

COUNCIL OF THE COUNTY OF MAUI
**GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE**

June 19, 2020

**Committee
Report No. _____**

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on June 2, 2020, makes reference to County Communication 19-29, from Council Chair Kelly T. King, relating to litigation matters.

By correspondence dated May 4, 2020, the Department of the Corporation Counsel requested an opportunity to discuss the status of County of Maui v. Rick Markham, et al.; Civil 17-1-0393(2). The correspondence transmitted an order from the Second Circuit Court, dated April 16, 2020, that noted the County's imposition of fine violations of the Building Code for property at 343 Hana Highway, Paia, Maui, Hawaii, and stating: "Final Judgment is entered in favor of Plaintiff COUNTY OF MAUI and against Defendant RICK MARKHAM in the amount of \$2,563,000.00."

Mr. Markham and his attorney testified in support of a settlement to lower the fines.

Your Committee was briefed on the status of the case in regular session by a Deputy Corporation Counsel.

Your Committee then voted to convene an executive meeting, closed to the public, to consult with legal counsel in accordance with Section 92-5(a)(4), Hawaii Revised Statutes.

Following the executive meeting, your Committee reconvened in regular session.

COUNCIL OF THE COUNTY OF MAUI
**GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE**

Page 2

**Committee
Report No. _____**

Based on the information received and the recommendation of the Department, your Committee voted 9-0 to recommend filing of the correspondence. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye."

Your Governance, Ethics, and Transparency Committee RECOMMENDS that the correspondence be FILED.

COUNCIL OF THE COUNTY OF MAUI
**GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE**

Page 3

**Committee
Report No.** _____

This report is submitted in accordance with Rule 8 of the Rules of the Council.

A handwritten signature in cursive script, appearing to read "Michael J. Molina", written over a horizontal line.

MICHAEL J. MOLINA, Chair

get:cr:20011(10)ab:jbf