\r\nTHAT IS UP TO THEM. WE'RE VERY STRONG ADVOCATES IN THE COMMUNITY. EVERYONE KNOWS THAT. WE FIGHT FOR WHAT IS RIGHT, WHAT IS KANAKA. LAHAINA IS AN HISTORICAL DISTRICT. WE FIGHT FOR EVERYTHING HISTORICAL. WE DON'T DEPRIVE PEOPLE OF THINGS.\r\n\r\nWE EXPLAIN THE REASON WHY IT SHOULD BE SET IN CERTAIN WAYS AND RULES, WHICH IS SET BY THE COUNTY COUNCIL. CULTURAL RESOURCES COMMISSION IS ABOUT THE CULTURE AND OUR HISTORY, WHICH KE'EAUMOKU KAPU HAS A LOT OF KNOWLEDGE OF. WE'RE GOING TO BRING IN THE BOAT, AND WEATHER THE STORM. WE WENT THERE FROM THE BEGINNING TO NOW. >> 30 SECONDS. >> TO MAKE SURE THAT OUR HISTORICAL PROPERTY IS PROTECTED, AND THAT IS WHAT WE DO. WE PROTECT IT.\r\n\r\nSO I JUST WANTED TO MAKE CLARIFICATIONS ON WHAT HAPPENED LAST NIGHT WHEN MY SON APPROACHED ATONE, IT WAS BECAUSE ATONE SAID MY GRANDCHILDREN DO NOT BELONG RUNNING ON THE ROAD, AND DO NOT BELONG IN HAWAIIAN HOMESTEAD. MY SON WILL DEFEND HIS KIDS NO MATTER WHAT. SO THAT WAS THE SITUATION LAST NIGHT AND I HAD TO FIND OUT FROM A FRIEND AND I WAS GLAD I FOUND OUT ABOUT IT BEFORE THIS MEETING. >> LET'S CHECK IF WE HAVE ANY QUESTIONS FOR YOU, MEMBERS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO MS.\r\n\r\nKAPU FOR YOUR TESTIMONY. CHAIR, AS WE KNOW, THERE ARE DIFFERENT PERSPECTIVES, AND MULTIPLE SIDES TO ANY DISCUSSION THAT HAPPENS. SO I DON'T KNOW -- IT SOUNDS LIKE SHE HAS INFORMATION TO PROVIDE A FULLER PICTURE OF WHAT WE'RE HEARING FROM OTHERS. SO I DON'T KNOW IF NOW IS AN APPROPRIATE TIME TO ASK IF MS. KAPU COULD BE A RESOURCE WITH THE RELIABILITY OF WHAT WAS SAID AND WHAT WE'RE HEARING? >> I WAS THINKING THAT YOU WOULD BE ASK KE'EAUMOKU TO BE A RESOURCE, INSTEAD OF A COUPLE? >> WELL, HE IS THE NOMINEE.\r\n\r\nSO I WOULD ASSUME THAT HE WOULD BE, BUT I DON'T KNOW IF HE WAS THERE AT SOME OF THESE THINGS AS MS. KAPU SAID THAT HE WASN'T ON THE PROPERTY WHEN THINGS WERE HAPPENING. SO IF SHE WAS AND HE WASN'T, I DON'T KNOW IF IT MORE APPROPRIATE TO HAVE HER? >> I WASN'T THERE AT ALL OF THEM. SO I CAN'T TESTIFY TO THAT. I CAN ONLY TESTIFY TO WHAT I WAS THERE FOR. >> WOULD YOU LIKE TO BE A RESOURCE WHEN YOUR HUSBAND'S NOMINATION ITEM COMES UP?\r\n\r\n>> ONLY IF I CAN ANSWER TO IT >> ANY OBJECTIONS, MEMBERS? WE'LL CALL YOU BACK. MAY WE HAVE THE NEXT TESTIFIER. >> THE NEXT TESTIFIER IS TESTIFYING ON RESOLUTION 23-98 TO BE FOLLOWED BY MICHELLE OPIHI. >> I DECIDED IS TO SPEAK IN STRONG SUPPORT OF KE'EAUMOKU KAPU FOR RESOLUTION 23-98. I WANTED TO SHARE A LITTLE CONTEXT TO TRY TO HELP US MAKE SENSE OF WHAT IS GOING ON, BECAUSE IT'S SOMETHING THAT COUNCIL MEMBER UU-HODGINS TALKED ABOUT THIS MORNING IN HER REMARKS. I THINK IT'S REALLY IMPORTANT THAT WE LOOK AT THE BIGGER PICTURE AND PULL BACK A LITTLE BIT. WHEN I THINK BACK TO THE TALK THAT WE HEARD YESTERDAY WHEN DR.\r\n\r\nKAHANI TALKED ABOUT ELIMINATION OF THE NATIVE AND ONE OF THE WAYS THAT HAPPENS IS THROUGH LAND DISPOSSESSION. SO I READ THROUGH THE TESTIMONY OF THE FIRST TWO TESTIFIERS, SECOND AND THIRD TESTIFIERS THIS MORNING AND I WANTED TO GIVE SOME CONTEXT, BECAUSE THE SITUATION IS ONE OF A LAND TITLE ISSUE, WHICH WE HAVE BEEN HEARING A LOT ABOUT THIS TERM, IN THIS COUNCIL. IN THESE CHAMBERS. AND THE SITUATION IS SUCH THAT HAOLE LANDOWNER HAS HIS NAME ON THESE TITLES, ALTHOUGH HE IS NOT AN HEIR, OR THE TRUE TITLE HOLDER OF THESE PARCELS UP PETER MARTIN AND WHAT WAS TALKED ABOUT WHERE THE FOREIGNER COMES IN AND ABLE TO GET THEIR HANDS ON LANDS, AND THEN WHAT HE HAS DONE IS HE SOLD IT BACK TO OTHER KANAKA, NOT THE ONES WHO HAD ORIGINAL TITLE. AND THAT IS WHY WE HAVE CONFLICT. IN FACT, THE TMK THAT WAS SPOKEN OF, WHEN I LOOKED THAT UP, IT COULD HAVE CHANGED, BUT I LOOK AT IT ABOUT A YEAR-AND-A-HALF AGO AND IT ACTUALLY STILL SAYS PETER MARTIN OWNS THAT AND ATONE HAS A LIFE INTEREST, BUT

THERE ARE FAMILIES THAT HAVE THE KULEANA LANDS UNDERNEATH THAT TITLE. AND WHAT HAS HAPPENED, WHAT I WANT TO EXPLAIN IS THAT WE NEED TO PUT THE ONUS ON THE PERSON AT THE CENTER OF THIS, WHICH IS THE LANDOWNER AND WHEN ALIGNING WITH DEVELOPERS, WHEN OUR PEOPLE HAVE BEEN SO OPPRESSED AND DOWNTRODDEN AND CAN'T GET RELIEF, BUT GET TO RELIEF FROM HAOLE DEVELOPERS AND BOOSTS THEIR EGOS AND SOMETIMES BOOSTS THEIR FINANCES AND START ALIGNING ON THE SIDE OF THE PEOPLE WHO ELIMINATE THE NATIVE.\r\n\r\nTHAT IS WHAT WE'RE DEALING WITH HERE. I WANT TO MAKE SURE WE'RE CLEAR ABOUT THE DEPTH OF CONTEXT OF THE CIRCUMSTANCE. I'M DONE. THE JUDGE MADE IT CLEAR THIS IS A LAND TITLE ISSUE AND BELONGS IN LAND COURT AND TROS HAVE GONE BOTH WAYS. >> CAN YOU SPEAK INTO YOUR MIC, PLEASE. >> SORRY, CHAIR. OUR OFFICE, CHAIR, HAS RECEIVED MANY LETTERS OF SUPPORT FOR MR.\r\n\r\nKE'EAUMOKU'S EXPERTISE ON THIS CULTURAL RESOURCE COMMISSION. SO THAT IS WHAT WE'RE VOTING ON TODAY OF HIS EXPERTISE TO SERVE ON THIS CRC COMMISSION. SO SOMETHING THAT SHOULD BE DISCUSSED IN LAND COURT AND NOT HERE. THANK YOU, CHAIR. >> THANK YOU FOR ALLOWING ME TO PROVIDE CONTEXT AND CLARITY AND I DO SUPPORT MR. KE'EAUMOKU KAPU DOING THIS WORK FOR DECADE. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR, THANK YOU, MS. AHIA, IS THAT THE SAME PETER MARTIN THAT MR. KAPU GOT HIS LAND BACK FROM IN COURT. >> THAT IS THE SAME PETER MARTIN THAT MR. KAPU WON. THAT CASE TOOK 17 YEARS BEFORE THE FIRST RULING AND WENT ON TO APPEALS AND ALL THE WAY UP TO THE HIGHEST SUPREME COURT. SO THIS PROCESS IS VERY, VERY LENGTHY.\r\n\r\nAND I WOULD RECOMMEND THAT -- I'M NOT GOING TO GO THERE. THANK YOU. >> THANK YOU. >> ANY MORE QUESTIONS, MEMBERS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO, MS.\r\n\r\nAHIA FOR YOUR TESTIMONY. PROBABLY A BETTER QUESTION FOR MR. KAPU, TO DOVETAIL OFFER MEMBER PALTIN'S QUESTION. IN LAND COURT, THE JUDGE FOUND THE FINAL RULING WAS THAT THE ORIGINAL TITLE HOLDER OF THAT 'AINA WAS MR. KAPU? >> MR. KAPU HAD FULL INTEREST, AND LAND COMPANY HAD NONE.\r\n\r\n>> THIS IS A DIFFERENT LOCATION. >> THIS IS A DIFFERENT LOCATION. >> POINT OF CLARIFICATION IS THAT THIS IS THE SAME ISSUE THAT WE SEE IN MANY SITUATIONS, AND SO WE WERE MAKING DECISIONS AS A COMMUNITY. WE HAVE TO LOOK AT THE LARGER PICTURE AND LOOK AT THOSE LAND TITLE ISSUES. IF THOSE LAND TITLE ISSUES ARE GOING TO BE USED AGAINST MR. KAPU'S CONFIRMATION AS A CULTURAL RESOURCE COMMISSION, I THINK WE NEED TO UNDERSTAND THE DEPTH OF WHAT IS ACTUALLY GOING ON. THIS IS NOT A SIMPLE CONFLICT BETWEEN TWO INDIVIDUALS.\r\n\r\nIT'S MUCH DEEPER. AGAIN, IT GOES BACK TO ERASURE OF THE NATIVE BY PETER MARTIN. >> MAHALO, MS. AHIA. MAHALO, CHAIR. >> ANY MORE QUESTIONS FOR CLARIFICATION? YES, MEMBER UU-HODGINS?\r\n\r\n>> THANK YOU, MS. AHIA FOR BEING HERE. I AM WONDERING ARE YOU PERSONALLY INVOLVED IN THESE ITEMS, OR IS THIS YOUR THIRD-PARTY PERSPECTIVE? >> I AM INVOLVED IN TERMS OF WANTING TO SUPPORT MR. KAPU. HE IS MY MENTOR AND MANY THINGS BOTH CULTURAL RESOURCE-RELATED AND POLITICAL. I DO HAVE THROUGH MY PARTNER CONNECTIONS.\r\n\r\nI DON'T HAVE PERSONAL CONNECTIONS TO THE 'AINA, BUT MY PARTNER HAS AND I HAVE BEEN THERE TO SUPPORT THE FAMILIES, AND TO PROVIDE BACKGROUND SUPPORT FOR THE FAMILY AS THEY STRUGGLE TO HOLD ON TO THEIR KULEANA LANDS THAT HAS BEEN IN THEIR FAMILY FOR GENERATIONS. MAHALO. >> ANYONE ELSE? IF NOT, THANK YOU VERY MUCH. >> THANK YOU FOR YOUR TIME. >> THE NEXT TESTIFIER IS MICHELE OPIHI TESTIFYING ON 23-98. >> GOOD MORNING, CHAIR. MY NAME IS MICHELLE OPIHI AND I WASN'T PLANNING TO TESTIFY, BUT I SUBMITTED WRITTEN TESTIMONY.\r\n\r\nI'M HERE TO OPPOSE RESOLUTION 23-98 FOR THE REASONS THAT CULTURAL COMMISSION IS FOCUSED ON CULTURAL ITEMS. HE IS CONTINUOUSLY SPEAKING OF IWI PROTECTION IN THE COMMUNITY. AND YES, I DO AGREE, HE HAS BEEN VERY MUCH INVOLVED, AS WELL AS HIS WIFE AND OTHER MEMBERS OF HIS -- WHOEVER FOLLOWS HIM. I AM HERE TO SAY THAT I HAVE PERSONALLY BEEN INVOLVED, STOOD AT THE GATE, WHERE MR. KAPU WAS, BLOCK FOSTER OMPONG AND MYSELF FROM GETTING TO FOSTER OMPONG'S LINEAL FAMILY MEMBERS. ONE OF THE BURIALS IS COLLAPSED. WE HAD TO TRAVERSE OVER THE RIVER TO GET TO THE IWI, TO PUT A TARP OVER THE COLLAPSING BURIAL.\r\n\r\nTHIS HAS NOT BEEN THE FIRST TIME. THERE'S BEEN MANY TIMES WE HAVE COME UP AND EACH TIME HAS BEEN BLOCKED, AND IF THE COUNCIL LOOKS AT WRITTEN TESTIMONY, THE VIDEOS, WILL ALL SPEAK FOR ITSELF. SO MY CONCERN IS IF HE WILL

SIT ON THE COMMISSION, HE IS MAKING DECISIONS BASED ON CULTURE, HE'S BLOCKING A LINEAL DESCENDANT FROM ACCESSING THEIR OWN BURIALS. THEIR OWN FAMILY BURIALS. IS THAT NOT THE WORST CULTURAL -- I HAVE NO WORDS TO SPEAK ON THAT. YOU PONTIFICATE YOU ARE PROTECTING IWI, BUT BLOCK OTHER LINEAL DESCENDANT FROM THEIR TUTU. I LEAVE IT UP TO THE COUNCIL.\r\n\r\nYOU ALL MAKE THE DECISION, BUT MY FAMILY AND I ARE BEING BULLIED WHEN WE GO UP THERE. SO NO MATTER WHAT YOUR DECISION IS, WE'RE DEALING WITH IT ON OUR OWN. THAT IS ALL I HAVE TO SAY. >> THANK YOU. MEMBERS? MEMBER KAMA. >> THANK YOU FOR BEING HERE MS.\r\n\r\nOPIHI. HOW DO YOU ANTICIPATE HIS NOT BEING CONFIRMED TO HIM NOT BULLYING YOU ALL IN THE VALLEY? >> IT DOESN'T MATTER. WHETHER YOU APPOINT HIM OR NOT, IT WON'T MATTER. WHAT WE GO UP THERE -- WHEN I'M HERE TO TELL YOU WHAT IS HAPPENING PERSONALLY FROM EXPERIENCE. THAT IS WHAT I'M HERE TO SAY. IT'S NOT MY DECISION WHETHER YOU FOLKS DO IT OR NOT, THAT IS UP TO YOU, NOT ME.\r\n\r\nWHAT I'M SAYING WHAT IS BEING TOLD ISN'T THE WHOLE STORY AND OTHER FAMILIES ARE GOING THROUGH THIS AS WELL. >> MY ASKING THE QUESTION IS JUST TRYING TO STOP THAT FROM HAPPENING. THANK YOU SO MUCH FOR YOUR RESPONSE. >> YOU'RE WELCOME. >> I SO DO APPRECIATE IT. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nALOHA MS. OPIHI. MAHALO FOR YOUR TESTIMONY. YOU ARE 'OHANA TO MR. OMPONG. >> YES, I AM. >> AND HAVE YOU FOLKS ALL TRIES TO DO PONO PONO?\r\n\r\n>> WE HAVE NOT >> OKAY. MAHALO, MAHALO, CHAIR. >> ANYONE ELSE? IF NOT, THANK YOU VERY MUCH FOR YOUR TESTIMONY. >> THANK YOU. >> CHAIR, NEXT TESTIFIER IS DEBORAH VIAL, TESTIFYING ON 23-50, FOLLOWED BY FAITH CHASE. MS.\r\n\r\nVIAL, IT'S YOUR TIME TO TESTIFY. YOU CAN UNMUTE ON YOUR SIDE. >> WE'LL GO TO NEXT ONE. >> CHAIR, THE NEXT TESTIFIER IS FAITH CHASE. >> GOOD MORNING, CHAIR; GOOD MORNING, COUNCIL. >> GOOD MORNING. >> HI.\r\n\r\nI WOULD LIKE TO TESTIFY WHAT IS THE NUMBER? MY SCREEN IS SO SMALL. THERE IS AN APPOINTMENT 23-114 . 23-115 IS BOTH OF THEM ACTUALLY. I JUST WANT TO LET -- SHARE WITH THE BODY, THE COUNCIL, THAT MANY HEALING SOLUTIONS FOR HOMELESS AND THESE APPOINTMENTS TO REMIND YOU ONE OF YOUR CRITERIA WAS THAT ONE OF THE CANDIDATES NEEDS TO BE REPRESENT THE HOUSELESS COMMUNITY. AND I'M NOT CERTAIN -- I LEARNED THIS YESTERDAY, IN MY COMMISSION MEETING AND WHILE I'M NOT FAMILIAR WITH THE EXPERIENCES, OR HISTORY OF THESE CANDIDATES THAT YOU KEEP THAT IN MIND AS YOU MAKE THAT DECISION TODAY. PERHAPS LEAVE ONE OPEN, IF THAT CANDIDATE POSITION IS NOT FILLED. THAT IS ALL I WANTED TO SHARE TODAY.\r\n\r\nTHANK YOU. >> THANK YOU. QUESTIONS? MEMBERS? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> GO BACK TO DEBORAH VIAL.\r\n\r\nOH, IT DOESN'T LOOK LIKE SHE'S ON THE CALL. CHAIR, THERE ARE NO OTHER TESTIFIERS AT IT TIME. IF THERE'S ANYONE WHO WISHES TO TESTIFY, PLEASE IDENTIFY YOURSELF AT THIS TIME. >> I LIKE TO TALK. PLEASE PROCEED. >> HOW'S IT? I'M TESTIFYING IN SUPPORT OF KE'EAUMOKU KAPU.\r\n\r\nWITH THE CRC THING, THERE'S A LOT OF TIMES WHERE LIKE THE PERMITTING PROCESS, AND ALL OF THIS STUFF WE NEED PEOPLE TO STEP UP IN THIS COMMISSION, WHATEVER, YOU KNOW? BECAUSE I KNOW TWO PROJECTS THAT IS GETTING KIND OF LEFT BEHIND, BECAUSE THE CRC DOESN'T HAVE ENOUGH MEMBERS, WHAT DO YOU CALL IT? QUORUM, WHERE YOU DON'T HAVE ENOUGH PEOPLE TO SHOW UP TO THESE MEETINGS. KE'EAUMOKU IS STEPPING UP. TO ASK THE PERSON WHO IS ASKING THESE PEOPLE TO VOLUNTEER -- VOLUNTEER, GUYS, VOLUNTEER. THEY DON'T GET PAID. THEY VOLUNTEER.\r\n\r\nTO STEP UP, AND DO THIS -- UNREAL. UNREAL HOW PEOPLE DO THIS BEFOREHAND LIKE MR. MOSSMAN. I CALL HIM UP EVERY TIME AND IT'S SO HARD TO FIND PEOPLE TO STEP UP IN THESE COMMISSIONS. SO WHEN YOU GET SOMEBODY AS KNOWLEDGEABLE AS THIS BROTHER, TAKE ADVANTAGE OF IT, GUYS. TAKE ADVANTAGE OF IT. HE IS NOT GOING TO ASK FOR A RAISE AFTER RUNNING FOR OFFICE.\r\n\r\nHE IS NOT GOING ASK FOR A RAISE, BECAUSE IT'S HE IS NOT GETTING PAID. HIS KNOWLEDGE IS SO AWESOME. WHATEVER IS HAPPENING TO HIM PERSONALLY, YOU KNOW, WITH FIGHTS, FIRST, BOTTOM-LINE, I'M NOT GOING TO SWEAR. I'M TIRED -- SO TIRED OF HAWAIIANS FIGHTING HAWAIIANS. THANK YOU FOR ASKING ABOUT THE WHOLE PONO PONO. WE HAVE TO START GETTING TOGETHER. UNITE.\r\n\r\nHAWAII UNITE. AMERICA IS TAKING OVER OUR 'AINA. I DON'T KNOW IF YOU WATCH UNCLE WALTER YESTERDAY, HAWAIIAN STANDING UP AGAINST THE MILITARY OF AMERICA. LET ME FINISH. LET ME FINISH. STANDING UP AGAINST AMERICA MILITARY AND ALL THAT STUFF. LET'S JUST GET

TOGETHER. STOP, STOP DOING ALL THIS STUFF ABOUT WHATEVER PERSONAL INTERESTS. TELL YOU RIGHT NOW, SOMEONE WHO IS 12:51:38 WILLING TO VOLUNTEER TO GET PERMITS -- STOP, STOP. >> CAN YOU PLEASE CONCLUDE. >> GOOD PEOPLE LIKE BROTHER KE'EAUMOKU. >> THANK YOU. MEMBERS, DO YOU HAVE ANY QUESTIONS FOR THE TESTIFIER? IF NOT, THANK YOU VERY MUCH. MAY WE HAVE THE NEXT ONE? >> CHAIR, THERE'S NO ONE ELSE TO TESTIFY. IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY, PLEASE MAKE YOURSELF KNOWN. CHAIR, IT APPEARS MR. LAU WISHES TO TESTIFY. >> ALOHA, THANK YOU FOR BEING HERE. >> J.C. LAU. 23-98 WITNESSED THE NOMINEE'S PARTICIPATION AND FREQUENT, FREQUENT PARTICIPATION IN MEETINGS AND LIKE THE PREVIOUS SPEAKER SAID, MR. KAPU SHOWS UP FOR MEETINGS. IT'S ON THE COMMITTEE, YOU ALL YOU CAN JUST VOTE AND YOU DON'T REPRESENT THE PONO PROCESS, HE SHOULD BE REMOVED. THE WORD "PROPERTY" WAS USED SEVERAL TIMES BY PREVIOUS TESTIFIERS. I'M KIND OF DISMAYED, AND I HEAR THAT WORD ALL THE TIME. I DON'T LIKE THE WORD "TRESPASSING," THAT IS A WHITE WORD AND MR. KAPU CAN GET ON THE COMMITTEE AND PUT KAPU SIGNS INSTEAD OF NO TRESPASSING. AINA OR LAND IN ENGLISH AND SPEAKING OF WORDS 23-114, 23-115, THE WORD "HOMELESSNESS." WE CAN'T FIGURE OUT BETTER WORD THAN THAT? I DON'T KNOW, HELP ME OUT ON THAT ONE, YOU ENGLISH MAJORS OUT THERE. >> ANY QUESTIONS FOR THE TESTIFIER? MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU, J.C., FOR YOUR TESTIMONY ON 23-98 AND 23-114 AND 115. MY QUESTION, WOULD YOU BE WILLING TO SIT ON THE COMMISSION ON HEALING SOLUTIONS FOR THE HOUSELESS? >> THANK YOU FOR ASKING ME THAT. I KIND OF STRUGGLED BECAUSE ONCE YOU GET OUT THERE IN PUBLIC, LIKE I SAID, YOU HAVE TO REPRESENT, AND I'LL HAVE -- MAYBE IF THE MAYOR ASKS ME I WILL CONSIDER IT. THANK YOU FOR ASKING. I WOULD NOT SAY NO AT THIS POINT. >> WELL-SAID. THANK YOU. WE'LL TALK TO THE MAYOR LATER. >> THANK YOU FOR YOUR TIME. >> THANK YOU. >> SEE IF YOU CAN GET HIM HOME BY 1:00, AUNTIE ALICE. >> WE'LL TRY. MS. CLERK. >> CHAIR, THE NEXT TESTIFIER IS BRIDGET MOWAT. >> AGAIN. IT'S YOUR TIME TO TESTIFY. IF YOU COULD PLEASE UNMUTE ON YOUR SIDE. >> HI, CAN YOU HEAR ME? >> YES. >> OKAY. THERE I AM. HI. I WANTED TO JUST TESTIFY ON THE RESO 23-28. AND I SUPPORT KE'EAUMOKU KAPU'S NOMINATION. HE'S SO MUCH IN THE PUBLIC, AND HE HAS SO MUCH MANA'O. HE HAS SO MUCH EKI ON THE HAWAIIAN CULTURE AND HAS BEEN TESTIFYING ON BEHALF OF THE LAHAINA AND MAUI AS A WHOLE FOR MANY, MANY YEARS, AND ANYONE THAT TO ME, WHO IS SO ARTICULATE AND COMPASSION SHOULD BE SITTING ON THIS COMMISSION. I DID SIT ON THE CRC, AND IT WAS THE FIRST COMMISSION I EVER SAT ON. I DIDN'T KNOW MUCH, AND YOU KNOW WHAT? TO HAVE SOMEONE ON THE COMMISSION WITH THAT KIND OF KNOWLEDGE, REALLY MAKES A BIG DIFFERENCE. SO I JUST WANTED TO GIVE MY SUPPORT TO KE'EAUMOKU. MAHALO VERY MUCH AND HAVE A GOOD DAY. >> THANK YOU. ANY QUESTIONS, MEMBERS? IF NOT, MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> CHAIR, THERE ARE NO OTHER TESTIFIERS SIGNED UP AT THIS TIME. IF THERE'S ANYONE WISHING TO TESTIFY, PLEASE MAKE YOURSELF KNOWN. WE'LL DO A QUICK COUNTDOWN. 3, 2, 1. CHAIR, THERE ARE NO FURTHER TESTIFIERS SIGNED UP AT THIS TIME. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY? >> NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> CHAIR, WE HAVE NO CEREMONIAL RESOLUTIONS. ON OUR CONSENT CALENDAR, NO MINUTES, NO ACTION ON THE CONSENT CALENDAR. SO MOVING ON TO COUNTY COMMUNICATIONS. THERE IS NO ONE CURRENTLY SIGNED UP TO TESTIFY UNDER "COUNTY COMMUNICATIONS." IF THERE'S ANYONE WISHING TO TESTIFY ON ANY OF THE COUNTY COMMUNICATIONS, PLEASE MAKE YOURSELF KNOWN AT THIS TIME. CHAIR, THE COUNTDOWN 3, 2, 1, THERE IS NO ONE SIGNED UP TO TESTIFY CHAIR. >> ANY OBJECTION TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR COUNTY COMMUNICATIONS. >> NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> BEFORE YOU IS COUNTY COMMUNICATION 23-7 FROM COUNCIL MEMBER SUGIMURA, RELATING TO COUNCIL MEMBERS' REPORT ON METROPOLITAN PLANNING ORGANIZATION POLICY BOARD MEETING MARCH 16, 2023. >> VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR. I MOVE TO FILE COUNTY COMMUNICATION 23-7. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO FILE COUNTY COMMUNICATION 23-7. DISCUSSION? VICE-CHAIR SUGIMURA. >> I'M GOING START WITH ACTUALLY JUST TO LET YOU KNOW THAT THE OFFICE OF INFORMATION PRACTICES HAS

FORMALLY ADVISED THESE REPORTS ARE NEEDED CAN YOU MOVE THE MIC CLOSER.\r\n\r\n>>
WE'RE WAITING FOR A FORMAL REPORT BECAUSE KNOW THAT QUESTION ALWAYS COMES UP. I'M
PROVIDING REPORT WITH THE STATE SUNSHINE LAW AND REQUIREMENTS SECTION 22-92-2.5(E),
HAWAII REVISED STATUTES. COUNCIL MEMBER JOHNSON, COOK, AND I ARE BECOMES OF THE
MAUI METROPOLITAN PLANNING ORGANIZATION AND ATTENDED THE MEETING MARCH 16, 2023
AT 9:00 A.M., VIA VIDEOCONFERENCE. THE MEETING INCLUDED AN OPPORTUNITY FOR PUBLIC
TESTIMONY AND THE BOARD ORIENTATION, SAFETY PERFORMANCE TARGETS AND STATE
LEGISLATION RELATING TO TRANSPORTATION AND CAN BE FOUND ON MAUIMPO.ORG AND THE
MEETING WAS NOT SPECIFICALLY OR EXCLUSIVELY ORGANIZED FOR OR DIRECTED TOWARDS
COUNCIL MEMBERS, AND NO COMMITMENT RELATING TO A COUNCIL VOTE WAS MADE OR
SOUGHT. CHAIR, THAT CONCLUDES MY REPORT AND WELCOME FURTHER COMMENTS FROM THE
MEMBERS. >> ANY COMMENTS OR QUESTIONS? IF NOT, ALL THOSE IN FAVOR OF FILING THE ITEM,
RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> EVERYBODY RAISE YOUR HAND AND SAY AYE.
NINE AYES, MOTION CARRIES. MS. CLERK. >> THANK YOU. >> MADAM CHAIR, PROCEEDING WITH
COUNTY COMMUNICATION 23-8 FROM COUNCIL CHAIR LEASE RELATING TO THE REFERRAL OF
VARIOUS MATTERS FROM THE 2021-2023 COUNCIL TO THE COUNCIL CHAIR FOR THE TERM
BEGINNING JANUARY 2ND, 2023. >> I BELIEVE WE NEED A HANDOUT.\r\n\r\n>> WE GOT IT. >>
EVERYBODY GOT THE HANDOUT? >> YES. >> SO THIS IS YOUR OPPORTUNITY TO PULL OUT
ANYTHING THAT YOU WOULD LIKE REFERRED? OTHERWISE, THE MATTERS -- THE ITEMS WILL BE
FILED. THESE ITEMS ARE THE CARRYOVER ITEMS FROM LAST TERM, AND WE MIGHT BE PILING
THEM, YOU CAN BRING THEM BACK. WE JUST DON'T WANT DEAD WEIGHT ON THE MASTER
AGENDAS AND THIS IS THE PROCESS.\r\n\r\nMEMBER PALTIN. >> THANK YOU, CHAIR. I JUST
WANTED TO CLARIFY WHAT YOU'RE SAYING, THESE ARE GOING TO BE FILED OR THEY ARE GOING
TO BE REFERRED AS INDICATED ON THE PAPER? >> REFERRED. THANK YOU. >> MEMBER
SUGIMURA. >> JUST AS CLARIFICATION, IF WE WANT A SPECIFIC ITEM TO COME TO COMMITTEE,
WE COULD AND ALL THE OTHERS WOULD GET REFERRED TO WHAT?\r\n\r\n>> REFERRED TO THE
PROPER COMMITTEE. >> OKAY. I WILL GET IT ANYWAY. THANK YOU. >> CHAIR? >> YES. MEMBER
UU-HODGINS.\r\n\r\n>> THANK YOU. I MOVE TO FILE GREAT 11 (10) AND GREAT 11 (31) AS IN EXHIBIT
C, GIVEN THE TIME-SENSITIVITY, NEW RESOLUTIONS ON THESE MATTERS WERE ALREADY
TRANSMITTED TO THE GREAT COMMITTEE. >> ANY OBJECTIONS TO FILING THESE TWO ITEMS,
ITEM 11-10 AND GREAT ITEM 11.31? ANY OBJECTION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO,
CHAIR. I DON'T HAVE AN OBJECTION. THE DOCUMENT THAT WE RECEIVED, IT SAYS "FILE" ON IT. IS
THAT JUST THE NOTES FOR THE COUNCIL MEMBERS?\r\n\r\n>> YES. >> THAT WASN'T WHAT WAS
ACTUALLY HAPPENING. EXHIBIT E IS FROM THE GREAT COMMITTEE, AND THOSE TWO ITEMS ARE
THE ITEMS THAT ARE INTENDING TO BE FILED. >> RIGHT. INSTEAD OF REFERRED. >> OKAY. >> ANY
OBJECTIONS TO FILING THOSE TWO ITEMS?\r\n\r\n>> NO OBJECTIONS. >> NO OBJECTIONS, SO
ORDERED. >> THANK YOU. >> ANY OTHERS? MEMBER JOHNSON. >> THANK YOU, CHAIR. THERE'S A
FEW OF THESE THAT I WOULD LIKE TO BE PUT INTO MY COMMITTEE, IF THE COUNCIL MEMBERS
WOULD ALLOW IT?\r\n\r\nTHE FIRST ONE, JUST GOING DOWN IN ORDER. SO THE FIRST ONE IS ON
PAGE 4. IT'S BILL NO. 104, BILL FOR ORDINANCE AMENDING SECTION 114.04.600. THAT IS SAYS APT-
64 AND SAYS IT'S GOING TO WAI. >> TRY AGAIN. >> IT SAYS APT 1 WHAT? >> IT'S UNDER ADEPT,
AND IT'S APT. >> JUST LOVE WHEN THE PAGES.\r\n\r\nADEPT NO. >> IF YOU ALLOW ME TO EXPLAIN
A LITTLE BIT ABOUT IT? THIS IS FOR WATER METERS. WE'RE FINDING OUT WITH FARMING IS THAT
SOME FARMERS WILL LEASE LAND FROM A LANDOWNER, AND UNFORTUNATELY SOME OF THOSE
LESSEES MAY NOT PAY THEIR WATER BILL, AND THIS -- IT DOESN'T -- THE LANDOWNER DOESN'T
REALIZE THAT THEIR WATER BILL IS NOT BEING PAID BY THE LESSEE, AND THE WATER
DEPARTMENT WILL SHUT OFF THE WATER, BECAUSE THE LESSEE DIDN'T PAY THEIR WATER BILL.
SO THAT IS SOMETHING THAT WE WANT TO TALK ABOUT IN MY COMMITTEE, IF COUNCIL ALLOWS.
>> ORDINARILY THIS WOULD GO TO THE WAI COMMITTEE. >> CHAIR.\r\n\r\n>> YES. >> COMMENT.
>> YES. >> I DON'T THINK IT NEEDS TO BE TAKE FROM ONE COMMITTEE TO ANOTHER COMMITTEE,
BECAUSE ON THAT COMMITTEE WE CAN ADDRESS THAT ISSUE. I'M TRYING NOT TO GET THINGS
TOO SEPARATED BECAUSE WE'RE COLLABORATIVE ON COMMITTEE AND I HEAR THE CONCERN
AND I THINK WE CAN ADDRESS THAT CONCERN, IF THE WATER DEPARTMENT IS GETTING FROM
DIFFERENT COMMITTEES, IT MIGHT BE AN ISSUE. THAT IS MY COMMENT. >> OKAY.\r\n\r\nIT'S VERY

AG-RELATED. IT'S COMING -- YOU KNOW, I MEET WITH THE AGRICULTURAL WORKING GROUP, WHO DOES A LOT OF HELP WITH OUR LEGISLATION. AND THAT HAS BEEN THEIR RECOMMENDATION TO ME. I'M JUST SEEING IF YOU WOULD ALLOW THAT? THAT WE HAVE AN IN-DEPTH DISCUSSION IN THE ADEPT COMMITTEE, IF YOU WOULD ALLOW IT? >> MEMBER COOK. >> CHAIR, COMMENT.\r\n\r\nI WOULD BE MORE THAN HAPPY TO WORK WITH YOU IN THE COMMITTEE. I DON'T THINK THERE'S ANY OBSTRUCTIONS OR BLOCKAGES IN THIS COMMUNICATION IN ACCOMPLISHING THE INTENT OF THE WATER DEPARTMENT, OF THE FARMERS, NOT BEING CUT OFF BECAUSE OF LACK OF COMMUNICATION. YOU AND I, THE COMMITTEE CAN WORK ON THAT, AND ADDRESS THAT, AND UNDERSTAND THE INTENT, AND THE INTERRUPTION OF SERVICE FOR WATER TO A FARMER BECAUSE SOMEBODY ELSE IS NOT PAYING THE BILL. WE CAN ADDRESS THAT. >> WE CAN ADDRESS IT IN MY COMMITTEE AS WELL. THAT IS REALLY WHAT WE'RE DISCUSSING. >> IF WE CAN'T COME TO QUICK RESOLUTION, WE'LL HAVE TO VOTE ON THIS.\r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I HEAR THE POINTS BEING MADE ON BOTH SIDES OF ME LITERALLY. AND SO BEING ON THE COUNCIL FOR THE PAST FOUR YEARS, YOU KNOW, WE ONLY HAVE TWO COMMITTEES A MONTH. AND IF IT'S SOMETHING TWO COMMITTEE MEETINGS A MONTH AND IF IT'S SOMETHING THAT IS PRIORITY, IT WILL BE TAKEN UP SOONER. LIKE THE GREAT COMMITTEE, AND THE BUDGET HAVE -- THERE'S SOME THINGS THAT DON'T HAVE DEADLINES AND IT'S JUST A MATTER OF TRYING TO EXPEDITE A POLICY TO HELP OUR COMMUNITY. SO MEMBER JOHNSON HAS ALREADY, I THINK IT WAS IN THE FIRST COMMITTEE, IN THE ADEPT COMMITTEE, AGENDIZED A DISCUSSION RELATED TO THIS.\r\n\r\nIT SOUNDS LIKE IT'S THAT COMMITTEE'S PRIORITY TO TRY TO EXPEDITE THIS POLICY AND IF WE'RE ALL ON-BOARD, I THINK WE CAN BE SUPPORTIVE OF ALLOCATING THAT TIME. COUNCIL MEMBER JOHNSON TRYING TO GET THAT THROUGH AS QUICKLY AS POSSIBLE, ON BEHALF OF ALL OF US ON THE COUNCIL. SO IF MEMBER COOK HAS OTHER PRIORITIES UNDER WATER AND INFRASTRUCTURE, THAT FREES UP HIS COMMITTEE MEETINGS TO PRIORITIZE OTHER THINGS. SO THAT WE CAN GET THOSE THINGS EXPEDITED ON BEHALF OF EVERYONE ON THE COUNCIL, AND THE COMMUNITY. BECAUSE WE'RE ALL TRYING TO HELP THE COMMUNITY. AND SO IT'S JUST A MATTER OF WHO IS GOING TO PRIORITIZE IT IN SCHEDULING IT IN COMMITTEE, AND WHO HAS THE BACKGROUND AND HAS BEEN WORKING ON IT? SO WE CAN AS A COUNCIL GET THIS POLICY PASSED TO HELP OUR COMMUNITY.\r\n\r\nSO THAT IS KIND OF HOW WE HAVE HANDLED IT IN THE PAST. YOU KNOW, SOME THINGS THAT DON'T CLEANLY FIT IN SOME SUBJECT-MATTER COMMITTEES HAVE GONE TO OTHER COMMITTEES BECAUSE THEY HAVE THE TIME. I HAVE TAKEN THINGS FROM GREAT MANY TIMES TO HELP WITH THERE'S JUST A LOT INVOLVED. SO I JUST WANTED TO PUT A LITTLE BIT OF BACKGROUND THIS IS NOT UNUSUAL AND WHEN WE CREATED THE COMMITTEE DESCRIPTIONS, THERE WAS A LOT OF OVERLAP, AND WE DID THAT KNOWINGLY AND INTENTIONALLY, KNOWING SOME OF THESE THINGS WOULD COME UP, AND WE WOULD HAVE TO MAKE THAT DECISION. IF WE'RE COLLABORATING AND WORK TOGETHER AS SHARED IN THE OPENING REMARKS THIS MORNING, THAT IS WHAT WE'RE DOING. MAHALO, CHAIR THANK YOU. THAT IS TRUE.\r\n\r\nSHE DID DESCRIBE HOW WE HAVE BEEN HANDLING THESE THINGS IN THE PAST. BUT ULTIMATELY, IT WAS THROUGH A MUTUAL AGREEMENT. SO IF THERE WAS NO MUTUAL AGREEMENT, IT WOULD GO TO THE STANDING COMMITTEE THAT COVERS THAT PARTICULAR SUBJECT-MATTER. SO AT THIS POINT, IT'S PRETTY MUCH UP TO YOU, MR. COOK. OTHERWISE, WE'RE GOING TO TAKE A VOTE ON IT, AND IN THE MEANTIME, WE HAVE OTHER QUESTIONS. MEMBER KAMA.\r\n\r\n>> I DON'T HAVE A QUESTION, CHAIR. I JUST HAVE A COMMENT. I THINK THAT IN RESPECT TO THE CHAIR OF THE COMMITTEE, AND THAT IS HIS DESIRE, AND THAT I WOULD LIKE TO RESPECT THAT. >> VICE-CHAIR SUGIMURA. >> JUST CLARIFICATION, THE FIRST ITEM THAT WAS TAKEN UP IN THAT COMMITTEE WAS ABOUT HOUSING. IT WASN'T ABOUT WATER. SO JUST KIND OF CLARIFYING.\r\n\r\nI DO RESPECT THAT IT WAS A GOOD DISCUSSION. BUT I DO RESPECT THAT MEMBER COOK IS SAYING THAT HE WOULD LIKE TO KEEP IT IN HIS COMMITTEE. THAT IS WHAT HIS COMMITTEE IS -- [INAUDIBLE]. >> MEMBER JOHNSON. LET'S HEAR FROM MEMBER PALTIN, SHE HASN'T HAD A CHANCE TO SPEAK YET. >> THANK YOU, CHAIR. MY RECOLLECTION WAS THIS WAS IN RESPONSE TO, I BELIEVE MS. SYDNEY SMITH SAYING THAT A LOT OF FARMERS DIDN'T WANT TO LEASE OUT THEIR AG LANS BECAUSE IF THE WATER METER WAS IN THE LAND OWNER'S NAME, AND THE LESSEE DIDN'T MAKE THE PAYMENT, THEN THE WATER GETS SHUTOFF.\r\n\r\nSO I MEAN, IT IS AG

AND WATER. SO IT IS CONFUSING. I WOULD JUST SAY THAT WITH WATER AND INFRASTRUCTURE, IT'S MY OPINION THERE'S A LOT MORE VERY HEAVY, MORE IMPORTANT ISSUES TO BE DEALT WITH WATER AND INFRASTRUCTURE. AND THIS WOULD BE ON THE BACK BURNER IN THE WAI COMMUNITY, BUT WOULD BE IN THE FRONT BURNER IN THE ADEPT. THAT IS MY TAKE ON IT. WATER AND INFRASTRUCTURE, THERE'S HUGE ISSUE WITH DRAINAGE IN KIHAI, AND SEWER, AND THINGS LIKE THAT. I WOULDN'T EXPECT THIS TO TAKE PRECEDENCE OVER THAT, BECAUSE YOU JUST CAN'T DO EVERYTHING AT ONE TIME.\r\n\r\nTHAT IS JUST MY TWO CENTS MEMBER SINENCI.

>> I KNOW IN THE PAST WE HAVE DONE DUAL REFERRAL OR GIVE THE POLICY TO ONE COMMITTEE AND THEN THE CONTENT TO THE OTHER TO HEAR IT. WOULD THAT BE A CANDIDATE FOR THAT? >> I'M OPEN TO ANY SUGGESTIONS THAT ARE MUTUALLY AGREED UPON. MEMBER JOHNSON AND THEN MEMBER COOK THANK YOU, CHAIR. I HAVE HAD LONG THREE-HOUR MEETING WITH THE AGRICULTURAL WORKING GROUP LAST NIGHT AND PROMISED THEM THAT I WOULD PUT THIS ON MY AGENDA -- THREE AG BILLS ON THE AGENDA, STARTING IN JUNE RIGHT AFTER BUDGET. SO I'M COMMITTED TO TRY TO GET THESE BILLS UP AND RUNNING.\r\n\r\nIT'S GOING TO BE IN THE FOREFRONT, AS COUNCIL MEMBER PALTIN JUST MENTIONED. SO I'M READY TO WORK ON THIS. THANK YOU, CHAIR. >> MEMBER COOK. >> I'M READY TO WORK ON IT, BASICALLY THE UPCOUNTRY WATER METERS, ALL THE WATER METERS AS PART OF THE DEPARTMENT OF WATER SUPPLY. AND IF WE START SEPARATING A FEW OF THE WATER METERS, I FIND IT CONFUSING. I DON'T SEE WHY WE CAN'T WORK TOGETHER ON THIS?\r\n\r\nIT'S LIKE, IF IT'S A PRIORITY, JUST OUR OFFICES WORK ON IT, COMMUNICATE IT. MY RESISTANCE IS BASICALLY IF IT'S ADDRESSING WATER METERS WITH THE DEPARTMENT OF WATER SUPPLY AND WHO IS PAYING THE BILL AND THE SERVICE, I DON'T WANT THE DEPARTMENT OF WATER SUPPLY TO BE DEALING WITH MULTIPLE PARTS IF WE'RE DOING SOURCE, TANKS, TRANSMISSION, SERVICE, IT'S A COLLABORATIVE THING. IF WE MAY, WE COULD HAVE A DISCUSSION WITH THE WATER DEPARTMENT, AND SEE IF IT'S PROBLEMATIC IS MY PERSPECTIVE? I'M RESPECTFULLY JUST SAYING I WOULD PREFER IT TO STAY IN MY COMMITTEE. I'M NOT COMPETING WITH ANYBODY. I WANT TO ASSIST IN EVERY POSSIBLE WAY WITH MEMBER JOHNSON'S COMMITTEE AND THE FARMERS' NEEDS. >> MEMBER RAWLINS-FERNANDEZ.\r\n\r\nTHEN PRO TEM KAMA AND MEMBER JOHNSON. >> MAHALO, CHAIR. FOR COUNCIL MEMBERS THAT ARE SUPPORTING IT TO GO TO ADEPT. WHAT I HEARD IS BECAUSE MEMBER JOHNSON IS PRIORITIZING IT, TO SCHEDULE IT AS SOON AS POSSIBLE, AND HE'S ALREADY BEEN DOING THE WORK ON IT. BECAUSE AFTER ALL, THIS IS ABOUT THE COMMUNITY. SO WHAT I HEARD FROM THOSE IN THAT WANT IT TO GO TO WAI COMMITTEE IS THAT MEMBER COOK WANTS IT. WHEN I HEARD FROM MEMBER COOK IS IT'S CONFUSING, IF IT GOES TO ADEPT.\r\n\r\nSEPARATING WATER METERS IS NOT SOMETHING THAT HE WOULD LIKE TO DO . I DON'T MEAN TO PUT WORDS IN YOUR MOUTH. I WAS TRYING TO SUMMARIZE. SO IN LOOKING AT, OR LISTENING TO THE RATIONALE BEHIND HOW WE SHOULD VOTE, I'M NOT VOTING BECAUSE -- I WOULDN'T BE VOTING TO PUT THE ITEM IN ADEPT, BECAUSE I LIKE MEMBER JOHNSON MORE THAN MEMBER COOK, OR LIKE HE IS ON MY SIDE, IDEOLOGICALLY MORE OFTEN. BUT IT'S BECAUSE HE IS GOING TO PRIORITIZE IT ON BEHALF OF THE COMMUNITY. THEY ARE GOING TO DO IT QUICKER. SO MEMBER COOK, MEMBER JOHNSON SAID AS SOON AS WE GET OUT OF BUDGET HE IS ALREADY COMMITTED TO THE AG WORKING GROUP AND HAS BEEN WORKING WITH THEM FOR LONG HOURS IN GETTING THIS SCHEDULED AS SOON AS WE FINISH BUDGET. IS THAT SOMETHING THAT YOU WOULD SCHEDULE AS SOON AS WE GET OUT OF BUDGET?\r\n\r\n>> YOU CAN ANSWER. >> OR NOT. >> IT IS SOMETHING THAT I CAN SCHEDULE -- WE ARE WORKING ON THAT RIGHT NOW, FOCUSING ON THE BUDGET, AND COMMUNICATING WITH THE DEPARTMENTS. MY PREFERENCE, IF COULD LEAVE THIS OPEN IS FOR US TO TALK TO DEPARTMENT OF WATER SUPPLY AND IDENTIFY IF IT'S A BIG ISSUE, AND IF IT CAN SIMPLY BE ADDRESSED? >> MAHALO FOR YOUR THOUGHTS ON THAT. SO EVEN IF THIS ISN'T A BIG ISSUE TO THE DEPARTMENT, IT'S A BIG ISSUE TO THE AG WORKING GROUP AND THE COMMUNITY. AND THEY WANT IT PRIORITIZED AND MEMBER JOHNSON IS WILLING TO PRIORITIZE IT, AND TAKE IT OFF YOUR PLATE.\r\n\r\nSO THAT IS WHAT I'M SAYING. LET'S WORK TOGETHER. LET HIM SCHEDULE IT AND YOU ARE IN HIS COMMITTEE. >> MEMBER COOK, ARE YOU WILLING TO PRIORITIZE THIS ITEM AND SCHEDULE IT AS SOON AS POSSIBLE AFTER THE BUDGET? >> YES. >> OKAY. THAT ANSWERS THAT QUESTION.\r\n\r\n>> I'M SORRY, NOT AS SOON AS POSSIBLE. IMMEDIATELY AFTER

GETTING DONE WITH THE BUDGET. >> THAT IS NOT FAIR. >> THAT IS WHAT MEMBER JOHNSON IS SAYING THAT IS WHAT HE IS WILLING TO DO. >> THANK YOU. LET'S MOVE ON. MEMBER KAMA.\r\n\r\n>> THANK YOU, CHAIR. ONE OF THE THINGS I DIDN'T LIKE IS HEARING THAT A MEMBER OF THIS COUNCIL MAKES PROMISES TO GROUPS ON THE OUTSIDE AND BRINGS IT TO US, AND ALSO FORCES US TO MAKE ABOUT ON THAT PROMISE THAT HE MADE, THAT WE DID NOT PROMISE. I'M NOT IN FAVOR OF PROMISE THINGS TO PEOPLE THAT YOU DON'T EVEN KNOW IF YOU CAN KEEP THAT AND NOW I FEEL WE'RE BEING PRESSURED TO DO THAT AND I DON'T LIKE THAT. SECOND THING, I DON'T THINK WE SHOULD BE PRESSING COMMITTEE CHAIRS TO PRIORITIZE THINGS IN OUR COMMITTEES WHEN WE DON'T PRESS OTHERS TO PRIORITIZE THEIR COMMITTEES EITHER. HOW CAN WE COME HERE FEEL WE'RE BEING PRESSURED OR PROMISED THINGS THAT WE DON'T KNOW ABOUT UNTIL WE ARE HERE. I'M NOT SUPPORTIVE AND JUST LET THE CHAIR CHAIR HIS COMMITTEE AND JUST ALLOW THAT TO HAPPEN. THANK YOU.\r\n\r\n>> MEMBER SUGIMURA. DID YOU HAVE YOUR HAND UP? >> NO. >> OKAY. LET'S NOT BELABOR THIS. YES? >> WHO DECIDED BASED ON THE COMMITTEE DESCRIPTION WHERE THIS ITEM WOULD GO?\r\n\r\nTO HEAR THE RATIONALE. >> DAVID. LET ME TAKE THAT BACK. I WOULD HAVE, IF I WORKED ON IT MYSELF, WOULD HAVE RECOMMENDED REFERRAL TO THE WAI COMMITTEE. THE WAI COMMITTEE. I WOULD HAVE. >> BECAUSE?\r\n\r\n>> BECAUSE THAT SUBJECT-MATTER IS IN THAT COMMITTEE, IN THAT STANDING COMMITTEE. >> THE WATER FOR FARMERS IS THE ADEPT COMMITTEE. >> YES, BUT THIS WOULD APPLY TO GENERAL. IT'S NOT ONLY FOR FARMERS, BUT FOR EVERYBODY AS FAR AS I KNOW >> THE BILL SAYS FOR AGRICULTURE >> ONLY FOR AGRICULTURE AND NOTHING ELSE? YOU SEE, THAT TO ME DEBATABLE ONLY TARGETING ONE GROUP? TO ME, THIS IS A WATER MATTER AND IT SHOULD GO TO THE WATER COMMITTEE. NOW THERE ARE INSTANCES WHERE THE TWO CHAIRS, TWO DIFFERENT CHAIRS COME TO SOME AGREEMENT, IN WHICH CASE I WOULD DEFER TO THAT.\r\n\r\nBUT IF THERE'S NO AGREEMENT, I WOULD GO BACK TO THE ORIGINAL REFERRAL RECOMMENDATION. >> CHAIR, I LOVE THAT IDEA, AND IT WORKED IN THE PAST. BUT THIS IS A NEW COUNCIL, AND THERE'S GOING TO ALWAYS BE A 5-4 SPLIT IT SEEMS OFTEN TIMES WHEN THERE'S CONTENTIOUS ITEMS. I DIDN'T THINK THIS WOULD BE CONTENTIOUS, JUST BECAUSE -- >> ME, TOO. >> IT'S AN AGRICULTURAL WATER THING. THE ADEPT COMMITTEE HAS AGRICULTURAL WATER. WE KNEW THAT WOULD BE AN ISSUE, OR THAT THERE WOULD BE OVERLAP.\r\n\r\nSO IT'S JUST I THOUGHT WE WERE WORKING TOGETHER ON THIS AND WOULDN'T BE LIKE OH, OKAY, I'M GOING TO JUST -- >> OKAY. >> MEMBER COOK. >> IT'S REALLY UNFORTUNATE THAT WE'RE HAVING THIS CONVERSATION, AND THIS CONFLICT AT THE BEGINNING OF THIS MEETING, WHEN IT'S BASICALLY CALL IT A MISUNDERSTANDING OR WHATEVER. IT'S NOT A POWER STRUGGLE. I DON'T UNDERSTAND WE DIDN'T DISCUSS IT BEFORE. IT'S BEING DISCUSSED NOW FOR THE FIRST TIME AND I HAVE MADE MY COMMENTS. NOTHING IS CAST IN STONE.\r\n\r\nWE LEAVE IT HERE, WE WORK TOGETHER, I'LL TALK TO THE DEPARTMENT OF WATER SUPPLY AND NO DISPUTE ON WHAT THE ISSUE IS. PRIORITIZE IT. WE DON'T WANT THE FARMERS WITHOUT WATER. WE WANT IT FAIR AND JUST. I WOULD LIKE TO, IF WE NEED TO TAKE A VOTE AND THIS IS NOT A POWER STRUGGLE. I DON'T -- THIS IS REALLY UNFORTUNATE THAT THIS IS THE WAY TWO SHARED COMMITTEES ARE GETTING OFF TO START AND I'M OPEN FOR US TO CONTINUE AND THIS NOT BE A REFERENCE POINT IN THE FUTURE. I WOULD LIKE US TO JUST VOTE AND MOVE ON.\r\n\r\nWE HAVE A LOT OF BUSINESS TO TAKE CARE OF. >> OKAY. MEMBERS, AT THIS TIME, I WOULD ENTERTAIN A MOTION TO RECOMMEND THAT THIS MATTER BILL 104 BE REFERRED TO THE WAI COMMITTEE. >> MOTION. >> SECOND. >> MOVED BY MEMBER KAMA, SECONDED BY MEMBER SUGIMURA TO REFER THIS ITEM OF BILL 104 TO THE WAI COMMITTEE. DISCUSSION?\r\n\r\nMEMBER KAMA. >> THANK YOU, CHAIR. I DON'T THINK THE ISSUE WAS CONTENTIOUS. ONCE THE CHAIR HAS SPOKEN THAT HE WANTED IT, MR. JOHNSON ASKED FOR IT TO BE REFERRED AND THAT DISCUSSION -- THAT SHOULD HAVE BEEN WHERE IT SHOULD HAVE BEEN. IT ONLY GET CONTENTIOUS WHEN MORE PEOPLE ADD TO THE CONVERSATION AND ONLY SEEMS THERE'S A STRUGGLE GOING ON HERE. TO ME, IT WOULD HAVE BEEN JUST GIVE IT TO THE CHAIR.\r\n\r\nHE IS WILLING TO WORK WITH MR. JOHNSON. IS MR. JOHNSON WILLING TO WORK WITH MR. COOK AND ALLOW THESE TWO CHAIRS TO WORK IT OUT. THEY ARE ON THE SAME COMMITTEE, WORKING THE SAME GOAL AND THEY WILL WORK TOWARDS GETTING DONE WHAT THEY BOTH KNOW NEEDS TO GET DONE. I'M VOTING IN FAVOR OF THE MOTION.\r\n\r\n>> MEMBER

SUGIMURA. >> I HAVE NOTHING MORE TO ADD. I THINK IT WAS WELL-STATE MEMBER RAWLINS-FERNANDEZ, AND MEMBER PALTIN. >> MAHALO, CHAIR. I WILL BE VOTING AGAINST THIS MOTION. I WOULD PREFER IT GO TO ADEPT. MEMBER JOHNSON HAS BEEN WORKING WITH THE FOLKS WHO ARE WORKING ON THIS ISSUE, WHO ARE ASKING FOR THIS RELIEF.\r\n\r\nAND YEAH, WE WORK WITH THE COMMUNITY ALL THE TIME. I DON'T THINK IT'S OUTRAGEOUS TO SAY AND I HAVE DONE THIS, I WILL TELL THE COMMUNITY, YOU KNOW WHAT? THIS IS A PRIORITY. I'M GOING PUT IT ON MY NEXT AGENDA, I PROMISE THAT. AND THAT'S NORMAL. THAT'S WHAT WE DO. IT'S NOT UNHEARD OF.\r\n\r\nSO I'M DISAPPOINTED TOO. I DIDN'T THINK THIS WOULD BE SO CONTENTIOUS. MEMBER JOHNSON HAS PUT SO MUCH TIME INTO DOING THIS AND MEMBER COOK HAS NOT, LET'S JUST GET IT DONE. MAHALO, CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I WOULD SUPPORT THE MOTION, BECAUSE IT DEALS WITH AGRICULTURAL WATER, AND TO YOUR POINT EARLIER, WHERE YOU SAID IT SHOULD BE ALL WATER, IT ONLY DEALS WITH AGRICULTURAL WATER, BECAUSE THEY'RE THE ONLY ONES HAVE THAT PROBLEM.\r\n\r\nIF I WERE TO LEASE LAND IN A RESIDENTIAL DISTRICT, THE WATER SITUATION IS ALL FIGURED OUT ALREADY. BUT IN AN AG DISTRICT, THAT IS WHAT SYDNEY SMITH WERE SAYING THAT THEY DON'T WANT TO LEASE LAND TO OTHER FARMERS THAT WOULD LIVE THERE, BECAUSE ON AG LAND, IF YOU GET THAT THING, AND THEN YOU DON'T PAY IT, THEN IT COMES BACK TO THE PROPERTY OWNER. SO IT'S NOT A PROBLEM FOR WATER IN RESIDENTIAL OR EVEN COMMERCIAL DISTRICTS WHEN WATER IS BEING LEASED -- OR LAND IS BEING LEASED OUT, BUT IT'S A WATER PROBLEM SPECIFIC TO THE AGRICULTURAL DISTRICT. SO THAT IS MY REASONING. THANK YOU. >> MEMBER JOHNSON. >> THANK YOU, CHAIR.\r\n\r\nI CAN'T SUPPORT THE MOTION, EVEN THOUGH I APPRECIATE THE DISCUSSION. I'M A FARMER. AND THIS WAS A BILL THAT THE FARMERS TOLD ME THEY'RE CONCERNED. WE HAD A MEETING AND IT WAS DISCUSSED AND IT MADE SENSE TO ME THAT I'M GOING TO TRY TO CHAMPION THIS, ALL RIGHT? SO THAT IS WHY I'M KIND OF PUSHING FOR IT. I BELIEVE THAT IS THE POINT AND I WILL STAND UP FOR FARMERS. THANK YOU, CHAIR.\r\n\r\n>> ANYBODY ELSE? MEMBER SINENCI. >> MAHALO, CHAIR. COUNCIL MEMBER UU-HODGINS ASKED ME ABOUT THE BILL, AND IN RECOLLECTION, IT WAS INITIATED BY THE AG WORKING GROUP. SO WE WORKED IN TANDEM WITH THEM, CHAIR. >> ANY OTHER COMMENTS? IF NOT, DO YOU WANT TO SAY SOMETHING MEMBER UU-HODGINS?\r\n\r\n>> SINCE EVERYBODY ELSE DID, I FEEL LIKE I SHOULD. I DON'T KNOW HOW COME THIS IS SO CONTENTIOUS? IT REALLY SHOULDN'T BE. I DON'T THINK IT'S WORTH ANYBODY'S TIME MAKING A MOUNTAIN OUT OF A MOLE HILL AND AT THIS POINT, THE TWO MEMBERS CAN FIGURE IT OUT. AS LONG AS PEOPLE PRIORITIZE THE ISSUE, IT SHOULDN'T BE AN ISSUE. I'M HAPPY TO SUPPORT IT GOING TO WAI, IF THAT IS WHAT THE CHAIR WANTS, BUT MEMBER JOHNSON IS ALSO IN THAT COMMITTEE AND WE CAN ALL WORK TOGETHER JUST LIKE THAT. >> WELL-SPOKEN.\r\n\r\nOKAY. FROM THE YOUNGEST MEMBER, TOO. ROLL CALL. >> PRO TEM KAMA? >> YES. >> VICE-CHAIR SUGIMURA? >> YES.\r\n\r\n>> COUNCIL MEMBER PALTIN? >> NO. >> COUNCIL MEMBER JOHNSON? >> NO. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> NO. >> COUNCIL MEMBER COOK?\r\n\r\n>> YES. >> COUNCIL MEMBER UU-HODGINS? >> YES. >> COUNCIL MEMBER SINENCI? >> NO. >> CHAIR, THERE ARE -- >> AND ME, AYE. >> I'M SORRY.\r\n\r\nCHAIR LEE. THERE ARE FIVE AYES, FOUR NOS, MOTION PASSES. >> MEMBERS, I WAS GOING TO TAKE A RECESS, BUT WOULD YOU LIKE TO SAY SOMETHING? >> NOT AT THIS TIME. THANK YOU, CHAIR. >> ALL RIGHT, MEMBERS, TEN-MINUTE RECESS. WE'LL RETURN AT 10:37. RECESS.\r\n\r\n[GAVEL] [GAVEL] WILL THE COUNCIL MEETING OF MARCH 24TH, 2023 PLEASE RECONVENE. SO MEMBERS, DO YOU HAVE ANY OBJECTIONS IF WE MOVE ON TO TESTIMONY FOR ONE ITEM, THE RESO THAT WE WERE -- >> CHAIR? >> YES, MEMBER PALTIN. >> I'M IN FULL SUPPORT OF THAT, BUT WONDERING IF WE COULD DO THE WHOLE SECTION BECAUSE OF THE SUNSHINE LAW TESTIMONY? ARE WE DOING THE TESTIMONY BY SECTIONS THING? >> HE WITH WERE. WE WEREN'T GOING TO NOT HAVE IT.\r\n\r\nWE'RE GOING TO HAVE OPEN TESTIMONY FOR THIS ONE ITEM, BUT WE CAN TAKE IT FOR ALL. MEMBERS, IF YOU WANT >> I WOULD LIKE TO DO ALL K, SO WE DON'T HAVE TO GO BACK AND FORTH. >> ALL RIGHT, MEMBERS, ANY OBJECTIONS TO TAKING K OUT OF ORDER AND TAKING THAT UP FIRST, BECAUSE WE HAVE PEOPLE IN THE AUDIENCE, WHO -- >> NO OBJECTIONS >> WHO NEED TO GO BACK TO THEIR NORMAL LIVES MADAM CLERK. >> IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY ON ANY OF RESOLUTIONS LISTED ON TODAY AGENDA, PLEASE LET YOURSELF BE KNOWN. I'LL DO A QUICK COUNTDOWN. 3,

2, 1. CHAIR, THERE'S NO ONE SIGNED UP TO TESTIFY ON RESOLUTIONS. >> ALL RIGHT.\r\n\r\nPLEASE CALL UP THE RESOLUTIONS. >> AND WE CAN TAKE THE RESOLUTIONS OUT OF ORDER. TAKE THE ONE WITH CAN KE'EAUMOKU ITEM. >> THANK YOU, CHAIR. >> 23-98. >> >> ALSO A REMINDER, IF THE MEMBERS HAVE NO OBJECTION TO CLOSING TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR RESOLUTIONS. >> MEMBERS, ANY OBJECTIONS TO CLOSING TESTIMONY ON RESOLUTIONS AND ACCEPTING WRITTEN TESTIMONY? >> CHAIR.\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I JUST RECEIVED WORD THAT THERE WERE INDIVIDUALS WISHING TO TESTIFY, BUT BECAUSE WE DIDN'T INDICATE THAT WAS THE INTENTION, SO ON RESOLUTIONS, BUT BECAUSE WE DIDN'T STATE THAT WAS THE INTENTION BEFORE GOING INTO THE RECESS, THE ASSUMPTION WAS THAT WE WOULD COMPLETE OUR BUSINESS ON COUNTY COMMUNICATIONS THAT INDIVIDUALS WEREN'T READY -- WEREN'T FAST ENOUGH IN LETTING US KNOW THAT THEY WANTED TO TESTIFY. >> ON RESOLUTIONS? >> YES, ON RESOLUTIONS. BECAUSE I WASN'T SUPER LIKE READY EITHER WITH THE HEALING SOLUTIONS FOR HOMELESSNESS. THERE'S TWO RESOLUTIONS ON THAT ONE.\r\n\r\nAND THERE ARE INDIVIDUALS THAT NEED TO BE NOTIFIED IN CASE -- THOSE TWO RESOLUTIONS, I WOULD LIKE TO TAKE ACTION ON THE FLOOR TODAY, AT LEAST ASK THE MEMBERS FOR THEIR CONSIDERATION TO TAKE ACTION ON THE FLOOR TODAY AND THE INDIVIDUALS NOMINATED WOULD NEED TO BE CONTACTED. SO THAT THEY CAN GET ONLINE, IF THE MEMBERS HAVE QUESTIONS FOR ANY OF THE NOMINEES? SO WE JUST NEED A LITTLE BIT OF TIME FOR THEM. >> OKAY. WELL, I HAD HOPED TO TAKE UP JUST 23-98 FOR NOW, BUT MEMBER PALTIN ASKED TO TAKE UP ALL OF THEM, AND THEN WE SORT OF AGREED TO DO THAT. MEMBER JOHNSON. >> CHAIR, JUST A QUESTION, WILL BE ABLE TO GO BACK TO WHAT WE WERE DISCUSSING BEFORE THE BREAK?\r\n\r\n>> OF COURSE. WE'RE JUST TRYING TO ACCOMMODATE THE FOLKS IN THE AUDIENCE, BECAUSE I'M SURE THEY'RE NOT INTERESTED IN OUR REFERRALS AND SO FORTH. SO MEMBERS, IN LIGHT OF MEMBER RAWLINS-FERNANDEZ' CONCERN ABOUT PEOPLE NOT BEING PREPARED AT THIS TIME TO TESTIFY ON CERTAIN RESOLUTIONS, CAN WE JUST TAKE ONE, DAVID? >> THANK YOU, CHAIR. YES, YOU HAVE SOME FLEXIBILITY, AS PRESIDING OFFICER IN REORDERING THE AGENDA ITEMS. CH NO, BUT AS FAR AS TESTIMONY GOES, NORMALLY WE HAVE TO TAKE IN BLOCKS IN GROUPS. >> THERE ARE THE NEW SUNSHINE LAW YOU CAN ONLY CLOSE TESTIMONY ON A CATEGORY OF ITEMS, OR A PARTICULAR ITEM AFTER YOU HAVE BEGUN AT TIME YOU ARE BEGINNING DELIBERATIONS.\r\n\r\nSO YOU CAN CHOOSE TO GO BY CATEGORY, OR BY ITEM. >> SO WE CAN TAKE TESTIMONY -- WE DID, WE TAKE TESTIMONY ON RESOLUTIONS 23-98, CLOSE TESTIMONY ON THAT, AND THEN DELIBERATE ON IT. MEMBERS, ANY OBJECTIONS TO DOING THAT. >> NO. >> DID WE ASK FOR TESTIMONY ON 23-98 SPECIFICALLY, MS. CLERK? >> NO, WE DIDN'T. >> OKAY: CHAIR? \r\n\r\n>> YES. >> I RECEIVED WORD THAT THE NOMINEES WERE NOTIFIED AND ARE READY FOR RESO 114 AND 115. >> SO YOU'RE SAYING -- >> MY VIDEO IS NOT ON. >> TO GO BACK? >> SINCE WE TOOK AND CLOSED PUBLIC TESTIMONY ON THE ENTIRE SECTION K, THEN WE CAN -- WE HAVE THE INDIVIDUALS READY FOR WHEN WE DO GET TO THE TWO RESOLUTIONS AT THE END. >> ALL RIGHT. SO BACK TO PLAN A. LET'S TAKE UP RESOLUTION 23-98. >> THANK YOU, MADAM CHAIR, PROCEEDING WITH RESOLUTIONS, RESOLUTION 23-98, NOMINATING AND APPROVING THE APPOINTMENT KE'EAUMOKU KAPU TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION. >> MEMBER UU-HODGINS.\r\n\r\n>> MAHALO, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 23-98. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER PALTIN TO DISCHARGE THE COMMITTEE. ANY DISCUSSION ON THIS MOTION? YES. >> THE COUNCIL'S DEADLINE TO APPROVE OR DISAPPROVE THE NOMINEE IS MAYOR 26, 2023 AND WE NEED TO BE ABLE TO CONSIDER THE NOMINATION TODAY IN ORDER TO MEET THAT DEADLINE. ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND AND SAY AYE. PRO TEM KAMA? ALL AYES, ZERO MONTHS, MOTION CARRIES, THEN WE HAVE MEMBER UU-HODGINS AGAIN. >> OKAY. SORRY. I NEED TO MOVE TO WAIVE RULE 7G OF RULES OF THE COUNCIL. >> OKAY.\r\n\r\n>> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER PALTIN TO WAIVE RULE 7G OF THE COUNCIL. DISCUSSION THIS IS A TIME-SENSITIVE ISSUE FOR REASONS STATED DURING THE DISCHARGE REQUEST. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE RULE WAIVER, RAISE YOUR HAND, SAY AYE? NINE AYES, ZERO

NOS, MOTION CARRIES. AGAIN, MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU. I MOVE TO ADOPT RESOLUTION 23-98. >> MEMBER PALTIN. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECOND BY MEMBER PALTIN FOR RESOLUTION 23-98. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE DISCUSSED RESOLUTION 23-98 AT THE MARCH MEETING AND INTERVIEWED THE NOMINEE PUT FORTH BY MEMBER PALTIN, KE'EAUMOKU KAPU IS CEO OF [SPEAKER NOT UNDERSTOOD] MR. KAPU PREVIOUSLY SERVED ON THE MAUI COUNTY CULTURAL RESOURCES COMMISSION AND THE STATE BURIAL COUNCIL. MR.\r\n\r\nKAPU SAID HE IS A STRONG ADVOCATE FOR TRADITION AND CULTURE, AND WOULD LIKE TO BRING TO THE COMMISSION A PONO PROCESS, WHICH INCORPORATES TRADITIONAL MANAGEMENT INTO CONTEMPORARY METHODS. I UNDERSTAND SOME OF THE BACK AND FORTH TESTIMONY BUT I, TOO, WILL HOLD HIM TO HIS WORD, AS HE JUST SAID A FEW DAYS AGO. YOUR COMMITTEE EXPRESSED SUPPORT OF THE NOMINEE AND THANKED HIM FOR HIS WILLINGNESS TO SERVE AND ASK FOR MEMBERS' SUPPORT OF MY MOTION. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO WAIVE RULE 19C OF THE RULES OF THE COUNCIL TO ALLOW FOR AMENDMENT TO DESIGNATE MR. KAPU AS THE CULTURAL PRACTITIONER SEAT SPECIFICALLY, BECAUSE WE NEGLECTED THAT IN THE ORIGINAL RESO.\r\n\r\n>> MEMBER UU-HODGINS, DO YOU SECOND? >> SECOND. >> THANK YOU. >> MOVED AND SECONDED. MEMBER PALTIN, ANY MORE COMMENTS? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE.\r\n\r\n>> OKAY. MOTION NINE AYES, ZERO NOS, MOTION CARRIES. EVERYBODY, YOU HAVE BEEN GIVEN AN ASF COPY. AND THEN WE GO BACK TO MEMBER PALTIN. >> THANK YOU, CHAIR. I MOVE TO SUBSTITUTE FOR RESOLUTION 23-98 THE PROPOSED FD 1 VERSION ATTACHED TO THIS AMENDMENT SUMMARY FORM. IN THE ORIGINAL NOMINATION IT WAS THE INTENTION TO NOMINATE MR.\r\n\r\nKAPU TO THE VACANT CULTURAL PRACTITIONER SEAT, AND THAT HAD BEEN LEFT OUT, KIND OF ASSUMED IT WOULD HAPPEN. BUT GOT THE ADVICE THAT IT'S BETTER TO BE SPECIFIC, AND THIS IS REQUIRED ITEM, AND IT'S VACANT AND THERE'S BEEN ISSUE WITH QUORUM. SO WE JUST HAVE ARE CROSSING OUR TS AND DOTTING OUR IS. >> ANY MORE DISCUSSION? NOW THIS IS TO SUBSTITUTE ANY MORE DISCUSSION? SECOND IS MEMBER UU-HODGINS. ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND AND SAY AYE?\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. MEMBER PALTIN. >> FOR ME DISCUSSION ON THE MAIN MOTION AS AMENDED, I WOULD SAY THAT I DID WORK WITH IN COLLABORATION WITH THE MAYOR BISSEN ADMINISTRATION ON THIS NOMINATION. THEY EMAILED TO US THE APPLICATION THAT THEY HAD RECEIVED FROM MR. KE'EAUMOKU KAPU. AND YOU KNOW, LIKE SAID IN COMMITTEE, HE IS ALREADY DOING THE WORK SPECIFICALLY IN THE HISTORIC DISTRICT CAN THE CULTURAL RESOURCE COMMISSION SPECIFICALLY OVERSEES THE HISTORIC DISTRICTS. HE'S DEALING WITH THE SHIPWRECK EIGHT' AWAY FROM THE STONE AND DEALING WITH IWI KUPUNA WITH THE COUNTY ALREADY.\r\n\r\nAND I AGREED WITH MAYOR BISSEN THAT HE WOULD BE A RIGHT FIT FOR THIS POSITION. I UNDERSTAND THERE ARE LAND DISPUTES IN THE VALLEY THAT SHOULD BE SETTLED IN LAND COURT. MY UNDERSTANDING IS SINCE THE INITIAL CONFRONTATION, MR. KAPU HAS TAKEN HIMSELF OUT OF EQUATION AND HAS NOT RETURNED UP THERE. I UNDERSTAND THAT HE IS BEING HELD ACCOUNTABLE FOR OTHER PEOPLE'S ACTIONS, AND TO THAT, I WOULD JUST SAY WE'RE ALL RESPONSIBLE FOR OUR OWN ACTIONS, AND SHOULD NOT BE HELD RESPONSIBLE FOR THE ACTIONS OF WHAT OTHER PEOPLE DO. WE ALSO LEARNED YESTERDAY THAT THE HISTORY OF LAND TENURE IN HAWAI'I, AND THIS OCCUPATION BY THE UNITED STATES DOES CAUSE PASSIONATE RESPONSE AMONG NATIVE HAWAIIANS, WHOM HAD THEIR WHOLE ENTIRE COUNTRY OCCUPIED BY AN OCCUPIER. SO WHILE BOTH I DEEPLY RESPECT BOTH SIDES OF THE ISSUE, I DON'T THINK IT'S ON THEM.\r\n\r\nI THINK IT'S ON THE SYSTEM, WHICH PERPETUATES LIES. AS WE HAVE SEEN IN THE PUBLIC APOLOGY BILL, PUBLIC LAW 103150 AND SO ON AND SO FORTH. IT'S NOT JUST FICTION. IT'S ENOUGH UNFORTUNATE SITUATION, I HAVE KNOWN ATONE KRUPNICK FROM SMALL-KID TIME AND I THINK THAT MAJORITY OF EVERYONE INVOLVED WANTS TO BRING LIFE BACK TO THOSE VALLEYS. IT'S UNFORTUNATE OF HOW THINGS HAVE GOTTEN TO POINT THAT THEY ARE TODAY. AND I JUST WOULD HOPE THAT COOLER HEADS PREVAIL, AND ALL SIDES DO ATTEND PONO PONO, BECAUSE IT'S REALLY DISTRESSING WHEN IT'S AMONGST WITHIN PEOPLE'S OWN FAMILIES THAT THESE THINGS ARE GOING ON. THANK YOU.\r\n\r\n>> THANK YOU. MEMBERS, DO YOU WANT ANY OF OUR RESOURCE PEOPLE TO COME TO THE MICROPHONE? MEMBER SUGIMURA. >> I WONDER IF

WE COULD HAVE MR. KE'EAUMOKU KAPU COME FORWARD? >> MR. KAPU.\r\n\r\n>> CHAIR, POINT OF ORDER? >> YES. MEMBER RAWLINS-FERNANDEZ. >> WILL RULE 18A, RULES OF COUNCIL RESOURCE PERSON WILL DESIGNATE. >> I THOUGHT WE DID ALREADY. >> NOT MR. KAPU.\r\n\r\n>> NOT MR. KAPU. ANY OBJECTION TO DESIGNATING MR. KAPU AS A RESOURCE PERSON? >> NO OBJECTIONS. >> OKAY. COULD YOU STATE YOUR NAME FOR THE RECORD.\r\n\r\n>> SURE. BEFORE I DO, I THINK IT'S IMPORTANT TO REMIND THIS COUNCIL THAT MAYOR BISSEN CHALLENGED A FEW INDIVIDUALS IN THE AUDIENCE THAT ANYWAY LAHAINA COULD MAKE A POSSIBLE CHANGE TO STEP UP AND I STEPPED UP AND NOT REALIZING THE SITUATION I'M IN AT THIS MOMENT HAS NOTHING TO DO WITH WHAT'S GOING ON. FOR THE RECORD, MY NAME IS KE'EAUMOKU KAPU. AND I'M FROM KAHOMA, LAHAINA AND RECOGNIZED BY STATE HISTORIC PRESERVATION DIVISION AS LINEAL DESCENDANT TO BOTH VALLEYS. BROUGHT UP TO BE OBEDIENT, TO PAY ATTENTION AND TO FOLLOW THE RULES. THIS IS A SAD DAY FOR OUR LAHUI AND FOR THOSE TO VOICE OPINION WITH 200-PLUS PAGE KNOWLE NOVEL WHY HE FEELS I SHOULD NOT SERVE ON THE CULTURAL RESOURCES COMMISSION, WE FORGIVE HIM. SAD, HE HAD TO AIR OUT HIS DIRTY LAUNDRY IN THIS FINE RESPECTABLE HOUSE.\r\n\r\n\r\nI'M HAPPY TO ANSWER ANY OF YOUR QUESTIONS. >> WE WANT TO KEEP THE CONVERSATION AS CIVIL AS POSSIBLE WITHOUT ANY HURTFUL REMARKS TO ANYBODY, WHETHER YOU'RE JUSTIFIED OR NOT, OKAY? MEMBER SUGIMURA. >> SO FIRST THING I WANT TO SAY IS THAT MANY, MANY YEARS AGO, WHEN I WAS WORKING FOR MAYOR -- THIS IS ABOUT THE KE'EAUMOKU KAPU AND THE MAYOR DESIGNATED ME TO BE THE ALOHA FESTIVAL REPRESENTATIVE FOR THE STATE OF HAWAII. AND I REACHED OUT TO KE'EAUMOKU AND I WASN'T TO HIS -- I FORGOT WHERE -- >> PU WAHA. >> I WOULD DRIVE FROM KULA AND HE HELPED ME, AND I WANTED TO LEARN ABOUT THE CULTURE, AND BE SENSITIVE. HE AND HIS WIFE AND HIS FAMILY WE VERY NICE TO ME. I WANT TO SAY THIS UPFRONT AND I HAVE NEVER SAID IT TO THE COUNCIL, BUT I HAVE A DEEP GRATITUDE FOR YOU EVEN ALLOWING ME TO DO THAT.\r\n\r\n\r\nI'M 100% JAPANESE. AND I JUST OPENED MY MIND, YOU KNOW, WITH HIS ALOHA. I JUST WANT TO THANK YOU FOR THAT. THE QUESTION I HAVE FOR YOU IS THAT THE TESTIFIERS THAT CAME AND TESTIFIED, YOUR NEIGHBORS, YOUR PROPERTY NEIGHBOR, WILL YOU ALLOW THEM TO GO AND SEE THEIR DESCENDANTS? I THINK AGAINST ALL OF THE THINGS THAT I THOUGHT YOU STOOD FOR, AND RESPECT FOR THE CULTURE. I THINK SOMETHING THAT IS VERY BASIC, YOU KNOW? THEY'RE SITTING IN THE CHAMBERS, SOMETHING SO IMPORTANT TO THEM.\r\n\r\n\r\nFOR ME IT SOUNDS LIKE SOMETHING EASY, YES, BE A GOOD NEIGHBOR. I MAY BE MISSING SOMETHING, BUT I JUST WONDERED IF YOU COULD ALLOW THAT TO HAPPEN AND IF YOU COULD COMMIT TO US THAT YOU ALLOW TO BE GOOD NEIGHBORS WITH WHO HAVE LINEAL DESCENDANTS THAT THEY WANT TO VISIT? >> FIRST OF ALL, I'M LANDLOCKED, WHICH MEANS THAT I HAVE NO RIGHT TO DETERMINE ANY ACCESS. IN FACT, WHERE MY PROPERTY IS SITUATED IS THERE'S PROPERTY LAND COMMISSION ARE PUTTING UP GATE. I HAVE TWO OF MY NIECES THAT TAKE CARE OF THE PROPERTY, AND WE HAVE TO GO THROUGH THE LANDOWNER OF THAT LAND COMMISSION, WHICH IS THE NA'ALEHU FAMILY. THEY MENTIONED THERE'S AN EASEMENT THAT THE FAMILIES ALWAYS USED WHICH IS BELOW THE PROPERTY. WHAT THE 'OHANA IS ASKING FOR IS TO GO ANOTHER DIRECTION UP ON THE TOP, WHICH WOULD INCLUDE POSSIBLY GOING AROUND MY PROPERTY, BUT I HAVE NO WAY OF MAKING THAT DETERMINATION, OR EVEN ALLOWING, BECAUSE I'M NOT THE LEGAL LANDOWNER.\r\n\r\n\r\nI'M LANDLOCKED. IF THERE WAS A POSSIBILITY TO RESOLVE THE PONO WITH THE FAMILY TO PROVIDE THEM ACCESS, I THINK THEY HAVE ALREADY AND THAT ACCESS, MR. OMPONG USED WHEN GOING ORIGINALLY TO THE PROPERTY AND MENTIONING THAT THEY CROSSED THE RIVER WAS THE ORIGINAL ACCESS POINT BY PROVIDING BY PIONEER IN THE '70S. SO THE FAMILY IS ASKING THAT THEY USE THE ORIGINAL ACCESS TO ACCESS THE AREA OF BURIALS LOCATED. IF THEY WENT TO THE TOP, THEY WOULD HAVE TO GO THROUGH A TRIAL, WHICH IS WAY FARTHER TO WALK TO THE AREA OF WHERE THEY WANT TO MALAMA. ANOTHER THING TO MENTION ON THE FAMILY'S BEHALF BY PLACING THE CANVAS ON THE GRAVE, IT JEOPARDIZED THE GRAVE BECAUSE IT FRACTURED A CORNER WHERE THE FAMILIES AND STEWARDS HAD TO REPAIR THE DAMAGE AND STILL WAITING FOR SOME KIND OF CONSULTATION WITH THIS ADJOINING 'OHANA AND THE 'OHANA. THAT IS NOT MY KULEANA. IT'S ON THE HIGHER TERRACE AND WHY WE GO THERE TO TAKE CARE AND TO LOOK WHETHER OR NOT ABOUT THE INTEGRITY OF THE TERRACE.\r\n\r\n\r\nI HOPE I ANSWERED THE QUESTION. >>

COUNCIL MEMBER SUGIMURA. >> I DON'T KNOW THE TERRAIN, SO IT'S DIFFICULT -- SO THEY ARE SAYING THAT YOU ARE IMAGINING THAT YOU HAVE A CONNECTION? MY PROPERTY IS 1.3 ACRES OR MAYBE LESS THAN THAT. THE LAND COMMISSION AWARD SURROUNDS MY PROPERTY, SO I'M LANDLOCKED AND WHAT YOU ARE ASKING FOR WHETHER OR NOT I WOULD PROVIDE ACCESS IS NOT FOR ME TO DETERMINE. THAT IS FOR THE FAMILY OF NA'ALEHU. >> THAT WOULD HAVE TO BE DECIDED AMONG THE HEIRS.\r\n\r\nORIGINAL TESTIMONY AND A LOT OF KUPUNA SAID THAT THE ACCESS TO THE BURIALS WAS LOWER, NOT WHERE THEY WANT TO ACCESS. BUT LOWER TO WHERE THE ORIGINAL DESCENDANT ACCESS WAS LOCATED. >> ONE LAST QUESTION AND I'M DONE. >> QUICK. >> SO YOU'RE FINE THAT THEY'RE IMAGINING THAT YOU ARE INVOLVED WITH THIS? >> YES. >> YOU ARE NOT INVOLVED WITH THIS?\r\n\r\n>> WELL, I THINK WHAT IS BEING CONFUSED RIGHT NOW BECAUSE OF THE METHOD OF WHAT WE'VE DONE IN KALALUA ON HOW TO ADDRESS THE TITLE ISSUES. I THINK IT'S ABOUT TITLE AND IT'S NOT ABOUT DEPRIVING ANYONE ABOUT ACCESS, BUT TITLE. WHEN YOU TALK ABOUT TITLE, THAT IS A CIVIL MATTER. FOR THE PAST THREE YEARS, IT'S BEEN HARD, BECAUSE MY FAMILY THAT TAKES CARE OF MY PROPERTY HAVE BEEN HARASSED, AND PUT TROS ON THEM, WHICH WE HAVE NOTHING TO DO WITH IT. THE TROS IF ANYTHING SHOULD BE BETWEEN THE HEIRS OF NA'ALEHU AND I WOULD LIKE TO BE PART OF THE DISCUSSION IF I MAY, BECAUSE I'M BEING PEGGED AS THE RINGLEADER, AND I'M NOT. SO THAT IS REASON I TOOK MYSELF OUT OF VALLEY IN 2020 TO STAY AWAY FROM THOSE TYPES OF ISSUES THAT WERE GETTING PRETTY HEATED UP. >> MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. I THINK THERE'S A FEW ISSUES -- IT'S STARTING TO CONFUSE ME AND I'M SURE THOSE FOLLOWING ALONG MAY ALSO NOT BE CLEAR ON WHAT'S GOING ON, BECAUSE I LISTENED TO MEMBER PALTIN'S OPENING COMMENTS. THAT WAS YEAR. ALSO, I THINK MY ASK, MR. KAPU, IF HE THINKS SOMEONE IS JUST IMAGINING THIS IS PRETTY RUDE? I DON'T THINK -- YOU SAID -- MR. KAPU, MY UNDERSTANDING IS THERE ARE TWO PATHWAYS TO ACCESS THE BURIALS.\r\n\r\nIS THAT TRUE? >> YES. >> OKAY. >> ACTUALLY, NO THERE WAS ORIGINALLY ONE AND THE NA'ALEHU REPATRIATED BACK TO THEIR HOME AND ALSO PROPERTIES TMK'D IN 2019, ALL THE LAND USE COMMISSION AWARDS WITH TMKS AND MY PROPERTY WAS INCLUDED WITH THE LAND USE COMMISSION AWARD WITH NA'ALEHU. MY GREAT-GREAT-GRANDMOTHER'S PROPERTY THAT IS TOTALLY SEPARATE. WHEN THEY INCLUDED THE LAND COMMISSION AWARDS, APPARENTLY, WHAT THEY'RE SAYING AN HEIR PURCHASED THE PROPERTY, NOT REALIZING THAT I WAS PART OF THE SALE. SO WHEN YOU TALK ABOUT ACCESS, AGAIN, I GOT TO STRESS THAT I'M LANDLOCKED.\r\n\r\nBUT AT THE SAME TIME, KNOWING THE ORIGINAL ACCESS FOR THE CARE SHIP OF THE IWI KUPUNA WAS NOT WHERE THE FAMILIES USED INGRESS/EGRESS TO GO TO THEIR HOMES. THAT IS WHERE THEIR HOMES ARE LOCATED. THERE IS PROBABLY SOME KIND OF CONTENTION ABOUT PEOPLE ACCESSING THAT AREA, BECAUSE THEY LIVE THERE. PEOPLE LIVE THERE. THE STEWARDS LIVE THERE AND THAT IS WHY THE DISAGREEMENTS ARE. THE DISAGREEMENT IS ENTIRELY BETWEEN THE HEIRS OF THE LAND COMMISSION AWARD. NOT THE TMK.\r\n\r\nLAND COMMISSION AWARD. I'M STUCK IN THE MIDDLE. >> I SEE, MAHALO FOR THAT CLARIFICATION. SO THERE WAS ONE ACCESS POINT AND THAT WAS BECAUSE IT WAS KIND OF CLEARED. AND THEN WHEN THE FAMILIES OF THAT KULEANA LAND RETURNED TO THAT 'AINA, CLEARED THAT AREA AND AFTER CLEARING THAT AREA, IT CREATED AN ACCESS POINT, BUT IT'S WHERE THEIR HOMES ARE. AND THAT PATHWAY IS NOT THROUGH A RIVER. THE ORIGINAL PATHWAY, >> THERE WAS NATIVE TESTIMONY PROVIDED BACK IN EARLY '30S, MY GRANDFATHER WAS THE ONE THAT GAVE THAT NATIVE TESTIMONY.\r\n\r\nAND WHAT HE MENTIONED IN HIS TESTIMONY WAS ALAHELE FROM ONE AREA TO ANOTHER. BUT DURING THE TIME OF TRANSITION THERE WAS AN ADDITIONAL AGREEMENT THAT THE ALAHELE BASICALLY WAS CUT OFF, BECAUSE OF THE RIVER. SO AN INDIVIDUAL PROVIDED ACCESS IN A LOWER AREA CROSSING THE RIVER. THAT IS WHAT I GOT FROM THE NA'ALEHU FAMILY AND JUST REPEATING WHAT THEY TOLD ME AND WHAT IS WRITTEN DOWN ON THE NATIVE TESTIMONY BY MY GRANDFATHER ON THE 4:11:56 FUNERAL PROCESSION. >> SO THE CRUX OF THE ISSUE IS THAT THE ACCESS POINT THROUGH YOUR 'AINA, OR DOES IT START AT SOMEONE ELSE'S 'AINA? AND IF IT STARTS -- IF THE ACCESS IS SOMEONE START -- STARTS ON SOMEONE ELSE'S 'AINA, DO YOU HAVE ANY AUTHORITY TO TELL SOMEONE ELSE TO GIVE ACCESS THROUGH THEIR 'AINA? >> >> NO, UNLESS IT IMPACTS MY PROPERTY AND THEN I WOULD HAVE A SAY.\r\n\r\n>> THAT'S CLEAR TO ME. MAHALO, MR. KAPU.

MAHALO, CHAIR. >> MY OTHER QUESTIONS? THEN WE'LL CALL DOWN MR. OMPONG.\r\n\r\nMEMBER COOK. >> THANK YOU FOR COMING BACK AGAIN. I SUPPORTED YOUR NOMINATION AND I MADE COMMENT AT THE TIME ABOUT HOPING AND TRUSTING THAT BASICALLY YOU WOULD REPRESENT JUDICIOUSLY. I'M HOPEFUL THAT YOU AND YOUR NEIGHBORS CAN WORK THIS OUT. I DO SUPPORT YOU AND I DO ASK YOU, I SHARE WITH YOU EVEN US ON THIS COUNCIL HAVING SOME TROUBLES COMMUNICATING AND AGREEING ON STUFF. IT'S AN OPPORTUNITY FOR ALL OF US LIVE WITH THE HEART AND LIVE RIGHT. SO I SUPPORT YOU AND ENCOURAGE YOU AND I'M HOPEFUL THAT YOU CAN BUILD BRIDGES AND COMMUNICATIONS WITH EVERYBODY.\r\n\r\nMAHALO. >> I WILL DEFINITELY TRY TO DO THAT. MAHALO. THANK YOU. >> ANY OTHER QUESTIONS FOR MR. KAPU? IF NOT, THANK YOU VERY MUCH.\r\n\r\n>> MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU AGAIN FOR BEING HERE, AND I THINK IT JUST KIND OF FEELS KIND OF HURTFUL WITH ALL THE TESTIMONY THAT WE HAD THIS MORNING, AND ONE OF THE TESTIFIERS SAID THAT -- A COUPLE ACTUALLY, THAT CAME THIS MORNING, SAID THAT YOU AND/OR YOUR ASSOCIATES TRESPASSED ON THEIR PROPERTY, HARASSED THEIR FAMILY AND DESTROYED THEIR PERSONAL PROPERTY. SO I WANTED YOU TO HELP US, BECAUSE OTHERS HAVE SAID DIFFERENTLY. IT'S LIKE TO SIT ON THE CULTURAL RESOURCE COMMISSION, WE NEED PEOPLE OF INTEGRITY AND THAT IS WHAT I'M LOOKING FOR. YOU SPOKE EARLIER ABOUT THE MORAL VALUES; RIGHT? I COME FROM PLACE OF ALOHA OKHAKI AND I THINK WE OUGHT TO TRY TO PRACTICE THAT THE BEST WE CAN.\r\n\r\nAND WE ALLOW EACH OTHER SPACE TO SOMETIMES GO OUTSIDE OF THAT AND COME BACK IN. SO MR. KAPU, HOW WOULD YOU RESPOND TO THAT, BECAUSE I'M ASKING -- ANOTHER TESTIFIER SAID WHETHER WE CONFIRM OR NOT, SHE BELIEVES THAT YOU WILL CONTINUE TO DO THE BULLYING. COULD YOU RESPOND TO THAT, PLEASE? >> FOR MANY YEARS SITTING ON THE COUNCIL, THAT IS BASICALLY WAS REQUIRED, AND THE VISION BASICALLY ON HOW WE CAN GET A LOT OF PEOPLE TO COME TO THE FOREFRONT AND THE TABLE AND RESOLVE THEIR ISSUES. I HAVE A FEW TIMES ASKED TO RESOLVE THE ISSUES WITH THE 'OHANA, ESPECIALLY THE 'OHANA LIVING ON THE PROPERTY. THEY HAVE TWO STEWARDS I HAVE NO SAY PERTAINING TO WHAT THOSE STEWARDS ARE TOLD BY THE ORIGINAL HEIRS.\r\n\r\nI AM TRYING TO FIGURE OUT WHETHER OR NOT WE CAN COME TO SOME KIND OF COLLABORATIVE EFFORT? AND IF THEY HAVE TO GO THROUGH MY PROPERTY ON THE BOTTOM, WHICH BASICALLY WOULDN'T GET TO WHERE THEY WANT TO GO, THEY'RE WELCOME TO. AND I HAVE ALWAYS BEEN AN ADVOCATE TO MAKE SURE THAT THE RULES ARE APPLIED, ESPECIALLY WHEN IT COMES TO NATIVE RIGHTS OF ACCESS, I'M ALSO A STRONG ADVOCATE TO HAWAII CONSTITUTION ARTICLE 12, SECTION 7. I HAVE BEEN VERY STRONG ADVOCATE FOR THOSE TOOLS TO MAKE SURE THAT OUR KANAKA MAOLI NO MATTER WHAT SITUATION HAS A FAIR DUE PROCESS AT THE TABLE. I THINK THAT IS WHERE THE STATE DEPARTMENTS LIE WHEN YOU START TALKING ABOUT WATER, ACCESS TO WATER, WHEN YOU START TALKING ABOUT ACCESS ITSELF. WHEN YOU ARE TALKING ABOUT LAND TENURE, ALL OF THESE KIND OF THINGS, I HAVE TO MAKE SURE I FOLLOW THE RULES AND MADE SURE THOSE RULES DIDN'T IMPLORE ON OTHER PEOPLE WHO HAD ADDITIONAL RIGHTS TO THOSE AREAS, TOO. I'M A STRONG ADVOCATE TO MAKE SURE THAT EVERYBODY WITHIN THE VALLEY HAS HARMONIOUS TIME THAT THEY ARE HAPPY AND HEALTHY. I HAVE BEEN A STRONG ADVOCATE ON THAT FOR MANY YEARS, AND I'M HOPING THAT HOW WE CAN RESOLVE THE ISSUE, AND HAVE TO INVOLVE THE ORIGINAL HEIRS.\r\n\r\nBY INVOLVING THEM, MAYBE THERE'S A POSSIBILITY THAT THEY CAN COME IN AND MEDIATE IT. >> I THINK MY SENSE IS NOT HAVING TO GO BACK TO TITLE. I THINK MY SENSE IS THAT THESE PEOPLE ARE SAYING THAT THE RELATIONSHIPS THAT YOU ALL HAVE ARE BEING STRAINED BECAUSE OF HOW YOU ALL TREAT ONE ANOTHER. AND I'M LOOKING FOR SOME KIND OF RESOLUTION, BECAUSE SOME OF THESE PEOPLE BELIEVE THAT THIS KIND OF BEHAVIOR IS GOING TO CONTINUE. SO MAYBE MY QUESTION TO BE SHOULD BE, DO YOU REALIZE THIS KIND OF BEHAVIOR IS GOING ON, AND THAT IS HOW YOUR NEIGHBORS ARE TAKING SOME OF WHAT YOU ARE -- YOUR ASSOCIATES, WHOEVER IS OUT THERE, THAT THEY ARE RECEIVING SOME OF THIS COMMUNICATION, NOT IN A MANNER THAT YOU WOULD LIKE THEM TO RECEIVE IT, BUT IN A DIFFERENT MANNER IN TERMS OF THEY'RE FEELING THREATENED BY SOME OF THESE MESSAGES? >> AGAIN, I'M KIND OF STUCK IN A HARD PREDICAMENT, BASICALLY. I HAVE BEEN INVOLVED IN A DISPUTE WITHOUT MY MAKING.\r\n\r\nI HAVE BEEN CONSIDERED THE INSTIGATOR ALL BECAUSE

OF MY YEARS OF ADVOCATING FOR TITLE AND BECAUSE OF MY LONG YEARS IN LITIGATIONS WITH THE PREVIOUS LANDOWNER, WHO ALSO OWNS INTEREST IN THE VALLEY, AS WELL AS KAHALU'U. I UNDERSTAND WHERE YOU'RE COMING FROM, ALL THESE TITLE ISSUES SHOULD BE MOOT, BUT IT REALLY IS UP TO HOW TO COME TO RESOLUTION AND I'M ALL FOR IT THE PEOPLE WHO CAME BEFORE US I'M NOT SURE THEY ARE HEIRS, BUT THEY ARE NEIGHBORS AND TO BE ABLE TO LIVE IN THE VALLEY, AND YOU ALL ARE GOING TO HAVE TO DEPEND ON EACH OTHER AT SOME POINT IN TIME, WHEN STUFF HAPPENS IN THAT VALLEY. WHEN STUFF HAPPENS, YOU WANT TO KNOW THAT THE GUY NEXT DOOR TO YOU IS GOING TO COME AND HELP YOU. BUT IF HE IS PISSED OFF WITH THAT IS NOT GOING TO HAPPEN. WE NEED EACH OTHER AND THAT IS WHY WE TALK ABOUT HELPING AND SUPPORTING AND BEING KIND AND YOU WILL THAT KIND OF STUFF, YOU KNOW? EVEN US ON THIS COUNCIL A LOT OF TIMES, WE AGREE VEHEMENTLY THINGS, BUT I WILL TELL YOU, WHEN ONE OF US IS HURT, WE ALL RALLY AROUND THAT ONE HURT COUNCIL MEMBER, BECAUSE WE KNOW WHAT HAPPENS HERE IS OUR ISSUES. WHAT HAPPENS PERSONALLY IS PERSONAL. I THINK THAT IS PROBABLY MY SENSE OF WHAT'S GOING ON.\r\n\r\nYOU GOT TO KNOW THAT YOU ARE WELL-LOVED, YOU KNOW, BY THE PEOPLE ON THIS COUNCIL, AND WELL-RESPECTED. WE ALSO WANT YOU TO BE ABLE TO GET ALONG WITH YOUR NEIGHBORS. >> THANK YOU, I'M GOING TO CALL ON MR. OMPONG BECAUSE HE HAS A DOCTOR'S APPOINTMENT SOON. I KNOW WITH A IT'S LIKE TO HAVE PEOPLE NOT AGREE WITH YOUR POINT OF VIEW AND IN SOME CASES, NOT IN MR. KAPU'S CASE, BUT TO HEAR THINGS THAT ARE INACCURATE ABOUT MYSELF AND HERE IS YOUR OPPORTUNITY TO GIVE US YOUR SIDE OF THE STORY SO THAT WE CAN BE CLEAR THAT EVERYBODY HAS A CHANCE TO SAY WHAT THEY NEED TO SAY AND THEN I KNOW YOU HAVE TO LEAVE. >> MAHALO, CHAIR.\r\n\r\nI APPRECIATE THIS OPPORTUNITY. ALOHA COUNCIL MEMBERS. FIRST OF ALL, LET ME SAY THIS, I WILL REFUTE MOST IF NOT ALL OF WHAT MR. KAPU JUST PRESENTED TO THE COUNCIL. IN SIMPLE TERMS THERE WAS QUITE A BIT OF GAS LIGHTING GOING ON. THE LANDS THAT MR. KAPU IS REFERRING TO ARE THE LANDS OF MY MOTHER'S FAMILY.\r\n\r\nMY MOTHER WAS BORN IN 1925. SHE WAS BORN IN KEKAHA. TODAY MOST OF YOU KNOW IT AS BLACK ROCK, KA'ANAPALI RESORT. MY FAMILY GOES BACK 200 YEARS JUST IN LAHAINA. I HAVE BEEN RECOGNIZED AS LINEAL DESCENDANT TO THE BURIALS SPOKEN ABOUT HERE, MR. KAPU IS NOT RECOGNIZED AS A LINEAL DESCENDANT TO MY MOTHER'S. THEY RAISED TARO. UP ON THE HILL, IT'S THE VERY VALLEY TO THE LEFT AND THERE'S A PLATEAU AND THERE'S ANOTHER VALLEY THAT IS KAHOMA. MY FAMILY, MY MOTHER WAS RAISED THERE.\r\n\r\nMY HISTORY, MY KNOWLEDGE OF THAT WHOLE AREA THAT LAND WAS PASSED TO ME, WAS GIVEN TO ME IN THE TRADITIONAL CUSTOMARY FASHION BY MY MOTHER FROM HER LIFE EXPERIENCE. SHE DIED IN 2005. AND THE LAST YEAR OF HER LIFE, AFTER SHE AND I HAD COME TOGETHER, AND SETTLED DIFFERENCES THAT WE HAD FOR TEN YEARS, SHE DOWNLOADED ORALLY HER LIFE EXPERIENCES GENEALOGIES AND STORIES, MANY OF THEM WITH THAT VERY LAND THAT WAS TALKED ABOUT. SO THERE SHE TOLD ME AND SHOWED ME HOW THEY GO WITH THE HORSE, THE PIG, THE CAT AND DOG AND TRAVEL FROM LAHAINA TOWN INTO THE VALLEY. WHEN THEY HAD TO CROSS THE RIVER TO THE TRAIL TO GET TO THE NEXT VALLEY, SHE WAS ALWAYS TOLD BY HER MOM, THIS IS THE KAHULUI 'OHANA, AND THERE ARE LINEAL HEIRS OF NA'ALEHU, NA'ALEHU IS MY FAMILY. PILI KOKO. NOT MR. KAPU OR HIS ASSOCIATES.\r\n\r\nTHE BLOCKING IS TAKING PLACE FROM 2020 UP UNTIL RECENTLY. AS YOU WILL SEE FROM THE VIDEOS THAT I ATTACHED HERE FROM FEBRUARY 20, 2021, WHEN MR. KAPU AND HIS FAMILY, THE EXACT BLOCKADE, BLOCKING ME FROM GETTING TO THE BURIALS. THE ACCESS ROUTE IS RIGHT THERE WHERE THAT GATE IS. THAT IS THE SAFE ACCESS. HE SPEAKS ABOUT WHERE WE HAD TO PUT THE TARP. HIS GRAVE COLLAPSED.\r\n\r\nSO ANOTHER RELATIVE OF MINE FROM MOLOKA'I IS ALSO A RECOGNIZED LINEAL DESCENDANT TRAVELS TO MAUI TO REMEDY THAT. BECAUSE SHE IS ON MOLOKA'I, DOESN'T GET TO COME OVER FREQUENTLY. I LIVE ON THE ISLAND, BUT YOU CAN'T GET TO IT TO ACTUALLY ADMINISTER THE REMEDY BECAUSE I'M BEING BLOCKED BY MR. KAPU, WHO IS A PARTICIPANT, ALONG WITH HIS ASSOCIATES TO THIS DAY BARRICADE AND BLOCK MY ACCESS TO THE BURIAL. I HAD TO PUT THAT TARP ON THERE BECAUSE OF THE STORMS COMING IN. EVERY TIME THE STORM CAME IN A CRINGED. THE LAST THING I WANT DODD WAS HAVE IT COLLAPSE FURTHER, AND I SUSPECT AND I SPOKE TO ARCHAEOLOGISTS OTHERS THAT IT'S PROBABLE A COFFIN THAT COLLAPSED AND BECAUSE THERE'S A CAVITY, I DIDN'T WANT THE

WATER AND RAIN INTO IT ANYMORE WITH FERAL ANIMALS.\r\n\r\nYOU HAVE ANOTHER RECOGNIZED LINEAL DESCENDANT, PART THE KAHULUI 'OHANA AND GIVING EVERYBODY THE OKAY TO BLOCK US DOWN AND SQUAT ON THAT LAND. THE LANDOWNER IS ANTONE KRUPNICK, WHO BOUGHT THE LAND FROM MY MOTHER'S FAMILY. I WAS PROBABLY 8-9-YEARS-OLD WHEN MY MOTHER FIRST TOLD ME, THE FAMILY SOLD THE LAND. PIANO DID NOT STEAL IT. AS MANY HISTORIES THAT I HAVE WITH OUR POLITICAL HISTORY AS KANAKA, I CANNOT DENY THE FACT IN SOME CASES THE PLANTATION BOUGHT THE LAND OUT RIGHT. MY FAMILY, THE KAHULUI FAMILY, NA'ALEHU LCA IS ONE OF THEM. ANTONE KRUPNICK IS MY NEPHEW AND HIS GREAT-GRANDFATHER AND MY GRANDFATHER ARE BROTHERS.\r\n\r\nTHE KAHULUIS ARE BLOOD RELATED, WE'RE ALL RELATED LINEALLY TO LATERAL, IF NOT DIRECT. I KNOW MY GENEALOGY, I KNOW MY HISTORY AND IF YOU WANT TO KNOW MORE DETAILS ABOUT THIS WHOLE AREA, IN RELATION TO REFUTE MR. KAPU, I WOULD BE HAPPY WITH COUNCIL, BUT IN CLOSED SESSION, BECAUSE IT INVOLVES MY GENEALOGY WHICH IS VERY SPECIAL. I JUST WANT TO GET IN TO FIX THE BURIALS, THAT IS ALL OF THE EVERYONE ON THE LAND THAT IS GETTING THEIR QUEUES FROM MR. KAPU, PERIOD. CAME BEFORE THE BURIAL COUNCIL AND I WROTE IT VERBATIM FROM AUDIO RECORDING OF THAT MEETING HOW HE ATTACKED ME AND LIED SAYING THAT I WORKED FOR JOSH AND PETER MARTIN FOR WEST MAUI LAND CONSTRUCTION. I NEVER DID AT ALL.\r\n\r\nTHAT CAN BE FACT CHECKED. THE ISSUE HERE IS YOU HAVE AN INDIVIDUAL THAT HAS BEEN NOMINATED TO THE CULTURAL RESOURCE COMMISSION. HE WILL BE TASKED AND RESPONSIBLE GIVING GUIDANCE AND ADVICE TO THE COMMUNITY. IF HE CAN DO THIS TO ANY ONE OF US HAWAIIANS IN HIS OWN CULTURE, HE IS GOING TO BE FAIR AND OBJECTIVE AND IMPARTIAL WITH THE REST OF HAWAII'S CULTURE? I DO NOT HAVE THAT CONFIDENCE AT ALL. >> CHAIR? SO I UNDERSTAND YOU WANTED TO GIVE MR.\r\n\r\nANTONE THE OPPORTUNITY TO SHARE HIS SIDE, WHICH HE DID IN TESTIMONY AND HE IS DOING AGAIN AFTER MR. KAPU SHARED HIS SIDE. SO WE'RE HEARING ALL THESE SIDES AS FAR AS TITLE GOES THIS IS NOT THE RIGHT FORUM. IT'S LAND COURT THAT WOULD DECIDE WHO HAS CORRECT TITLE AND ALL OF THAT. REALLY NOMINATION PROCESS IS MR. KAPU QUALIFIED TO SIT ON THE CRC? THAT IS WHAT WE'RE SUPPOSED TO DECIDE.\r\n\r\nIT'S PERSONAL ISSUE THAT HAS COME UP, AND I AM SUPPORTING US TRYING TO WORK THROUGH THESE ISSUES, BUT THE ISSUE WAS REALLY ABOUT ACCESS. AND IN MR. OMPONG'S COMMENTS JUST NOW, HE IS SAYING THAT THE ACCESS ISN'T ON MR. KAPU'S 'AINA AND HE IS SAYING MR. KAPU IS TELLING SOMEONE ELSE NOT TO GIVE HIM ACCESS. SO THE 'AINA IS NOT MR. KAPU'S, THE ACCESS -- >> THE REASON I'M GIVE MR.\r\n\r\nOMPONG TIME, BECAUSE HE HAS A DOCTOR'S POINT AND NEEDS TO LEAVE SHORTLY. THE WAY I LOOK AT IT, YES, THEY HAVE A DISPUTE BETWEEN THEMSELVES. THAT WOULD PROBABLY BE DECIDED IN COURT, BUT IT'S NOT OUR AUTHORITY AND WE DON'T HAVE JURISDICTION. I BELIEVE IN BRINGING UP THIS SUBJECT, MR. OMPONG IS QUESTIONING MR. KAPU'S INTEGRITY AS A RESULT OF THIS PARTICULAR DISPUTE. MR.\r\n\r\nKAPU IS SAYING NO, HE DISAGREES WITH MR. OMPONG. WHAT I'M DISCERNING IS TRYING TO FIGURE OUT IS THERE AN ISSUE HERE WITH INTEGRITY? IS THERE AN ISSUE HERE WITH WHETHER MR. KAPU CAN BE IMPARTIAL? THAT'S WHERE MY MIND IS. SO I CAN SEPARATE THIS ARGUMENT.\r\n\r\nSO I THINK HIS ARGUMENT -- WHAT HIS POINTS OF VIEW HE WAS SHARING WITH US WAS FINISHING UP. I THINK IT WOULD HAVE BEEN DONE IN ANOTHER FIVE MINUTES OR SO. >> ANOTHER FIVE MINUTES, CHAIR? I MEAN, OKAY. WHEN WE INVITED MR. KAPU UP, WE ASKED HIM POINTED QUESTIONS AND HE RESPONDED TO OUR QUESTIONS. WE DIDN'T JUST HAVE HIM UP AND SAY, THERE, SAY WHATEVER YOU WANT IN RESPONSE TO WHAT YOU HEARD IN TESTIMONY.\r\n\r\nWE ASKED SPECIFIC QUESTIONS. SO THAT WE WERE KEEPING THE CONVERSATION ORGANIZED, AND WHATEVER QUESTIONS YOU HAVE ABOUT DISCERNING WHETHER YOU FEEL MR. KAPU HAS INTEGRITY, AND HAS THE CHARACTER TO SERVE ON THE CRC, THEN YOU WOULD ASK THOSE SPECIFIC QUESTIONS. SO THAT YOU CAN MAKE THAT DETERMINATION YOURSELF. I THINK I AGREE THAT IT'S FAIR TO HAVE BOTH BE ABLE TO SHARE THEIR PEACE, BUT IN THE PROCESS THAT WE HAD WITH MR. KAPU, WE ASKED HIM QUESTIONS. WITH MR.\r\n\r\nOMPONG, WE INVITED HIM UP AND SAID GO AHEAD AND SAY WHATEVER YOU WANT. >> I DON'T THINK WE DID THAT. WE ASKED HIM TO RESPOND TO THE COMMENT IT'S MR. KAPU MADE. MEMBER RAWLINS-FERNANDEZ, THIS DISCUSSION IS PROLONGING THIS MEETING UNNECESSARILY. MR. OMPONG WAS ABOUT TO LEAVE AND CONCLUDE HIS TESTIMONY, BECAUSE

HE HAS A DOCTOR'S APPOINTMENT.\r\n\r\nIF YOU HAD FURTHER QUESTIONS FROM MR. KAPU, HE IS STILL HERE AND CAN COME BACK. SO I'M NOT TRYING TO GIVE ONE PERSON MORE TIME THAN THE OTHER AT ALL. BUT I AM JUST SAYING FROM MY OWN PERSONAL PERSPECTIVE, I CAN SEPARATE THAT ISSUE, THAT LAND ISSUE FROM MY DECISION PROCESS THAT IS ALL I'M SAYING. >> I LISTENED TO MR. OMPONG AND I FOLLOWED ALL HIS COUNTERARGUMENTS TO WITH WHAT MR. KAPU SAID AND IT SOUNDED LIKE HE TOUCHED UPON THE IMPORTANT LINKS AND HE IS CONCLUDING WITH HIS ASSESSMENT OF MR.\r\n\r\nKAPU'S CHARACTER. SO I THINK IT HAS BEEN CONCLUDED AND IF MR. OMPONG COULD CONCLUDE IN 30 SECONDS, THAT WOULD BE FAIR. >> I'M SORRY FOR INTERRUPTING YOU, BECAUSE I COULD FEEL YOU WERE CONCLUDING. WHEN YOU DO, I'M GOING TO ASK MEMBERS IF THEY HAVE ANY FURTHER QUESTIONS OF YOU. OKAY? >> MAHALO.\r\n\r\n>> YOU CAN CONCLUDE. >> MAHALO,; THANK YOU COUNCIL MEMBER RAWLINS-FERNANDEZ, MR. KAPU BROUGHT UP TITLE AND SEVERAL COUNCIL MEMBERS ASKED QUESTIONS FOR CLARITY ABOUT TITLE IN REFERENCE TO THIS LAND HERE. I CAN ACTUALLY SAY THAT MR. KAPU AND HIS ASSOCIATES THAT ARE NOW SQUATTING ON THAT LAND DID NOT HAVE ANY CONVEYANCE FROM THE ORIGINAL AWARDEE. EITHER THROUGH THE KINGDOM OF HAWAII, THROUGH THE TERRITORY OF HAWAII, OR FROM THE STATE OF HAWAII. I UNDERSTAND VERY WELL WHEN IT COMES TO TITLE, BOTH CULTURAL LY SPEAKING THAT WHOLE LANDOWNERSHIP AND WHY I USED THE TERM THAT MR. KAPU CAME AND GAS LIT THE COUNCIL, BECAUSE HE SAYS, HE IS REFERRING TO THE HAWAIIANS THAT ARE SQUATTING THERE NOW, NO ONE HAD CONVEYANCE.\r\n\r\nMY MOTHER AND THEM DID. ONE THING MY MOTHER GAVE ME A MONTH BEFORE SHE DIED WAS PALA PALA, LEGAL DOCUMENTS FROM 1930, SIGNED BY A JUDGE. SHE CRIED, BECAUSE SHE GAVE ALL HER VALUABLES TO MY SISTERS. NOW THEY WILL CONK ME ON THE HEAD AND GAVE ME PALA PALA SHOWING LEGAL TRANSFERENCE, AND THE SECOND WAS RECEIPT OF TAXES PAID FOR THESE PROPERTIES, THAT SHOWED THAT. >> OKAY. LIKE I SAID, I CAN REFUTE IT RIGHT HERE, RIGHT NOW. >> MEMBERS, YES, MR.\r\n\r\nSINENCI? >> THANK YOU, CHAIR. I DIDN'T HAVE ANY QUESTIONS FOR MR. OMPONG AND I APPRECIATE HIS TESTIMONY, BUT AGAIN, CHAIR, JUST TO REITERATE, I DON'T KNOW IF WE HAVE THIS -- IF ALL OF THIS CAN BE DISCUSSED IN FRONT OF A JUDGE THAT CAN DETERMINE ALL OF THIS? THE INFORMATION FOR US, I THINK, BEFORE US IS MR. KAPU AND I UNDERSTAND, CHAIR, YOU ARE WEIGHING IN. BUT UNDER THE CRC, I DO BELIEVE THAT WE HAVE THE -- IT'S ATTENDED BY CORPORATION COUNSEL.\r\n\r\nSO WE DO HAVE A PART OF THE MEETING OF PROCEDURES IF MR. KAPU NEEDS TO RECUSE HIMSELF ON ANY ISSUES THAT MIGHT BE PERSONAL? IF ALL OF THOSE THINGS, I THINK WITHIN THE STRUCTURE OF THE CRC THAT HE CAN BE IMPARTIAL, I GUESS. IN LISTENING TO MR. OMPONG AND SOME OF THESE THINGS I CAN'T MAKE THAT DETERMINATION ON THESE TYPES OF FACTS. I THINK IT NEEDS TO GO TO THE LAND COURTS, CHAIR. >> I AGREE.\r\n\r\nI DON'T BELIEVE WE SHOULD BE MAKING THOSE DETERMINATIONS ON LAND. >> THANK YOU. I APPRECIATE MY TIME, CHAIR. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I JUST WANTED TO ASK CORP. COUNSEL IF WE'RE STRAYING TOO FAR OFF THE AGENDA?\r\n\r\nTHIS IS TO THE CULTURAL RESOURCES COMMISSION AND NOT A ON LAND TITLE, ACCESS, AND WHAT NOT. SO JUST CHECKING IN WITH CORP. COUNSEL IF WE'RE STRAYING TOO FAR OFF? >> >> I THINK THAT IS A PROCEDURAL QUESTION THAT SHOULD BE GIVEN -- MAYBE OCS CAN ANSWER THAT? OR PARLIAMENTARIAN. >> THE COUNCIL IS ABLE TO DEFINE THE PARAMETERS OF THE DISCUSSION, AND IT APPEARS TO ME THAT THERE'S SOME DISAGREEMENT ABOUT WHAT THAT IS. >> THERE IS SOME DISAGREEMENT UNDER SUNSHINE LAW WHAT IS ON THE AGENDA?\r\n\r\n>> WELL, YOU FOLKS ARE HAVING A DISCUSSION ABOUT THE SUITABILITY OF THIS APPOINTEE. CAN YOU REPHRASE YOUR QUESTION? >> SO THE QUESTION IS THIS DISCUSSION STRAYING TOO FAR OFF THE AGENDA? IT'S ABOUT APPOINTMENT AND NOT ACCESS OVER LAND. THAT'S MANY OF OUR MEMBERS HAVE SAID THAT IS NOT WITHIN OUR REALM TO DECIDE. THAT BELONGS IN LAND COURT. IT'S A LAND DISPUTE.\r\n\r\nIT HASN'T BEEN NOTICED ON THE AGENDA THAT WE'RE GOING TO BE TALKING ABOUT LAND TITLES, ACCESS AND THOSE THINGS. >> YOU KNOW WHAT? COULD YOU HOLD ON ONE SECOND? BEFORE WE CONTINUE ON THAT LINE, WE'RE HOLD MR. OMPONG UP OVER PROCEDURAL QUESTIONS. ANY FINAL QUESTIONS FOR THE RESOURCE PERSON MR. OMPONG? \r\n\r\nMEMBER KAMA. >> I THOUGHT HER ANSWER WOULD DETERMINE WHICH WAY WE CAN GO, BECAUSE THE NOTICE ON THE AGENDA IS ABOUT CULTURAL RESOURCE COMMISSION

NOMINATION AND NOT ABOUT LAND TITLES. >> YOU'RE RIGHT, LAND TITLES IS NOT ON THE AGENDA, BUT THE ISSUE HAS COME UP AS A MEANS OF DECIDING THE SUITABILITY OF THE NOMINEE IN TERMS OF INTEGRITY, IN TERMS OF HONEST, ET CETERA? SO THAT IS THE REASON WHY I BELIEVE THE LAND ISSUE CAME UP, BUT MOST OF US KNOW THAT IS SEPARATE. THAT IS A SEPARATE ITEM AND THAT WE'RE NOT GOING TO HAVE ANY AUTHORITY, OR INFLUENCE, OR ANYTHING THAT HAS TO DO WITH THE LAND ISSUE DISPUTE. WE BELIEVE AND I'M SURE YOU BELIEVE IT'S NOT OUR KULEANA TO BE DRAWING CONCLUSIONS ON WHO IS RIGHT AND WHO OWNS THE LAND AND SO FORTH >> CHAIR, IF I MAY ADD QUICK, THE LAND ISSUE WAS BROUGHT UP ABOUT MR. KE'EAUMOKU KAPU AND SEVERAL MEMBERS DID ASK.\r\n\r\n>> YES, MEMBERS DID ASK. LET'S FINISH THIS UP. MEMBER KAMA. >> CHAIR? >> QUESTIONS FOR THE TESTIFIER? >> CHAIR, MEMBER PALTIN ASKED POINT OF ORDER AND THROUGH ROBERT'S RULE OF ORDER, WHEN A POINT OF ORDER IS CALLED A DECISION MUST BE MADE ON THAT POINT. >> WHAT I'M SAYING.\r\n\r\n>> A RULING. A RULING, CHAIR. >> I'M SAYING THAT MR. OMPONG HAS TO LEAVE. HE HAS A DOCTOR'S APPOINTMENT. SO I'M ASKING MS. PALTIN, TO HOLD OFF A FEW MINUTES, TO MAKE SURE THAT NONE OF YOU HAVE ANY FINAL QUESTIONS FOR MR.\r\n\r\nOMPONG. SO HE CAN LEAVE. >> CHAIR, UNDER RULE 16, WE CITE ROBERT'S RULES OF ORDER AND ROBERT'S RULES, WHENEVER A POINTED OF ORDER IS CALLED, A RULING. >> I DIDN'T HEAR A POINT OF ORDER. >> THAT IS WHAT MEMBER PALTIN. >> I DIDN'T HEAR IT. I WAS TALKING.\r\n\r\nMAYBE YOU HEARD IT. >> YOU ACKNOWLEDGED HER, AND ASKED CORP. COUNSEL TO WEIGH-IN. >> SHE HAD A QUESTION, NOT BASED ON POINT OF ORDER. SHE RAISED HER HAND AND I RECOGNIZED HER. SHE HAD A QUESTION FOR CORP. COUNSEL.\r\n\r\nIN THE MIDST OF THAT EXCHANGE, I ASKED HER TO PLEASE WAIT, BECAUSE HE HAS TO LEAVE. THEN WE CAN CONTINUE ON WITH THE CLARIFICATIONS SHE ASKED OF CORP. COUNSEL. I'M TRYING TO BE COURTEOUS TO MR. OMPONG. >> I UNDERSTAND CHAIR, I'M CALLING A POINT OF ORDER, IF IT WAS CLEAR THAT MEMBER PALTIN DID. I'M CALLING A POINT OF ORDER.\r\n\r\n>> I WASN'T FINISHED. I WASN'T FINISHED. ANYBODY HAVE ANY FINAL QUESTIONS FOR MR. OMPONG? MEMBER KAMA. >> CHAIR, I CALLED A POINT OF ORDER. ROBERT'S RULES.\r\n\r\n>> I'M SORRY, YOU'RE INTERRUPTING. >> CHAIR, RULE 16 OF THE RULES OF THE COUNCIL. >> YOU KNOW WHAT? RECESS. [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF MARCH 24TH, 2023, PLEASE RECONVENE. I APOLOGIZE FOR THE CONFUSION PRIOR TO THE RECESS. BUT HOPEFULLY, WE CAN GET BACK ON-TRACK.\r\n\r\nI CAN ALWAYS DREAM. ALL RIGHT, WE WERE HAVING A DISCUSSION ON -- A PROCEDURAL DISCUSSION. MEMBER RAWLINS-FERNANDEZ, CAN YOU REMIND US WHAT THAT WAS? >> MAHALO, CHAIR. SO I CALLED A POINT OF ORDER TO ASK A QUESTION THAT MEMBER PALTIN ASKED REGARDING WHETHER THE DISCUSSION THAT WE'RE HAVING IS PERMISSIBLE UNDER SUN SHINE LAW AND CORPORATION COUNSEL SAID IT'S WITHIN THE AGENDA ITEM AND IT'S PERMISSIBLE UNDER THE NOTICE REQUIREMENT UNDER SUNSHINE LAW. >> CORP. COUNSEL.\r\n\r\n>> THE DISCUSSION THROUGHOUT THE DAY RELATING TO THIS AGENDA ITEM HAD TO DO WITH HIS SUITABILITY TO BE APPOINTED. YOU KNOW, I DON'T KNOW IF I ARTICULATED THAT WELL WHEN COUNCIL MEMBER PALTIN ASKED ME THAT QUESTION. BUT IT DID APPEAR FROM ALL OF THE TESTIFIERS TODAY THAT THE TITLE ISSUE WAS RAISED. IT WAS ALSO PROVIDED IN WRITTEN TESTIMONY BEFORE THE HEARING, OR THE COUNCIL MEETING TODAY. AND THERE WAS A DEBATE BETWEEN YOURSELVES ABOUT WHETHER OR NOT THAT WAS AN APPROPRIATE DISCUSSION POINT? SO I DON'T THINK THAT IN MY OPINION, IT'S NOT OUTSIDE OF THE AGENDA AND DOES NOT VIOLATE THE SUNSHINE LAW, ESPECIALLY SINCE CHAIR LEE SAID, THIS BODY IS NOT MAKING A DETERMINATION ABOUT THOSE TITLE ISSUES. >> MAHALO, DEPUTY CORPORATION COUNSEL, OR FIRST DEPUTY CORPORATION COUNSEL.\r\n\r\nCHAIR, YOUR RULING IS THE DISCUSSION THAT WE'RE HAVING IS RELEVANT, AND WITHIN THE PARAMETERS OF OUR PROCEDURE, BECAUSE IT WAS INFORMATION THAT YOU NEEDED TO DETERMINE YOUR DECISION. >> YES. >> MAHALO FOR THAT RULING, CHAIR. MAHALO. >> THANK YOU. ANY COMMENTS ON THIS CLARIFICATION ON THE POINT OF ORDER? >> CHAIR? \r\n\r\n>> JUST BEFORE YOU RAISED YOUR HAND, MEMBER JOHNSON RAISED HIS HAND. >> THANK YOU, CHAIR. IF YOU WOULD ALLOW TO HEAR FROM OCS AND MR. RAATZ AND DOES HE CONCUR? CAN WE HEAR FROM THE CLERKS THEN, OUR PARLIAMENTARIANS. >> MS. CLERK.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, COUNCIL MEMBER JOHNSON. ANY TIME A MEMBER RAISES A POINT OF ORDER, THE PRESIDING OFFICER IS MAKE A RULING ON THE QUESTION. AND IF THERE IS A

CHALLENGE TO THAT, THE BODY CAN OVERTURN THAT BY A MAJORITY VOTE, IF THEY SO WISH.
>> THANK YOU SO MUCH FOR THAT. THANK YOU, CHAIR, NO FURTHER QUESTIONS. >> MEMBER
SINENCI.\r\n\r\n>> THANK YOU, CHAIR. JUST MY CONCERNS ABOUT THE DISCUSSION, CHAIR, WAS
HYPOTHETICALLY, IF SOMETHING LIKE THIS DID GO TO LAND COURT BETWEEN SOME OF OUR
TESTIFIERS, WOULD COUNCIL POTENTIALLY BE CALLED UPON OR COULD BE CALLED UPON OR BE
PART OF SOMETHING IF IT DID GO TO SOME KIND OF COURT OUTSIDE OF THIS CHAMBER? >>
QUESTION FOR CORP. COUNSEL. >> THAT'S DIFFICULT TO ANSWER. AS FAR AS I KNOW THERE IS
NOTHING PENDING AT THE MOMENT. THE TESTIFIERS ARE NOT UNDER OATH.\r\n\r\nYOU KNOW,
PEOPLE DON'T REALLY HAVE CONTROL OVER WHAT IS RAISED IN LAWSUITS. >> JUST TO CLARIFY,
JUST HAVING -- SAYING THINGS ON THE RECORD, IF THAT WOULD BE USED IN A COURT OF LAW
AGAINST US? >> CORP. COUNSEL. >> I THINK I WOULD NEED A LITTLE MORE CLARIFICATION, IF
THERE WERE THINGS SAID TODAY AND WHAT PARTICULAR STATEMENTS THAT WERE MADE THAT
YOU'RE CONCERNED ABOUT? I WOULD BE HAPPY TO TALK OUTSIDE OF THE MEETING, UNLESS
OTHERS HAVE PARTICULAR CONCERNS, AND MAYBE I CAN ADDRESS IT LATER. >> THANK
YOU.\r\n\r\nTHANK YOU, CHAIR. >> ANYBODY ELSE? SO IT'S ALMOST LUNCHTIME, AND I'M
WONDERING IF YOU ARE READY TO VOTE ON THIS MATTER? DO WE HAVE A MOTION ON THE
FLOOR? SO ROLL CALL. UNLESS ANYBODY HAS ANYTHING MORE TO SAY? ROLL CALL.\r\n\r\n>>
THANK YOU, CHAIR. THIS IS A VOTE -- SORRY THE MOTION TO ADOPT. >> I'M SORRY. I HAVE
SOMETHING TO SAY. I FORGOT. I WILL BE VOTING IN FAVOR OF THE MOTION. WHAT I WANT
PEOPLE TO KNOW THIS IS A VERY DIFFICULT DECISION.\r\n\r\nI HAVE THE HIGHEST REGARD FOR
FOSTER VERNON AND THEIR FAMILIES, AND THAT IS WHY IT'S HARD. BUT I BELIEVE THAT MR.
KAPU BRINGS SOME GOOD POINTS TO THE TABLE, AND I'M WILLING TO GIVE HIM A CHANCE. AND
I'M BANKING ON HIM BEING FAIR AND OBJECTIVE, AND NEUTRAL IN THE ISSUES THAT COME
BEFORE HIM, AND CAN PUT THIS PERSONAL ISSUE ASIDE WHEN IT'S TIME TO MAKE DECISIONS. SO
I JUST WANTED TO SHARE THAT WITH YOU. ANYBODY ELSE WANT TO SHARE BEFORE WE CALL
THE ROLL CALL? MEMBER KAMA.\r\n\r\n>> I THINK OUR CORP. COUNSEL ITERATED TO US, AND
STANDING OUR DISCUSSION WAS IN TERMS OF WHETHER OR NOT THE CANDIDATE IS SUITABLE IN
TERMS OF HIS QUALIFICATIONS AS A CULTURAL RESOURCE PRACTITIONER? AND I THINK THAT IS -
- ALSO WHAT FOLLOWS WITH THAT IS THE INTEGRITY, THE CHARACTER, AND THE IMPARTIALITY
THAT WE DON'T SEE ON THE PAPER AND WHAT WE GET WHEN WE GET TESTIMONY. A LOT OF
TIMES WHO YOU ARE AND THE CHARACTER OF WHAT YOU ARE OVERLAPS INTO OTHER PARTS OF
YOUR LIFE. SO IF THESE THINGS ARE HAPPENING IN HIS COMMUNITY AND HIS NEIGHBORHOOD,
THINGS LIKE THAT COULD SPILL OUT INTO OTHER THINGS THAT YOU ARE DOING AND I WAS
CONCERNED ABOUT THE BULLYING ASPECT WHETHER OR NOT MR. KAPU UNDERSTOOD THAT IS
HOW PEOPLE ARE PERCEIVING HIM, IF HE HIMSELF DOESN'T PERCEIVE THAT AND HOW DO YOU
MITIGATE THAT? HOW DO YOU LIVE WITH YOUR NEIGHBORS IF THAT IS HOW THEY FEEL ABOUT
YOU AS A NEIGHBOR, AND THEREFORE, CHAIR, I'M NOT ABLE TO SUPPORT THIS
MOTION.\r\n\r\n\r\nTHANK YOU. >> MEMBER SUGIMURA AND MEMBER RAWLINS-FERNANDEZ. >> THIS
IS HARD FOR ME. SO AS YOU KNOW IN COMMITTEE I VOTED TO SUPPORT, AND I SHARED MY
PERSONAL EXPERIENCE WITH THE KAPU FAMILY AND I'M VERY GRATEFUL. BUT IT REALLY
BOTHERS ME THAT THERE ARE SUCH STRONG EXPRESSIONS OF COMMUNITY, OR LACK OF IT, THAT
HAS BEEN SHARED. AND NO MATTER WHAT, I BELIEVE THAT WHEN YOU LIVE IN A COMMUNITY,
WHO YOU ARE IS REFLECTED BY YOUR ACTIONS, AND YOU KNOW, IT SPILLS WITHIN YOUR
FAMILY AND EVERYBODY ELSE; RIGHT? YOU DON'T LIVE BY YOUR OWN ACTIONS.\r\n\r\n\r\nSO THIS IS
GOING TO BE HARD FOR ME, BUT I'M GOING TO VOTE AGAINST THIS NOMINATION, BECAUSE I
THINK THAT THE STRENGTH OF THE CONCERNS THAT WERE BROUGHT FORWARD IS PROBABLY
REFLECTED IN A BROADER STROKE THAN JUST ONE NEIGHBOR DOWN, YOU KNOW? SO IT'S HARD
FOR ME, BUT I'M GOING TO VOTE AGAINST IT AND I HOPE THAT THE NEIGHBORS AND WHATEVER
HAPPENS IN THE COMMUNITY GETS RESOLVED. I KNOW HE HAS A VERY POWERFUL PRESENCE,
AND I'M GOING TO BE VOTING NO. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WILL
BE VOTING IN FAVOR, IN STRONG SUPPORT OF THIS NOMINEE. I THINK HE IS HIGHLY QUALIFIED AS
ATTESTED TO BY OUR OFFICE OF HAWAIIAN AFFAIRS, TRUSTEE CHAIR.\r\n\r\n\r\nTHE EXECUTIVE
DIRECTOR OF CENTER FOR EXCELLENCE IN NATIVE HAWAIIAN LAW, AS WELL AS SUPPORT OF OUR
COLLEAGUE, MEMBER PALTIN AND MAYOR BISSEN, AS WELL AS MANY OTHERS IN THE

COMMUNITY, BECAUSE HE HAS EXPERTISE IN OUR CULTURE. AND HE DOESN'T JUST HOLD THAT KNOWLEDGE IN HIS HEAD, HE SHARES IT. HE CONTRIBUTES SO MUCH TO THE COMMUNITY HERE ON MAUI AND THROUGHOUT OUR 'AINA. HE HAS BEEN A FIERCE ADVOCATE FOR OUR CULTURE AND NOT ONLY PROTECTING HISTORIC DISTRICTS, BUT OTHER WAHI PANA. HE IS NOT JUST ACADEMIC, NOT JUST SOMEONE WHO HAS GONE AND HELPED PEOPLE IN COURTS. YOU KNOW, HE TEACHES THIS CULTURE, SO THAT OTHERS CAN BENEFIT, AND BECOME CHAMPIONS IN OUR LAHUI AS WELL. I THINK IT'S SHAMEFUL THAT THIS PROCESS WAS HIJACKED, AND WAS USED BY INDIVIDUALS TO TRY TO INVOLVE AND CONFLATE SOMETHING THAT WAS COMPLETELY UNRELATED TO THIS NOMINATION.

AS MR. OMPONG SAID HIMSELF, IT'S JASE LYN BASSERA THAT WAS BLOCKING HIM AND NOT MR. KAPU. SO I'LL STOP THERE. MAHALO, CHAIR. >> MEMBER SINENCI. >> THANK YOU, CHAIR FOR MY OPPORTUNITY. I, TOO, WILL BE SUPPORTING THE CANDIDATE. WE'VE -- OUR OFFICE HAS RECEIVED NUMEROUS LETTERS IN SUPPORT, INCLUDING OHA PAU KANI SENDING IN A LETTER IN SUPPORT OF MR. KAPU. YESTERDAY, WE HAD A PRESENTATION ON COLONIALISM AND TO SEE THOSE TYPES -- WE ALL RESPONDED POSITIVELY TO THAT PRESENTATION. SO THIS IS ALMOST LIKE THE OUTCOME OF THAT TRANSITION, INCLUDING SOME OF OUR OTHER ISSUES, LIKE THE MEO KEKUA PROJECT ARE SOME OF THE THINGS WE HAVE BEEN DEALING WITH. SO THIS IS VERY POIGNANT, BUT AS I MENTIONED THIS IS SOMETHING THAT IT'S NOT UNDER OUR PURVIEW, AND BEING FROM LAHAINA, LAHAINA HAS TWO HISTORIC DISTRICTS. YOU HAVE HEARD IN HIS TESTIMONY SOME OF THE TERMINOLOGY HE IS USING, TERMINOLOGY THAT IS COMING FROM HISTORIC TYPES OF THINGS THAT NONE OF US HAVE.

SO JUST LISTENING TO HIM SPEAK AND USING THAT TERMINOLOGY JUST PROVES HIS BEING ABLE TO SERVE ON THIS POSITION, CHAIR. THANK YOU. >> MEMBER PALTIN. >> THANK YOU FOR MY SECOND AND FINAL FOR THE MAIN MOTION. YOU KNOW, THERE IS A LOT OF PROBLEMS WITHIN THE WEST MAUI COMMUNITY. AND MORE SO IN THE VALLEYS, BECAUSE OF I GUESS SIMILAR TO WHAT MEMBER SINENCI SAID, YOU KNOW, THE TRAUMAS AND THE ACTIONS THAT DATE BACK TO 1893 AND NOT ALL MEMBERS OF THE FAMILY RECEIVING ALL OF THE INFORMATION THAT EVERYBODY IS ENTITLED TO. YOU KNOW, SOME OF THAT TRAUMA IS OVERWHELMING SOMETIMES, BUT I WILL REITERATE THAT WE'RE ALL RESPONSIBLE FOR OUR OWN ACTIONS REGARDLESS OF WHAT THOSE ACTIONS ARE.

AND MR. KAPU IN SEEING THAT HIS PASSION AND THE SITUATION IN 2020 TOOK HIMSELF OUT OF THAT SITUATION, REMOVED HIMSELF FROM THE VALLEY. AND YOU KNOW, YOU CAN LOOK TO A LEADER TO TRY AND MEND THE FENCES, BUT IF THEY KNOW THAT THEY'RE NOT ABLE TO CONTRIBUTE TO THE SITUATION WITH THE PASSION THAT THEY HAVE INSIDE OF THEM AND THE KNOWLEDGE OF TRUE HISTORY, SOMETIMES THAT IS THE BEST OPTION TO REMOVE YOURSELF FROM THE SITUATION. SO YOU DON'T DO THINGS THAT YOU REGRET. I CAN RESPECT THAT. EVERYBODY IS RESPONSIBLE FOR THEIR OWN ACTIONS AND THERE'S MEMBERS IN THE COMMUNITY THAT ARE BULLYING. WE CAN'T BE THE BULLY POLICE IN THE COMMUNITY, YOU KNOW?

WE CAN CONDEMN THAT BULLYING AND SAY, I TRULY BELIEVE EVERYBODY HAS THE SAME INTENT, AND DESIRE TO MAKE THE VALLEY FLOURISH, TO ULTIMATELY I BELIEVE THAT ALL OF THE PEOPLE WANT THE VALLEY TO FLOURISH AND THE IWI KUPUNA TO BE MALAMED AND I WOULDN'T PUSH SOMEBODY TO GET INTO THE MIDDLE OF A SITUATION IF THEY ARE NOT READY TO GET IN THE MIDDLE OF A SITUATION. THAT IS ALL. THANK YOU. >> THANK YOU. MEMBER COOK. >> THANK YOU, CHAIR. I AM SUPPORTING -- I AM SUPPORTIVE.

I BELIEVE THAT A COUPLE OF TIMES -- ANYWAY, I'M NOT PERFECT, BEING PUT IN A POSITION OF AUTHORITY IS A LOT OF SELF-REFLECTION FOR ME. I WILL GROW AND GROW AND I HAVE CONFIDENCE THAT THIS POSITION -- HE IS WELL-QUALIFIED FOR THE POSITION AND HOPEFULLY, THIS POSITION WILL HELP HIM GET CLOSER TO ALL OF THE COMMUNITY. THANK YOU. >> ANYONE ELSE? ROLL CALL. >> THIS IS ON THE MOTION TO ADOPT THE RESOLUTION AS AMENDED. PRO TEMPORE KAMA? >> NO. >> VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON? >> AYE.

COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> YES. >> COUNCIL MEMBER SINENCI? >> AYE. >> CHAIR LEE? >> AYE. >> CHIEF OF STAFF, THERE ARE SEVEN AYES, TWO NOS. MOTION CARRIES. >> MS. CLERK.

MADAM CHAIR, DID YOU WISH TO CONTINUE WITH RESOLUTIONS, OR GO BACK TO THE COMMITTEE REFERRALS >> MEMBERS, DID YOU HAVE ANY RESOLUTION YOU WANT TO TAKE

UP BEFORE LUNCH? NO? >> AFTER LUNCH. >> AFTER LUNCH. BEFORE LUNCH? OKAY. IT SEEMS LIKE EVERYBODY WANTS TO GO TO LUNCH.\r\n\r\n1:30. WE HAVE 2:00. WE HAVE TWO 2:00S NOW. GUYS WHO HAVE TO CATCH FLIGHTS AND STUFF? 6:30. OKAY. YOU'RE OKAY? MEMBER JOHNSON? >> I'M HERE UNTIL YOU GAVEL. [LAUGHTER] >> OKAY.\r\n\r\nALL RIGHT, MEMBERS, IT SOUNDS LIKE EVERYBODY WANTS -- NOT EVERYBODY, BUT MOST EVERYBODY WANTS 2:00. SO THIS MEETING IS IN RECESS UNTIL 2:00. [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF MARCH 24TH, 2023 PLEASE RECONVENE. ALL RIGHT, MY CHICKADEES. WE'LL SHALL RESUME RESOLUTIONS. MS. CLERK. >> THANK YOU, MADAM CHAIR. FOR REFERRAL TO YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, ARE RESOLUTION 23-109, AUTHORIZING SETTLEMENT OF CLAIM NO.\r\n\r\n4077471 OF JOEL ESTRELLA. RESOLUTION 23-110, AUTHORIZING SETTLEMENT OF CLAIM NO. 4076201 OF DAVID WILLIAMS, AND RESOLUTION 23-111, AUTHORIZING SETTLEMENT OF CLAIM NO. 408096 OF MATTHEW SMITH. >> MEMBERS, ANY OBJECTIONS TO THE GREAT COMMITTEE. >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\n>> BEFORE YOU IS RESOLUTION 23-112, APPROVING THE APPOINTMENT OF COUNCIL MEMBER SHANE M. SINENCI AS A MEMBER OF THE COUNCIL ON AGING. >> REFERRAL, ANY OBJECTIONS TO THE REFERRAL OF THIS MATTER, OR SHALL WE TAKE UP ON THE FLOOR. >> TAKE IT UP ON THE FLOOR, IS THAT RIGHT? >> MEMBER UU-HODGINS. >> WELL, YOU KNOW, I HAVE IT ON MINE. BUT YOU CAN TAKE IT. OH, OKAY, I THINK THE REASON WHY IT CAME TO ME, BECAUSE I WAS SITTING MEMBER.\r\n\r\n>> VICE-CHAIR SUGIMURA. >> I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 23-112 IN ACCORDANCE WITH RULE 7G OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER SUGIMURA, SECONDED BY MEMBER KAMA TO WAIVE THE RULE 7G OF THE COUNCIL. ANY MORE DISCUSSION? >> YES, URGENCY BECAUSE THE SEAT DESIGNATED -- [INAUDIBLE]. CLOSER THE SEAT DESIGNATED FOR COUNCIL MEMBER ON COUNCIL ON AGING WILL BECOME VACANT MARCH 31ST, 2023. SO ACTION NEEDS TO BE TAKEN BEFORE THE END OF THE MONTH. >> THIS IS A VOTE ON THE RULE ONLY.\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. AGAIN, MEMBER SUGIMURA. >> YES. I MOVE TO ADOPT RESOLUTION 23-112. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER KAMA TO ADOPT THE RESOLUTION.\r\n\r\n>> YES. >> ANY MORE DISCUSSION? >> YES, SO I WAS THE SITTING COUNCIL MEMBER FOR THIS, AND THEN BECAUSE OF SHANE'S COMMITTEE, HE IS BEING NOMINATED. HE IS NODDING HIS HEAD. SO IT'S OKAY. IF ANYBODY KNOWS SHANE, HE HAS A GOOD HEART AND GOOD WITH KUPUNA AND I THINK HE WOULD BE GOOD ON THIS COMMISSION. THE OTHER THING IS WHOSE PLACE I TOOK WAS BOB CARROLL, WHO USED TO BE THE SITTING MEMBER AND THEN, FULL CIRCLE; RIGHT?\r\n\r\nAND THE REASON WHY I BELIEVE HANA PERSON IS GOOD, BECAUSE A LOT HAPPENS WITH HANA, AND WHEN I SAT IN THAT SEAT, I DON'T HAVE THE WHAT HAPPENS IN THE COMMUNITY. SO I WASN'T ABLE TO REPORT THAT PROPERLY. BUT HANA IS VERY ACTIVE, YOU KNOW? BESIDES ALL THAT HAPPENS ON THE REST ISLAND. SO WITH YOUR PERMISSION, MEMBERS, I WOULD LIKE TO ASK YOU TO SUPPORT MR. SINENCI. >> ANY MORE COMMENTS? \r\n\r\nMEMBER PALTIN. >> THANK YOU, CHAIR. I JUST HAD A QUESTION IS THERE AN AGE REQUIREMENT? YOU MIGHT BE TOO YOUNG, HUH? MEMBER SUGIMURA, DO YOU KNOW? >> IT'S UP TO THE COUNCIL TO DECIDE WHO IS BEST PERSON. >> ALL RIGHT.\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS. CONGRATULATIONS. >> THANK YOU, MEMBERS. >> MS. CLERK.\r\n\r\n>> MADAM CHAIR, FOR REFERRAL TO YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS RESOLUTION 23-113 AUTHORIZING SETTLEMENT OF CLAIM NO. 4076130 OF HANSEN 'OHANA SECURITY, LLC., ROBERT HANSEN. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I ASK THAT THIS BE REFERRED TO THE GREAT COMMITTEE, PLEASE. >> YES. ALL RIGHT.\r\n\r\nINCLUDING THE NEXT TWO? >> NO >> JUST ONE? >> YES THIS ONE. >> OKAY. >> ANY OBJECTIONS TO THE REFERRAL? >> NO OBJECTIONS. >> NO OBJECTIONS TO REFERRING THIS ITEM 23-113 TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE.\r\n\r\n>> THANK YOU. >> MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-114, APPROVING THE RE-APPOINTMENT OF DISTANT YELL LINDO AS A MEMBER OF THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR, IF THERE'S NO OBJECTIONS MAY I REQUEST THAT THE CLERK ALSO CALL UP RESOLUTION 23-115 ANY

OBJECTIONS? >> NO OBJECTIONS.\r\n\r\n>> MS. CLERK. >> RESOLUTION 23-115, APPOINTMENT OF MEMBERS TO THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS. >> MEMBER RAWLINS-FERNANDEZ . >> ER MAHALO, CHAIR, I MOVE TO WAIVE RULE 7G TO ALLOW FOR ADOPTION OF THE TWO RESOLUTIONS TODAY. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER JOHNSON TO WAIVE THE RULES OF THE COUNCIL, 7G. ANY DISCUSSION? MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. THE TERMS OF THE COMMISSIONERS ARE ENDING AT THE END OF THIS MONTH, AND WE'LL LOSE QUORUM, IF WE DON'T TAKE ACTION TODAY. AND THEY WON'T BE ABLE TO MEET UNTIL WE GET -- UNTIL WE CONFIRM THE MEMBERS/NOMINEES AFTER BUDGET. SO THAT IS THE TIME-SENSITIVITY. >> ALL RIGHT. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT RESOLUTION 23-114, AND RESOLUTION 23-115. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY VICE-CHAIR SUGIMURA TO ADOPT RESOLUTIONS 23-114, AND 23-115. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO RESOLUTION 23-114 APPROVES THE RE-APPOINTMENT OF ZHANTELL LINDO, CURRENTLY THE CHAIR ON THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS AND RESOLUTION 23-115 WOULD APPOINT FOR THE COUNCIL'S SEATS FOUR INDIVIDUALS. EYKE LEINANI BRATH HURDMAN, LEONANI PAHUKOA MEYER, JEWELYN LILIUOKALANI, O'MOANA KE'ALA KAHELE, NENA MARIE HART, AND VINCE WILLIAM RAZO; MS.\r\n\r\nPAHUKOA WOULD FULFILL THE REQUIREMENT UNDER MAUI COUNTY CODE FOR THE EAST MAUI SEAT, AND MS. HART WOULD FILL THE REQUIREMENT, OR WOULD SATISFY THE REQUIREMENT FOR THE LANA'I SIT AND MS. LINDO WOULD SATISFY THE REQUIREMENT FOR THE MOLOKA'I SEAT. AND THEN I NEED TO MAKE AN AMENDMENT AS WE HEARD FROM MS. CHASE IN TESTIMONY THIS MORNING, I BELIEVE THE RESOLUTION DOES NOT DESIGNATE AS REQUIRED UNDER 2.31.020E AT LEAST ONE MEMBER, WHO IS FORMERLY OR CURRENTLY EXPERIENCING HOMELESSNESS AS DEFINED BY THIS CHAPTER. SO I MOVE TO AMEND THE BE IT RESOLVED TO ADD THE LANGUAGE THAT -- ONE MOMENT. I THINK IT WAS MR.\r\n\r\nRAZO WHO BE DESIGNATED TO SATISFY THE REQUIREMENT OF A MEMBER WHO WAS FORMERLY OR CURRENTLY EXPERIENCING HOMELESSNESS, AS DEFINED BY THIS CHAPTER. IT'S DEFINED WITHIN THIS SECTION. I WILL MAKE THAT MOTION IN A SECOND. BUT WE DID HAVE ALL OF THE INDIVIDUALS SIGNED ON EARLIER, AND THEY HAD TO GO BACK TO WORK AT 12:30. I HEARD A VOICE. I DON'T KNOW IF THAT WAS GETTING OUR ATTENTION? AND SO WE STILL HAVE MS. LINDO ON IF MEMBERS HAVE QUESTIONS FOR MS.\r\n\r\nLINDO. I WILL MAKE THE AMENDMENT AFTER THAT. OKAY, MS. EYKE BRATH HURDMAN, I'M SORRY PRONOUNCING YOUR NAME INCORRECTLY EARLIER. IS ALSO STILL ON IF ANY OF THE MEMBERS HAVE QUESTIONS, CHAIR. >> MEMBER PALTIN. >> OH, I DON'T HAVE A QUESTION.\r\n\r\nI JUST -- I KNOW EYKE AND I WOULD GIVE MY FULL SUPPORT FOR HER. I THINK THAT IS AN EXCELLENT CHOICE FOR WEST MAUI, AND FULL SUPPORT. I WOULD SUPPORT THE OTHERS, TOO, BUT I DON'T KNOW PEOPLE PERSONALLY AND I'M JUST SPEAKING ON THE ONE I KNOW PERSONALLY. >> ANY OTHER COMMENTS OR QUESTIONS, MEMBERS? MEMBER KAMA AND MEMBER UU-HODGINS. >> I JUST WANTED TO KNOW IF MS. EYKE BRATH WAS ON THE CALL?\r\n\r\nI JUST WANTED TO SEE IF SHE WANTED TO FINISH THE SENTENCE IN HER APPLICATION THAT SAYS, "THERE NEEDS TO BE," AND IT'S ALL BLANK. YOU MAY HAVE HAD IT IN YOUR THOUGHTS, BUT I WOULD LIKE TO HEAR THAT. >> I'M SORRY. IN MY APPLICATION, BECAUSE I'M PRETTY SURE IT SHOULD HAVE BEEN CLEAR. SO WHAT WAS THE QUESTION? I CAN GO LOOK FOR MY APPLICATION. >> OKAY.\r\n\r\nSO YOUR APPLICATION -- I WILL READ THE LAST COUPLE OF SENTENCES THAT SAYS I HAVE EXPERIENCED THE LIMITATIONS OF MAUI POLICE DEPARTMENT WHEN THEY ARE CALLED OUT TO ASSIST. THERE NEEDS TO BE -- AND YOU NEED TO FILL IN THE BLANK. >> YES. I THINK WHAT HAPPENED IS IT'S A PDF. SO YEAH, I COULDN'T ADD ANY MORE. IN LAHAINA, WE HAVE A LOT OF HOMELESS AND HOMELESS THAT WILL COME TO OUR BUILDINGS AND THEY WILL SQUAT, AND DO OTHER THINGS. SO A LOT OF TIMES IT WOULD BE HELPFUL FOR IF WE HAD -- I KNOW AT ONE TIME POLICE COME OUT AND THEY WOULD CALL A SPECIAL MEMBER IF THE HOMELESS PERSON WAS EXPERIENCING A MENTAL -- WAS CLEARLY A MENTAL HEALTH ISSUE.\r\n\r\nSOMETIMES IT'S A SUBSTANCE-ABUSE ISSUE. THEY'RE INTOXICATED. AND THEY'RE KIND OF BEING DISORDERLY. BUT A LOT OF TIMES IT'S A MENTAL HEALTH ISSUE AND I FEEL THAT IF WE DID HAVE A TASK FORCE MEMBER SO THAT THEY

COULD SEND THAT PERSON OUT. BECAUSE A LOT OF TIMES WHAT IS HAPPENING IS THE POLICE OFFICER WILL COME OUT, IT'S CLEAR THIS PERSON COULD USE SOME HELP, AND THEY JUST BASICALLY TELL THEM TO MOVE ALONG. SO THEY SEND THEM DOWN THE STREET AND WE WATCH THEM GO DOWN THE STREET AND GO TO THE NEXT BUILDING AND A LOT OF TIMES IT'S SOMEONE NOT MAKING SENSE, WHO STARTS THROWING THINGS. YOU KNOW, THEY'LL THROW ROCKS AND PULL UP WEEDS AND THROW THEM AT -- THROW THEM AT CARS AND NOT MAKING ANY SENSE.

AT SOME POINT, YOU KNOW, IT CAN GET SCARY, BECAUSE THEY ARE UNPREDICTABLE. I FEEL WE NEED TO ADDRESS IN THOSE SITUATIONS, NOT JUST TELLING THEM AND SENDING THEM DOWN TO THE STREET TO BOTHER ANOTHER BUILDING. SOMETIMES THEY ARE COMPLIANT, YOU KNOW, THEY'LL BE LIKE WE'RE SORRY, WE'LL MOVE ALONG. WE DON'T NEED ASSISTANCE WITH POLICE, BUT A LOT OF TIMES THAT IS ALL WE'RE KIND OF GETTING IS JUST THIS MOVE ALONG, AND THEY JUST MOVE THEM ONTO THE NEXT BUILDING AND THE NEXT PERSON TO CALL. SO I JUST FEEL -- >> THANK YOU. I THINK YOU ANSWERED THE QUESTION. THANK YOU.

IS THAT OKAY? MEMBER UU-HODGINS. >> I DON'T HAVE A QUESTION FOR ANYBODY JOINING US IN MEETING TODAY, BUT I WANTED TO EXPRESS MY SUPPORT FOR MS. MR. LEON NANI MEYER. >> ANY OTHER QUESTIONS OR PEOPLE ON THE LINE? MEMBER SUGIMURA.

>> SO I JUST WANT TO EXPRESS MY STRONG SUPPORT. SOMEBODY WHO ALWAYS IMPRESSED ME IS ZHANTELL LINDO. HER ENTHUSIASM, I THINK YOU SAW HER ON MAUI AND WHAT ARE YOU DOING? CHECKING OUT THE HOMELESS. SO SHE HAS A REALLY DEEP INTEREST, AND HEART, AND COMPASSION. SO I JUST WANT TO SAY THAT THIS LAST SPEAKER, YOU CAN TELL SHE HAS GOT TO BE ON THIS COMMISSION; RIGHT? SHE IS AN ATTORNEY BY PROFESSION.

SO I THINK THAT WILL BE A GOOD PROFESSION TO KIND OF UNDERSTAND WHAT PARAMETERS THERE MAY BE IN THIS FIELD. THANK GOD WE HAVE ALL OF THESE WONDERFUL PEOPLE IN OUR COMMUNITY. >> YES. MEMBER SINENCI. >> THANK YOU, CHAIR. I, TOO, SPEAK IN SUPPORT OF THE NOMINEES AND ALSO WANTED TO MAHALO THE OUTGOING MEMBERS FOR THEIR SERVICE, VOLUNTEERISM, AND JUST HELPING OUT WITH THIS ISSUE. MAHALO, CHAIR.

>> GLAD YOU BROUGHT THAT UP. ANYONE MEMBER JOHNSON. >> THANK YOU, CHAIR. I ALSO RISE IN SUPPORT OF THE NOMINEES THE I WANT TO GIVE SPECIAL ATTENTION TO MS. HART FROM LANA'I CITY. SHE IS A NURSE, WHO IS WORKING ON HER PH.D., AND TO HAVE SOMEONE ON THIS COMMISSION THAT SPEAKS ON WOUND CARE FOR OUR HOUSELESS FOLKS AND STREET MEDICINE FOR OUR HOUSELESS FOLKS IS A VOICE THAT NEEDS TO BE HEARD ON THIS COMMISSION. THANK YOU SO MUCH FOR THE NOMINEES AND I RISE IN FULL SUPPORT.

THANK YOU, CHAIR. >> THANK YOU. ARE WE READY TO VOTE? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AND I ECHO ALL OF THE SENTIMENTS OF THE MEMBERS IN THEIR EXCITEMENT OF NOMINATING AND APPROVING -- APPROVING, AS WELL AS I WOULD LIKE TO SHARE MEMBER SINENCI'S MAHALO TO THOSE WHO HAVE SERVED ON THIS IMPORTANT COMMISSION. SO AT THIS TIME, I WILL MAKE THE MOTION.

MOVE TO AMEND THE RESOLUTION TO READ, BE IT RESOLVED THAT THE COUNCIL OF THE COUNTY OF MAUI THAT IT NOMINATES AND APPROVES THE APPOINTMENT OF VINCE WILLIAM RAZO TO THE COMMISSION ON HEALING SOLUTIONS AS A MEMBER WHO WAS FORMERLY, OR IS CURRENTLY EXPERIENCING HOMELESSNESS AS DEFINED BY SECTION 2.31.020 -- OR -- I DON'T KNOW IF WE NEED TO PUT "E," MAUI COUNTY CODE FOR THE TERM EXPIRING MARCH 31, 2024," TO WAIVE RULE 19 TO ALLOW THE AMENDMENT OF THE RESOLUTION ON FINAL READING. AND TO MOVE THAT THE NAMES OF THE FIVE INDIVIDUALS FROM EXHIBIT A TO EXHIBIT B. >> I'M SURE EVERYBODY COMMITTED THAT MOTION TO MEMORY. IT'S BEEN MOVED BY MEMBER RAWLINS-FERNANDEZ AND SECONDED BY MEMBER JOHNSON. ANY DISCUSSION ON THE MOTION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. THANK YOU.

ALL AYES, ZERO NOS, MOTION CARRIES. >> AND THE MOTION AS AMENDED, MAHALO, CHAIR. >> THANK YOU FOR REMINDING ME. ANY MORE DISCUSSION? IF NOT, THE MOTION AS AMENDED. >> MAIN MOTION TO APPROVE RESOLUTION 23-114, AND RESOLUTION 23-115 AS AMENDED. >> OKAY.

ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, VERY GOOD. THANK YOU. MOVING ON. MOVING ON TO THE NEXT RESOLUTIONS, THE LAST RESOLUTION. >> CHAIR BEFORE YOU IS RESOLUTION 23-116, AND RESOLUTION 23-25 AND AUTHORIZING THE APPOINTMENT OF SPECIAL COUNSEL RELATED TO THE ENERGY PERFORMANCE CONTRACT.

>> MEMBER UU-HODGINS. >>

MAHALO, CHAIR. I MOVE TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL TO ALLOW FOR THE ADOPTION OF THIS RESOLUTION TODAY. >> MOVED BY MEMBER UU-HODGINS, AND SECONDED BY MEMBER PALTIN TO WAIVE THE RULE 7G OF THE COUNCIL. >> THANK YOU. YOUR GREAT COMMITTEE ALREADY DISCUSSED THIS MATTER MARCH 7, 2023. PLEATING WITH THE DEPARTMENT OF CORPORATION COUNSEL SHARED THIS ITEM IS TIME SENSITIVE, BECAUSE THE COUNTY IS NEGOTIATING AMENDMENTS TO THE ENERGY PERFORMANCE CONTRACTS. >> ANY MORE DISCUSSION? \r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. NINE AYES, ZERO MONTHS, MOTION CARRIES, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO ADOPT RESOLUTION 23-116. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 23-116. DISCUSSION? MEMBER UU-HODGINS THANK YOU. SINCE WE HAVE ALREADY DISCUSSED THIS MATTER IN COMMITTEE, I WILL KEEP IT SHORT. ON MARCH 7, THE GREAT COMMITTEE DISCUSSED RESOLUTION 23-34, WHICH AUTHORIZES THE RETENTION OF LEGAL COUNSEL QUALIFIED TO NEGOTIATE AN AMENDMENT TO THE ENERGY PERFORMANCE CONTRACT BETWEEN THE COUNTY AND JOHNSON CONTROLS, INC.\r\n\r\nTO DETERMINE WHERE THE COUNTY COULD FIND ENERGY SAVINGS IN THE FUTURE. YOUR COMMITTEE ASKED THE DEPARTMENT OF CORPORATION COUNSEL ABOUT THE SCOPE OF WORK FOR THIS CONTRACT. OF THE PURCHASE COMPENSATION WOULD BE FOR THE EMPLOYMENT AND SORRY I CAN'T SAY THE NAME WAS SELECTED. FOLLOWING THE DISCUSSION THE DEPARTMENT AGREED TO INCORPORATE ANSWERS TO THE COMMITTEE'S QUESTIONS INTO THE NEW RESOLUTION AS YOU SEE BEFORE YOU TODAY. AND I ASK FOR THE MEMBERS' FULL SUPPORT IN THIS MOTION. MAHALO, CHAIR. >> ANY MORE DISCUSSION? \r\n\r\nNO? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. MEMBERS, I WAS JUST GOING TO SAY RATHER THAN GOING BACK TO THE REFERRAL ITEM, ALL THESE ITEMS THAT HAVE TO BE CONSIDERED, AND IS IT OKAY IF WE JUST CONTINUE ON TO THE END AND THEN GO BACK TO THE OTHER ONE? BECAUSE THEY ARE REALLY TOP PRIORITY MATTERS.\r\n\r\nMEMBER PALTIN. >> I WOULD POINT OUT THERE'S A TESTIFIER WAITING, CHAIR. >> WE CAN DO COMMITTEE REPORTS. ANY OBJECTIONS TO DOING COMMITTEE REPORTS? >> NO OBJECTIONS. >> MS. CLERK.\r\n\r\n>> WE HAVE TWO TESTIFIERS SIGNED UP. THE FIRST IS THOMAS CROLY, TESTIFYING ON CR23-17 TO BE FOLLOWED BY [INAUDIBLE] >> ALOHA, CHAIR. >> HI. >> THOMAS CROLY, TESTIFYING WITH NO MATERIAL INTEREST IN THIS ITEM, BUT TO BRING SOME CLARIFICATION TO IT. I THANK COUNCIL MEMBER PALTIN FOR RECOGNIZING THAT I HAVE BEEN SITTING HERE SINCE 9:00 IN THE MORNING WAITING TO GIVE THIS LITTLE BIT OF MANA'O FOR YOU. I'M TESTIFYING ON COMMITTEE REPORT 23-17. AND THE TITLE OF THAT IS "CONVERTING APARTMENT BUILDINGS FROM TRANSIENT VACATION RENTAL TO LONG-TERM RESIDENTIAL USE." THAT TITLE IS A LITTLE BIT DECEPTIVE. SO I WANT TO MAKE SURE THAT EVERYONE WHO VOTES ON THIS FULLY UNDERSTANDS THIS HAS NOTHING TO DO WITH CREATING ANY HOUSING FOR RESIDENTS.\r\n\r\nABSOLUTELY NOTHING. IT WILL IN NO WAY, SHAPE OR FORM FACILITATE ANY NEW OR CONVERSION OF HOUSING FROM SHORT-TERM RENTAL TO RESIDENCE. ALL THIS PARTICULAR ITEM IS ABOUT IS ALLOWING HOMEOWNERS TO BE TAXED AS NON-OWNER-OCCUPIED RATHER THAN SHORT-TERM RENTAL. AND YOU HAD A LONG DISCUSSION ABOUT WHETHER IT WOULD REQUIRE 67% OF THE CONDO OWNERS TO DO THIS TO MAKE IT ALLOWED OR 100% AND CORPORATION COUNSEL GAVE YOU SOME INSIGHT ON THAT. I'M NOT TALKING ABOUT THAT. I FELT WHEN THIS ITEM -- WHEN THIS -- THE GENESIS OF THIS PARTICULAR ITEM CAME ABOUT, IT WOULD GOOD TO ALLOW ANY INDIVIDUAL HOMEOWNER TO MAKE THIS DECLARATION. IF AN INDIVIDUAL HOMEOWNER SAYS I DON'T WANT TO DO SHORT-TERM RENTAL AND PILE THE PAPERWORK AND THEY WOULD NEVER BE ABLE TO DO SHORT-TERM RENTAL IN UNIT AND GOING INTO THE OTHER TAX CLASS AND THE ADVANTAGE IS THEIR TAXES GO IN HALF.\r\n\r\nWITH THE 67% OR 100% THING, YOU ARE BASICALLY NOT GOING TO GET ANYONE WHO IS GOING TO USE THIS. MAYBE, MAYBE, MAYBE, THE MAHINA BEACH PEOPLE WILL. BUT THERE MIGHT BE ONE CONDO YOU WILL BE FACILITATING THE SECOND HOMEOWNERS TO PAY A LOWER TAX RATE THAN THEY'RE CURRENTLY REQUIRED TO PAY. BUT UNDERSTAND THIS PARTICULAR ISSUE IS NOT CREATING OPPORTUNITIES FOR OWNER-OCCUPIED HOUSING. IT'S NOT CREATING ANY NEW OPPORTUNITIES OR BETTER TAX RATE FOR A LONG-TERM AFFORDABLE RENT. THE PEOPLE CAN APPLY FOR AS THINGS EXIST TODAY. SO DON'T BE MISLED BY THE TITLE, OR THINK THIS

LEGISLATION IS GOING TO CREATE ANY ADDITIONAL RESIDENTIAL OPPORTUNITIES FOR MAUI RESIDENTS.\r\n\r\nIT'S ONLY ABOUT TAX RELIEF AND PROBABLY ONLY ABOUT TAX RELIEF FOR A VERY SMALL MINORITY OF POSSIBLE CONDOS THAT WOULD HAVE EITHER THE 67% OR 100% OF THEIR OWNERS ALL AGREE TO FILE THE PAPERWORK AND JUMP THROUGH THE HOOPS NECESSARY TO DO THIS. THANK YOU FOR THE OPPORTUNITY, CHAIR. I HOPE MY MANA'O IS HELPFUL. IF YOU HAVE ANY QUESTIONS, I'M HERE. >> THANK YOU. MEMBERS, QUESTIONS? MEMBER PALTIN.\r\n\r\n>> THANK YOU, MR. CROLY. JUST A CLARIFYING QUESTION ON YOUR INDIVIDUAL SITUATION -- I MEAN WHEN YOU SAID ABOUT INDIVIDUALLY BY UNIT. >> RIGHT. >> ARE YOU AWARE IF THE ADMINISTRATION WOULD SUPPORT THAT OR NOT? >> NO, I BELIEVE THAT THE PLANNING DEPARTMENT WOULD NOT LIKE THAT. BECAUSE THEN ON AN ENFORCEMENT BASIS THEY WOULD HAVE TO LOOK AT A PARTICULAR CONDOMINIUM COMPLEX AND DESPITE 101 IS ALLOWED TO MAKE SHORT-TERM RENTAL, BUT THE OTHER UNIT IS NOT AND TO CREATE POTENTIALLY A PROBLEM.\r\n\r\nHOWEVER, WE HAVE ADDRESSED THAT TO SOME DEGREE ALREADY IN WE MAKE PEOPLE PUT THEIR TMK NUMBERS IN THEIR ADVERTISING. SO THERE IS KIND OF A WAY THEY COULD DO IT. >> THANK YOU. THEY PRETTY MUCH TOLD ME THE SAME THING IN 2019. >> I EXPECT SO. >> I WAS KIND OF TRYING TO CLARIFY IF THIS ADMINISTRATION, YOU DON'T KNOW? >> NO, I DON'T KNOW. I HAVEN'T SPOKEN TO THE NEW DIRECTOR OR THE MAYOR ABOUT THIS PARTICULAR ISSUE, AND TO THAT EXTENT, I WOULD BOUNCE THIS BACK TO COMMITTEE AND MAYBE, YOU KNOW, THEY WOULD SEE IT A DIFFERENT WAY.\r\n\r\n>> THANK YOU. >> THANK YOU. ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH, TOM. >> ALOHA. >> NEXT TESTIFIER. >> THE NEXT TESTIFIER IS DIANA BRESNAN AND SHE IS CURRENTLY THE LAST TESTIFIER SIGNED UP.\r\n\r\n>> ALOHA. THANK YOU FOR ALLOWING ME TO TESTIFY TODAY. I WHOLE-HEARTEDLY DISAGREE WITH MR. CROLY. THIS IS NOT ABOUT SIMPLY A TAX BREAK. THIS IS ABOUT THE COUNTY MISCLASSIFYING PROPERTIES AS SHORT-TERM RENTALS THAT ARE NOT SHORT-TERM RENTING AND ALL OF THE OWNERS IN THOSE PROPERTIES BEING NEGATIVELY IMPACTED BY THAT. AT MAHINA BEACH WE HAVE MANY LONG-TERM RENTAL UNITS IN OUR PROPERTY THAT ARE SERVING SERVICE INDUSTRY WORKERS.\r\n\r\nAND THE SERVICE INDUSTRY WORKERS WORKING HERE IN LONG-TERM RENTAL AGREEMENTS ARE AT-RISK OF LOSING THOSE LONG-TERM AFFORDABLE RENT AGREEMENTS BECAUSE THE OWNERS ARE BEING TAXED IN OUR COMMUNITY AS SHORT-TERM RENTALS. SO IF OUR COMMUNITY IS BEING TAXED AS A SHORT-TERM RENTAL, WHEN WE DON'T DO THAT, THE OWNERS WILL WANT TO RECOUP THAT MONEY SOMEHOW BY SHORT-TERM RENTAL AND THOSE LONG-TERM RESIDENTS WILL GET DISPLACED. SO I DO WORRY ABOUT THIS. WE'RE TRYING TO SUPPORT THE COUNTY'S CHARTER OF CREATING LONG-TERM HOUSING AND WE'RE DOING EVERYTHING WE CAN AND IT FEELS LIKE SUCH A HUGE UPHILL BATTLE AND IT SHOULDN'T FEEL LIKE A HUGE UPHILL BATTLE. WE HAVE WORKED WITH MANY OF THE COMMITTEES ALREADY, WITH THE PSLU AND WITH THE DRIP COMMITTEE AND WITH THE PLANNING COMMISSION, AND ALL OF THOSE GROUPS HAVE APPROVED THE 67% OWNER VOTE TO VOLUNTARILY AND PERMANENTLY REMOVE SHORT-TERM RENTAL AS AN OPTION. AND I THINK THE COUNTY COUNCIL SHOULD DO THAT AS WELL. 514B IS LAW THAT PROVIDES 67% OF OWNERS CAN APPROVE A DECLARATION CHANGE AND THIS IS WHAT DEFINES THE USE OF YOUR PROPERTY.\r\n\r\nIF THE COUNTY FEELS THAT IS NOT RISKY FOR 514B TO GOVERN CONDOMINIUM ASSOCIATIONS, OFTEN TIMES IT CONFLICTS WITH OUR DECLARATION AND WE HAVE TO FOLLOW 514B ANYWAY. SO IF YOU ARE ALREADY DOING THAT, I DON'T UNDERSTAND WHY 67% WOULDN'T ALSO BE AN APPROPRIATE THRESHOLD FOR THIS PARTICULAR MATTER FOR BILL 4? IT'S NOTHING NEW. 67% I HAVE BEEN AROUND FOR A VERY, VERY LONG TIME, AND IT'S NOT TOO RESTRICTIVE, BUT YET, IT'S RESTRICTIVE ENOUGH THAT IT REQUIRES THE MAJORITY OVERWHELMING MAJORITY OF THE OWNERS TO PASS THAT. I WOULD CHALLENGE THOSE THAT ARE RECOMMENDING THIS EXTREME PROFILE -- RISK PROFILE OF 100% APPROVAL TO MANAGE THIS. SO WITHOUT KILLING THE BILL. IT'S EASY TO SAY MAKE IT BULLETPROOF, BUT BULLETPROOF IS GOING TO KILL ANY CHANCE OF THIS BEING EFFECTIVE. >> COULD YOU PLEASE CONCLUDE.\r\n\r\nTHANK YOU VERY MUCH. ARE THERE ANY QUESTIONS. >> MAHALO. >> IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER. >> THERE ARE NO OTHER TESTIFIERS SIGNED UP CURRENTLY. IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY, IF YOU COULD UNMUTE, COME TO THE FRONT, MAKE YOURSELF KNOWN.\r\n\r\nCOUNTDOWN IS 3, 2, 1. CHAIR, THERE ARE NO

OTHER TESTIFIERS. >> ANY OBJECTIONS, MEMBERS, TO CLOSING TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY? >> NO OBJECTIONS. >> ON THIS ITEM >> COMMITTEE REPORTS. >> LOOKING FOR THE LETTER. J. I'M SORRY, MS. CLERK.\r\n\r\n>> THANK YOU. SO PROCEEDING WITH COMMITTEE REPORTS. FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE COMMITTEE REPORT 23-14 RECOMMENDING FIRST READING OF BILL 9 (2023) TO AMEND THE FISCAL YEAR BUDGET APPENDIX A PART 2 SPECIAL PURPOSE REVENUE, SPECIAL REVOLVING FUNDS TRANSFER \$43,400 FROM OPERATIONS OR SERVICES TO EQUIPMENT. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE REPORT 23-14. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-14. DISCUSSION? VICE-CHAIR SUGIMURA.\r\n\r\n>> YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MET ON MARCH 7TH, 2023 TO DISCUSS BILL 9 (2023 (TO AMEND FISCAL YEAR 23 BUDGET APPENDIX A, PART 2 SPECIAL PURPOSE REVENUES SCHEDULE OF RESTRICTED USE REVENUES BY AMENDING PLAN REVIEW PERMIT PROCESSING AND INSPECTION REVOLVING FUND TO TRANSFER \$43,400 FROM OPERATIONS OR SERVICES TO EQUIPMENT. THIS REALLOCATION -- [INAUDIBLE] FOR POSITIONS, AND VEHICLES AND AFTER STARTING THE LEASE PROPERTY -- EXCUSE ME. IT WOULD BE BETTER FOR A HIGHER -- WHICH IS A HIGH INITIAL COST. COMMITTEE CONFIRMED THAT THE OVERALL BALANCE OF THE FUND WILL NOT CHANGE DUE TO THIS AMENDMENT. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND PASSAGE OF BILL 9 (2023) ON FIRST READING. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MUNICIPAL CODE RAISE YOUR HAND, SAY AYE?\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, MS. CLERK. >> CHAIR, FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, COMMITTEE REPORT 23-15, RECOMMENDATIONS) OF BILL 5 (2023) TO AMEND THE FISCAL YEAR 2023 BUDGET, APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, BY INCREASING THE GRANT, ENTITLED, "PRIVATE DONATIONS," UNDER THE DEPARTMENT OF FIRE AND PUBLIC SAFETY BY \$30,000 TO REFLECT CASH DONATED RECEIVED FROM A FUNDRAISER HELD BY THE LAHAINA COMMUNITY FOR THE BENEFIT OF THE MAUI FIRE STATION IN LAHAINA. >> VICE-CHAIR SUGIMURA. >> COULD I ASK THE CLERK TO ALSO READ 23-16. >> MS. CLERK.\r\n\r\n>> COMMITTEE REPORT 23-16, RECOMMENDING FIRST READING OF BILL 10 (2023) TO AMEND THE FISCAL YEAR 2023 BUDGET, APPENDIX A, PART 1 GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS BY ADDING A NEW GRANT UNDER THE DEPARTMENT OF PROSECUTING ATTORNEY ENTITLED "OFFICE FOR VICTIMS OF CRIME," OVC IN THE AMOUNT OF \$5,000. >> VICE-CHAIR SUGIMURA. >> THANK YOU. I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE REPORTS 23-15 AND 23-16. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER KAMA TO APPROVE COMMITTEE REPORT 23-16'S RECOMMENDATION. >> AND 15, 23-15 AND 16. THANK YOU. >> YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MET ON MARCH 7TH, 2023 TO DISCUSS BILL 5, WHICH WOULD AMEND THE FISCAL YEAR 2023 BUDGET APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENT, AND PROGRAMS BY INCREASING THE GRANT ENTITLED, "PRIVATE DONATIONS," UNDER THE DEPARTMENT OF FIRE AND PUBLIC SAFETY BY \$30,000 TO REFLECT CASH DONATIONS RECEIVED FROM A FUNDRAISER HELD BY THE LAHAINA COMMUNITY FOR THE BENEFIT OF THE MAUI FIRE STATION IN LAHAINA. THIS BILL WOULD RAISE THE LIMIT FOR PRIVATE DONATIONS TO ENGAGE THE DEPARTMENT OF FIRE AND PUBLIC SAFETY TO ACCEPT DONATIONS APPROVED BY THE COUNCIL'S ADOPTION OF RESOLUTIONS 23-37, AND RESOLUTION 23-38 AT THE FEBRUARY 17TH COUNCIL MEETING.\r\n\r\nTHE BUDGET DIRECTOR CONFIRMED THAT THESE DOCUMENTS WERE NOT SOLICITED BY THE DEPARTMENT AND ARE UNRELATED TO A NON-COUNTY FUNDRAISING EFFORT FOR A FIRE STATION. AND ON THE NEXT BILL 23-16, YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MET MARCH 17, BILL 10, TO AMEND THE FISCAL YEAR 2023 BUDGET APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENT AND PROGRAMS BY ADDING A NEW GRANT UNDER THE DEPARTMENT OF PROSECUTING ATTORNEY ENTITLED, "OFFICE FOR VICTIMS OF CRIME OVC," IN AMOUNT OF \$5,000. THESE FUNDS WOULD SUPPORT TWO COMMUNITY AWARENESS PROJECTS TO COMMENSURATE NATIONAL CRIME VICTIMS' RIGHT WEEK

AND VOTED 9-0 TO VOTE PASSAGE AND I ASK FOR THE MEMBERS' SUPPORT OF THIS MOTION, AS WELL AS 23-15, 23-16 AND 15. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION TO APPROVE COMMITTEE REPORTS 23-15, AND 23-16, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU, MEMBERS. >> MS. CLERK. >> CHAIR, FROM YOUR DISASTER, RESILIENCE, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE IS COMMITTEE REPORT 23-17 RECOMMENDING FIRST READING OF BILL 4 CD 1 (2023) TO ALLOW PROPERTY OWNERS OF BUILDINGS LOCATED IN THE APARTMENT DISTRICT TO CONVERT REAL PROPERTY VOLUNTARILY AND PERMANENTLY FROM TRANSIENT VACATION RENTAL USE TO LONG-TERM RESIDENTIAL USE BY FILING A DECLARATION WITH THE STATE OF HAWAII BUREAU OF CONVEYANCES AND PROVIDING NOTICE TO THE COUNTY. >> COUNCIL MEMBER PALTIN. >> THANK YOU, I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE REPORT 23-17. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO APPROVE COMMITTEE REPORT 23-17. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. YOUR DISASTER, RESILIENCE, INTERNATIONAL AFFAIRS, AND PLANNING COMMITTEE MET ON MARCH 8TH, 2023 TO DISCUSS BILL 4 (2023) TO AMEND SECOND, 19.12 MAUI COUNTY CODE TO ALLOW PROPERTY OWNERS OF BUILDINGS LOCATED IN THE APARTMENT DISTRICT TO CONVERT REAL PROPERTY VOLUNTARILY, AND PERMANENTLY FROM TRANSIENT VACATION RENTAL USE TO LONG-TERM RESIDENTIAL USE AS DEFINED BY THE PLANNING DEPARTMENT, NOT FINANCE. BY FILING A DECLARATION WITH THE STATE OF HAWAII BUREAU OF CONVEYANCES, AND PROVIDING NOTICE TO THE COUNTY. THE PLANNING AND SUSTAINABLE LAND USE COMMITTEE FROM THE 2021-2023 COUNCIL TERM PREVIOUSLY REPORTED ON RESOLUTION 23-154 WHICH REFERRED BILL 4 TO THE LANI, MAUI AND MOLOKA'I PLANNING COMMISSIONS FOR REVIEW THROUGH COMMITTEE REPORT 22-3. ON JUNE 21ST, 2022, THE COUNCIL ADOPTED RESOLUTION 22-154. DURING THE MARCH 8TH, 2023 MEETING YOUR COMMITTEE VOTED TO CONVENE AN EXECUTIVE MEETING TO CONSULT WITH LEGAL COUNSEL. FOLLOWING THE EXECUTIVE MEETING YOUR COMMITTEE AMENDED THE BILL TO INCLUDE LANGUAGE THAT REQUIRES DECLARATIONS TO BE RECORD WITH THE STATE BUREAU OF CONSENT VACANCIES BY DECEMBER 31ST, IMMEDIATELY PRECEDING THE ASSESSMENT YEAR FOR A PROPERTY TO BE RECLASSIFIED FOR REAL PROPERTY TAX PURPOSES. YOUR COMMITTEE VOTED 4-2 TO RECOMMEND PASSAGE OF BILL 4, CD 1 (2023) (ON FIRST READING. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU. >> ANY MORE DISCUSSION? MEMBER COOK. >> THANK YOU, CHAIR. I'M VERY SUPPORTIVE OF THIS. I VOTED YES DURING THE COMMITTEE MEETING. AFTER RESEARCHING IT FURTHER, THERE'S THE LEGAL CONCERNS WERE MORE -- MORE SUBSTANTIVE THAN I WAS UNDER THE IMPRESSION DURING THE MEETING. I'M OPEN TO AMENDING 67% TO 100%, IF THE WILL OF THE COUNCIL? >> THERE'S A MOTION TO AMEND THE BILL TO CHANGE THE PERCENTAGE FROM 67% TO 100%. IS THERE A SECOND? MAUI ISLAND, BECAUSE THE OTHER ISLANDS ARE ALREADY 100%. >> I NEED A SECOND. MOVED BY MEMBER COOK, SECONDED BY MEMBER UU-HODGINS TO AMEND THE REQUIREMENT PERCENTAGE. DISCUSSION, MEMBER COOK. >> I THINK THAT THIS IS A GOOD BILL. I LIKE THE CONCEPT AND THE INTENT FOR PEOPLE PAYING THE APPROPRIATE PROPERTY TAX, AND ALSO THE INCENTIVE FOR PEOPLE TO HAVE LONG-TERM RENTALS OR BEING PERMANENT RESIDENTS AS OPPOSED TO UTILIZING THEM AS TRANSIENT VACATION RENTALS. THE 100% FACTOR IS PRETTY MUCH IS SAFE FOR THE COUNTY NOT TO HAVE ANY -- NOT TO BE ANY ISSUES, AND I'M SUPPORTIVE, JUST THE PERCENTAGES I FEEL 100% IS NO RISK TO THE COUNTY, AND A BENEFIT TO WHOEVER WANTS TO ACCEPT THE OPPORTUNITY. >> ANY MORE DISCUSSION? MEMBER JOHNSON. >> I'M SORRY, CHAIR I WAS NOT IN THE DRIP COMMITTEE AND YOU HAVE TO FORGIVE ME. WHERE DID THIS COME FROM? >> MEMBER PALTIN. >> THE 67% IS THE AMOUNT THAT HAWAII REVISED STATUTES 514B REQUIRES FOR A CONDO TO AMEND THEIR, LIKE, HOA COVENANTS. >> THANK YOU. >> ANY MORE DISCUSSION? QUESTIONS? MEMBER COOK. >> MY UNDERSTANDING OF THE CHALLENGE IS THAT THE CONDOMINIUM ASSOCIATION CAN DO THAT, CHANGE THEIR BY-LAWS, BUT THE COUNTY OF MAUI IS GOING TO BE THE ENFORCER. >> POINT OF INFORMATION. >> I COULD BE MISTAKEN, BUT THAT IS MY UNDERSTANDING OF THE CHALLENGE. >> MEMBER PALTIN. >> I JUST WANTED TO BE CAREFUL WE WEREN'T TALKING ABOUT EXECUTIVE SESSION STUFF IN OPEN SESSION. CORP. COUNSEL. >> I DON'T BELIEVE THAT HAS OCCURRED. >> OKAY. >> ANY MORE DISCUSSION? ANY MORE DISCUSSION? MEMBER RAWLINS-

FERNANDEZ. MAHALO, CHAIR. I WILL BE VOTING AGAINST THE MOTION. AS WE HEARD THAT THIS KIND OF WOULD RENDERING THE WHOLE INITIATIVE MOOT. SO THAT'S -- WE KIND OF HAVE THE 67% OR NOT DO IT AT ALL? I DON'T KNOW. IT DIDN'T SOUND LIKE PEOPLE WERE GETTING TO 100% WAS PART OF THE ISSUE AS I UNDERSTAND IT FROM TESTIMONY. SO GETTING 100% OF ALL OF THE PROPERTY OWNERS, UNIT OWNERS WILL LIKELY NOT HAPPEN. SO I GUESS I DON'T REALLY UNDERSTAND THE POINT OF THE LAW, AND I'M NOT SUPER INTO PUTTING IN THESE LAWS. I WOULD FEEL TO KEEP IT AT 67%. MAHALO, CHAIR. >> I HAVE A QUESTION. THIS ONLY APPLIES TO MAUI ISLAND, BECAUSE THERE'S NO SUCH INTERESTS ON LANA'I AND MOLOKA'I? >> THE LANA'I AND MOLOKA'I PLANNING COMMISSIONS VOTED FOR 100%. THAT IS ALSO I WANTED TO MENTION THAT THE MAUI PLANNING COMMISSION PUT 67%. SO IF WE DO CHANGE IT TO 67% FOR THE WHOLE BILL TO PASS, I THINK WE'LL NEED SIX VOTES, BUT JUST POINTING THAT OUT FOR WHAT I DISCUSSED. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. TO ANSWER YOUR QUESTION, I BELIEVE AND I'M DOING THIS FROM MEMORY, I BELIEVE THERE'S THREE PROPERTIES - ONE MORE PROPERTY THAT FALLS UNDER THE MINATOYA LIST. SO THOSE ARE THE THREE THAT WOULD BE IMPACTED IF WE PASS THIS, AND THE MANA'O THAT WAS SHARED IN THE MOLOKA'I PLANNING COMMISSION IS THAT THE COMMUNITY HAS ACCEPTED THOSE AREAS AS AREAS THAT VACATION RENTAL ACTIVITY WOULD HAPPEN, AND WOULD PREFER TO KEEP THAT ACTIVITY THERE, AND NOT LET IT TAKE OVER OUR NEIGHBORHOODS. SO THAT WAS KIND OF THE DISCUSSION, AND SO I'M SUPPORTING THE RECOMMENDATION FROM THE MOLOKA'I PLANNING COMMISSION TO KEEP IT AT 100% FOR THOSE THREE PROPERTIES. MAHALO. AS YOU KNOW, AND WITH THE PUBLIC WATCHING, THAT IS NOT THE CASE ON MAUI ISLAND. WHAT IS IT? A THOUSAND UNITS OR PROPERTIES. SO IT'S APPLES AND ORANGES IN COMPARING MOLOKA'I TO MAUI, WHEN IT COMES TO THE MINATOYA LIST. MAHALO, CHAIR. >> ANY MORE DISCUSSION? OKAY. IF NOT, ROLL CALL. >> THANK YOU, CHAIR. >> ON MR. COOK'S MOTION. >> ON THE AMENDMENT. COUNCIL MEMBER PRO TEMPORE KAMA? >> YES. >> VICE-CHAIR SUGIMURA? >> YES. >> COUNCIL MEMBER PALTIN? >> NO. >> COUNCIL MEMBER JOHNSON? >> NO. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> NO. >> COUNCIL MEMBER COOK? >> YES. >> COUNCIL MEMBER UU-HODGINS? >> YES. >> COUNCIL MEMBER SINENCI? >> NO. >> COUNCIL CHAIR LEE? >> YES. >> CHAIR, THERE ARE FIVE AYES, FOUR NOS, MOTION PASSES. >> ALL RIGHT. MAIN MOTION AS AMENDED. ARE YOU READY FOR THAT? MEMBER PALTIN. >> I DON'T AGREE WITH THE AMENDMENT, BUT I WOULD LIKE TO SEE THE BILL PASS, AND SINCE IT NEEDS SIX VOTES, I'LL BE VOTING YES. >> ANY MORE DISCUSSION? ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE KAMA? >> YES. >> VICE-CHAIR SUGIMURA? >> YES. >> COUNCIL MEMBER PALTIN? >> YES. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> I GUESS SO. >> COUNCIL MEMBER COOK? >> YES. >> COUNCIL MEMBER UU-HODGINS? >> YES. >> COUNCIL MEMBER SINENCI? >> NO. >> COUNCIL CHAIR LEE? >> YES. >> CHAIR, THERE ARE EIGHT AYES, ONE NO, MOTION PASSES. >> THANK YOU. PROCEED, MS. CLERK. CHAIR FROM YOUR GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, IS COMMITTEE REPORT 23-18, RECOMMENDING ADOPTION OF RESOLUTION 23-81 AUTHORIZING SETTLEMENT OF CHRISTINE M. LACHANCE V. COUNTY OF MAUI 17-1 04228 (1). >> COUNCIL MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE ADOPTION OF RECOMMENDATIONS IN COMMITTEE REPORT 23-18. >> MOVED AND SECONDED TO PASS -- MOVED BY MEMBER UU-HODGINS AND SECONDED BY MEMBER KAMA. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE MET MARCH 7, 2023 TO DISCUSS RESOLUTION 23-81, RESOLUTION 23-81'S PURPOSE IS TO AUTHORIZE THE DEPARTMENT OF KONG COUNSEL TO SETTLE THE CLAIM FILED OCTOBER 5, 2017 -- ALLEGING PERSONAL INJURIES TO MS. LACHANCE, DUE TO A PROTRUDING POST ON A PUBLIC SIDEWALK NEAR THE INTERSECTION OF SOUTH KIHEI ON 'OHANA KIHEI, MAUI HAWAII JOGGING JULY 30, 2016. YOUR COMMITTEE HELD AN EXECUTIVE MEETING TO DISCUSS CONFIDENTIAL INFORMATION RELATED TO THE ITEM. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND THE ADOPTION OF RESOLUTION 23-81, AND I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION TO APPROVE COMMITTEE REPORT 23-18, RAISE YOUR HAND, SAY AYE. >> MINE AYES, ZERO NOS, MOTION CARRIES, MS. CLERK. >> CHAIR, BEFORE YOU IS COMMITTEE REPORT 23-19, RECOMMENDING ADOPTION OF RESOLUTION 23-

84, AUTHORIZING SETTLEMENT OF ASHLEY HOOKS V. COUNTY OF MAUI, ET AL., CIVIL 2 CC V-21-00000034 (2). >> MEMBER UU-HODGINS. >> MAHALO, CHAIR.\r\n\r\nI MOVE TO ADOPT THE RECOMMENDATION IN CR23-19. >> SECOND. >> MOVED BY MEMBER UU-HODGINS. SECONDED BY PRO TEM KAMA TO APPROVE COMMITTEE REPORT 23-19, DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE MET ON MARCH 7TH, AGAIN, 2023 TO DISCUSS RESOLUTION 23-84, RESOLUTION 23-84'S PURPOSE TO AUTHORIZE THE DEPARTMENT OF CORPORATION COUNSEL TO SETTLE THE CLAIM FILED ON FEBRUARY 5TH, 2021. THE CLAIM ALLEGES A VIOLATION OF THE HAWAII WHISTLE-BLOWER, UNLAWFUL TERMINATION. YOUR COMMITTEE HELD AN EXECUTIVE MEETING TO DISCUSS CONFIDENTIAL INFORMATION RELATED TO THE CLAIM. YOUR COMMITTEE VOTED 7-0 TO RECOMMEND ADOPTION OF RESOLUTION 23-84, AND AGAIN, I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION.\r\n\r\nMAHALO, CHAIR. >> ANY FURTHER DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION TO APPROVE COMMITTEE REPORT 23-19, RAISE YOUR HAND, SAY AYE? >> NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. THANK YOU, MADAM CHAIR.\r\n\r\nDO YOU WISH TO PROCEED WITH BILLS IN SECTION M. >> YES, IF THERE'S NO OBJECTIONS, SO ORDERED. >> CHAIR, THERE ARE NO INDIVIDUALS SIGNED UP TO TESTIFY ON THE BILLS IN SECTION M. SO WE'LL GIVE LAST CALL. ANYONE WISHING TO TESTIFY ON THE BILLS IN SECTION M, PLEASE IDENTIFY YOURSELF NOW. COUNTING DOWN, 3, 2, 1. CHAIR, THERE ARE NO PERSON TESTIFYING ON BILLS IN SECTION M. >> MEMBERS, MY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON SECTION M? >> NO OBJECTIONS. >> SO ORDERED. MS. CLERK.\r\n\r\n>> CHAIR, FOR REFERRAL TO YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS BILL 19 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2023 BUDGET FORTUNE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PARTS 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF WATER SUPPLY. AND BILL 20 (2023) A BILL FOR AN ORDINANCE REPEALING SECTIONS 3.48.355 AND 3.48.360 MAUI COUNTY CODE RELATING TO GOLF COURSE ASSESSMENTS. >> ANY OBJECTIONS TO THE REFERRALS? NO OBJECTIONS, SO ORDERED. MS. CLERK. >> CHAIR FOR REFERRAL TO YOUR HOUSING AND LAND USE COMMITTEE IS BILL 21 (2023 (A BILL FOR AN ORDINANCE TO AMEND ORDINANCE 2924 CONDITIONAL ZONING FOR EMERGENCY AIRSTRIP OPERATIONS AT KAPALUA AIRPORT.\r\n\r\n>> ANY OBJECTIONS -- MEMBER PALTIN? >> INSTRUCTOR: WOULD LIKE TO ASK FOR CONSIDERATION OF THE DRIP COMMITTEE. THIS ORDINANCE TOOK AN INORDINATE AMOUNT OF TIME TO GET BACK, OR GET TO THE PLANNING COMMISSION, AND BACK TO US. IT WAS PROPOSED BY KAPALUA FIREFIGHTER RYAN T AND SUPPORTED BY WEST MAUI TAXPAYER ASSOCIATION. I HAVE BEEN WORKING WITH THEM. I SET UP A PUBLIC MEETING WITH THEM AND DRAFTED THIS BILL AND JUST WONDERING IF IT COULD BE SENT TO DRIP? I HAVE NO BILLS TO PASS IN MY COMMITTEE.\r\n\r\n>> MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU, MEMBER PALTIN. I HAVE NO QUALMS FOR MEMBER PALTIN TO TAKE TO HER COMMITTEE. THANK YOU, CHAIR. >> ANY OBJECTIONS TO REFERRING THIS MATTER TO DRIP? SO ORDERED.\r\n\r\nMS. CLERK. >> CHAIR, MOVING ON TO UNFINISHED BUSINESS. >> YES. >> YOU HAVE ONE TESTIFIER SIGNED UP, TESTIFYING ON RESOLUTION 23-50, CD 1. >> TESTIFIER >> THIS YOUR TIME TO TESTIFY. YOU CAN UNMUTE ON YOUR SIDE. >> HERE I AM.\r\n\r\nHI. CAN YOU HEAR ME? >> YES. >> THIS IS DEBORAH VIAL. THANK YOU TO THE CHAIR AND TO THE COUNCIL. I'M AVAILABLE IF YOU HAVE ANY QUESTIONS REGARDING MY NOMINATION TO THE BOARD OF VARIANCES AND APPEALS. >> MEMBERS, DO YOU HAVE ANY QUESTIONS FOR THE TESTIFIER?\r\n\r\nYES. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. DO YOU WANT US TO HOLD OUR NON-CLARIFYING QUESTIONS UNTIL THE ITEM COMES UP? >> SHE MIGHT BE THE ONLY ONE. >> I WILL HOLD MY QUESTIONS UNTIL THE ITEM COMES UP. MAHALO, MS.\r\n\r\nVIAL. MAHALO, CHAIR. >> ANY FURTHER TESTIFIERS? >> NO OTHER TESTIFIERS SIGNED UP TO TESTIFY AT THIS TIME. IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY ON ANY OF THE ITEMS IN "UNFINISHED BUSINESS" NOW IS YOUR TIME. COUNT DOWN THE IS 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR THE ITEMS LISTED IN SECTION O NO OBJECTIONS, CHAIR. >> SO ORDERED. MS.\r\n\r\nCLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-50 CD 1 APPOINTMENT OF MEMBERS TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS. >> MAHALO, CHAIR. MAY I PLEASE ASK THE CLERK TO CALL UP

ALL THE RESOLUTIONS, 23-56, CD 1., >> OBJECTION? >> I THINK WE'LL HAVE AN OBJECTION. SO WHY DON'T WE JUST GO ONE BY ONE.\r\n\r\n>> SOUNDS GREAT. FIRST IS I MOVE TO ADOPT RESOLUTION 23-50, CD 1. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECONDED BY VICE-CHAIR SUGIMURA TO ADOPT RESOLUTION 23-50. DISCUSSION? MEMBER UU-HODGINS. >> OKAY. YOUR GREAT COMMITTEE MET ON FEBRUARY 22ND AND 23RD, 2023 TO DISCUSS THE NOMINEES TO VARIOUS BOARDS AND COMMISSIONS. DURING THE MARCH 10TH MEETING THE COUNCIL CONSIDERED THE NAM NATIONS AND SEPARATED OUT THESE FOUR RESOLUTIONS, OR THIS RESOLUTION AND THREE OTHERS.\r\n\r\nSO THE MAYOR'S OFFICE COULD VERIFY THE INFORMATION ON THE NOMINEE'S APPLICATIONS WERE UP-TO-DATE, SO THEY WERE ELIGIBLE, WILLING AND ABLE TO SERVE. THE OFFICE, THE MAYOR'S OFFICE HAS SINCE CONFIRMED WITH ALL OF THE NOMINEES AND MAINTAINS THEIR RECOMMENDATIONS AS A REMINDER THE COUNCIL MUST APPROVE OR DISAPPROVE THE NOMINATION BY MARCH 31ST, 2023. I ASK FOR MEMBERS' SUPPORT. MAHALO, CHAIR. >> ANY MORE DISCUSSION? >> IT'S FOR ALL OF THE ITEMS? >> NO JUST ONE. >> OKAY.\r\n\r\nNEVER MIND. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. NOW THAT WE'RE ON THE ITEM, I WILL ASK MS. VIAL. PLEASE CORRECT ME IF I'M SAYING YOUR LAST NAME WRONG. IT'S VIAL, FRENCH.\r\n\r\n>> THANK YOU SO MUCH. I REMEMBER YOUR OPENING REMARKS IN TESTIMONY AT OUR LAST MEETING. SO AGAIN, THANK YOU FOR JOINING US FOR THIS COUNCIL MEETING. I DON'T THINK I HAD THE OPPORTUNITY TO ASK QUESTIONS AT THAT TIME, BECAUSE I WAS HOLDING IT UNTIL THE ITEM CAME UP AND THEN WE DEFERRED. SO I ENJOYED YOUR OPENING REMARKS AND YOUR ENTHUSIASM AND INTEREST IN SERVING ON THE BOARDS AND COMMISSIONS. MAHALO TO YOUR FRIEND FOR ENCOURAGING YOU. OF MY FIRST QUESTION REGARDING ATTENDANCE.\r\n\r\nI THINK THIS IS A MONTHLY MEETING. >> I THINK IT'S SECOND AND FOURTH THURSDAYS >> TWICE A MONTH THEN. OKAY. DO YOU FORESEE ANY PROBLEMS WITH BEING ABLE TO ATTEND THE TWICE A MONTH MEETINGS. >> NO, MY SCHEDULE IS VERY FLEXIBLE. I WORK FULL-TIME AS A REALTOR. >> THANK YOU, HAVE YOU WATCHED THE MEETING OR VIEWED THE MINUTES?\r\n\r\n>> YES, I DID TRY TO ATTEND YESTERDAY'S MEETING WITH THE BVA. I DID SERVE ON THE WEST HOMEOWNERS' ASSOCIATION ON THAT BOARD FOR SIX YEARS AND ON THE DESIGN REVIEW COMMITTEE FOR TWO YEARS. SO WE WERE DEALING WITH VARIANCES BECAUSE IT WAS AN HOA AND CONSTANTLY VARIANCES BECAUSE THE RULES WERE SO -- SOMETIMES THE SPIRIT OF THE RULE COULD NOT BE ENACTED ON EVERY PROPERTY. >> MAHALO FOR THAT INFORMATION. I'M ADEPT ON READING LEGALESE AND THE I WAS ON WEST HOMEOWNERS' ASSOCIATION FOR YEARS. SO I'M FAMILIAR WITH ROBERT'S RULES AND FAMILIAR WITH THIS WHOLE PROCESS AND I ENJOY IT. KEANI BALL SAID I SHOULD DO IT AND I THINK HE IS A SMART GUY AND I DID IT.\r\n\r\n>> MAHALO FOR THE RESPONSE. SO MY LAST QUESTION AS A REALTOR, AS YOU STATED, DEALS WITH ANY KIND APPEALS TO ZONING, ET CETERA AND THIS BOARD HAS A LOT OF POWER TO OVERRIDE SOME OF THE DECISIONS MADE BY THE PLANNING DEPARTMENT, THE COUNCIL, I DON'T KNOW IF IT'S THE PLANNING COMMISSION AS WELL? BUT AS A REALTOR, I IMAGINE YOU WOULD PROBABLY HAVE CLIENTS THAT WOULD COME BEFORE THE BVA. WOULD YOU RECUSE YOURSELF IF CLIENTS COME BEFORE THE BVA. >> YES, IF THAT IS THE PROPER PROTOCOL, THAT IS SOMETHING TOLD TO DO, OF COURSE. I DO ABSOLUTELY BELIEVE THAT RULES ARE PUT THERE -- PUT IN PLACE TO PROVIDE A SAFE AND FAIR ENVIRONMENT WHERE EVERYBODY FEELS LIKE THEY'RE BEING TREATED EQUALLY. WE HAD A LOT OF VARIANCES THAT DID NOT BE ENACTED BECAUSE OF THE POSITIONING THE PROPERTY.\r\n\r\nI PERCEIVE MYSELF TO BE OF FINE UPSTANDING CITIZEN AND WOULDN'T DO ANYTHING TO JEOPARDIZE THAT REPUTATION. >> SO IF YOU HAD A CLIENT COME BEFORE YOU, YOU WOULD RECUSE YOURSELF? >> CORRECT. >> MAHALO, MS. VIAL. MAHALO, CHAIR. >> ANY MORE QUESTIONS OR COMMENTS?\r\n\r\nIF NOT, DO WE NEED ROLL CALL? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE, NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> BEFORE YOU IS RESOLUTION 23-56 APPOINTMENT A MEMBER TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR, I MOVE THE RESOLUTION.\r\n\r\n>> MOVED AND SECONDED. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I HAVE THE SAME THINGS TO SAY ABOUT EVERY SINGLE ONE. SO I WILL JUST BREEZE THROUGH IT AND REMIND YOU THAT THE GREAT COMMITTEE MET ON FEBRUARY 22ND AND 23RD TO DISCUSS ALL THE NOMINEES. THIS WAS ANOTHER ONE PULLED OUT ON OUR MARCH 10TH

MEETING AND AGAIN THE MAYOR HAS MET AND DISCUSSED WITH ALL OF THE NOMINEES AND THEY MAINTAIN THEIR RECOMMENDATIONS. MAHALO, CHAIR.\r\n\r\n>> YOU ARE JUST MAKING THE MOTION ON 23-56. >> YES, JUST ONE. >> MEMBER PALTIN. >> THANK YOU, CHAIR. I'M SUPPORTIVE. I JUST WANTED TO DOUBLE-CHECK WITH MS. VINCENNES. >> THANK YOU, CHAIR, COUNCIL MEMBER PALTIN, YES, HE DOES.\r\n\r\nWE HAVE DISCUSSED THAT AT LENGTH AND AS MATTER OF FACT WE DISCUSSED IT LAST NIGHT AND HE UNDERSTANDS WHAT THOSE REQUIREMENTS ARE. HE DOES CONSIDER MAUI HIS HOME. THOUGH HIS WORK DOES TAKE HIM TO THE STATES TO CONDUCT BUSINESS. HE INTENDS TO BE HERE, AS MUCH AS HE CAN IN-PERSON, OTHERWISE, HE WILL BE PARTICIPATING REMOTELY. >> AND THE REQUIREMENTS OF THE CODE HE MEETS THAT? >> YES, HE DOES. >> THANK YOU.\r\n\r\n>> THANK YOU. >> ANY OTHER MEMBERS HAVE QUESTIONS? ALL RIGHT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> NINE AYES, ZERO NOS, MOTION CARRIES, MS. CLERK. >> BEFORE YOU IS RESOLUTION 23-62, CD 1. APPOINTMENT OF MEMBERS TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS.\r\n\r\n>> MAHALO, CHAIR. I'M WONDERING IF IT'S OKAY WITH THE MEMBERS IF WE CALL UP THE NEXT RESOLUTION AS WELL? >> MEMBERS? >> >> JUST ONE. >> IT'S NOT A PROBLEM. NO WORRIES. I MOVE TO ADOPT RESOLUTION 23-62, CD 1. >> SECOND.\r\n\r\n>> MOVED BY MEMBER UU-HODGINS. SECONDED BY MEMBER WHO? MEMBER KAMA. TO ADOPT RESOLUTION 23-62 DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU SO MUCH, CHAIR. AGAIN, SAME NOTES. YOUR GREAT COMMITTEE MET ON FEBRUARY 22ND AND 23RD, NOT TOO LONG AGO TO DISCUSS ALL THE BOARDS AND COMMISSIONS.\r\n\r\nTHIS IS ANOTHER ONE PULLED OUT AT THE MARCH 10TH MEETING AND AGAIN, THE MAYOR'S OFFICE HAS SINCE CONFIRMED WITH ALL THE NOMINEES AND MAINTAINS THEIR RECOMMENDATIONS. MAHALO, CHAIR. >> ANY MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU, CHAIR. I'M SUPPORTIVE OF DISAPPROVING THE APPOINTMENT SHEILA WALKER, BUT I DID HAVE AN OPPORTUNITY TO SPEAK WITH HEATHER ANN WELLS ON THE PHONE, AND SHE IS A LOVELY PERSON. VERY NICE, AND SWEET AND EVERYTHING.\r\n\r\nI JUST DON'T FEEL IT WOULD BE A GOOD FIT FOR THIS COMMITTEE. SHE HAD MOVED TO MAUI WITHIN THE LAST COUPLE OF YEARS. AND DOESN'T KNOW THAT MUCH ABOUT SEA-LEVEL RISE, SHORELINE EXPOSURE AREA, AND THOSE ISSUES. HER MAIN AREA OF CONCERN WAS MORE SO DRAINAGE, WHICH SOUNDED A LITTLE BIT MORE PUBLIC WORKS COMMISSION, MAYBE, OR SOMETHING? BUT AT THE POINT WE'RE IN RIGHT NOW IN OUR SMA AND SEA-LEVEL RISE AND THINGS LIKE THAT, I JUST FEEL THAT WE NEED SOMEBODY THAT CAN HIT THE GROUND RUNNING, AND NOT SO MUCH LEARNING ON A CURVE. THAT IS MY PERSONAL OPINION. SO I'M NOT SURE IF WE CAN SEPARATE THIS?\r\n\r\nOR HOW THAT WOULD WORK ? IF I WANT TO SUPPORT THE DISAPPROVAL, BUT VOTE AGAINST THE APPROVAL. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO AMEND THE RESOLUTION BY MOVING THE NAME OF HEATHER ANN WELLS FROM EXHIBIT B TO EXHIBIT C. >> MEMBER PALTIN. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ AND SECONDED BY MEMBER PALTIN TO MOVE THE NOMINEE FROM EXHIBIT A TO B? >> B TO C. >> B TO C. DISCUSSION? MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. ECHOING THE SENTIMENTS SHARED BY MEMBER PALTIN. SHE SOUNDS GREAT AND HER INTEREST IS REGARDING -- SHE LIVES IN SOUTH MAUI. SO IT'S THE MUD FLOODS ARE PARTICULARLY OF GREAT INTEREST IN THAT AREA. AND IF THERE'S -- I DON'T KNOW IF THERE'S ROOM ON THE PUBLIC WORKS COMMISSION RIGHT NOW? I THINK WE JUST FILLED IT. SO PERHAPS PARTICIPATING THERE, OR AT THE CPAC MEETINGS?\r\n\r\nTHE SOUTH MAUI CPAC MEETINGS RIGHT NOW I KNOW THAT IS OFTEN A BIG TOPIC THAT IS BROUGHT UP THERE. IF SHE COULD CONTRIBUTE TO THOSE DISCUSSIONS, I THINK THOSE WOULD BE A GREAT FIT. AND THEN FOR THE MAUI PLANNING COMMISSION, GETTING SOMEONE BECAUSE THEIR AUTHORITY IS IN THE SMA AND SOMEONE WHO HAS MORE EXPERIENCE IN SMA IS SOMETHING THAT WE INCLUDED IN THE CHARTER AMENDMENT THAT SUPPORTED THE PASSAGE IN LAST ELECTION. IN THAT SPIRIT, I WILL BE SUPPORTING MS. WELLS TO PARTICIPATE IN THOSE TWO VENUES, AND WILL SUPPORT MY MOTION. MAHALO, CHAIR. >> EVERYBODY KEEP IN MIND THE MOTION IS ESSENTIALLY TO SAY NO TO THE NOMINEE.\r\n\r\nMEMBER JOHNSON. >> THANK YOU, CHAIR. THIS IS FOR THE ADMINISTRATION, MS. VINCENNES, CAN YOU TELL US WHICH -- WAS IT THE ONLY COMMISSION SHE WAS INTERESTED IN OR WILLING TO MOVE TO A DIFFERENT COMMISSION? DID YOU SPEAK TO HER ON THAT? >> IT'S MS. HEATHER WELLS.\r\n\r\nI WANTED TO INTRODUCE INTO THE RECORD, MS.

WELLS PROVIDED, SHE HAD A WORK CONFLICT TODAY AND HAD HOPED TO SHE SUBMITTED WRITTEN TESTIMONY ALONG WITH AN UPDATED APPLICATION. SHE DOES SPEAK TO THAT ABOUT HER EXPERIENCE. IN SPEAKING WITH HER, YOU'RE RIGHT, SHE IS LOVELY. SHE HAS BEEN IN MAUI SINCE 2020 AND NOW SHE IS WITH THE HOUSING RESOURCE AUTHORITY. HER HUSBAND IS NATIVE HAWAIIAN, A RESIDENT, GREW UP ON THE ISLAND OF HAWAII. SO SHE HAS MADE HAWAII PERMANENT NOW AND SHE IS CONCERNED ABOUT CLIMATE CHANGE AND WHAT IS HAPPENING. TO YOUR QUESTION, COUNCIL MEMBER, SHE DID INDICATE THERE WERE A LOT.

SHE WENT THROUGH OUR -- SHE MOVED HERE, SHE WENT THROUGH THE LIST AND OF THOSE THINGS THAT SHE THOUGHT COULD BE APPLICABLE TO SOME OF HER QUALIFICATIONS, SHE DID PUT ON THERE, SALARY COMMISSION SECOND, AND ANIMAL CONTROL BOARD, BOARD OF ETHICS, AFFIRMATIVE ACTION AND CHARTER COMMISSION, WHICH WE WON'T HAPPEN FOR ANOTHER NINE YEARS, COMMITTEE ON THE STATUS OF WOMEN AND COMMISSION ON DISABILITIES. SO THEY ALIGN WITH THEY ARE QUALIFICATIONS AND I THINK THERE'S A COUPLE OF OPENINGS THAT WE HAVE COMING UP. >> THANK YOU. THAT IS REALLY GOOD NEWS TO HEAR THAT SHE WOULD BE ON OTHER COMMISSIONS THAT ARE SEVERELY LACKING. THIS COMMISSION IS ONE OF THE MOST POWERFUL ONES THAT -- I MEAN, YOU'RE IN THE TRENCHES WITH IT. I THINK THERE'S MAYBE MORE APPLICANTS, IS THAT FAIR TO SAY? >> YES.

COUNCIL MEMBER, THAT IS FAIR TO SAY. SHE DID EXPRESS LAST NIGHT THAT SHE WAS QUITE HONORED THAT SHE WOULD BE CONSIDERED FOR HER FIRST CHOICE. SHE KNOWS WHAT THE REQUIREMENTS ARE. AND THIS IS A REALLY GOOD EXAMPLE OF HER -- >> LAUREN? LET'S GET OTHER QUESTIONS. >> CAN SHE FINISH HER STATEMENT? I BEG YOUR PARDON, I'M SORRY.

>> OF HER COMMITMENT TO THE COMMUNITY, AND THE MAUI PLANNING WAS ONE THAT DEFINITELY HAS HER INTERESTS AND MAYBE SHE ISN'T READY QUITE AT THIS TIME, BUT IT IS IMPORTANT. >> YOU WOULD AGREE SHE IS NOT QUITE READY. IS THAT WHAT YOU SAID? >> I THINK SHE IS WILLING TO DO THE WORK. SHE WAS PLANNING ON ATTENDING AS AN OBSERVER NEXT WEEK'S MEETING ON THE 28TH. SHE HAD GONE THROUGH THE MATERIALS. SHE SEEMED TO BE KNOWLEDGEABLE ABOUT SEA RISE AND CLIMATE CHANGE AS FAR AS THE SMA OR EIS, I CAN'T SAY.

THAT MAKES SENSE FOR ME AND I APPLIED FOR THE LANA'I PLANNING COMMISSION AND THEN SERVED ON COMMISSION OF DISABILITIES AND REWARDING EXPERIENCE. I HOPE THE SAME FOR HER. I WOULD SUPPORT THIS AMENDMENT. THANK YOU, CHAIR. >> MEMBER KAMA. >> THANK YOU, CHAIR. THANK YOU, MS.

VINCENNES FOR ALLOWING US TO VIEW MS. WELLS IN A MORE BRIGHTER LIGHT, I SHOULD SAY. WITHOUT HAVING THESE DOCUMENTS IT WAS HARD TO FIGURE OUT WHY SHE WAS OR WHO SHE IS OR WHERE SHE'S FROM? BUT AS I LOOK THROUGH THIS, I SEE THAT SHE IS A MEMBER OF THE KIHEI COMMUNITY ASSOCIATION. MEMBER THE KIHEI CHARTER PTO. AND SHE WORKS FOR MEO AND INCOME TAX ASSISTANCE WITH THE SURFRIDER FOUNDATION. SO IT LOOKS TO ME SHE IS VERY WELL-INVOLVED IN OUR COMMUNITY.

ACCORDING TO HER STATEMENT THAT SHE UNDERSTANDS A LOT MORE THAN I THINK WE GIVE HER CREDIT FOR WHEN WE DIDN'T EVEN HAVE THESE IN FRONT OF US. SO I'M IN SUPPORT OF HER REMAINING ON, I GUESS SHE IS ON EXHIBIT B. I'M IN SUPPORT OF HER STAYING ON B, BECAUSE I THINK LIKE MOST THINGS; RIGHT? I JUST WANT TO BE ABLE TO SUPPORT HER, AND WELCOME HER HOME, AND HAVE HER TAKE HER PLACE ON THE PLANNING COMMITTEE. SHE HAS NO TIES, NO NOTHING, BUT COMES IN WITH A CLEAN, FRESH VIEW OF THINGS. SHE IS NO STRANGER TO GOVERNMENT OR NONPROFITS. SO I WOULD SUPPORT HER STAYING ON EXHIBIT B. THANK YOU, CHAIR. THANK YOU, MS.

VINCENNES. >> ANYBODY ELSE? IF NOT, I WAS GOING TO ASK MEMBER RAWLINS-FERNANDEZ TO REPEAT YOUR MOTION. >> SURE, MAHALO, CHAIR. THE MOTION IS TO MOVE MS. WELLS' NAME FROM EXHIBIT A, WHICH IS THE APPROVE MEMBER TO EXHIBIT C, WHICH IS THE DISAPPROVE MEMBER. SO THAT IS THE MOTION.

I JUST WANTED TO CLOSE WITH I HAVE HEARD MANY TIMES THAT IT'S GOOD FOR INDIVIDUALS WANTING TO SERVE ON BOARDS AND COMMISSIONS TO FIRST SERVE ON A BOARD OR COMMISSION THAT DOESN'T HAVE SO MUCH IMPACT TO THE FUTURE ON THEIR FIRST GO AROUND. TO JUST GET A LITTLE MORE EXPERIENCE BEFORE SERVING ON THE PLANNING COMMISSIONS. SHE MOVED HER IN 2020. IT'S 2023, THAT IS THREE YEARS. AND YOU KNOW, LIKE HAVING NO CONNECTION AND THAT BEING LIKE -- I DON'T KNOW. MEMBER KAMA SAID IT IN A WAY AND IT'S A GOOD THING. I DON'T KNOW. ON MOLOKA'I, AND HERE, HAVING CONNECTION IS USUALLY LOOKED AT LIKE YOU WANT INDIVIDUALS THAT

HAVE MORE OF A CONNECTION TO THE PLACE, BECAUSE THEY'RE FULLY INVESTED IN THE FUTURE AND AFFECTING THE COMMUNITY AND COMMUNITY'S CHILDREN.\r\n\r\nSO SHE HAS ON BEEN HERE THREE YEARS AND WHILE SHE IS MARRIED TO SOMEONE FROM HERE, IT'S NOT FROM HERE, MAUI, BUT FROM HAWAII, HAWAII ISLAND. SO I THINK MAYBE, YOU KNOW, AS MEMBER JOHNSON SAID, IF SHE LISTED OTHER GREAT BOARDS AND COMMISSIONS THAT COULD REALLY USE THE KIND OF COMMITMENT, AND PASSION THAT WE SEE ON HER APPLICATION, AND SO I WOULD TOTALLY BE SUPPORTIVE OF THAT. MAYBE IN A FEW MORE YEARS, IF IT'S SOMETHING SHE IS STILL INTERESTED IN BEING ON THE PLANNING COMMISSION, I WOULD RECONSIDER, BUT THREE YEARS IS JUST NOT ENOUGH TO BE HERE TO BE MAKING THOSE KINDS OF DECISIONS ON BEHALF OF A COMMUNITY THAT YOU JUST JOINED. MAHALO, CHAIR. >> THANK YOU. MEMBER PALTIN. >> I KNOW WE LOOK ALIKE.\r\n\r\n>> SHE RAISED HER HAND. >> THANK YOU. I THINK. [LAUGHTER] I JUST WAS GOING TO SAY YOU KNOW, I'M IMPRESSED WITH WHAT SHE HAS WRITTEN FROM THE FIRST TIME I SPOKE TO HER AND WHAT WE RECEIVED LOOKS LIKE SHE HAS DUG INTO WHERE MY RECOMMENDATIONS WERE. SO I'M DEFINITELY IMPRESSED ON THAT. BUT I JUST, YOU KNOW, IT'S SO HEAVY RIGHT NOW JUST DOING RESEARCH IN THE SPAN OF A COUPLE OF WEEKS, VERSUS SEEING WHAT HAS BEEN GOING ON OVER THE YEARS, TO ME, I KIND OF AGREE I WOULD SUPPORT HER FOR ANY OF THE OTHER COMMITTEES BECAUSE SHE IS SO NICE AND DILIGENT. I MEAN, A NICE LADY, SWEET, AND DILIGENT IN FOLLOWING UP ON THE RECOMMENDATIONS I MADE.\r\n\r\nBUT THE PROBLEMS THAT WE FACE IN THE SMA I JUST THINK WE NEED SOMEBODY THAT'S A LITTLE BIT MORE KNOWLEDGEABLE OF ALL OF THE OPTIONS, AND ADAPTATION PATHWAYS OUT THERE THAT HAS REALLY WORKED ON THIS ISSUE. BECAUSE IT'S COMING ALONG FASTER THAN THE NEGATIVE EFFECTS OF CLIMATE CHANGE ARE COMING ALONG FASTER THAN PEOPLE HAVE TO READ UP ON IN THE SHORT AMOUNT OF TIME. SO I WILL STILL BE IN SUPPORT OF THE MOTION. THANK YOU. >> JUST REMEMBER, A YES IS A NO TO HER. VICE-CHAIR SUGIMURA. >> I WAS GOING TO ASK THE MOTION IS TO DENY HER; RIGHT?\r\n\r\n>> PRETTY MUCH. >> IF YOU LOOK AT -- FIRST OF ALL, I WANT TO THANK MS. VINCENNES AND I CAN TELL SHE HAS DIVED INTO THIS JOB AND TALKING TO ALL THE NOMINEES TO COME UP WITH THEIR CURRENT RESUMES. YOU HAVE TALKED TO THEM. SO I JUST WANT TO SEND OUR APPRECIATION, BECAUSE IT MAKES IT MORE COMPREHENSIVE. >> THANK YOU, COUNCIL MEMBER SUGIMURA. IF I MAY, COUNCIL MEMBER KAMA, THIS MORNING I WAS LISTENING TO YOU AND I THINK YOU STRUCK A CHORD WHEN YOU SAID BY SPEAKING TO OUR COMMUNITY AND REALLY DIGGING IN, OTHER THAN WHAT WE SEE ON THE PAPER, YOU KNOW, YOU CAN ON EXPRESS SO MUCH.\r\n\r\nWE BEGIN TO SEE THE INTEGRITY AND CHARACTER AND THE TYPE OF COMMITMENT THAT THEY DO HAVE. AND I AGREE, COUNCIL MEMBER RAWLINS-FERNANDEZ, THAT AT FIRST GLANCE, YEAH, THIS LOOKS GREAT, REALLY NICE, REALLY COMMITTED. BUT SHE IS HERE. SHE IS A MOTHER -- THEY ARE A MOTHER AND FATHER OF TWO, A 14 AND 9 YEARS OLD AND THEY HAVE NO INTENTION OF LEAVING AND ARE INVESTED IN MAKING SURE. WE DO HEAR WHAT YOU ARE RECOMMENDING AND THANK YOU, COUNCIL MEMBER SUGIMURA AND COUNCIL MEMBER KAMA. >> ANYBODY ELSE? >> COULD I FINISH?\r\n\r\n>> OH, YOU ARE NOT DONE. GO AHEAD, VICE-CHAIR SUGIMURA. >> I WANT TO THANK MS. VINCENNES, BECAUSE YOU CAN HEAR HER THOROUGHNESS. WHAT IS YOUR POSITION? ARE YOU THE BOARDS AND COMMISSIONS PERSON? >> I'M THE JACK OF MANY HATS FOR THE BOARDS AND COMMISSIONS.\r\n\r\nYOU'LL HAVE TO TALK TO MY BOSS WHAT THAT MEANS. THANK YOU VERY MUCH. >> JUST CURIOUS, BECAUSE I THINK YOU WERE INTRODUCED AS A SECRETARY. I THOUGHT OH, YOU DIVED IN. THANK YOU. ON THIS PERSON, BY JUST READING ALL OF THE THINGS SHE IS INVOLVED THERE, I HAVE TO GIVE HER CREDIT. SHE'S A MOTHER, HAS A FAMILY I BELIEVE IN GLOBAL WARMING, RISING TIDES AND EROSION AND OVERALL VULNERABILITY OF OUR LAND BLAH BLAH BLAH.\r\n\r\nSHE HAS A FEELING FOR THE AREAS THAT WOULD BE IMPORTANT, AND UNDERSTANDING, I THINK, FOR THE PLANNING COMMISSION. SO I'M GOING TO VOTE AGAINST THE MOTION, BECAUSE I WOULD LIKE TO SUPPORT HER, AND SEE IF SHE COULD BE ON THE PLANNING COMMISSION. MEMBER UU-HODGINS. >> I WILL VOTE FOR THE MOTION TO MOVE HER TO EXHIBIT C, WHICH I DIDN'T JUST SAY. I WOULD SUPPORT SOMEBODY THAT HAD A LITTLE BIT MORE MAUI TIES AND MAUI TIME ON THE ISLAND, THREE YEARS IS QUITE SHORT. SO I UNDERSTAND WHERE OUR MEMBERS ARE COMING FROM. I UNDERSTAND THAT YOU HAD A LOT OF NOMINEES FROM THE PREVIOUS ADMINISTRATION.\r\n\r\nSO I'M HOPING DURING

YOUR TIME NOW, YOU CAN COLLECT SOME ONES THAT WE CAN GET SOME MORE PEOPLE ATTACHED TO MAUI. SHE HAS MAUI TIES AND I GET IT, BUT I WOULD LOVE SOMEBODY WITH A LITTLE BIT MORE MAUI-SPECIFIC TIES. THANK YOU. >> MEMBER SINENCI. >> MAHALO, CHAIR. I WILL, TOO, SUPPORT THE MOTION ON THE FLOOR AND TO MAHALO THE ADMINISTRATION FOR SAVING THE OTHER OPEN POSITION FOR EAST MAUI. IT'S TOUGH.\r\n\r\nWE'RE LOOKING FOR SOMEBODY WHO CAN -- ON TOP OF THAT, THEY NEED TO BE A CULTURAL PRACTITIONER, BECAUSE THERE'S AN OUTGOING CULTURAL PRACTITIONER. SO WE'RE REALLY SCREENING OUR APPLICANTS. SO THAT THEY CAN KIND OF FULFILL THE DUTIES OF THIS COMMISSION, CHAIR. THANK YOU. >> ANYONE ELSE? OKAY, I'LL JUST SAY THAT I FEEL TORN ON THIS ONE. I SEE THAT THIS PERSON IS PROBABLY MORE SUITED TO SOCIAL SERVICES, BUT I WAS JUST TELLING SOMEBODY TODAY, KE'EAUMOKU IN 25 YEARS I HAVE PROBABLY VOTED NO ON TWO PEOPLE AND NOW IT'S THREE.\r\n\r\nROLL CALL. >> THIS IS ON THE MOTION TO AMEND TO MOVE THE NOMINEE TO EXHIBIT C. COUNCIL MEMBER PRO TEMPORE KAMA? >> NO. >> VICE-CHAIR SUGIMURA. >> NO. >> COUNCIL MEMBER PALTIN? >> AYE.\r\n\r\n>> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> YES.\r\n\r\n>> COUNCIL MEMBER SINENCI? >> AYE. >> COUNCIL CHAIR LEE? >> AYE. >> CHAIR, THERE ARE SEVEN AYES, TWO NOS. THE MOTION PASSES. >> DO WE HAVE TO DO THE OTHER ONE?\r\n\r\n>> SO BACK TO THE MAIN MOTION AS AMENDED. >> CHAIR I HAVE DISCUSSION. >> MEMBER PALTIN. >> THANK YOU. SO THIS, MY DISCUSSION ON THIS WOULD BE THAT THERE'S NOW TWO VACANCIES ON THE PLANNING COMMISSION. AND WITH THE NEW CHARTER AMENDMENT THAT PASSED RECENTLY, THERE IS SUPPOSED TO BE REPRESENTATION FROM ALL OF THE VOTING DISTRICTS ON THE ISLAND OF MAUI. SO THAT LEAVES I LEAVE KAHULUI, KIHEI AND HANA, EAST MAUI -- SOUTH MAUI, KAHULUI, AND EAST MAUI.\r\n\r\nAND THERE'S TWO OPENINGS, AND ONE OF THE PERSON HAS TO BE A CULTURAL PRACTITIONER. SO ANY ASSISTANCE THAT WE CAN GIVE THE ADMINISTRATION IN LOOKING FOR FOLKS THAT FIT THOSE SPECIFIC CRITERIAS, JUST PUTTING IT OUT THERE. A LOT OF PEOPLE HAVE RECOMMENDED FOLKS, BUT THOSE ARE THE PARAMETERS THAT WE'RE WORKING WITH. EITHER FROM KAHULUI, SOUTH MAUI OR EAST MAUI AND ONE OF THE TWO HAS TO BE A CULTURAL PRACTITIONER. >> DO YOU WANT TO RESPOND? >> THANK YOU, COUNCIL MEMBER PALTIN. I AGREE WITH YOU, I WOULD ADD ANOTHER ONE TO THE LIST IS PA'IA AS WELL AND WE DON'T ALSO HAVE REPRESENTATION FROM THAT DISTRICT.\r\n\r\nKAHULUI, HANA KAHULUI, PA'IA AND KIHEI, CULTURAL PRACTITIONER. SO WE HAVE HAD SINCE THESE CAME FORWARD, FRESH CANDIDATES FROM HANA -- AND MAYOR BISSEN HAS SAID THAT HE WAS LOOKING FORWARD TO HEARING WHAT TODAY'S RESULTS WOULD BE, AND HOW WE WOULD MOVE FORWARD WITH ANY OF THOSE INDIVIDUALS. SO THERE WITH PEOPLE ON THE QUEUE. >> SO THERE'S NO ONE FROM MAKAWAO. >> THERE'S ONE PERSON FROM MAKAWAO, MELVIN HIPOLITO. MAKAWAO. >> I'M SORRY.\r\n\r\n>> THAT ONE IS SATISFIED. >> THAT ONE IS SATISFIED. MEMBER RAWLINS-FERNANDEZ. >> I WILL BE VOTING IN FAVOR OF THE MOTION AS AMENDED AND I HOPE THAT MS. WELLS WOULD BE CONSIDERED FOR ANOTHER ONE OF THE BOARDS OR COMMISSIONS LISTED, BECAUSE I WOULD SUPPORT HER IN THOSE THAT SORELY NEED MEMBERS. MAHALO. >> MEMBER PALTIN IS THE SECONDER, DISCUSSION?\r\n\r\n>> NO DISCUSSION. >> NO DISCUSSION. ANYBODY ELSE FOR DISCUSSION? ALL RIGHT, ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE KAMA? >> NO. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON? >> YES. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE.\r\n\r\n>> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> YES. >> COUNCIL MEMBER SINENCI? >> AYE. >> COUNCIL CHAIR LEE?\r\n\r\n>> AYE. >> CHAIR, THERE ARE SEVEN AYES, TWO NOS, MOTION PASSES. >> NEXT. >> RESOLUTION 23-68, CD 1, APPOINTMENT OF MEMBERS TO SALARY COMMISSION FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS. >> MAHALO, CHAIR. I MOVE TO ADOPT RESOLUTION 23-67, CD 1. >> SECOND.\r\n\r\n>> MOVED BY MEMBER UU-HODGINS. SECONDED BY VICE-CHAIR SUGIMURA. MEMBER UU-HODGINS, DISCUSSION. >> MAHALO. YOUR GREAT COMMITTEE MET AGAIN ON FEBRUARY 22ND AND 23RD, 2023 TO DISCUSS THE NOMINEES TO VARIOUS BOARDS AND COMMISSIONS. AGAIN, DURING OUR MAYOR 10TH COUNCIL MEETING THIS RESOLUTION WAS PULLED OUT, AND AGAIN, THE MAYOR CONFIRMED THAT THEY ARE STILL WILLING, ABLE AND ELIGIBLE TO SERVE. MAHALO, CHAIR.\r\n\r\n>> MEMBER SINENCI. >> THANK

YOU, CHAIR. QUESTION FOR MS. VINCENNES ABOUT MS. RAGUSA, IF SHE IS STILL WILLING TO SERVE ON THIS? >> MS. VINCENNES.\r\n\r\n>> THANK YOU, COUNCIL MEMBER SINS SINENCI, I HAVE A PREPARED STATEMENT ON MS. RAGUSA. >> SURE, GO AHEAD. >> MAYOR BISSEN THANKS CHAIR LEE, VICE-CHAIR SUGIMURA, AND COMMITTEE CHAIR UU-HODGINS FOR THEIR TIME AND CONSIDERATION, EVALUATING THIS NOMINEE FOR THE SALARY COMMISSION. AFTER MULTIPLE ATTEMPTS TO REACH MS. RAGUSA BY PHONE WITH NO RESPONSE AND NON-ACTIVE EMAIL, THE ADMINISTRATION IS WITHDRAWING THIS NOMINEE FROM FURTHER CONSIDERATION. MAHALO.\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> SO WE WOULD NEED TO DO THE SAME THING. I MOVE TO AMEND -- -- THE RESOLUTION TO MOVE THE NAME OF JANELLE LYNN RAGUSA FROM EXHIBIT B, APPROVALS LIST TO EXHIBIT C, DISAPPROVAL LIST. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER SINENCI TO MOVE THE NOMINEE FROM EXHIBIT B TO EXHIBIT C. DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR AND MAHALO MS.\r\n\r\nVINCENNES, AND MAYOR BISSEN, FOR TRACKING DOWN INFORMATION FOR US. THE ADMINISTRATION IS WITHDRAWING BECAUSE THEY WEREN'T ABLE TO GET IN TOUCH WITH HER. THE COUNCIL WOULD THEN NEED TO AMEND THE MOTION, OR AMEND THE RESOLUTION TO REFLECT THAT WITHDRAWAL BY ADDING HER NAME TO THE DISAPPROVAL LIST. MAHALO. >> ANY MORE DISCUSSION? MEMBER KAMA. >> DO WE KNOW ANYTHING ABOUT MR.\r\n\r\nWILLIAM CURTIS? >> MEMBER PALTIN. >> I'VE SEEN HIM IN ACTION ON THE BOARD OF ETHICS AND I HAVE NOTHING, BUT THE HIGHEST PRAISE FOR THE GENTLEMAN. I DON'T KNOW HIM IN HIS PERSONAL CAPACITY, BUT I'M A FAN OF HIS WORK. >> WHY ARE YOU ASKING? >> BECAUSE I DON'T KNOW ANYTHING ABOUT HIM. THAT IS WHY I WAS JUST HOPING THAT SOMEBODY ELSE DOES.\r\n\r\nSO IT HELPS ME. >> WE DON'T GET TO CHOOSE. >> KNOWING SOMETHING ABOUT THEM IS HELPFUL. >> OKAY. ALL RIGHT. READY FOR THE VOTE? EVERYBODY?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> ALL AYES, NINE AYES, ZERO NOS, MOTION CARRIES. >> MOTION AS AMENDED. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I SPEAK IN SUPPORT OF THE MOTION, THE MAIN MOTION AS AMENDED.\r\n\r\nMAHALO, CHAIR. >> ANYBODY ELSE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> >> NINE AYES, ZERO NOS, MOTION CARRIES. WELL ORDINARILY WE WOULD HAVE BEEN DONE. WE HAVE TO GO BACK.\r\n\r\n>> RIGHT >> WE'RE NOT DONE WITH THE REFERRALS. WHAT DID YOU SAY? >> 23-8, THE REFERRALS. >> YES, THE REFERRALS. WE COULD DEFER THIS UNTIL A LATER TIME? >> I HAVE ONE. >> BECAUSE RATHER THAN GO THROUGH ALL 50 OF THEM, WE COULD TAKE WHATEVER YOU WANT RIGHT NOW, AND DEFER THE REST.\r\n\r\nTHESE ARE SOME OLDIES, BUT GOODIES. SOME GO BACK TO 2010 AND 2012, AND FOR SOME REASON THEY JUST HANG ON, AND NOBODY TOUCHED IT. SO IT'S NOT LIKE -- BECAUSE IF YOU REVIEW THESE ITEMS, ANYTHING THAT IS REALLY IMPORTANT TO YOU SHOULD BRING UP TODAY. MEMBER PALTIN AND MEMBER SINENCI. >> I'M SUPPORTIVE OF YOUR LETTING IT LIE ON THE TABLE, EXCEPT FOR ANYONE WHO WANTS IT TO GO, BECAUSE WE'RE NOT ABLE TO SCHEDULE ANYTHING UNTIL MEMBER SUGIMURA IS DONE WITH HER DEAL. WHY DRAG IT OUT? WE JUST GOT THIS PAPER TODAY.\r\n\r\nSO IT WILL GIVE US TIME TO LOOK UP, WHEN WE'RE NOT AT THESE OTHER THINGS OVER HERE. >> AS I HAVE BEEN DOING THROUGH THE MEETING. >> EVERYBODY AGREE? EXCEPT MEMBER JOHNSON, WHAT ARE YOU SAYING? >> I WOULD SUPPORT THAT, BUT TO BE CLEAR, IF THERE WAS ONE TO BREEZE THROUGH RIGHT NOW? >> BREEZE THROUGH, WHICH ONE? >> 3. SO IN EXHIBIT F. I.T. 100 BILL 81. >> LET ME FIND MINE FIRST.\r\n\r\n>> LAST PAGE. ONE AT A TIME. WHICH IS THE FIRST ONE. >> I.T. 100 IT'S CALLED ADOPTING ZERO-WASTE PLAN. IT'S IN WAI PRESENTLY AND I WOULD LIKE TO MOVE IT TO ADEPT. THAT'S IT. >> JUST ONE.\r\n\r\n>> OKAY. SO NOW THE ONE BEFORE THAT THOUGH IS A LITTLE TRICKY, BECAUSE THAT IS A RESOLUTION URGING THE ADMINISTRATION. I DON'T THINK WE NEED TO DO THAT, BECAUSE IT'S ABOUT THAT RESOLUTION BEFORE THAT IS -- >> LET'S DO ONE AT A TIME. >> OKAY. >> LET'S DO BILL 81. EVERYBODY WRITE DOWN REFER TO ADEPT. RIGHT? REFER TO ADEPT.\r\n\r\nAND WITH THE ENDORSEMENT OF MEMBER COOK. NOW WHAT WAS THE NEXT ONE? >> THE OTHER ONE WAS 88. THAT IS ON EXHIBIT D, DELTA. >> D. >> IN WAI. IT'S AN ENVIRONMENTAL BILL AND I LIKE TO HAVE ENVIRONMENTAL IN MY COMMITTEE, ENVIRONMENTAL BILLS IN MY COMMITTEE. . SO BILL 52, EVERYONE IN AGREEMENT TO REFER THIS TO ADEPT? NO OBJECTIONS.\r\n\r\n>> NO OBJECTIONS. >> I BETTER WRITE DOWN THE DATE. MEMBER SINENCI, DID YOU HAVE YOUR HAND UP? >> I HAVE A LAST ONE. >> OKAY. >> HOW

MANY LAST ONES DO YOU HAVE? >> IF THIS GETS TRICKY; LET'S TRY IT.\r\n\r\n>> EXHIBIT C, CHARLY, BFED, 107. SO THAT IS OUT OF COUNCIL MEMBER SUGIMURA'S ONE AND IN REGARDS TO THE DEFINITION OF "AGRICULTURE USE." >> WHICH ITEM AGAIN? >> BFED 107, IN EXHIBIT C AS IN CHARLEY. I KNOW, I'M SORRY WITH THE PAGE NUMBERS. >> WE DON'T HAVE PAGE NUMBERS. 107, I'M NOT SEEING THAT. EXHIBIT C; RIGHT? CHARLEY.\r\n\r\n>> C AS IN CHARLEY. I DON'T KNOW HOW ELSE TO DESCRIBE IT. IT'S CALLED BFED 107, LAND CLASSIFIED IN USE FOR AGRICULTURE. >> THAT BFED. >> LET'S CHECK WITH BFED. >> THAT IS MY LAST ONE. >> IF YOU WANT TO KEEP ON TALKING ABOUT IT, I'M GOING TO SAY NO TODAY, BUT I WILL LOOK IT UP.\r\n\r\n>> I DON'T KNOW, WHAT DO YOU MEAN LOOKING IT UP. >> I HAVE TO READ THE BILL. I MIGHT WANT TO KEEP IT. THAT IS ALL I'M SAYING. THE ANSWER TODAY IS NO. >> ALL RIGHT. NEXT TIME, IT MIGHT BE YES.\r\n\r\n>> I'M PAU. >> I ALSO HAVE, BESIDES MEMBER SINENCI. >> MEMBER SINENCI. >> I DIDN'T HAVE A QUESTION, CHAIR, BUT TO INQUIRE OF PRO TEM KAMA APT 16 ON EXHIBIT, THE WELL HEAD PROTECTION OVERLAY DISTRICT. THAT WAS LAST TERM, AND IT WAS DEFERRED, I THINK. SO I WAS JUST CHECKING WITH HER, IF THAT WAS SOMETHING THAT SHE WOULD BE ABLE TO BRING UP SOON? >> MEMBERS, IF YOU FEEL YOU NEED TIME -- TO READ SOME OF THE MORE COMPLICATED ITEMS, BEFORE YOU MAKE A DECISION, DON'T BE AFRAID TO SAY SO.\r\n\r\nYOU'LL GET BACK TO US, OR LET US KNOW. >> I THINK OUR STAFF HAD CONTACTED EVAN TO KIND OF GET FROM YOU THE HISTORY OF THE BILL. >> CAN I GET BACK TO YOU? I'M NOT SAYING NO, I'M JUST SAYING LET ME GET BACK TO YOU. >> EVAN KNOWS ABOUT IT. >> OKAY. LET'S GIVE HER A CHANCE TO GO THROUGH.\r\n\r\nANYBODY ELSE? MEMBER SUGIMURA. >> EXHIBIT C. WE SHOULD NUMBER THESE PAGES NEXT TIME. THE FIRST PAGE. >> EXHIBIT C. >> BFED 33. RESERVE RESIDENTIAL PARKING AND TOURIST PARKING FEES IN PUBLIC BEACH ACCESS. >> EXHIBIT C. >> EXHIBIT C WHAT ITEM AGAIN? >> BFED 33. YOU HAVE IT.\r\n\r\n>> WELL, I WANT TO MOVE TO FILE COUNTY COMMUNICATION THE FIRST ONE, 21-71 THERE ARE BFED 33 ON EXHIBIT C. DO I NEED A MOTION? >> WAIT, YOU DON'T WANT TO FILE OR YOU WANT TO FILE IT? IT'S GOING TO BE FILED. >> I WANT TO FILE THAT FIRST ONE, AND THEN ON THE SECOND ONE, I WOULD LIKE TO KEEP 21-176 IN MY COMMITTEE. I DIDN'T GET THAT PAPER. IT DOESN'T SAY THAT. >> IF IT SAYS "FILE" THAT MEANS IT'S SUPPOSED TO BE FILED.\r\n\r\nWE'RE GOING TO MAKE THINGS MORE CLEARER NEXT ITEM. >> OKAY, THANK YOU. >> WE'LL MAKE IT NEXT TIME. I DON'T WANT YOU TO RUSH AND MAKE HASTY DECISIONS, AND THEN FIGHT LATER ON. ALL RIGHT? YES, MEMBER COOK. >> AFTER CONSIDERATION, AND DISCUSSION WITH CHAIR JOHNSON, I WOULD LIKE TO REVERSE MY PREVIOUS ATTACHMENT.\r\n\r\n>> WHICH ONE. >> TO 104, WHICH WAS THE ORDINANCE AMENDING SECTION 14.04.060 MAUI COUNTY CODE RELATING TO PROPERTY OWNERS AND LESSEES, WHEN AN ACCOUNT IS IN ARREARS. >> IS THAT THE ONE WE TALKED ABOUT THIS MORNING? >> THAT WAS EXCITING ONE WE STARTED WITH. >> OKAY. ALL RIGHT. >> I'LL TAKE THAT.\r\n\r\nCHAIR, I WANT TO JUST APPRECIATE COUNCIL MEMBER COOK FOR THAT. THANK YOU SO MUCH. >> COMMUNICATION IS GOLDEN, AND I LOOK FORWARD TO WORKING ON YOUR COMMITTEE AND VISA VERSA, ALOHA. >> THAT IS GREAT, GUYS. THAT IS WHY I AM NOT ENCOURAGING RUSHING, BECAUSE WHEN YOU TAKE YOUR TIME AND DON'T GET EXCITED, THEN WE DON'T MAKE RASH DECISIONS. I'M GLAD YOU CAME TO AGREEMENT THERE. NOW MEMBERS, YOU HAVE A LOT OF HOMEWORK DO.\r\n\r\nYOU HAVE THOSE BIG BINDERS, NOT TO MENTION THIS LITTLE FILE. SO HOW ABOUT WE QUIT FOR THE DAY AND GO HOME TO OUR FAMILIES. DO WE HAVE ANYTHING LEFT? I HAVE TO DEFER THAT, OKAY? DEFER >> NO OBJECTIONS, CHAIR. >> CC 23-8. >> BESIDES DEFERRING CC 23-8, IS THERE ANYTHING ELSE I MIGHT HAVE SKIPPED OVER? >> EXCUSE ME, CHAIR, JUST A THOUGHT ON THE COUNTY COMMUNICATION, THE BODY COULD FILE THE COUNTY COMMUNICATION.\r\n\r\nTHAT WOULDN'T REFERENCE ALL THE REFERENCE COMMUNICATIONS THAT ATTACHED AND WE CAN WORK WITH YOU FOR AN UPCOMING COUNCIL MEETING WITH A NEW COMMUNICATION THAT ONLY LISTS THE ITEMS THAT HAVEN'T BEEN REFERRED TODAY. IT WOULD BE A TIGHTER LIST AND NOT HAVE TO LOOK AT THE SAME ITEMS, AND WE CAN DO PAGE NUMBERS, AND MAKE THE DOCUMENT MAYBE A LITTLE MORE USER-FRIENDLY FOR THE NEXT MEETING, CHAIR LEE. THANK YOU. >> SO MOVED. >> SO YOU AGREE TO THAT, FOLKS? OKAY. >> SECOND.\r\n\r\n>> NO OBJECTIONS. >> WE DO NEED A MOTION? >> OKAY. WE'RE GOOD? WE'RE GOOD. >> THANK YOU, CHAIR. JUST A FINAL THING, JUST A VOTE FOR THE RECORD TO CONFIRM EVERYONE'S UNDERSTANDING THAT THE REFERRALS AND FILINGS THAT EVERYONE WAS

AGREEING TO WILL BE DOCUMENTED BY THE VOTE, AS WELL AS THE FILING OF CC 23-8. THANK YOU, CHAIR.\r\n\r\n>> SO THE RECOMMENDATION IS THAT WE -- >> CLAIR? MEMBER SINENCI MOVED TO FILE AND I SECONDED FOR YOU. >> OKAY. ALL RIGHT. MEMBER SINENCI? OH, WHAT ABOUT THE ACTIONS WE TOOK EARLIER? >> WE WOULD SUBJECT THAT WOULD BE INCLUDED IN THE MOTION TO FILE.\r\n\r\n>> ALL THE ACTIONS THAT WE -- MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR IN THE MOTION IS INCLUDED ALL OF THE ACTIONS AND RECOMMENDATIONS FOR REFERRAL TO EACH OF THE COMMITTEES. AND IF ANYONE WANTS TO SPEAK TO ANY OBJECTIONS, WHICH I DON'T THINK THERE WERE, THEN STAFF CAN MAKE THOSE -- INSTITUTE THOSE RENDITIONS FOR US. >> IS EVERYBODY CLEAR ON WHAT WE'RE GOING TO DO? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> OKAY.\r\n\r\nVERY GOOD. WOW. NINE AYES, ZERO NOS, MOTION CARRIES. ANYTHING ELSE? ANY FURTHER BUSINESS, MADAM CLERK, OR ANYONE ELSE? >> NO FURTHER BUSINESS. >> ALL RIGHT, THANK YOU EVERYBODY.\r\n\r\nAND IT STARTED OFF A LITTLE ROUGH, BUT WE CAME BACK AS A FAMILY, AND THAT IS THE MAIN THING. OKAY. THIS MEETING FOR MARCH 24TH IS ADJOURNED, [GAVEL]