

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

September 2, 2016

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, SEPTEMBER 2, 2016, BEGINNING AT 1:30 P.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Council of the County of Maui will please come to order.

Mr. Clerk, please call the roll.

ROLL CALL

PRESENT: COUNCILMEMBERS GLADYS C. BAISA, ROBERT CARROLL, DONALD G. COUCH JR., S. STACY CRIVELLO, G. RIKI HOKAMA, MICHAEL P. VICTORINO, VICE-CHAIR DONALD S. GUZMAN, CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBER ELEANORA COCHRAN.

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, eight Members present, one excused. A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk. For opening remarks, we have them from Vice-Chair Guzman.

OPENING REMARKS

The opening remarks were offered by Vice-Chair Don S. Guzman.

CHAIR WHITE: Thank you, Mr. Guzman.

Will you all please rise and join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: Thank you very much. And, would you all please turn your cellphones to silent mode before we begin the proceedings.

Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, there is no individual who have requested to provide testimony for the, testimony on ceremonial resolutions. Shall we close public testimony?

CHAIR WHITE: Without objections, Members, we'll close public testimony on ceremonial resolutions.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. So ordered.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 16-107

CONGRATULATING THE CENTRAL EAST MAUI
MAJOR ALL-STARS FOR WINNING THE 2016
HAWAII STATE LITTLE LEAGUE BASEBALL
DIVISION CHAMPIONSHIP

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO, MOVE TO PASS THE RESOLUTION
"CONGRATULATING THE CENTRAL EAST MAUI MAJOR
ALL-STAR FOR WINNING THE 2016 HAWAII STATE LITTLE
LEAGUE BASEBALL DIVISION CHAMPION,
CHAMPIONSHIP", I SHOULD SAY.

Excuse me. Thank you.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: With your permission, Mr. Chair, I would like the resolution be read in its entirety, please.

CHAIR WHITE: Yes, Mr. Clerk, please proceed.

(The resolution was read in its entirety.)

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

Again, I want to congratulate the Central East Maui All-Stars for winning the Hawaii State Little League Baseball Championship, and advancing to San Bernardino, California, for the Regionals.

These are 11 and 12-year olds who have worked very hard by going from here to Kauai, and then from Kauai to California, and unfortunately not moving past San Bernardino. But, you know, in the future years, I believe this team and others will continue to make Maui very proud.

The Coaches Jamie Aloy and Greg Moniz, I know very, very well. I coached with Mr. Moniz and Mr. Aloy. At one time was a player with teams that I had either managed or coached, and his father and I coached together.

Scott Teruya is one of our County employees, again. And we're all familiar with his work with the RPT Division. And just another shining example of coaches that work within our County system and give back to the community in many, many forms.

You know, there was a lot of hard work, a lot of dedication by the players and coaches to get to this level. And also, I want to congratulate the parents and the boosters, and all the supporters who also were behind them 100 percent, not only being there in spirit, physically, and as well as financially, but being there in their lives each and every day.

Gentlemen, boys, I will ask you never to forget your parents, your coaches, and your supporters, because they help make you a better player. Continue to work hard. Continue to dedicate yourself to your goal, whatever it may be. The world is a big place, it's a big ballfield, and who knows what position you'll play in that ballfield one day.

I want to again congratulate all of you, wish you continued success in your future, and that thank you very much on behalf of Maui County for making us proud as players, coaches, and as family members. Mahalo, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And I echo Mr. Victorino's comments. And also want to say to the, especially to the players, you got to thank your parents, thank your coaches.

But, also you learned a lot just to be a member of a team. You learn a lot about teamwork and a lot about what it takes to, to move forward both as individuals and as a team. So, if I can leave you with anything, those thoughts to remember; teamwork is very important. And hopefully you learned a really good lesson there.

And it was wonderful watching you guys on TV. We were watching in a Member's office and it was fun to watch. So, congratulations.

CHAIR WHITE: Thank you, Mr. Couch.

Members, any further discussion on this resolution? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR WHITE: Measure passes with eight "ayes" and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 16-107.

Mr. Chair, you have before you a proposed ceremonial resolution entitled.

COUNCILMEMBER VICTORINO: Mr. Chair.

CHAIR WHITE: Oh, I'm sorry.

COUNCILMEMBER VICTORINO: Could we have your permission to bring the team up to receive their leis and the--

CHAIR WHITE: Thank you, Mr. Victorino.

COUNCILMEMBER VICTORINO: --their resolution, please.

CHAIR WHITE: I pulled the trigger a little too fast.

COUNCILMEMBER VICTORINO: That's okay, Chair. That's okay.

CHAIR WHITE: Would you all please join us down here, members of the team and coaches?

COUNCILMEMBER VICTORINO: Okay, guys, if you like come back over here, please. Jamie, maybe you guys can all assemble right here, right in the back. Thank you, gentlemen.

Again, Jamie, I know you're going to say a few words. So on behalf of Maui County, myself, all of my Councilmember, my fellow Members there, we'd like to say congratulation once again for a job well done, and continued success. And thank you very much for what you do to help these young men become better young men. Thank you.

MR. JAMIE ALOY: First of all, I'd like to thank the Corporation Counsel *[sic]* for recognizing us. The kids, like you guys said, they did a fabulous job. And, you know, it's something that you cannot really explain, but it's something that the kids experience that, I believe, that'll help them for the rest of their lives.

And, I believe this is the, at this division, this is the best a Maui team has done in the West Regional Tournament. And this was something that I dreamt about when I was their age at 12 years old with my dad. And, it took decades to experience that with these kids. Even if, I have a son playing on this team. And you know, I didn't even think for once in my lifetime that I was going to be able to experience this. And for this I'll remember for the rest of my life, as well as these kids. And, talk about, this will make them successful by experiencing this experience, I believe. And it's something that nobody can take away from them.

And I appreciate Maui supporting us and cheering for us. And we were cheering for the other teams as well, you know, Big League, and they did great as well. So, it was a good summer for baseball on Maui, basically. And like Mr. Victorino said, I think there are going to be better summers to come. And I thank not only my coaching staff, but the parents and everybody else that made it possible for these kids to experience what they did. Thank you.

COUNCILMEMBER VICTORINO: Again boys, congratulations, best of luck. And again, like I said earlier, more summers will come and I hope to see you guys here. Even if I'm not here, you'll be here celebrating another championship. God bless you all. Aloha.

CHAIR WHITE: Thank you, Mr. Victorino.

And thank you again for all you guys have done.

Mr. Clerk.

RESOLUTION
NO. 16-108

CONGRATULATING THE MAUI BIG LEAGUE
ALL-STARS FOR WINNING THE UNITED
STATES CHAMPIONSHIP AT THE 2016 BIG
LEAGUE WORLD SERIES

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO ADOPT THE RESOLUTION ENTITLED
"CONGRATULATING THE MAUI BIG LEAGUE ALL-STARS
FOR WINNING THE UNITED STATES CHAMPIONSHIP AT
THE 2016 BIG LEAGUE WORLD SERIES".

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Couch and a second from Mr. Victorino.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. May I request that the Clerk read the
reso in its entirety, please?

CHAIR WHITE: So ordered.

Mr. Clerk.

(The resolution was read in its entirety.)

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And what can I say about this amazing team? The players came from different schools, including college, as you heard in the resolution, to work together with their coaches to play an intense series of games to win the regional championship.

They then went on to play the great, play great baseball at the Big League World Series, earning the U.S. Championship, and competing for a world championship; all of this on national TV, too, live.

Their manager Steve Leis says their success is due in large part to their confidence in each other and their willingness to unselfishly contribute to their individual talents to make the team great.

There are lessons here that these young men will take into college and beyond. The value of committing to hard work at practice, supporting the members of their team, and demonstrating respect for everyone associated with the game.

We commend the courage and confidence it takes for youth from our small island to compete at national and international levels, with the support of their coaches, family, and the community.

As Mr. Victorino said, it was a good summer for Maui Little League and Maui in general. It was fantastic to be able to see all of those games. These outstanding young men have represented Maui and the State of Hawaii with pride. I ask the Members for their full support of this resolution.

CHAIR WHITE: Thank you, Mr. Couch.

Members, any further discussion?

Mr. Victorino.

COUNCILMEMBER VICTORINO: Yes, Mr. Chair. I will echo the same sentiments as my colleague, Mr. Couch, and thank him for bringing forward the resolution.

Again, this was a classic example of boys that have played not only with each other, but against each other, through the years of high school, Little League, and all the other levels of baseball here in Maui County. And to bring them together in this incredible way, to get them to go to this final game for which we watched. And little disappointed on the outcome, but really, they gave it their all and that's all you can ever ask.

These young men are classic examples of children of children that we coached. I coached Lane's father when he was, Lee Kashiwamura playing with Mikey many, many moons ago, decades ago. And so, there's a lot of family relationships in all of this.

But, I'll turn to these young men like I did to the others. More good summers are in store for you. There are higher levels for you to achieve. And keep the good work up, because only time, dedication, and the resolve to be the best you can be will be your results in life. You've worked as a team, but you know you've got to give it your all, and make the team better so that you can truly enjoy the fruits of your labor. And one day we'll hope to see some of them in the next level of baseball. And hopefully that all of these young men will never forget the comradery, the friendships, and the experience that they've had in this one summer.

I call this "Maui's Summer of Baseball", cause it was the best summer I can ever recall with all our teams going from all different directions, going to all different levels, and really achieving more than, like Jamie said earlier, more than we had ever been able to in the past, and hopefully bigger and better things to come in the future.

So thank you, Mr. Chair. Again, congratulations to the players, coaches. Of course, never forget your parents and supporters who made this possible, because it took them and their hard effort, and their hard work I should say, to make it available for you to travel as far as you went, as far as the needs financially. So good luck to them, Godspeed, and thank you.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion on this resolution? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR WHITE: Measure passes with eight "ayes" and one "excused"; and that's Ms. Cochran.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. May I request that the coaches and the manager come up. The kids are all back in college or back in school, so we'll just have the coaches and managers come up.

CHAIR WHITE: Thank you. Please join us.

COUNCILMEMBER COUCH: Coaches and manager, I want to present this on behalf of the County Council for your great job that you've done, and representing Maui, and showing Maui off. So, thank you very much. And if you would like to say a few words.

I want to tell these guys, hope to see you again here soon getting this award as well. Hope to see you there.

MR. STEVE LEIS: I must say it feels a little bit lonely not being surrounded by 16 of the kids, yea. And I guess there's good reason for that, they're all off to college like was stated earlier. And we're really happy. Most of them are pursuing baseball in college. So, this program's been really good. It's been good to us to be a part of it.

And I feel a little bit funny about, you know, because the focus is always on the kids, and here we are standing as a coaching staff. But, I would like to thank the coaches, Dan Bellinder, Dayton Alexander. And you're going to hear his name for quite a while in youth baseball cause he's doing a great job for us. We thought we should bring in somebody a little bit more age appropriate with these kids.

So it was interesting, this trip, because I've coached for a while, and you know, I look at my job as saying, hey look I want to just get involved with something because it feels good to get involved with something. But, you know, we looked at this group of kids and I've coached for a while. And I'm certainly not the best coach, don't claim to be the best coach, but I enjoy doing it because it's a community-based program. But, when you look at this group of kids, there was something unique about this group of kids.

And you know, they moved me so much, and inspired me so much, that when I came back, we do a company newsletter and so it's coming out next week, and I had to write something for the newsletter. So, I decided to write about this experience. And I was debating whether to read that here, because it's not about me, it's about my

observations of how there's a correlation between what I do for a living and what this experience was like. So, I wasn't going to read it, but I changed my mind after listening to some of the things that, you know, went down ahead of me. And so, bear with me as I try and get through this. But, it's really kind of my feelings about how this all went down.

The National Anthem was a great way to start each game at the Western Region in the World Series. I was fortunate to have been part of a 21-day journey that took 16 awesome Maui players, and four coaches, to Bremerton, Washington, and then to Easley, South Carolina, in pursuit of our goal, the United States Championship for 17 and 18-year-olds.

All the hard work leading up to these tournaments paid off. During and prior to the trip we practiced hard. And we talked about the predictable and sometimes overused motivators, such as commitment, sacrifice, hard work, setting goals, and seizing the moment or the opportunity. So, we talked about those things.

But, the real lesson learned from this experience, which was personally remarkable to me can only be summed up by understanding the tide of positive human energy produced when the entire group buys into these few words: confidence, believing, respect, and pride. These boys walked the talk, and defined the correct meaning of team.

They all were 100, they all 100 percent of the time and without exception, were unselfish, supportive of one another, and were without excuses or finger-pointing, they believed and they respected one another and would quickly pick each other up effortlessly and with purpose. They had a common goal focus, "Good for one is good for all".

Admittedly, and even at my age, I still have a lot to learn. And learn I did, by just being a part of this experience. Seeing the workings of a true team where everyone contributes, has each other's back, puts the team over self, understands common goals, and keeps things positive even under the most successful or stressful conditions, especially when adversity is in play at the highest level was just extraordinary.

I've talked about teamwork professionally for years, without nailing it and making it one of my absolute values that we need to build on and make it part of our every, our everyday work culture.

I do hope this experience, this once in a lifetime experience will allow me to lead with a better understanding of the unstoppable and positive effects that teamwork

produces. However, what I will forever know is that for 21 days, I experienced the power of team, pride, positive attitude that propelled the boys from Maui to rise above the powerhouse teams from California and Florida, and the rest, to capture the United States Championship.

And it was during the National Anthem, a meaningful time for me before the competition began, when I reflected on my personal emotions of goodness and thankfulness. Thankful for being a part of this team, and for the amazing lifetime memories that were made with these boys and coaches. Thankful for being American and living in Hawaii; very special place of beauty, genuine people, and culture. Thankful for my family for allowing me to do this. Thankful for being able to give back to the community. And thankful to my company, and associates, and community, and friends, for supporting me and Leis family over the years.

And at the end of the day, I'm so very thankful to know it's not always about wins and championships, but about doing good, relationships, lessons learned, and having a sense of satisfaction that comes with contributing.

My goal is to emphasize teamwork in my personal and professional life going forward. These boys, the 17 and 18-year-old boys of the summer of 2016 have opened my eyes wide to a better understanding of teamwork, goodness, and thankfulness. Thank you.

So, thank you so much. The community has been so supportive. It's so rewarding. We just can't say enough. Hopefully we can go out and do it again.

CHAIR WHITE: Thank you for sharing that message with us. And, very thoughtful message, and I think it's something that the young boys in the crowd can certainly take heart, take to heart. So, thank you very much for being here today.

Members, we'll proceed with our agenda.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, that was RESOLUTION 16-108. Mr. Chair, I'm sorry, for the record, RESOLUTION 16-108.

And Mr. Chair, proceeding with presentation of testimony on agenda items. We have established limited telephone interactive communication that enables individuals from Hana, Lanai and Molokai to provide testimony from the District Offices.

Individuals who wish to offer testimony from Hana, Lanai and Molokai should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

And pursuant to the Rules of the Council, each testifier is allowed to testify for up to three minutes with one minute to conclude if requested. When testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

Lanai Office, please introduce yourself and introduce your first testifier.

Mr. Chair, we're having a little difficulty with the telecom at this point.

CHAIR WHITE: Okay, we'll take a brief recess at the call of the Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 2:02 P.M., AND WAS RECONVENED AT 2:06 P.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR COUNCILMEMBER COCHRAN, EXCUSED.)

CHAIR WHITE: This meeting will please come back to order.

Mr. Clerk, may we proceed.

COUNTY CLERK: Mr. Chair, proceeding with presentation of written and oral testimony.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good afternoon, Chair. This is Dawn Lono in the Hana Office and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai and we have five testifiers. The first one to testify is Sally Kaye, testifying on item number CC – 16-196.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. SALLY KAYE, (testifying on County Communication No. 16-196):

Good afternoon, Chair and Members of the Council. I'm just going to reiterate that you consider all the testimony you got at the previous Committee meeting. And I stand by what I submitted before.

And I would like to clarify how discouraging it was to listen to the Committee Members debate whether Pulama Lanai and Four Seasons were separate entities. It is well-known that Pulama Lanai signs all of Four Seasons paychecks, so there is no practical difference.

Thank you for this opportunity to testify remotely.

CHAIR WHITE: Thank you, Ms. Kaye.

Members, any need for clarification of the testimony? Seeing none, thank you very much for being here this morning.

Mr. Clerk.

COUNTY CLERK: Molokai, please recognize, identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good afternoon. This is Ella Alcon on Molokai and there is no one here waiting to testify.

COUNTY CLERK: Thank you.

Mr. Chair, we have nine individuals who have signed up to provide testimony in the chamber. The first individual to testify this afternoon is Simon Russell, testifying on Committee Report 16-131. To be followed by Lucienne de Naie.

CHAIR WHITE: Mr. Russell.

MR. SIMON RUSSELL, HAWAII FARMERS UNION HALEAKALA CHAPTER, (testifying on Committee Report 16-131):

Aloha, Mr. Chairman. Aloha, Honorable Members of the Council.

CHAIR WHITE: Aloha.

MR. RUSSELL: Just came down here to mahalo you once again for this wonderful opportunity offered to the community at Kuiaha, Hamakualoa. And it's been my pleasure to be a part of these public meetings for the last year or so, and witness the community coming together with lineal descendants, and cultural practitioners, and farmers.

And, I just wish that the farmers would be a little more like the baseball team we saw a few minutes ago in working together. But we're, we couldn't seem to get them out here today as, as much as I would have liked. We did put out a notice, but I think with the hurricane warning and all, people thought the meeting was cancelled possibly.

Anyway, I had a conversation about an hour ago with the Chairman of the Department of Agriculture about proposed ag park in this region. I don't know if that's the final answer for what's going to happen in this area. Certainly, it's going to be up to you folks and to the community, I understand.

But, I would hope that if it is possible, we could have some land leases for farmers. And the Chairman of the Department of Ag told me that, you know, we can go after capital improvement funds through our Legislature as I'm sure you're all aware CIP monies are available for this kind of thing for water infrastructure, roads, so on and so forth, security.

And, I had mentioned testimony before that my biggest concern is bringing the community together in this region. There's some, some people, homeless people living in the, in the area causing some security concerns. And I hope that these concerns can be addressed first and foremost, because making any kind of infrastructure investment in the near term with homeless people living in the bushes thieving is going to be near to impossible to get anything substantive done. So, that would be my recommendation to you all, is to address the security concerns in this region. And I think through the community is the best way to do it.

And I have other recommendations, but I won't take up everybody's time. So, that's, that's about all I have to say. Again, thank you so much for spending so many of your Council hours on this important issue to our, to our area of Hamakualoa. Thank you.

CHAIR WHITE: Thank you, Mr. Russell.

Members, any need for clarification?

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. I wish we had time to listen to your recommendations, cause I'm really interested in them and I like what you've said.

But I'm just curious, have you had the opportunity to walk the property?

MS. RUSSELL: When Alex was alive I did, yes. I use to work with a group called Feed My Sheep, and we did gleaning. And we gleaned the pineapple fields after they were out of pine. And I have been farming in that region for about 20 years. Not, not on those lands, but really close on east and west of those lands.

COUNCILMEMBER BAISA: I'm referring specifically to the parcels that we're going to buy.

MR. RUSSELL: When Alex was alive, yes, I had, around there, yea.

COUNCILMEMBER BAISA: Okay. Thank you very much.

CHAIR WHITE: Thank you, Ms. Baisa.

Thank you for coming, Mr. Russell.

MR. RUSSELL: Thank you, Council, Chair.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Lucienne de Naie, testifying on Committee Report 16-31 *[sic]*, and she will be followed by Joyclynn Costa.

MS. LUCIENNE DE NAIE, (testifying on Committee Report 16-131):

Mahalo, and greetings to the Council. Thank you for meeting ahead of the storm here. Hopefully there won't be a storm.

My name is Lucienne de Naie. I signed up to testify as the President of the Haiku Community Association, however, I noticed my Vice-Chair is here, so no need to have two of us. I can testify as a private individual, or as a member of other groups that have been interested in this.

I'd like to say one thing, besides thank you for listening to our community. This is a very, very big commitment. It is an area that has some opportunities and some challenges. However, the community is really dedicated to meeting both the opportunities and the challenges.

I've lived in this community for 30 years. We've never had an opportunity like this at all to bring together all the different groups. Groups have been meeting as a talk story process. There had been three talk story meetings. Over 70 people have participated, different people over the course of the three meetings. And the impressive thing is, a lot of people who never come to meetings, you know, kua`aina; people who just live in the community, fish there, whose families have gone to these lands for years. They have come out and shared their mana`o. And there's a lot of common ground, which is great.

I have walked the land. I've spent a lot of time on these lands. I went there with Sierra Club outings, when Alex Bode was managing what is now Lots 5, 3 and 4. But I just, in fact, the last meeting you folks had, I couldn't be there cause I was leading a service outing for 15 kids from Montessori School on the Waikikena leased lands, helping maintain the trail ahead to the heiau that's there.

It's a beautiful place, and it's very inspiring. All the work that Alex and Waikikena Foundation has put in on, especially Lots 3 and 4, planted all these fruit trees that are now mature and they're giving fruit. And, it's just that things have grown up around them, because his operation had to move to K-Bay and then had to move across the Bay. Not his fault. Now, there'd be a chance to build on that great work.

I know some folks are a little concerned about the whole management aspect of this. And of course, it is not a small undertaking. I do speak for some experience. I'm one of the founders of Maui Coastal Land Trust, now Hawaiian Islands Land Trust. And when we worked with the County and the Federal government to purchase the Waihee Lands, 277-acres, so about the same sort of big undertaking. The place was a mess. And we were a two-year old organization that was just getting our first staff person and had a very limited budget. However, through the kokua of the community and through a planning process which happened after the land was secured, sorry, may I have a minute to conclude?

CHAIR WHITE: Sure.

MS. DE NAIE: Thank you. Anyway, this management plan happened after the land was secured, because we needed to hear from the community. We, we needed to base this on the facts that had folks whose families have lived there for generations. So, we had some basic principles that we wanted to, you know, follow. Waihee, certainly, you know, mitigating homeless encampments, and dangerous situations and things. And we worked with the police and the other community to do that, community members. But, we couldn't do it until the land was purchased.

And I think that, I think what you'd see here is the community organizations working with the Parks Department to address these things. I don't have time to get into it, but we have some basic management principles that have been pretty well discussed. And they're simple, but they make sense. And I think that they would help create a really successful plan here. Thank you.

CHAIR WHITE: Thank you, Ms. de Naie.

Members, any need for clarification of the testimony?

COUNCILMEMBER BAISA: Chair.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. Thank you very much, Lucienne, for being here. And I appreciate the fact that you've been there and you've walked it.

A previous testifier mentioned about homeless people being there. Are they there, did you see them?

MS. DE NAIE: No. There is two parts of the parcel. There's Lot 1, which is the largest lot. That is the lot that has the most human interaction. Lots 3, 4, and 5, which total maybe about, I don't know, 90-acres or something like that, they do not have any homeless people. I've been there two or three times in the last month and they are just places that need some mowing, some weed whacking, some care of the roads. I mean, they need stuff, but homelessness is not the problem there.

Where we have problems is Lot 1, and we have, you know, people abandoning cars and this and that. And that area, you know, the first thing really that needs to happen is a person who is there monitoring thing, things, and just cut that in the bud, you know; the good gates and, and some security.

COUNCILMEMBER BAISA: Okay, thank you very much.

MS. DE NAIE: Thank you.

CHAIR WHITE: Thank you, Ms. de Naie.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, the next testifier is Joyclynn Costa, testifying on Committee Report 16-31 *[sic]*. Following Ms. Costa, we will go back to the Lanai District Office.

MS. JOYCLYNN COSTA, AHA MOKU, (testifying on Committee Report 16-131):

Good afternoon, Councilmembers. My name is Joyclynn Costa. I am the Aha Moku representative for Hamakualoa. And I have been in several meetings with Malama Hamakua. And I've also been in meetings with lineal descendants of the area. And I understand that there is a concern, and I appreciate that lack of plan. But then again, we weren't even sure if this land was going to be purchased.

I had a, was, I had an opportunity to have a meeting with the Mayor, and he had said in no way he was going to buy this place; rubbish land. So, therein was kind of a do we make a plan or not. It's kind of like, you know. And then, the 9.5 came up, and all of a sudden it was a deal that, that could happen. I kind of wondered what changed.

Then, I'm losing thought here, there was also a concern about how this acquisition, cause I thought the County was purchasing it. I got up at two o'clock in the morning one day, and I was watching Akaku, and I heard them confirm that this contract states it's under threat of condemnation. My understanding of condemnation is that the County or the State, whichever entity, now is in a taking. So, I'm not sure if when the ordinance came through, if it was setting aside 9.5, but not really committing 9.5. So, if it's under condemnation, could there be some type of negotiation within that price?

I'm in support of, of getting this property, because there is a lot of significant archaeological sites, which I understand is not enough to warrant 9.5. But, there are also lots of other plans that have come through, Mu'olea, that you'll hear about later; Hokunui that is already in Piihola that is successful. We want to start having conversations. They've asked Aha Moku to come and look at their project. I like the project. Maybe we can have conversation where we produce something there, and there's a donation towards the management of this place.

I question the amount to be spent. I hear the concern of water, which is where the Aha Moku comes in.

May I have a minute to conclude?

CHAIR WHITE: Yes.

MS. COSTA: Aha Moku can then file the claim for the lineal descendants to find the ancient waterways and get that water back down there to begin with. There is a man that is also proposing ulu flower. Have any of you heard that? Multimillion-dollar project. We put the ulu down there. We don't even need the water or the rain. Ulu is an unusual plant that will pull the moisture from the sky and feed its roots.

So, there is potential beyond, beyond. But I still am a little bit leery as the speed, because it didn't give us enough time for the plan and the amount. I think we should keep it as a condemnation and take it, but you folks should dictate the price.

CHAIR WHITE: Thank you very much, Ms. Costa.

Members, any need for clarification? Seeing none, thank you for being here this morning, or this afternoon I'm sorry.

Mr. Clerk.

COUNTY CLERK: Lanai District Office, please introduce your next testifier.

MS. FERNANDEZ: Our next testifier is Deborah Dela Cruz, testifying on CC 16-196.

MS. DEBORAH DELA CRUZ, (testifying on County Communication No. 16-196):

Thank you, Councilmembers, for this opportunity to testify. I apologize for the parts of the testimony that I am repeating.

My name is Deborah Dela Cruz and I'm a resident of Lanai. I don't support the appointment of Adela Olbinado to the Lanai Planning Commission. She's a very nice person, however, after the August 29 Policy and Intergovernmental Affairs Committee meeting at which she was interviewed, I believe she needs to familiarize herself with the workings of the Commission and the issues facing Lanai before serving on the Commission.

Serving as a commissioner is not the way to learn about your community. As you're all aware, Lanai is a very small island, so all matters considered by the Lanai Planning Commission impacts all Lanaians; many in major ways. It is important that we have commissioners who are informed and independent, who will look at issues objectively, and then make decisions that are in the best interest of the entire community.

As you are also aware, Lanai is almost entirely owned by one owner. That owner is also the major employer through Pulama Lanai, Lanai Builders, and Four Seasons. There was some discussion at the Policy and Intergovernmental Affairs Committee meeting to differentiate between these employers. I don't know the legal connections between them, but ask Lanai people and they'll tell you that the three are essentially the same employer.

And unless union officers have changed recently, the Lanai Planning Commission already has two officers of ILWU Local 142, Unit 2509. And if appointed Ms. Olbinado would be the third. Additionally, Commissioner Stephen Ferguson is employed by Lanai Builders. How would your constituents react if you appointed four people from essentially the same employer to your Planning Commission? Why is it okay for Lanai?

There was also discussion at the Committee meeting that four votes would not constitute a majority. It may not be a majority, but it certainly improves one's odds of getting, of passing whatever it is that you're requesting. If you're playing a poker machine in Vegas, wouldn't you be happy to know you have a good chance of being dealt three to four cards of a royal flush?

Should she be appointed, there's real potential for the work of the Planning Commission to be impacted that the questions of conflict of interest and recusing are continuously raised. The Planning Commission has problems even convening without this further complication.

Please do not approve this appointment, and give the community the chance to have a more diverse commission with more depth. Thank you.

CHAIR WHITE: Thank you, Ms. Dela Cruz.

Members, any need for clarification of the testimony? Seeing none, thank you for being here this afternoon.

Mr. Clerk.

COUNTY CLERK: Lanai District Office, introduce your next testifier.

MS. FERNANDEZ: Our next testifier is Ron McOmber, testifying on CC 16-196.

MR. RON MCOMBER, (testifying on County Communication No. 16-196):

Good afternoon, Chair and Members of the Council.

CHAIR WHITE: Good afternoon.

MR. MCOMBER: The letter that you received a couple weeks ago spelling out about, there was about 10 or 15 of us that signed that letter in objection to this lady being put on here.

This island, again, is being run by a single entity. And to have that many people on the Planning Commission, absolutely nullifies any, any other opposition to any bill that might come up. The community, as it stands right now, there are probably 15 of us that have signed up to be on the Planning Commission and we don't even hear a word from the Mayor.

We found, recently, something that's very disturbing. I was reading the Civil Beat the other day and I noticed that somebody from Pulama is a registered lobbyist. And that person is right in the middle of this, which really makes it hard for anybody else to justify. When she's over there talking to the Mayor, talking to the Planning Department, we have a harder time getting our voice from the community out.

So, we ask you please do not okay this person, and let's get somebody on the Planning Commission that understands what's going on in Lanai and is part of Lanai. Thank you very much.

CHAIR WHITE: Thank you, Mr. McOmber.

Members, any need for clarification? Seeing none, thank you for being here this afternoon.

Mr. Clerk.

COUNTY CLERK: Lanai District Office, introduce your next testifier.

MS. FERNANDEZ: Our next testifier is Margaret Peary. She's testifying on item number CC 16-196.

MS. MARGARET PEARY, (testifying on County Communication No. 16-196):

Good afternoon, Councilmembers and Chairman. After attending the PIA Committee meeting on Monday, and testifying against the nomination of Adela Olbinado to the Lanai Planning Commission, my objections to her nomination have only intensified.

At this point, perhaps the more important question the Council needs to consider is this: When reviewing the qualifications and interest of an applicant for a position on the Lanai Planning Commission, why would the Mayor overlook other seemingly more qualified candidates in favor of ones who are not?

Is it because the LPC and the important role they play on our island is not important to the Mayor or perhaps there are unknown influences that may be affecting his good judgement? I don't know the answer but I believe any reasonable person would want to question the criteria used by the Mayor for all LPC nominees and so should the Council.

Why would the Council be willing to put another ILWU, Four Seasons, or Pulama Lanai employee on the Commission when other more qualified, non-company applicants are available to fill the LPC vacancy? Wouldn't a well-balanced, cross section of Lanai citizens on the LPC be preferable to a Commission represented mostly by ILWU, Four Seasons, and Pulama Lanai employees? One would hope so.

Nominations by the Mayor of allegedly unqualified company people to the LPC are becoming increasingly transparent to our community and we believe this practice is profoundly unacceptable and it needs to stop.

In closing, I respectfully request the Council to please restore some sense of dignity and respect to Lanai by voting "no" on the nomination of Adela Olbinado. To do anything less might send a signal to all Maui County residents, and particularly to the good people of Lanai, that allegedly questionable nomination practices by the Mayor are also acceptable to this Council. Mahalo.

CHAIR WHITE: Thank you, Ms. Peary.

Members, any need for clarification of her testimony? Seeing none, thank you for your testimony this afternoon, Ms. Peary.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, the next testifier in the Council chamber is Jennifer Livingston, testifying on Committee Report 16-31 *[sic]*. Ms. Livingston will be followed by Araelia Livingston.

MS. JENNIFER LIVINGSTON, HAIKU COMMUNITY ASSOCIATION (testifying on Committee Report 16-131):

Aloha, Mr. Chair and Council.

CHAIR WHITE: Aloha.

MS. LIVINGSTON: Jennifer Livingston. I testify today on behalf of the Haiku Community Association.

I want to say a big, big thank you for all of you for spending time on this, and considering this, and considering the gravity of this decision. It's a lot of money. It's a big piece of property. And it deserves that kind of, that careful consideration in that, and in order to lay a foundation that's going to, that's going to work for the long run.

So, I proctor the website at Haiku Community Association, and I also do the emailing list. And it's incredible how many responses I get, just random people asking me what's going on, tell me what's going on, how can I help, when can we go down there, is there reforestation efforts happening? Asking, asking, asking, and maybe you guys have the experience of having issues that are important, and maybe not as much public involvement as you would like. And in this instance, it's actually the opposite.

And that experience shows me that there's a lot of people out there who really, really, really deeply care for the land, and have really deep connections, familial connections, cultural connections. So, it's just this beautiful, wonderful opportunity, and I, and I think that while there are, you know, important concerns that need to be worked out, I feel very confident that those concerns are, we can work them out. We can figure it out. We can make something that will be sustainable into the future, and fundable, and have a good plan, and have people happy with it.

And I think my testimony is about over. And, for the future too, we go, we go out there all the time and he's, he's stoked to go, not so much here though. Mahalo.

CHAIR WHITE: Thank you, Ms. Livingston.

Members, any need for clarification? Seeing none, thank you for being here this afternoon.

Mr. Clerk.

COUNTY CLERK: Next testifier is Araelia Livingston, testifying on Committee Report 16-31 *[sic]*, to be followed by Joshua Chavez.

MS. ARAELIA LIVINGSTON, (testifying on Committee Report 16-131):

Hi, my name is Araelia. I'm here testifying for the North Shore land. I think it should be open so you can go play. And that's all I have to say.

CHAIR WHITE: Thank you for being here this afternoon.

Mr. Clerk.

COUNTY CLERK: Next testifier is Joshua Chavez, to be followed by Faith Chase.

MR. JOSHUA CHAVEZ, (testifying on Committee Report 16-131):

Aloha, Council. Joshua Chavez.

CHAIR WHITE: Aloha.

MR. CHAVEZ: With, I guess I can talk about one of the projects I'm with is Hoku Nui, Upcountry, Makawao. And it's a similar size property, around 260-acres up there, former pineapple land.

And about four years we've been trying to figure out a process for our own processes. It's not easy. Land management, all different layers; water management, water conservation, soil restoration, native reforestation, food production, local jobs, housing. There's so many different layers, but I mean, it can be done, it just takes planning, and it takes everybody working together. It takes the government and the agencies to help to let these things happen. So, this is a great opportunity.

I mean, everybody's talking about producing food and being able to have ag land and ag. And, if we, if the land is available, it's just a matter of time where the people will be there. And you know, we're not experts yet, but we brought in different consultants from other places of the world that are using these different techniques that are working for water harvesting, and soil remediation, and things like that. And you know, we're trying to apply them and things are working so far.

But again, we don't have all the answers. But, we're open to help whatever we've learned. I can't speak for everybody cause, on our team, cause we're crazy busy. But, it's interesting to be able to help with something like this, whatever we've learned. But, we just need to have the opportunities like this on the island to be able to do some things. So, yea, I definitely support it.

CHAIR WHITE: Thank you very much, Mr. Chavez.

Members, any need for clarification of his testimony? Thank you for being here today.

Mr. Clerk.

COUNTY CLERK: Next testifier is Faith Chase, testifying on Committee Report 16-31 *[sic]*. Following Ms. Chase, we will return to the Lanai District Office.

MS. FAITH CHASE, (testifying on Committee Report 16-131):

Aloha Chair. Aloha Members. I'm so happy to come here today to testify, cause sometimes I feel like I'm here at this podium and I'm nervous and I'm upset. And I'm really joyful today.

I just want to say I'm in total support of the Hamakua property purchase. I know there's valid concerns. I don't think that people should, you should stop asking questions.

I do feel like that there's strong resolution and the people of this place. I was fortunate enough to know Alex Bode and worked closely with him with his non-profit, you know. I know, Ms. Baisa, you've been asking a lot of questions about planning, and stuff. And he had some very, very far out ideas, and that, you know, that he tested and trialed also.

He educated over 7,000 children in his time of carrying buckets of water. He had 85 different varieties of taro. I personally would like to see part of the property kind of pay homage to his work, and maybe have a Alex Bode, you know, taro sort of like section that celebrates those varieties that he so proudly spoke of.

I am concerned about some of the things that Elle Cochran had said about, you know, just her, her sort of needs in the housing area. And I, I just would like to just add a little bit of inspiration that the hale building and the materials that can be built on this, that they can be planted on this property, some of them are already in existence, you know, they all lay way to those examples for traditional housing and sustainability. And maybe that project over there could sort of like, you know, lend itself to some testing of things that she might be able to use in her housing concerns. And I, cause I know that's a, that's a sensitive area, it's a lot of money.

But, and so, I'm just happy that you guys have taken the time to talk about it, and hash it out. And, and I have chicken skin cause I think Alex Bode's spirit is really strong, you know, here today. And, yea, so I'm in support of it. And I do believe that, like the fellow before me, if you build it, they will come. You know, sorry to be so cliché.

But, one specifically, I want to tell you this story, Ms. Baisa in case you didn't hear it from Alex. He envisioned somebody who didn't have land being able to, to ride the bus from Wailuku with their passion and their intent to farm and, and come to that ending, that MEO bus stop right there at the Haiku Community Center, and have that access to that land, you know. So somebody who was really, really passionate about it, but kind of financially strapped would actually have that opportunity. And so, I always liked that little story that he shared, because I, I, you know, I do see people with that fortitude. So, thank you.

CHAIR WHITE: Thank you, Ms. Chase.

Members, any need for clarification? Seeing none, thank you for being here this afternoon.

Mr. Clerk.

COUNTY CLERK: Lanai District Office, please introduce your next testifier.

MS. FERNANDEZ: Our last testifier is Butch Gima, testifying on CC 16-196.

MR. BUTCH GIMA, (testifying on County Communication 16-196):

Good afternoon, my name is Butch Gima, Lanai resident.

I ask that you disapprove the appointment of Adela Olbinado to the Lanai Planning Commission. My request is based collectively on the role of the Administration, the flawed nomination process, and the nominee's lack of qualifications.

Number one, the role of the Administration. Per Mike Molina, the Mayor is not aware of who he is recommending, has minimal knowledge and input into who is vetted, and is aware of our community's concerns on how LPC members are vetted, and yet the flawed process continues.

The Mayor is aware that his last three to four nominees may be used or manipulated by Pulama, Four Seasons, or the ILWU. That they may not participate and or vote independently. That they have to do so with possibly a company or union hat on. There may be indirect or unspoken expectations that they may, that may lead them to the conclusion that their participation and or vote is linked to their continued employment or employment status.

The process is flawed. Mike Molina assured me on several occasions that all applications old and new would be considered for vacant positions on the Lanai Planning Commission, yet there is no evidence that all applicants were considered, and no rationale for why they were not considered.

The nominees lack of qualifications. Adela is not qualified as she has little or no history of being active in the community and participating in community meetings, or through Lanai Planning Commission, or CPAC meetings. Prior two nominees are in the same boat; Marlene Baltero and Medigale Badillo. All, all three work for Four Seasons. As such, they pose a potential conflict of interest on applications submitted by or for Pulama and Four Seasons.

Three of the last four applicants have barely attended or spoke up at LPC meetings, and that's when they do attend. Jarrod Barfield missed eight of nine meetings since March 2015. Marlene Baltero missed four of nine. Medigale Badillo missed two of three since being appointed in April. But the rest of the commission members missed no more than two during this period.

I would like you to consider the following regarding my request. I trust that the executive and legislative branches decisions are not rooted in ex parte meetings with Pulama, Four Seasons, and or ILWU members, and not rooted in election

considerations. We want an LPC that can, can make informed decisions. The last three nominees are not consistent with this principle.

Why put these members on the LPC, are affiliated with Pulama, Four Seasons, or the ILWU? There's a possibility on an application that three to four members may have to recuse themselves from voting.

COUNTY CLERK: Three minutes.

MR. GIMA: This does not make for an effective planning commission. Our Corp. Counsel ruled in 2003 regarding conflict of interest of planning commission members on Lanai, that the LPC members have the following options: 1) prior to the LPC meeting, the member may ask the Board of Ethics to review the matter to determine if it is one that would be affected by the employment relationship and therefore require that the member to abstain from voting; or 2) if Planning does not permit the member to either submit the matter or to receive a response from the board prior to the meeting, the member, upon timely disclosure of any financial interest at the LPC meetings must decide whether to: a) proceed to vote on the matter; b) abstain from voting; or c) request a deferral of the vote until the member has requested an advisory opinion from the board.

If the member casts a vote, this action is always subject to complaint being filed with the board by someone who believes the matter affected the member's employment relationship.

So in conclusion, given the aforementioned, again, please disapprove--

COUNTY CLERK: Four minutes.

MR. GIMA: --the Administration's nominee to the Lanai Planning Commission. Two, in conjunction with Riki's Office, submit a call for nominations. Three, require the Administration to submit nominees from a pool of applicants, ones who are neutral and pose no potential conflict of interest.

CHAIR WHITE: Mr. Gima, you've exceeded four minutes. Could you provide a concluding remark please?

MR. GIMA: Yes. I have couple more sentences.

CHAIR WHITE: One more sentence will do.

MR. GIMA: Ensure transparent nomination process that supports a balanced LPC decision-making process that ultimately contributes to what's in the best interest of our community. I trust, I trust your decision will be made with our community's best interest in mind, and not for Pulama, Four Seasons, ILWU's, or your convenience.

Approving this nominee would only perpetuate a flawed system and process.

You don't need to stack the LPC. Historically, the LPC has approved 99 percent of all applications.

CHAIR WHITE: Mr. Gima, you've--

MR. GIMA: What you need is balanced LPC . . . It is one of, if not the only Lanai based regulatory entity that provides checks and balances for our community.

CHAIR WHITE: Mr. Gima, you've made your--

MR. GIMA: I trust that all of you cherish this . . . of our form of government as much as--

CHAIR WHITE: --you've made your point very clear. You've well exceeded your time.

Mr. Clerk.

MR. GIMA: Your decision on this nomination will reflect if in fact you do. Thank you.

CHAIR WHITE: Thank you.

Members, any need for clarification? Seeing none, thank you for your testimony.

Mr. Clerk.

COUNTY CLERK: Next testifier in the chamber Terry Lee Konohia Poaipuni, to be followed by Charla Konohia.

MS. TERRY LEE KONOHA POAIPUNI, (testifying on Committee Report 16-131):

Good afternoon, Members of the Council, Members for being here this afternoon, for listening to our mana`o.

I'm here in support of item 16-131, and--

COUNCILMEMBER VICTORINO: Can we have her name?

CHAIR WHITE: Yes, could you mention your name for the record, please?

MS. POAIPUNI: You'd like my name, Michael? My name, excuse me, kalamai, my name is Terry Lee Konohia Poaipuni, and actually I come from Hana. But, I'm here in support of items that they're talking about, the land parcels in Haiku.

And I just want to have the Council assure, be assured that all the lands are clear title. And that the lineal lines, when that in fact come about, that the lineal lines have access to gather and to do what they've always done traditionally and culturally. We can talk about culture, but without the people that has created that, you don't have anything.

So my thing is I thank you very much, because we came, I belong also to the board of Na Mamo O Mu'olea in Hana, and I thank you guys so much for what you guys done, thank you. We have managed, we have done, I think, real well. We don't want too much monies, that's my big thing. But, I know that this can happen. And I want to thank, also the Council, because we had Dave DeLeon helping us in 2006, when we did Na Mamo O Mu'olea.

So, I see this as a vision. This can happen. Our, my continued dream for this is to continue to have Maui be in charge of the land management, and also the ocean, marine management. And we've started in a small way in Na Mamo O Mu'olea. But, our dream is to continue it throughout the island, so that there's always a place. So that we feel like we don't need to beg to go through the gates, that in the past was open to our lineal descendent, lineal kupunas and so forth.

So, I ask you guys to think about it. And we appreciate you guys very much. Thank you.

CHAIR WHITE: Thank you, Ms. Poaipuni. Hold on just a second.

Members, any need for clarification? Thank you for being here this morning, or this afternoon, sorry.

Mr. Clerk.

COUNTY CLERK: Next testifier is Charla Konohia, to be followed by Frank Siminski. Charla will be testifying on Committee Report 16-131.

MS. CHARLA KONOHA, (testifying on Committee Report 16-131):

Aloha, Councilmembers. My name is Charla Konohia. I'm a lineal descendent of the area in the acquisition. My grandfather was also a lineal descendent of the area. I was born and raised there. I've been on that land so many times as I was growing up. And I'm in support of the acquisition.

I can see this being a potential for sustainability, to perpetuate our Hawaiian culture, as well as our lineal ohana. We've been there, our family's been there since before the time of Kamehameha the Great. I see this in potential for our future generations. And I'm also part of Malama Hamakua as well as the Haiku Community Association.

And I see Malama Hamakua being a good entity to help manage this lands with the community participation and partnership. We've been meeting and working with Surfrider Foundation, Sierra Club, Waikikena Foundation, Aha Moku, and many other entities that I believe will help make this a good acquisition. And we'll be able to perpetuate all of the traditional management and the restoration of our culture.

This area has so many historic resources. And I just wanted to see it preserved and restored. I think that if we have people on there and managing it, that the homeless issue will no longer be a problem. Because when we use to use the land, that never was an issue. People used it, they malama the lawai`a. They use it, they malama. So, I ask that you continue this acquisition, and you know, put it for future use for our generation. Mahalo. Thank you for your time.

CHAIR WHITE: Thank you very much, Ms. Konohia.

Members, any need for clarification of the testimony?

MS. KONOHA: Thank you.

CHAIR WHITE: Seeing none, thank you again.

Mr. Clerk.

COUNTY CLERK: Next testifier is Frank Siminski, testifying on Committee Report 16-131.

MR. FRANK SIMINSKI, (testifying on Committee Report 16-131):

Aloha, Chair and Council.

CHAIR WHITE: Aloha.

MR. SIMINSKI: Mahalo for this opportunity. My name is Frank Siminski. I've lived on Maui for 22 years, and worked as a certified substance abuse counselor the entire time.

I met Alex Bode in 1994, and worked with him on his project in the lands that you're discussing today. I served as President of Waikikena for two years, and got to know this area pretty well. I think I understood Alex's vision that he had.

And what we shared was that through the work that he did for the agriculture and the culture, we were able to bring in, from my aspect, treatment for the people with the agencies that I worked for, primarily at that time it was Aloha House. And so we would take the residents of Aloha House out to Waikikena and work on various projects.

One of them was building a hale that Francis Sinenci had designed and we had all the materials. Of course working on the taro and all the plants.

I don't know if you're aware, but at one time Mele Carroll served on the board, as did Jonathan Lindsey and Shari Franco. They're not with us anymore, but their spirit is. And when Mele was here, she brought the Ford Foundation. We were within, I think the only thing that held them back from the grant was the fact that A&B wouldn't give us a long-term lease. But, they had sent their team from Washington twice, met Alex, checked out all of our program, and were in approval of it. So did the State, Doctor Jared Yurow, who's the head psychologist of ADAD and Doctor Harvey Milkman who wrote the Criminal Conduct and Substance Abuse curriculum the drug court uses in many other places around the country.

So this land has another value, and that is just for the people to be there and to participate with it. So anything that you can do to help this, I'm sure will benefit this community for generations and generations. So from the aspect of drug treatment and allowing people to reconnect; and that was one of the, Alex's dreams was to be able to connect to the land. I urge you to move forward with this. Thank you.

CHAIR WHITE: Thank you, Mr. Siminski.

Members, any need for clarification? Thank you for being here today.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's no further individuals who have signed up to testify in the Council chamber. If there is any additional individuals in the Council chamber or at the District Offices who would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or the District Office phone at this time.

CHAIR WHITE: Please proceed.

MS. KATHY KAOHU, (testifying on Committee Report 16-131):

Hi. Aloha. My name is Kathy Kaohu, and I'm here to testify on the Kuiaha Open Space acquisition item.

In 1996, one of the last undeveloped stretches of white sand beach on Maui's South Shore came under imminent threat of being privatized into half-acre oceanfront estates. This prompted community pressure on policymakers to save this important community resource from development.

Ultimately, what resulted in 2000 was the County of Maui purchasing two of the ten lots for 4.75 million comprising approximately two-acres for public park land with no discussion of a management plan prior to acquiring these lots.

Today's assessed value of the County parcels total over \$11 million, mostly due to the neighboring multimillion dollar estate properties. This was the Palauea Beach lots.

Two years following, in response to the realization that Maui had already lost much of its special places to development, big profit, and privatization of its shorelines and cultural areas, a Charter amendment was passed by the voters creating the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund. The Charter amendment even included a bill to . . . funding mechanism requiring the annual deposit of a minimum of one percent of certified real property tax revenues that accumulate in the fund for the purpose of scooping up lands of significant conservation, recreation, ecological, historical, cultural, and aesthetic values, or lands threatened by conversion to other uses from their natural or recreational state for protection.

Fast-forward to today, when the opportunity to acquire 267-acres coastal expansive former pineapple land, fronting one of the world's most iconic surf breaks for under ten million. I applaud Councilmember Don Guzman for having the foresight and the

courage to propose this acquisition, and Council Chair Mike White for proposing significant funds knowing what was being advertised, and Councilmember Mike Victorino for knowing and understanding intimately what the potential holds from his long-term friendship with Alex.

And I mahalo, actually, the entire Council for having the vision and political will to provide the Hamakualoa community, the rest of Maui, and our visitors with this aina steeped in a long history of plantation heritage and rich cultural landscapes.

And last but not least, I applaud Mayor Arakawa for recognizing the opportunity the land holds for providing clean homegrown food for our community, and a canvas for our farmers to utilize their skills and alternative farming methods.

Since its inception, we've watched the fund benefit and save sensitive coastal lands like the Waihee Dairy and Ka'ehu, and large tracks like Nu'u and Kawaikapu. And, all deemed important by our communities for our future generations. Both the Council and Administration utilized varying methods and strategies in its acquisition campaigns. Fund appropriations have been creatively leveraged with some properties like Lipoa Point repeatedly appropriated in the County budget for over five years as a show of commitment to potential partner-funders. Not one of the fund acquisition processes mirrored another completely.

Sometimes there were partnering agencies and organizations that took the lead role for the acquisitions and ultimate management. In the case of Kuiaha, it is the County taking the lead, initiated by the Maui County Council.

Malama Hamakua Maui formed as a community partner driven by an assembly of many individuals in numerous user groups for the area including lineal descendants who have come together for one purpose and benefit of assuring that a pono management plan is developed and implemented.

CHAIR WHITE: If you could provide a concluding sentence or two.

MS. KAOHU: Okay, a conclusion? Management plan in place, traditional roads, trails, and cultural sites will dictate the use and location of those uses. Template has been provided by someone who has farmed there and used the land for 18 years. And then the risk, the risk assessment is, the real risk here is not doing anything to prevent this last undeveloped area of the Hamakualoa coastline from ultimately being developed and privatized. Thank you.

CHAIR WHITE: Thank you very much.

Members, any need for clarification?

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

Kathy, can you explain the viewing plains from the, from the lots as it --

MS. KAOHU: Oh yea, thanks for asking.

VICE-CHAIR GUZMAN: --as it concerns the break, the surf break.

MS. KAOHU: I know there was a lot of talk that there's no view plains from that, the lots that we're purchasing, or looking at purchasing. I was involved with hosting National Geographic photographers from the Lot 4 area. And it's just a different viewing vantage point of the actual break. And Lot 1 is more of a straight on view. And so yea, there's significant viewing potential for the surf break there, contrary to what was said.

CHAIR WHITE: Okay, thank you.

Members, any other need for clarification? Thank you for being here.

MS. KAOHU: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Hana Office, are there any additional testifiers?

MS. LONO: The Hana Office has no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, are there any additional testifiers?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai Office.

COUNTY CLERK: Thank you.

Molokai Office, are there any additional testifiers?

MS. ALCON: There's no one here on Molokai waiting to testify.

COUNTY CLERK: Thank you.

CHAIR WHITE: We have one more. Please proceed.

MR. BULA LOGAN, WAIKIKENA FOUNDATION (testifying on Committee Report 16-131):

Aloha kakou.

CHAIR WHITE: Aloha.

MR. LOGAN: Aloha, Chairman and to the Councilmembers here. My name is Kahu Bula Logan.

A few years ago I was here at the beginning of this project, of the acquisition of the property of Hamakua, Hamakualoa, and Hamakuapoko. Well, the area that we're talking about for the acquisition.

I represent Alex Bode and his foundation, the Waikikena Foundation, being that I'm a board member of Waikikena. We definitely appreciate all the energy and effort that the Council has done and also the Mayor in acquiring this property. Again for its purpose of keeping it country, keeping it available for our public to access so that our fishermen can enter the water, and our farmers can go and provide and cultivate those things that we need to sustain our life.

As the host of, again, these people that have come to the islands, we kanaka maoli Hawaii have a certain degree of perpetuating our traditions, whether it's planting of kalo and mai'a, and providing these sources of food to help cultivate not only the body, but the mind and the spirit.

Alex always had a soft spot in his heart for those that were on drugs, for those that were having mental illnesses. And he and I discovered a unique link that we have to go and maintain which is our connection to the land, our connection to the ocean, our connection to the people that have perpetuated these traditions.

So in summary, we appreciate all the things that you have done. And in conclusion of that, we would like to offer a prayer of higher, or a oli for higher vision so that we shall be unified together. And in this prayer, we've seen each of us as a blossom all being woven together to create a lei of unity, where in our own differences we are now picking all the different flowers from all the different countries and different races that we represent, that there is actually no races in between the human race. But there is just one people, one planet, one aina, one place that we can live. And let us preserve the air, the water, the aina for all of us to use in an appropriate way. Mahalo ke Akua.

(Chanted an oli.)

Mahalo. Mahalo nui.

CHAIR WHITE: Mahalo, Mr. Logan.

Members, any need for clarification? Thank you for sharing that with us this morning, this afternoon.

MR. LOGAN: Aloha.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no other individual in the District Offices nor the chamber who wish to offer testimony.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, we have received written testimony. Without objection, we will enter it into the record.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY
RECEIVED FROM THE FOLLOWING WERE MADE A PART
OF THE RECORD OF THIS MEETING:

1. Margaret Peary;
2. Toby Neal;
3. Patrick O'Hare;
4. Sarah Townsend;

5. J. Christian Snedeker;
6. Sunny Savage-Luskin;
7. Loretta Slyh; and
8. Rose Potter.

CHAIR WHITE: Thank you, so ordered. And, without objection, we will close public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: And with that, we'll take our afternoon break. Please be back in your seats at 3:15. We're in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:03 P.M., AND WAS RECONVENED AT 3:17 P.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR COUNCILMEMBER COCHRAN, EXCUSED.)

CHAIR WHITE: This meeting will please come back to order.

Mr. Clerk, let's proceed with our agenda.

COUNTY CLERK: Mr. Chair, proceeding with minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting of June 17, 2016, special meeting of June 28, 2016, and regular meeting of July 1, 2016, were presented at this time.

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

MOVE TO APPROVE THE REGULAR MEETINGS OF
JUNE 17, THE SPECIAL MEETING OF JUNE 28, AND THE
REGULAR MEETING OF JULY 1, 2016.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Mr. Victorino.

Mr. Guzman.

VICE-CHAIR GUZMAN: Nothing further. Thank you, Chair.

CHAIR WHITE: Members, are there any discussion regarding the minutes? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT

NO. 16-131 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Resolution 16-109, entitled "APPROVING THE ACQUISITION OF FOUR PARCELS TOTALING APPROXIMATELY 267.7 ACRES AT KUIAHA, HAMAKUALOA, MAUI, HAWAII," be ADOPTED;
2. That the matter relating to the use of the Properties be REFERRED to your Economic Development, Energy, Agriculture, and Recreation Committee; and
3. That County Communication 16-147, from the Director of Finance, be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT COMMITTEE REPORT 16-131,
WITH ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Hokama, with a second from Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you very much. First, I would like to thank the work of the Committee. I felt that we did a very good due diligence review regarding some of the issues and concerns that were brought up regarding the acquisition of lands in the Hamakualoa area.

I will note for the record that we did receive communications dated August 24 and August 26 to concerns from the Committee, and appropriate correspondence from the Department of Finance as well as the Department of Public Works, regarding some of the concerns that also included potential re-subdivision and into how many lots; especially with the current County policy regarding the sliding scale on agricultural lands.

This afternoon, Chairman, normally I don't say a lot, but I think this is an important matter before the Council, a great policy decision for the greater community. I will just make note for our community in general throughout this, our County, that we are using specified funds that comes from the Open Space, Cultural Resources Preservation Fund. It is not general funds or general obligation debt that we are incurring for the purchase.

There are limitations and parameters on the uses of the property as paid for by this fund. And I don't, and all I can say is I hope there's not much disappointment, because not everything that I've heard, as I understand the current Charter and policies, that all of those things will be allowed to happen on this potential acquisition.

So I share that up front with our general community. It's going to need to be part of an accepted management plan. And I look forward to the efforts of Mr. Guzman's

Committee to flesh that out and to come up with something workable and acceptable for the total community, since that is who's paying the bill.

Other than that, there has been comment, Chairman, but I leave it to the parties involved. It is not part of the resolution itself. It is part of the attachment under 2.3 on page 4 of 20 regarding "Threat of Condemnation".

I understand the reason it's in the attachment. I understand some of the general premises that both the buyer and seller, how they viewed this component. But I find it interesting anytime we are interested in something, we're inferring threats of condemnation. I find that one interesting way of looking at things, Chairman. I'm not a educated or licensed attorney, but I just find it interesting that perspective.

But I will say, Chairman, that with this purchase, we move forward in many, couple of areas that I find interesting. And that is the component of the cultural aspect. We have heard members from our Native Hawaiian community about the importance of lineage, of true cultural practices, and the historic rights to use, walking through. And it's also protected by the State of Hawaii's Constitution.

So, I think we're on the right track, Mr. Chairman, this afternoon. I bring up, again, the concerns that the Committee did have. I thank people like Ms. Baisa, how it's accurate in that initial acquisition itself is not what is going to cost the taxpayers. It's the ongoing operations and maintenance of the lands once we acquire that will be pretty much forever, and will be more than likely a general fund, Parks Department requirement and responsibility.

So I share these comments with you, Mr. Chairman, and our community and that I support this still yet, that I see this as a County of Maui asset. This is not a North Shore asset just for them. This is a County of Maui asset for the total benefit of the residents of the greater County of Maui. And that is why I'm supporting this motion and this proposal this afternoon. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And, Mr. Hokama, echoes my sentiments as well. I do have, and I brought this up in the Committee meeting, the concern about the 2.3, the "Threat of Condemnation". Just curious if Mr. Wong can tell us a little bit about that, and if that's necessary to be in there.

CHAIR WHITE: Mr. Wong.

CORPORATION COUNSEL PATRICK WONG: Chair, if I may. Mr. Couch, thank you for the question. Having heard the concerns raised by this body, and having a direct conversation that I've had with representatives of the seller, I can assure the body that the concerns that were raised have not fallen on deaf ears, and that the seller has agreed to remove 2.3 from the final version. In an effort to facilitate the completion of this purchase, the seller has agreed to do that, and the seller has also recognized the concerns raised by the community. Therefore, I don't see 2.3 as being an issue before this body at the moment.

COUNCILMEMBER COUCH: Thank you. Thank you, Mr. Wong. Thank you, Chair.

CHAIR WHITE: Further discussion?

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. I'd just like to ditto what Mr. Hokama had expressed about appreciation and assurance, that we will have an acceptable management plan that will come from Mr. Guzman's Committee. And I feel comfortable that I know, feel that Mr. Guzman will facilitate it so that it will be quite acceptable.

I, I personally would like to just say that we can restore and reconnect with the land, and you know, gathering rights are here, you know. There should be no questions about gathering rights, even in today's form. But, to just say that we want to preserve, I think we need to completely restore and use the cultural significance as part of an education for the generations here, and the generations to come.

So, I want to thank you Mr. White as well as Mr. Guzman on behalf of Maui County, for the efforts to acquire what community people value as important lands, not to be just sitting there as Open Space, please, but to be utilized to the full purpose on, to malama and to actually have the land come back to life and, and to tell its story, whether it's through food production or the renewal of our archaeological sites there and the cultural significance. But also, as we're going through this process, to be assured that all lineal lineage of our, those that have come before us, will be, I guess, will bless us to have clear title for us to do the work, that continue their work that they've started many, many years ago.

So, I just need to add that, and I look forward for us sitting on the Committee where the community can participate, and to include the practitioners that actually do the work of the land, and the ocean, and everything around us. Thank you.

CHAIR WHITE: Thank you, Ms. Crivello.

Members, any further comments?

Ms. Baisa, followed by Mr. Carroll.

COUNCILMEMBER BAISA: Thank, thank you very much, Chair. As everyone knows, I've had a lot of questions about this purchase. And I do have them because I, I'm concerned about the idea that we are spending a great deal of money; \$9.5 million is a lot of money. And I understand it's a little shorter than that, but you know, if we can deal in round money, \$9.5 million which again I believe is a down payment.

I want to thank Mr. Hokama for his remarks. I totally appreciate them. I'm concerned and one of the testifier's, I was very surprised that Ms. Costa made such a strong plea for a plan, a management plan. And I agree with her. I would have been much more comfortable if we had a little bit more.

I'm concerned very much about the liability that this property will bring to us, because although I don't know it personally, in the last few weeks I have relatives and friends who do know it very personally. And there's concerns about cleaning it up. There's concerns about possible hazards on it that we haven't really discussed. And I understand, you know, people are trying to sell this to us. They're not going to tell us a whole lot of stuff. And as buyers, we're in a hurry, so you know, we're going to get it done.

And I understand what is motivating us to do this. I understand it very deeply. I understand the need to preserve places that are special to our people. I understand cultural access. I understand the need to have gathering rights and access. Much of it has been taken away, and that's not good.

I also am familiar with Mr. Bode. He worked very closely with the youth program at MEO. And the kids use to go to Waikikena and learn a lot with him, and Alex did do wonderful work there. And I'm hopeful that somewhere in the future, that something like that could be expanded. And I think that might be of a great deal of use to our community, because we need places for people that need to heal. However, again, it's going to be a long time to get there and it is going to be difficult.

And I ask all the people that are here in support to seriously get together and make something happen, because you know, once we bought it it's ours, and I don't want to just see it sitting there. I'd like to see it active and cleaned, and with people enjoying it, and the County getting some benefit, the most benefit we can from making this purchase.

So I'm going to support it. But I have been, like I said, and continue to be very concerned. And I'm going to be keeping a close eye on it and hoping that it turns out to be everything that everyone dreams, especially for Alex. Thank you.

CHAIR WHITE: Thank you, Ms. Baisa.

Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. I will be supporting this. All the questions have come up, and, from Mr. Hokama and others.

If anybody would remember, we went through the same thing in Hana with the 75-acres at Mu'olea; exactly the same thing, just a different place. The Hana one, you know, it took us longer than this went through. But it worked well, because we had people over there that cared for the land. We had people with the lineage that were raised and born over there going back how many generations.

This, this land over here is the same thing. Terry Lee Konohia Poaipuni, the father was from over there, the mother was Hana, and eventually they moved to Hana. They were married over there. The niece was the other one that spoke. The family is still here. And that's only one family. But the families were involved, that's what made the Mu'olea one appear so successful. And that's why we didn't worry about it, because we had people over there that aren't going away. They are there to stay. And I know that there'll be problems, same thing we had over there at Mu'olea, but we preserved the cultural sites, malama the whole place. It really has worked out well.

And I have every confidence that we pass this out, this one here too will work well. Yea, they'll be rocky points, there'll be where people want to do different things, but they love the place, they'll work it out. And I support what's before us today. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Any further discussion, Members?

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. I'd like to actually thank the Members for supporting this resolution, especially yourself Chair, for working with my office and us working with you to acquire this property. I'd also like to thank the Budget Chair, Riki

Hokama, for expediting this and doing a thorough job vetting it through; as well as Don Couch on the Budget and Finance Committee during budget, and supporting the measures to appropriate the monies; as well as Mr. Victorino and the rest of my colleagues.

For me, this has been a dream come true where you actually have a piece of property where you can start a model on. The Mayor has reached out to my office as well as some other Members, and had assured us that we're going to work in cooperation to try to get the management plan on its way.

I have had the opportunity to visit Hana and the Mu'olea property, and it was, it was an amazing site. And what they've done over there, they have, it's open to the public for certain periods of time during the day, and they allow camping. And, it's just a preservation where I can see this area be utilized as well.

It's such a unique area where you have Lot 1, where it could be, or at least divided somehow in the management plan for stewardship agreements between the surf groups as well as organic farming or farming, conventional farming on Lot 3. Lot 3, like I said, is also very unique in itself, where it's got trails and . . . bike trails. And Lot 4 has got the cultural aspect of it, as well as Lot 5.

So, it's, it's really an amazing area where I look forward to working with the Maui Coastland Trust and seeing what their models are, and developing a, somewhat of a stewardship type of management plan with the other user groups. Thank you.

CHAIR WHITE: Thank you.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Chair. And everyone, dittos, I agree wholeheartedly with everything everyone said. Not much else to be said, except for one other aspect, and thank you Kathy for reminding me of Palauaea. We got less for more. Let us not wait any longer, because every time we've waited, we end up paying more for less.

Yes, there's concerns. Ka'ehu Bay still going through its challenges. All of the lands we bought are still going through some challenges as far as management, what we want to do, what we, what the intent of the land is, who will manage it; it's all there. But once we own it, once we buy it, like Mr. Hokama said, that becomes an asset for Maui County.

Yes, a liability also; not denying that. I'd been to River Mouth where all the homeless keep gathering, and they clear them out and they come right back. That's all part of our responsibility, sorry, that's it. But most importantly, we buy it today, just like Palauea, imagine what it will be worth, not only the fiscal part, but the part for which the community will put together what I believe is a new model for Maui County.

And we seen what had happened in Hana. We'll see what happens with other areas. But more importantly, I think North Shore has its own unique ideas. Whether they can all come to fruition or not, Mr. Hokama, remains to be seen. But, I believe the community, when they sit there and they discuss it, and they're willing to work together, just like the Haiku park, right, the Haiku playground. It's a unique community, it's a unique playground, and I believe this will be a unique asset to Maui County. So I wholeheartedly support it.

For those naysayers out there, for those who say we're spending too much money, well, again I use Palauea as a major example. We waited, and waited, and waited, and got lot less and paid a lot more, even though it's worth a lot more today, but imagine if we had gotten all ten lots what it would mean to this County today? We can't change that, but today we have an opportunity to have our future destiny in the North Shore settled by this Council. So I'll wait for your recommendation, Mr. Chair. Thank you.

CHAIR WHITE: Members, any further discussion?

I would just like to add that the comments regarding the challenges, I think we all take to heart. As Mr. Victorino mentioned, this is a very unique community, and a community that has shown that they have the leadership and the muscle to do other projects and do them very well.

That doesn't mean this is going to be an easy one. I think this is a very challenging one, because of the potential mixed uses, and certainly a variety of different interests. But that's, that's why it's important for us to have Mr. Guzman's Committee work through the management plan and provide something that gives direction to those who want to use the property, and protects the County's interest at the same time.

So I want to thank all of you, because we don't pass this one at a time. This is, these items pass with at least five and when it passes with nine, that's a wonderful thing.

So with that, Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I just make a final point of information for our general community. This resolution does have the effect of law, but it just requires one reading by this Council, so it won't be seen on the next agenda. Today's decision will be the Council's decision on either acquiring or not to. So, I just share that with our community. Unlike an ordinance, there'll be a second reading. But for us, through this vehicle of a resolution, is one and one only approval. Thank you.

CHAIR WHITE: Yea, thank you for that clarification. The, the money was authorized in the budget, and does not need to be authorized again. So, this is just a resolution authorizing the use of the money that's already been set aside by ordinance.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused"; Ms. Cochran.

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 16-109.

COMMITTEE REPORT

NO. 16-132 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION
COMMITTEE:

Recommending the following:

1. That Bill 88 (2016), entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 14.34.090 AND 14.35.080, MAUI COUNTY CODE, RELATING TO THE EXEMPTIONS FOR THE WASTEWATER ASSESSMENT FEES FOR FACILITY EXPANSION AND COLLECTION/TRANSMISSION SYSTEM

UPGRADE," be PASSED ON FIRST READING and be ORDERED TO PRINT;

2. That the matter relating to wastewater assessment fees other than those relating to Chapter 2.96, Maui County Code, the County's Residential Workforce Housing Policy, or housing projects, be REFERRED to your Infrastructure and Environmental Management Committee, along with a copy of the Department of Environmental Management's response dated June 29, 2016; and
3. That County Communication 16-53, from the Director of Housing and Human Concerns, be FILED.

CHAIR WHITE: Ms. Crivello

COUNCILMEMBER COUCH: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN HOUSING,
HUMAN SERVICES, AND TRANSPORTATION COMMITTEE
REPORT 16-132.

COUNCILMEMBER BAISA:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Ms. Crivello, with a second from Ms. Baisa.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. Your Committee met on May 18, 2016, and August 18, 2016, to consider "A BILL FOR AN ORDINANCE AMENDING SECTIONS 14.34.090 AND 14.35.080 RELATING TO THE EXEMPTIONS FOR THE WASTEWATER ASSESSMENT FEES FOR FACILITY EXPANSION AND COLLECTION/TRANSMISSION SYSTEM UPGRADE".

Chapters 14.34 and 14.35, Maui County Code, established wastewater assessment fees for the expansion of the Kihei wastewater treatment plant transmission system, and expansion of the Wailuku/Kahului wastewater treatment plant. The proposed bill amends the exemptions from these fees and allowing these exemptions to apply to developments comprised of 100 percent residential workforce housing units, as defined in Section 2.96.020, Maui County Code.

The proposed bill makes units as defined in Section, Sections 14, the proposed bill makes Sections 14.34.090 and 14.35.080, Maui County Code, consistent with the Residential Workforce Housing Policy.

The Director of Environmental Management informed the Committee that the County only charges wastewater assessment fees in Kihei and Wailuku-Kahului. These fees are used to recover costs incurred through expansion and upgrades to the system.

Your Committee further noted that discussion is needed with the Department of Environmental Management to determine whether assessment fees and exemptions should be updated in the Code, as well as how Code requirements are being implemented.

Therefore, your Committee recommended referral of the matter relating to your Infrastructure and Environmental Management Committee. Included in the referral is a copy of the Department of Environmental Management's response dated June 29, 2016.

Your Committee voted 6-0 to recommend passage of the proposed bill on first reading, referral of the matter, and filing of the communication.

Chair, I ask for the full Members support of my motion.

CHAIR WHITE: Thank you, Ms. Crivello.

Members, any further discussion on this item?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, very quickly. I was not present, but I did follow-up with the actions of the Committee. I want to thank Chair Crivello. I thought she did a great job in vetting through this issue that I thought was more housekeeping.

But in my own research, my disappointment in our County through our Department regard the inconsistency of application of our policy. It creates problems for this body, especially when it comes down to fairness of application. It disturbs me greatly, Chairman.

So I appreciate the Committee's efforts to deal with it. And you know, of course, we are referring to another Committee with, that has more appropriate jurisdiction of the subject matter. But, I think that the Committee did a great job in finding out that we do have some concerns that needs to be addressed sooner than later. And that the

fairness on application, because it does involve money in the fee structure, that it needs to be done on a more fair and updated basis consistently throughout its application. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
CRIVELLO, HOKAMA, VICTORINO, VICE-CHAIR
GUZMAN, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBER COCHRAN.

CHAIR WHITE: Measure passes with eight "ayes", and one "excused".

Mr. Clerk.

COUNTY CLERK: For the record, BILL NO. 88 (2016).

(Councilmember Crivello was excused at 3:46 p.m.)

COUNTY CLERK: Mr. Chair, proceeding with county communications.

COUNTY COMMUNICATION

NO. 16-190 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 10, 2016)

Informing of the intent to expend \$149,005.42 in Federal Forfeiture Funds to pay for a Leica ScanStation P16 Package for use at crime scenes.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I would ask of you and the Members, if there's no objections, I would request the Clerk to bring up 191, 192, and 193.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 16-191 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 16, 2016)

Informing of the receipt of \$5,615.71 in Forfeiture Funds from the Department of the Attorney General.

NO. 16-192 - JOHN D. KIM, PROSECUTING ATTORNEY,
(dated August 15, 2016)

Transmitting a copy of a notice of grant award from the State of Hawaii, Department of the Attorney General Crime Prevention and Justice Assistance Division for the Career Criminal Prosecution Program, for the period of July 1, 2016 thru June 30, 2017 in the amount of \$144,736.00.

NO. 16-193 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated August 15, 2016)

Transmitting 122 contracts/grants for July 2016.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Mr. Chairman.

I MOVE TO FILE COUNTY COMMUNICATIONS 16-190, 191, 192, AND ALL CONTRACTS REGARDING 16-193, EXCLUDING THE FOLLOWING: C5216-4 ON PAGE 1 OF 12, CONTRACT C5828-2, PAGE 3 OF 12, AND CONTRACT C5347-3, AND C6050 ON PAGE 6 OF 12.

And if there are any other contracts that the Members may request for consideration under the finance component of your Committee, I'm happy to have them also, Chairman. Thank you.

CHAIR WHITE: Thank you.

Members, Mr., Mr. Couch.

COUNCILMEMBER COUCH: I think you need a second first.

COUNCILMEMBER VICTORINO:

SECOND, MR. CHAIR.

If that's--

CHAIR WHITE: We have a motion from Mr. Hokama, with a second from Mr. Victorino.

Mr. Couch, any added contracts?

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

YES, ON PAGE 2 OF 12, C5556-4, 5558-4, 5559-4, TO THE APPROPRIATE COMMITTEE, PROBABLY IEM FOR DISCUSSION OF THE PROGRAM, ESSENTIALLY. AND THEN ALSO, PROBABLY INCLUDED IN THAT IS 5560-3. THANK YOU.

CHAIR WHITE: Okay. Does staff need any of the numbers repeated? Okay, thank you.

Any further requests, Members? Without objection, we'll add Mr. Couch's request to the motion.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay. Any further discussion? All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", zero "noes", two "excused";
Ms. Cochran and Ms. Crivello.

Mr. Clerk.

NO. 16-194 - MICHAEL P. VICTORINO, PRESIDING OFFICER PRO TEMPORE,
(dated August 26, 2016)

Relating to the scheduling of Committee Item on amending community plan
requirements relating to land use designations.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair.

I MOVE TO FILE COUNTY COMMUNICATION NO. 16-194.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Couch, and a second from Mr. Victorino.

Mr. Couch.

COUNCILMEMBER COUCH: Mr. Chair, I'd like to yield the floor to Mr. Victorino since it's
his letter.

CHAIR WHITE: Okay. Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. I requested this chance to talk about this matter, scheduling, to schedule PC-21, amending community plan requirements relating to land use designations because I think this matter deserves our attention and should be heard, should be heard again.

It has been in Mr. Couch's Committee for quite a while. So, I'm hoping that this matter can be brought forth. And the last time it was heard was May 26, 2015, oh excuse me, it was heard on May 26, 2015, and then the last time it was heard was June 18, 2015.

So, since we have recently come again with considerations for updating the Lanai Community Plan, I felt this was very important, so see if this could be again discussed, and some resolution could be found. This is an important matter to draw testimony from over 100 individuals when it was first brought up last year. I believe this will happen again.

But, I think it's time that the Council would consider this matter and the public should have more chance to weigh in on it. So that is my rationale for bringing this forward. So that I now, if this is filed, can bring a letter out to Mr. Couch and the PC Committee bringing this matter forward. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Any further discussion, Members, on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 16-195 - MICHAEL P. VICTORINO, CHAIR, POLICY AND
INTERGOVERNMENTAL AFFAIRS COMMITTEE,
(dated August 26, 2016)

Transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF
MICHAEL "KALEO" ROPA TO THE MAUI COUNTY CULTURAL RESOURCES
COMMISSION".

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE FOR THE DISCHARGE FROM THE POLICY AND
INTERGOVERNMENT AFFAIRS COMMITTEE FROM
FURTHER CONSIDERATION ON THE PROPOSED
RESOLUTION ATTACHED TO COUNTY COMMUNICATION
16-195, ENTITLED "RELATING TO THE APPOINTMENT OF
MICHAEL ROPA TO THE MAUI COUNTY CULTURAL
RESOURCE COMMISSION".

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, and a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. I know it's getting late, sir, that's okay, that's
okay.

There is a vacancy on the Maui Cultural County, Maui County Cultural Resource
Commission due to the resignation of a nominee. In accordance to Section 13-2(17),
Revised Charter of the County of Maui (1983), as amended, and Chapter 2.41 of the
Maui County Code, by correspondence dated July 15, 2016, the Mayor transmitted a
resolution appointing Michael Ropa to the Commission.

This matter is very time-sensitive because of the deadline for the Council to approve
or disapprove this nomination is September 13.

I'm requesting the Committee's be discharged from further consideration on this matter, so the Council may consider it today. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion on the discharge? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Measure passes with, I should ask if there are any "noes"?

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Seeing none, seven "ayes", zero "noes", two "excused". The measure passes with seven, I'm sorry, I already said that didn't I?

COUNCILMEMBER COUCH: Discharge.

CHAIR WHITE: So we are on to the waiver.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE
REFERRAL AND REPORT FOR THE PURPOSE, PROPOSED
RESOLUTION, EXCUSE ME, ATTACHED TO COUNTY
COMMUNICATION 16-195, IN PURSUANT TO RULE 7(E) OF
THE RULES OF THE COUNCIL.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, and a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Mr. Chair, approval of this motion has to be two-thirds vote of the entire membership of the Council, so, and will enable the Council to consider this time-sensitive resolution today.

I respectfully ask my Councilmembers to support the waiver of referral on this matter so that the Council may consider it. Thank you, Mr. Chair.

CHAIR WHITE: Thank you.

Members, any further discussion on the waiver? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ENTITLED, "RELATING TO THE APPOINTMENT OF
MICHAEL ROPA TO THE MAUI COUNTY CULTURAL
RESOURCE COMMISSION".

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. I think this nominee has been interviewed by us. And I think the general consensus that I heard from most of our Councilmembers, they thought that he was a very appropriate appointee to this valuable Commission.

So, I would ask all my Councilmembers for their support on this motion. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Members, any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, very quickly. I support the nomination. I know this individual, his family well. And, it's Kaleo, is his Hawaiian name, Kaleo.

COUNCILMEMBER VICTORINO: I thought that was wrong, that's why I never said it again.

COUNCILMEMBER HOKAMA: Yea, no, no I appreciate your consideration, Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you for that correction. I appreciate that, Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Members.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

COUNCILMEMBER VICTORINO: Mr. Chair.

COUNTY CLERK: Mr. Chair.

COUNCILMEMBER VICTORINO:

MAY I MOVE TO FILE COUNTY COMMUNICATION 16-195?

CHAIR WHITE: Can we just make a friendly amendment to the prior motion, Members?

COUNCILMEMBER HOKAMA:

I'LL SECOND THE MOTION, CHAIRMAN, SO IT'S CLEAN.

COUNCILMEMBER VICTORINO: Yea, just to file, I'm sorry.

CHAIR WHITE: Okay, we have a motion from Mr. Victorino and a second from Mr. Hokama.

COUNCILMEMBER VICTORINO: No discussion.

CHAIR WHITE: Any discussion, Members? All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: For the record, RESOLUTION 16-110.

NO. 16-196 - MICHAEL P. VICTORINO, CHAIR, POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE,
(dated August 26, 2016)

Transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF ADELA OLBINADO TO THE LANAI PLANNING COMMISSION".

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Chair.

I MOVE TO DISCHARGE THE POLICY AND INTERGOVERNMENTAL AFFAIRS COMMITTEE FROM FURTHER CONSIDERATION OF THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION 16-196 ENTITLED, "RELATING TO THE APPOINTMENT OF ADELA OLBINADO TO THE LANAI PLANNING COMMISSION".

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. There is a vacancy on the Lanai Planning Commission due to a resignation of a nominee. In accordance to Section 13-2(17), Revised Charter of the County of Maui (1983), as amended, the, and Chapter 2.41, Maui County Code, by correspondence dated July 8, 2016, the Mayor transmitted a resolution appointing Adela Olbinado to the Planning, the Lanai Planning Commission.

This matter is time-sensitive because of the deadline of the Council to approve or disapprove the nomination is September 9.

I'm requesting the Committee by discharging from the matter, from this matter so that the Council may consider it today. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Any discussion, Members? Seeing none, all those in favor of the discharge please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you.

I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE
REFERRAL AND REPORT FOR THE PROPOSED
RESOLUTION ATTACHED TO COUNTY COMMUNICATION
16-196, PURSUANT TO RULE 7(E) OF THE RULES OF THE
COUNCIL.

COUNCILMEMBER COUCH:

MR. CHAIR, I SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, and a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair. The, Mr. Chair, approval of this motion must be made by two-thirds vote of the entire membership of the Council, will enable the Council to consider this time-sensitive resolution today. I am requesting the Council support the waiver of referral for, on this matter so that the Council may consider it. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Any discussion, Members? Seeing none, all those in favor of the waiver please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ENTITLED, "RELATING TO THE APPOINTMENT OF ADELA
OLBINADO TO THE LANAI PLANNING COMMISSION".

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, and a second from Mr. Couch.

Mr. Victorino.

COUNCILMEMBER VICTORINO: In this case, Mr. Chair, I will not say anything further. I will turn it to the district representative for his comments, and move from there, if you do not mind, please?

CHAIR WHITE: That's fine with me.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Mr. Victorino.

COUNCILMEMBER VICTORINO: And I'm sorry, I didn't mean to put you on the spot, Mr. Hokama.

COUNCILMEMBER HOKAMA: No, no, it's within the district, or the island, so I appreciate your consideration, Mr. Victorino. Thank you.

Chairman, Members, I can tell you for one thing this afternoon, I am a very unhappy Councilor. You know, for me, I would love to continue to support any Lanai resident who wishes to serve.

Yet, we on this body understand the importance the role of a Planning Commissioner; especially in this County where they also, by our decision we have given Federal requirements under Coastal Zone Management, regarding SMA applications to the commission. Unlike our sister County of Honolulu, the Council deals with those applications. Our Planning Commissioners, as we know, have great responsibility. We'd have to, we've in the past indemnified them regarding litigation. We've been sued by parties that felt aggrieved by actions or inactions by that commission.

This afternoon, it is my position that I thank Ms. Olbinado, commending her for wanting to serve her community, this County, by serving in this position. I am unable this afternoon to, to give that support. I believe our island, our community, deserves commissioners that have a good sense of process, a good understanding of the issues, and particularly the history that have occurred prior, to place us in the current position we are today.

I am disappointed that in certain actions, even with the event of organized labor, people think we are going back to the old days; the old plantation patriarch on the white horse with the big black boots. Well, I don't need for Lanai to go backwards. I need Lanai to standup, show their maturity, and be able to present to this Council nominees that can do the job.

Various components of my community, last week, this week, have shared with me their disappointment. And I share their disappointment with you, Chairman, of how do we place a very nice person in such a hard and difficult position? I didn't think that was fair to that nominee. I would think the vetment process prior to sending a name down would have prepared the nominee for potential questions by the Council through its Committee, as well as the responsibility and requirements if they do agree to serve, and how their past participation in the community makes them a good consideration. I am disappointed that we have placed this lady in this position this afternoon. I don't think it's fair or right.

And I'm sorry for venting, Chairman. But it disturbs me, because on the other hand, you know, although it's not the time-sensitive issue and not on the agenda, we had other nominees for similar positions on other islands. And the Administration gave us, what I would consider good considerations. I would hope that they would in turn in the future do a more universal approach; that every nominee should have that same type of process. And the names that come down are in that same type of presentation. Cause I think that is fair to the nominee, that's fair to the Committee, for the Council's need, and it's fair for the community for their needs.

So Members, you know, it's tough. I'm going to have to go home, face these families, face these residents, after this decision. But, I believe I'm doing what is the best thing and the right thing for Lanai. And this afternoon I am not going to vote for the motion, Chairman. Thank you.

COUNCILMEMBER COUCH: Mr. Chair.

CHAIR WHITE: Any further discussion, Members?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I, you know, I want to echo Mr. Hokama's sentiments. After having the discussion in the Committee, and obviously the Administration didn't talk to this person, prepare this person, or what not, and she was put through some, some, you know, questions that we always come up with. And I agree with Mr. Hokama.

SO THEREFORE, I WOULD LIKE TO MAKE A MOTION TO
AMEND THE RESOLUTION, AND UNDER THE FIRST "BE IT
RESOLVED", NUMBER ONE, AND CHANGE THE WORD
FROM "APPROVES" TO "DISAPPROVES".

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Couch, with a second from Mr. Hokama.

Mr. Couch.

COUNCILMEMBER COUCH: Thank you. Because if we all vote "no", or if the majority votes "no" on this, we still have to have a resolution to disapprove. So, I am assuming from what I heard in the Committee and what Mr. Hokama says, I'm assuming that this is where we want to go with this. Thank you.

CHAIR WHITE: Any further discussion?

Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. I very regretfully am going to support this motion. It's really sad that we're at this point, and I am very embarrassed for Ms. Olbinado. It cannot be a comfortable thing that she's had to go through. But I agree with Member Hokama that we could have done a better job, or whoever did it could have done a better job of getting the applicant ready for the interview by us, and to take over the position.

So with all due apologies to the applicant, I will be supporting it, and I think it's for the best. Thank you.

CHAIR WHITE: Thank you, Ms. Baisa.

Any further discussion?

COUNCILMEMBER VICTORINO: Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: I've let my Members speak, and thank you very much. And it was very apparent at the meeting. I too agree and you know, whether we voted to approve or disapprove, wasn't the question. It was a question of unfortunately the Administration, again, not taking the time to put someone forward that could, should, and was willing to do the job, and being able to, to really understand what the job was all about, what the Commission represented.

And I think this is what I'd like to, message I'd like to send to the Administration; let's get people who understand what needs to be done. They don't have to know the job, but what needs to be done. I think it's very important, and that's what's been lacking in some of our nominees.

For Ms. Olbinado, I, I thank her very much. She went through the ringers on, on our Monday meeting, and I felt bad for her. I know she was trying hard. But I don't think anyone helped her, and make her understand what's necessary to, to do this particular, especially Planning Commission, it's so important. All of our commissions are important, but this one in particular is so very important.

And the community was heard. Like you, Mr. Hokama, I not only heard from those who testified, I had others call and email about their concerns; retirees, people that felt that this was not a good choice. And that's why I can support. I had to bring it out as an approval because unless the Committee made a different, you know, said differently. And if they had, then I would have gone back with the disapproval. So Mr. Couch just jumped the gun as usual. But that's okay, we can handle that.

But most importantly, I want Ms. Olbinado to know that we appreciate her putting herself out. We do appreciate her wanting to serve, and I hope this doesn't deter her from serving somewhere else for which we and the Administration feels she can be a big contributor.

More importantly, I ask her to get involved, if she wants to do something of this nature by attending meetings, and get a better understanding on what's going on on the island of Lanai.

Whether Pulama O Maui and Four, Pulama O Lanai, I should say, and Four Seasons and their relationship, that is not a part in my decision-making. That's a totally separate issue. It's the fact that, I think, this young lady was just not ready to take on this challenge and needs some help, needed some, needed a lot of help actually.

And so I want her to understand that I hope she comes back, because I would look upon her for a future nominee in other areas. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Mr. Victorino.

Any further discussion, Members? Seeing none, all those in favor of the motion please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes"

COUNCILMEMBER VICTORINO: Mr. Chair, as amended, right, for disapproval?

COUNCILMEMBER COUCH: This is the amendment.

CHAIR WHITE: As amend, no this is the amendment.

COUNCILMEMBER VICTORINO: Yea, this amendment, so I just wanted to make sure you didn't say amended.

CHAIR WHITE: It's not, not the final reso.

COUNCILMEMBER VICTORINO: Yea.

COUNCILMEMBER BAISA: Yea.

COUNCILMEMBER VICTORINO: Yea, please.

CHAIR WHITE: So it passes with seven "ayes", and two "excused".

We are back to the main motion. Any further discussion, Members, on the main motion?

Mr. Couch.

COUNCILMEMBER COUCH: Thank, thank you, Mr. Chair. And I do want to also thank Ms. Olbinado for coming out and putting herself out. And it's unfortunate that it turned out this way, but I do encourage her for coming, to come out for another board or commission. Thank you.

CHAIR WHITE: Any further discussion? All those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: Excuse, Mr. Chair, to ask whether or not the, was there a motion to file?

COUNCILMEMBER VICTORINO:

I MOVE TO FILE THE COUNTY COMMUNICATION.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Victorino, with a second from Mr. Couch.

Any discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, CARROLL, COUCH,
HOKAMA, VICTORINO, VICE-CHAIR GUZMAN,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS COCHRAN AND CRIVELLO.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: Thank you. For the record, RESOLUTION 16-111.

Mr. Chair, the following county communications are recommended to the following Committees as noted:

NO. 16-197 - SANANDA K. BAZ, BUDGET DIRECTOR,
(dated August 23, 2016)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF THE PROSECUTING ATTORNEY (SPECIAL NEEDS ADVOCACY PROGRAM)".

The recommended action is that County Communication No. 16-197 be referred to the Budget and Finance Committee.

NO. 16-198 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated August 18, 2016)

Reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the 2017 Proposed General Obligation Bond Fund as of June 30, 2016.

The recommended action is that County Communication No. 16-198 be referred to the Budget and Finance Committee.

NO. 16-199 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated August 18, 2016)

Reporting on transfers from the General Fund and Department of Water Supply Revenue Fund to the 2017 Proposed General Obligation Bond Fund as of July 31, 2016.

The recommended action is that County Communication No. 16-199 be referred to the Budget and Finance Committee.

NO. 16-200 - ELLE K. COCHRAN, COUNCILMEMBER,
(dated August 22, 2016)

Relating to the Review of Kamalani Subdivision (North Kihei) Affordable Housing Qualification Requirements.

The recommended action is that County Communication No. 16-200 be referred to the Housing, Human Services, and Transportation Committee.

NO. 16-201 - CAROL K. REIMANN, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 18, 2016)

Relating to the Fair Market Rents for Maui County.

The recommended action is that County Communication No. 16-201 be referred to the Housing, Human Services, and Transportation Committee.

NO. 16-202 - WILLIAM SPENCE, PLANNING DIRECTOR,
(dated August 17, 2016)

Transmitting the Conditional Permit application for a transient vacation rental, located at 100 Pulelehua Street, Pineapple Hill Subdivision, Lahaina, Island of Maui, Hawaii; TMK (2) 4-2-007:009, filed by Steiner Family Trust 2010, Julie Steiner, Trustee.

The recommended action is that County Communication No. 16-202 be referred to the Land Use Committee.

CHAIR WHITE: Members, are there any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. So ordered.

Mr. Clerk.

(Councilmember Carroll was excused from the meeting at 4:13 p.m.)

COUNTY CLERK: Mr. Chair, proceeding with ordinances for second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 83 (2016)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE –
SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS,
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
(GLASS RECOVERY PROGRAM)

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. I would ask you or the Members if you have any objections, I would request the Clerk to bring up Bills 84, 85, and 86.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: No objections. So ordered.

Please bring them up, Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 84 (2016)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO ESTIMATED REVENUES;
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
ENVIRONMENTAL PROTECTION AND SUSTAINABILITY PROGRAM –
SOLID WASTE MANAGEMENT FUND, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS;
TOTAL OPERATING APPROPRIATIONS; AND TOTAL
APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

ORDINANCE NO. _____
BILL NO. 85 (2016)

A BILL FOR AN ORDINANCE AMENDING
THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO APPENDIX B, REVENUES –
FEES, RATES, ASSESSMENTS AND TAXES,
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
SOLID WASTE MANAGEMENT FUND,
CHARGES FOR CURRENT SERVICES, FEES – REFUSE DISPOSAL

ORDINANCE NO. _____
BILL NO. 86 (2016)

A BILL FOR AN ORDINANCE AMENDING TITLE 16, MAUI COUNTY CODE,
TO ELIMINATE EXEMPTIONS IN THE ELECTRICAL CODE, PLUMBING CODE,
AND BUILDING CODE OF THE COUNTY OF MAUI RELATING TO
LANDS WITHIN THE CONSERVATION DISTRICT

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Mr. Chairman.

I MOVE THAT BILLS 83, 84, 85, AND 86 PASS SECOND AND
FINAL READING.

COUNCILMEMBER VICTORINO:

MR. CHAIR, I SECOND THE MOTION.

CHAIR WHITE: We have a motion from Mr. Hokama, with a second from Mr. Victorino.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, your basic first three bills are housekeeping bills requested by the Departments to your Budget and Finance Committee for reassignments to the appropriate categories.

Bill 86 is from Ms. Cochran and her Committee's work on the Infrastructure and Environmental Management Committee, and her recommendation for us to support this afternoon the updating of the exemptions to the Electrical Code. Thank you.

CHAIR WHITE: Members, any further discussion on these items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COUCH, HOKAMA,
VICTORINO, VICE-CHAIR GUZMAN, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS CARROLL, COCHRAN AND
CRIVELLO.

CHAIR WHITE: Measure passes with six "ayes", and three "excused"; Mr. Carroll, Ms. Cochran, and Ms. Crivello.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 87 (2016)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE
COUNTY OF MAUI TO ENTER INTO A COOPERATIVE PURCHASING
AGREEMENT WITH THE STATE OF HAWAII, CITY AND COUNTY OF
HONOLULU, AND COUNTY OF KAUAI FOR LEGAL SERVICES RELATING TO
THE INTEREST ARBITRATION HEARING OF THE CONTESTED ARTICLES OF
THE BARGAINING UNIT 11 (FIRE FIGHTERS) COLLECTIVE BARGAINING
AGREEMENT, AND TO ENTER INTO AN EXPERT CONSULTING AND SUPPORT
SERVICES AGREEMENT WITH THE STATE OF HAWAII, CITY AND COUNTY
OF HONOLULU, COUNTY OF KAUAI, AND COUNTY OF HAWAII FOR
CONSULTATION SERVICES RELATING TO THE INTEREST ARBITRATION
HEARING OF THE CONTESTED ARTICLES OF THE BARGAINING UNIT 11
(FIRE FIGHTERS) COLLECTIVE BARGAINING AGREEMENT

CHAIR WHITE: Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair.

MOVE TO PASS BILL NO. 87 ON SECOND AND FINAL
READING, AS READ BY THE CLERK.

COUNCILMEMBER COUCH:

SECOND.

CHAIR WHITE: We have a motion from Mr. Guzman, and a second from Mr. Couch.

Mr. Guzman.

VICE-CHAIR GUZMAN: Thank you, Chair. This is a, an ordinance to authorize the Mayor to enter into a cooperative purchasing agreement with the State of Hawaii, the City County of Honolulu, and the County of Kauai to hire a special counsel.

There's been an Impasse with the negotiations with Unit 3, excuse me, Unit 11, which is the Fire Fighters Bargaining, regarding the collective bargaining agreement. This is also set for arbitration hearing and is necessary for us to move forward and basically hire special counsel to represent the entities, at least the employer's side on this matter, as well as the hiring of an expert consulting expert and support services for the discovery and some of the other technical aspects that are required.

CHAIR WHITE: Thank you, Mr. Guzman.

Any comments?

Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. I just want to reiterate my displeasure in the process. And I believe all of us had a displeasure in this process. And I just want to double-check to make sure that we have that item being sent to either PIA, probably PIA, or another Committee just to discuss that. You know, we had a long discussion on it. I just wanted to make sure that we bring this up as it--

CHAIR WHITE: Just for clarification, not the process of passing this measure.

COUNCILMEMBER VICTORINO: Yes.

COUNCILMEMBER COUCH: Correct, the process--

CHAIR WHITE: The process of negotiation.

COUNCILMEMBER COUCH: --of the negotiation, yes.

CHAIR WHITE: Correct. We can certainly do that.

COUNCILMEMBER VICTORINO: I think that has been done. And ours, also, for our HSAC and Maui package, we're including that also, Mr. Chair.

So yes, it has not gone unnoticed, and it will be followed up by HSAC and the Maui County package which will be being brought forward I think at our next Council meeting, and sent to PIA for discussion.

CHAIR WHITE: I think we would all agree we've had some of the more spirited discussions on this issue than we've had this, this year.

Any further discussion on the item, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS BAISA, COUCH, HOKAMA,
VICTORINO, VICE-CHAIR GUZMAN, AND
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS CARROLL, COCHRAN AND
CRIVELLO.

CHAIR WHITE: Measure passes with six "ayes", and three "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: I want to thank all of you for being here on the eve of the arrival of Hurricane Lester.

COUNCILMEMBER VICTORINO: Chair.

CHAIR WHITE: We will be getting--

COUNCILMEMBER VICTORINO: Point of personal privilege--

CHAIR WHITE: Hold on a second.

COUNCILMEMBER VICTORINO: --before you finish, Chair.

CHAIR WHITE: We have another report at five o'clock. It looks as though it's moving in the, moving a little bit away from us. And hopefully we'll all be safe this weekend. And I want everyone to please keep Lester in their view plain and be very safe this weekend.

Mr. Victorino.

COUNCILMEMBER VICTORINO: Yea, just real simple. I just wanted to let everyone know that our Member, Ms. Cochran is not here today because she had surgery, and that we want to wish her a speedy recovery, and be back with us before the next hurricane hits, which I hope, sooner. How's that sound?

CHAIR WHITE: Yes.

COUNCILMEMBER VICTORINO: Thank you.

CHAIR WHITE: We, we all wish her well.

Thank you all, Members. And we are adjourned.

ADJOURNMENT

The regular meeting of September 2, 2016 was adjourned by the Chair at 4:21 p.m.

A handwritten signature in black ink, reading "Dennis A. Mateo". The signature is fluid and cursive, with a long horizontal stroke at the end.

DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

September 2, 2016

Re: 16-196 - Adela Olbinado Nomination to Lanai Planning Commission

Dear Council Members,

After attending, the PIA Committee meeting on Monday, and testifying against the nomination of Adela Olbinado to the Lanai Planning Commission, my objections to her nomination have only intensified!

At this point, perhaps the more important question the Council needs to consider is this: ***When reviewing the qualifications and interest of an applicant for a position on the Lanai Planning Commission, why would the Mayor overlook other seemingly more qualified candidates in favor of ones who are not?***

Is it because the LPC and the important role they play on our island is not important to the Mayor or perhaps there are unknown influences that may be affecting his good judgment? I don't know the answer but I believe any reasonable person would want to question the criteria used by the Mayor for all LPC nominees and so should the Council.

Why would the Council be willing to put another ILWU/Four Seasons/Pulama Lanai employee on the Commission when other more qualified, non-company applicants are available to fill the LPC vacancy? Wouldn't a well-balanced, cross section of Lanai citizens on the LPC be preferable to a Commission represented mostly by ILWU/Four Seasons/Pulama Lanai employees? One would hope so.

Nominations by the Mayor of allegedly unqualified 'company' people to the LPC are becoming increasingly transparent to our community and we believe this practice is profoundly unacceptable and it needs to stop!

In closing, I respectfully request the Council to please restore some sense of dignity and respect to Lanai by voting "NO" on the nomination of Adela Olbinado. To do anything less might send a signal to all Maui County residents, and particularly to the the good people of Lanai, that allegedly questionable nomination practices by the Mayor are also acceptable to this Council.

Mahalo,

Margaret Peary/Resident

Maui_County Council_mailbox

From: mpeary1947@aol.com
Sent: Monday, August 29, 2016 4:49 PM
To: Maui_County Council_mailbox
Cc: Riki Hokama
Subject: Vote "NO" on Adele Olbinado nomination to Lanai Planning Commission on 9/2/16

RECEIVED

2016 AUG 30 AM 9: 23

OFFICE OF THE
COUNTY CLERK

Please distribute this to all Maui County Council Members prior to the Council meeting on September 2, 2016 - Mahalo.

Aloha Council Members,

Today, while attending the Policy and Intergovernmental Affairs Committee Meeting via electronic transmission at Riki Hokama's office, I heard the testimony of the nominee Adele Olbinado which, in my opinion, was woefully inadequate considering the importance of the job at hand to fill a vacancy on the Lanai Planning Commission created by the resignation of Jarrod Barfield.

I testified against the nomination prior to hearing her testify because that's the backward way Maui County has set up the process. However, I was even more certain, after hearing Mrs. Olbinado respond to questions from the Committee, that she is definitely unqualified to fill such an important position on the Lanai Planning Commission!

Prior to the Committee posing questions, Mrs. Olbinado was asked to please give an overview of what her interest was in being on the LPC to which she responded, **"I want to get involved in the Commission; help some kids, just wanted to get involved."**

(NOTE): I'm not sure what "helping kids has to do with being on the LPC?

Following that, the Committee was given an opportunity to ask questions of the nominee. Here's examples of a few questions posed by the Committee and Mrs. Olbinado's responses as follows:

Don Couch: "Can you make the LPC meetings?"

Adele Olbinado: **"I always work Wednesdays so I cannot promise I can come to every meeting but I will try my best.,"**

(NOTE): Keep in mind Mrs. Olbinado is working two jobs including the night shift at Four Seasons Hotel at Manele.

Riki Hokama: "What are your thoughts regarding the updated Lanai Community Plan?"

Adele Olbinado: **"I never go to the meetings, I cannot answer your questions."**

Riki: "What made you want to apply? Did you have a general interest or were you asked to apply?" Are you interested in other areas as well (he listed other commissions as examples),.

Adele: **I work two jobs, I just wanted to be on the Lanai Planning Commission. I was asked if I wanted to be on the Liquor Commission but I couldn't travel to Maui to do that."**

In addition to Mrs. Olbinado's seemingly difficult work schedule, she is employed by Four Seasons which could present a potential conflict, inasmuch as Pulama Lanai allegedly signs her pay checks. Since Pulama Lanai projects often come before LPC for their review, Mrs. Olbinado would likely have to recuse herself along with several other current LPC members who are either employed by Pulama Lanai or their spouse is employed by the company, thereby creating a bigger problem for the Commissioner's trying to conduct business.

In closing, I respectfully request the nomination of Adele Olbinado be withdrawn while a more suitable candidate be considered to fill the current vacancy on our Lanai Planning Commission. If a vote is taken on September 2, 2016 by the Council, then I respectfully request all of you vote, "No."

Mahalo,

Margaret Peary
Lanai City, HI

PURCHASE PEAHI PLEASE (Jaws) It is a national treasure!

Toby Neal <tobyneal0@gmail.com>

Tue 8/30/2016 4:13 PM

To:County Clerk <County.Clerk@mauicounty.us>;

Please please consider doing whatever needs to be done to lock down public ownership of Peahi (Jaws) this diamond is a huge draw for the island and a source of revenue through layers and layers of economy. By owning it, the County can utilize it to the best advantage, and benefit the island and the entire state.

Please don't let this fall into the hands of the .001%!!

Much aloha

Toby Neal

Author of the Lei Crime Series

RECEIVED
2016 AUG 31 AM 7:49
OFFICE OF THE
COUNTY CLERK

Jaws

Patrick O'Hare <patohare@hotmail.com>

Tue 8/30/2016 4:32 PM

To: County Clerk <County.Clerk@mauicounty.us>;

PLEASE approve the purchase and keep this beautiful parcel FOR ALL TO ENJOY

Patrick O'Hare
Kailua-Kona & frequent visitor to the lookout

Sent from my Verizon, Samsung Galaxy smartphone

RECEIVED
2016 AUG 31 AM 7:49
OFFICE OF THE
COUNTY CLERK

Conserve Kuiaha

Sarah Townsend ~ kalamahina <kalamahina@gmail.com>

Tue 8/30/2016 10:34 PM

To: County Clerk <County.Clerk@mauicounty.us>;

Writing in support of the county's acquisition of the north shore Hamakualoa lands, for open space and prevent private development.

Mahalo,

Sarah Townsend
Ha'ikū

Sent from my iPhone - please forgive brevity and spelling errors.

RECEIVED
2016 AUG 31 AM 7:49
OFFICE OF THE
COUNTY CLERK

Peahi

John Snedeker <johnjrshnedeker@bellsouth.net>

Wed 8/31/2016 11:42 AM

To:County Clerk <County.Clerk@mauicounty.us>;

Dear Maui County Council ,

While not a resident of Maui (sadly), I do have a deep affection for your fair isle,
and do hope you will do the right thing, and preserve this land for generations to come.
Maui is a jewel set in the perfect setting of mid-ocean Pacific. Please do all you can to keep it that way.

Mahalo,

J. Christian Snedeker

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2016 AUG 31 AM 11:45
OFFICE OF THE
COUNTY CLERK

Save Peahi For Future Generations

John Snedeker <johnjrstedeker@bellsouth.net>

Wed 8/31/2016 11:44 AM

To:County Clerk <County.Clerk@mauicounty.us>;

I have had a life-long love affair with the fair isle of Maui. I heartily support efforts to preserve this land in it's natural state.

J. Christian Snedeker

RECEIVED

2016 AUG 31 PM 12:17

OFFICE OF THE
COUNTY CLERK

Kuiaha Lot Acquisition

sunny savage <sunnysavage@gmail.com>

Thu 9/1/2016 8:00 PM

To: County Clerk <County.Clerk@mauicounty.us>;

Aloha,

My name is Sunny Savage-Luskin and I am a private citizen from Haiku in Hamakualoa. I am asking for your continued support in the land acquisition of the 267-acres for a park in Kuiaha. There has been some mention of an agriculture park, and I think this would be a great use of space in addition to the access to wild open areas and culturally important areas. What a blessing for the community this will be if it passes, so again thank you for your support up to this point and asking you to support it all the way through tomorrow.

Mahalo, ~sunny

RECEIVED
2016 SEP -2 AM 7: 38
OFFICE OF THE
COUNTY CLERK

Strong support for CR 16-131

Loretta Slyh <lorettaslyh@icloud.com>

Thu 9/1/2016 11:33 AM

To: County Clerk <County.Clerk@mauicounty.us>;

Aloha Council Chair White,

Mahalo for considering the appropriation of \$9.495 Million for the purchase of 267 acres of agriculture lands at Kulala Hamakualoa. I am in strong support of this region being used for agriculture, as well as cultural practices by the lineal descendants of the original inhabitants of the area.

I have learned through the coconut wireless that Maui County Council and Mayor are supportive of an "Organic Agricultural Park" in the area. It is a very good idea and will bring jobs to the region if Maui County decides to follow through with this plan,

In addition, commercial scale agriculture will go a long way toward using the lands for their intended purpose, as well as heal the community there. The spread of invasive species and homeless encampments will be slowed by individuals and farmers using the lands in the tradition of Malama Aina.

Submitted with gratitude and respect,

Loretta B. Slyh

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2016 SEP -2 AM 7:38
OFFICE OF THE
COUNTY CLERK

Support of Adoption of Resolution to Acquire Hamakuloa Lands

Rosina Potter <potterrosina@gmail.com>

Fri 9/2/2016 10:27 AM

To:County Clerk <County.Clerk@mauicounty.us>;

Dear Council,

Back in February, I was approached by a group of concerned community members to advise the formation a non-profit that would become a viable partner with Maui County in regards to the acquisition of Hamakuloa lands.

Over the past 9 months, we have held many organizational meetings to firm up the structure and goals of Malama Hamakua Maui. I have deeply appreciated the foresight of this group of lineal descendants, cultural practitioners, community leaders, non profit leaders, and engaged citizens working together to make a better future for this land. I am grateful for the opportunity to help them organize their non-profit status.

Malama Hamakua Maui is dedicated to providing traditional management and restoration of Hamakua's natural and historic resources in perpetuity for cultural, agricultural, educational and recreational uses through community partnership.

We have held 4 public meetings over the past few months that have been well attended and represented a cross-section of those wanting to participate in:

- restoring this land for lineal descendants and cultural practices
- preserving access to archeological sites and resources
- replenishing the watershed, soil and native plants
- creating sustainable organic agriculture
- providing ancestral gathering places
- providing community education and integration
- facilitating recreational use and access

We have identified ways that all of the interested groups can work together on these goals (and more) in respectful coexistence.

With the acquisition of the lands moving forward, these meetings have become more and more focused on the reality of funding the necessary improvements, management and facilities. I have great faith in the community (and the identified resources) providing this kokua and will assist in building that management plan in any way I can.

I am grateful for the County's intelligence in identifying the importance of this special land. I think through community partnership, there will be a great future for the Hamakuloa lands.

Mahalo,
Rose Potter
Haiku, HI

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2016 SEP -2 AM 10:37
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