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2 COUNTY OF MAUI, STATE OF HAWAII
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7 CHARTER COMMISSION
8 PUBLIC HEARING
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14 Held at the Mitchell Pau`ole Center, 90 Ainoa
15 Street, Kaunakakai, Molokai, Hawaii, commencing at 6:30
16 p.m., on Wednesday, December 14, 2011.
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19
20 Reported by:
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Page 2

1 ATTENDANCE
2 BOARD MEMBERS PRESENT:
3 Wayne N. Hedani, Vice-Chair
4 Artemio C. Baxa, Member
5 Stephanie S. Crivello, Member
6 David P. DeLeon, Member
7 Frank R. De Rego, Jr., Member
8 Clifford P. Hashimoto, Member
9 Susan A. Moikeha, Member
10 Linda Kay Okamoto, Member
11 Yuki Lei Sugimura, Member
12
13 BOARD MEMBERS EXCUSED:
14 Joshua A. Stone, Chair
15 Flo V. Wiger, Member
16
17 STAFF PRESENT:
18 Mr. Edward Kushi, Jr., First Deputy Corporation Counsel
19 Lisa Kahuhu, Supervising Law Technician
20
21 OTHERS PRESENT:
22 Barbara Haliniak
23 Council Chair Mateo
24 Walter Ritte
25 Pancho Alcon
Kawika Crivello
PRESS:
Akaku--Maui Community Television, Inc.

Page 3

1 (Wednesday, December 14, 2011, 6:30 p.m.)
2 * * *
3 VICE-CHAIR HEDANI: Good evening, everybody.
4 And thank you for coming to tonight's meeting of the
5 Maui County Charter Commission. My name is Wayne
6 Hedani.
7 And I'd like to begin tonight's meeting by
8 saying thank you to Stacy Crivello for that wonderful
9 dinner that she arranged for us this evening. It made
10 the whole trip worth it. We were wondering whether or
11 not she can cater our meetings in Wailuku after this.
12 We would like to start with introductions.
13 And I'd like to recognize Council Chairman Danny Mateo
14 who is present tonight. Thank you.
15 (Applause.)
16 VICE-CHAIR HEDANI: Also, staff people that
17 are present here, Edward Kushi, Jr., from the Corp
18 Counsel's Office; Lisa Kahuhu, the Supervising Law
19 Technician from the Corp Counsel's Office. Tonya
20 McDade, our court reporter. And Steve (sic) from Akaku,
21 Maui Community Television.
22 And we'd like to start on this side of the
23 table. If you could introduce yourselves again one more
24 time and state your name and where are you from, what
25 area you represent.

Page 4

1 COMMISSIONER DE REGO: I'm Frank De Rego, Jr.,
2 from Kahului, Maui.
3 COMMISSIONER BAXA: Artemio Baxa, from
4 Makawao.
5 COMMISSIONER DELEON: Dave DeLeon, Haiku.
6 COMMISSIONER SUGIMURA: Yuki Lei Sugimura,
7 from Kula.
8 COMMISSIONER HASHIMOTO: Clifford Hashimoto,
9 from Hana.
10 COMMISSIONER MOIKEHA: Susan Moikeha, from
11 Kula.
12 COMMISSIONER CRIVELLO: Aloha. Stacy
13 Crivello, from Molokai.
14 COMMISSIONER OKAMOTO: Kay Okamoto, from
15 Lanai.
16 VICE-CHAIR HEDANI: Okay. We have one
17 microphone for 11 people tonight, so it's going to be a
18 little complicated.
19 Chair Joshua Stone was not able to make it
20 this evening. And Commissioner Flo Wiger was also
21 excused.
22 So welcome. Thank you for coming. And with
23 that, we'd like to go ahead and open it up to public
24 testimony, public testimony on the amendments that we
25 have that are proposed for the Charter. It's not

Page 5

1 finalized at this particular point. Our purpose here is
 2 to go out into the community, get feedback on the
 3 proposals that are still alive at this point and
 4 continue deliberations thereafter. So there's a
 5 five-minute limit to public testimony.
 6 And with that, Lisa, do you have a sign-up
 7 list?
 8 MS. KAHUHU: Yes. Barbara Haliniak.
 9 VICE-CHAIR HEDANI: Barbara, welcome.
 10 MS. HALINIAK: Thank you. Aloha, Commission.
 11 My name is Barbara Haliniak. I was born and raised here
 12 on Molokai, went to Oahu, worked for several years, came
 13 back, own a business here since 1997. Sat on several
 14 boards and commissions. My last one was the Civil
 15 Service Commission.
 16 I'd like to, first, before I go into this, let
 17 you folks know that, as you can see, there's hardly
 18 anybody here tonight. And it's because, even myself, I
 19 didn't know until yesterday when I walked to the bank
 20 and I saw the notice that Stacy had put on the bulletin
 21 board. So if you folks think that we get our notices by
 22 looking online or the Star Advertiser, or even The Maui
 23 News, we don't, because it costs too much money to buy a
 24 newspaper. Besides, the paper come to Molokai late. So
 25 I encourage you folks, the next time, to do a better job

Page 6

1 at advertising the meeting. Okay.
 2 And I'm going to tell you folks the same thing
 3 I told the PUC when they came here for the Young
 4 Brothers rate increase. There were only two people that
 5 came to the meeting, testified. And I want to tell you
 6 folks the same thing, don't let your judgment in any way
 7 -- don't make a determination based on poor showing
 8 tonight, because there was no -- there is no notice
 9 given, enough time for people to make preparation to
 10 come here. Even myself, I don't go and -- I didn't go
 11 and read the Charter.
 12 But I'd like to point out -- and like I said,
 13 this is so last minute. I just want to point out the
 14 Proposed Charter Amendment Number 2. Like I said, I was
 15 on Civil Service Commission. I really don't know what
 16 this thing is saying, because we all know that County
 17 rules is overridden by the State. The State is
 18 overridden by the Federal. So I have no clue as what
 19 this is saying.
 20 I've been on the Charter -- I mean, the Civil
 21 Service Commission for four years. And I was asked to
 22 resign in, I believe, March because I had said at the
 23 meeting that I was going to run for public office. And
 24 as you know, that I cannot sign up to -- for any
 25 elections until February, but I had no choice, I had to

Page 7

1 leave the commission.
 2 So because of that, I guess, Number 11, where
 3 it says increase the time from 30 days to 45 days -- the
 4 Civil Service Commission only have five commissioners,
 5 and it's been plagued with people either being ill or
 6 can't make it. And it has been a challenge for us to
 7 meet with a quorum. And if you are extending this to 45
 8 days, to me, it's even going to be worse.
 9 So like I said, I didn't have time to go
 10 through all of this. And because I didn't have time to
 11 go through all of this, I would say no to all of this.
 12 Thank you.
 13 Oh, and by the way -- wait. One more thing.
 14 Don't put district voting back on. Thank you.
 15 VICE-CHAIR HEDANI: Thank you, Barbara.
 16 Are there any questions from the
 17 Commissioners? Commissioner DeLeon.
 18 COMMISSIONER DELEON: So, Barbara, for your
 19 information, Number 2 is something the department of --
 20 Personnel Department offered as a way of something that
 21 they felt was important to have in the Charter. It's
 22 not something that the Commission came up with. And
 23 we're going to be going back to them and asking them how
 24 important it is, really.
 25 MS. HALINIAK: Okay. Okay. Yeah. Because

Page 8

1 when I was on the commission, up to the early part of
 2 this year, nothing was mentioned to me as a
 3 commissioner. So I didn't know anything about it.
 4 COMMISSIONER DELEON: The question I have for
 5 you is, as a member of the Civil Service Commission,
 6 that's a five-member commission right now, do you think
 7 it would do better if it was a nine-member commission?
 8 MS. HALINIAK: We -- doesn't -- to me, it
 9 doesn't make any difference whether it's nine or five.
 10 The quorum -- meeting the quorum is important. And I've
 11 had -- I've sat on boards where they have nine
 12 commissioners, and we still had problem with quorum.
 13 But I'm just saying that 30 days -- going to 45 days is
 14 a little too long.
 15 COMMISSIONER DELEON: Okay.
 16 VICE-CHAIR HEDANI: Okay. Any other questions
 17 from the Commissioners?
 18 COMMISSIONER OKAMOTO: Can I write it and pass
 19 it down?
 20 VICE-CHAIR HEDANI: Commissioner Okamoto.
 21 COMMISSIONER OKAMOTO: One of the comments
 22 that came from another member of the community was to
 23 have alternates on boards and commissions. Do you think
 24 that would be a help in various -- one -- I think only
 25 one has alternates, and hardly ever do they have a

Page 9

1 problem with quorum. So what is your feeling on that?
 2 MS. HALINIAK: Well, for the Civil Service
 3 Commission, it's going to be hard because if you're not
 4 familiar with -- and sometimes we -- you know, we --
 5 when I left, we had a lot of cases. I mean, somebody
 6 told me to join the Civil Service Commission because
 7 you're going to go Maui for shopping. That was BS
 8 because we had appeals, you know, every meeting. And
 9 sometimes two appeals. You know, it's really -- I don't
 10 think an alternate would help at all. Yeah.
 11 COMMISSIONER OKAMOTO: Thank you.
 12 VICE-CHAIR HEDANI: Any other questions from
 13 Commissioners?
 14 (No Response.)
 15 VICE-CHAIR HEDANI: One of the things that has
 16 been discussed, you know, although there's 21 items that
 17 are on proposal list right now, Barbara, for your
 18 information, is trying to reduce that down to a more
 19 manageable level that -- in my opinion, that the public
 20 will be able to handle in the course of the election.
 21 And on the Civil Service Commission item, my own
 22 personal opinion was that, for something like that, it
 23 should come under an overarching thing that would say,
 24 you know, the Charter is bound by all of the laws of the
 25 State of Hawaii and the United States of America, so

Page 10

1 that things like this would automatically be included.
 2 Do you have an opinion on that?
 3 MS. HALINIAK: Well --
 4 VICE-CHAIR HEDANI: It already --
 5 MS. HALINIAK: Yeah, we're told that it's
 6 overridden by --
 7 VICE-CHAIR HEDANI: Right. It's, basically,
 8 redundant --
 9 MS. HALINIAK: Yes.
 10 VICE-CHAIR HEDANI: -- is what you're saying.
 11 Okay. What office are you running for?
 12 MS. HALINIAK: Senate.
 13 VICE-CHAIR HEDANI: Okay.
 14 MS. HALINIAK: And some of you -- and some of
 15 you will be in my district.
 16 (Laughter.)
 17 MS. HALINIAK: So I hope I scored some points.
 18 VICE-CHAIR HEDANI: Thank you for your
 19 commitment to pursuit of --
 20 MS. HALINIAK: Although I said no district
 21 voting for Molokai Council. Thank you.
 22 (Laughter.)
 23 VICE-CHAIR HEDANI: Okay. Lisa, next.
 24 MS. KAHUHU: Council Chair Danny Mateo.
 25 VICE-CHAIR HEDANI: Welcome, Danny.

Page 11

1 COUNCIL CHAIR MATEO: Thank you very much.
 2 Good evening. And welcome to Molokai. Aloha, Stacy.
 3 And mahalo for doing your postings. It was kind of
 4 difficult to call people and ask them if they going to
 5 be coming tonight and not knowing which meeting we were
 6 talking about. And when we mentioned the Charter, it
 7 was like, you know, they never saw these things. So in
 8 order for you to receive adequate comment from our
 9 communities, this is really not fair to Molokai to have
 10 you here, and we really haven't seen these things. You
 11 know, my office, yesterday, made copies for my office
 12 here to distribute. And that's just inappropriate. The
 13 issues -- the issues you're facing -- or the proposals
 14 coming from -- from this Commission is important. And I
 15 think without giving us that kind of courtesies is
 16 really a slap on our face, because we can't come to you
 17 on Maui. So, you know, I just wanted to make that
 18 statement.
 19 And, of course, I am Danny Mateo, the Chair of
 20 the Maui County Council. I am the infamous person that
 21 has been discussed by this Commission over and over
 22 again. And I thought I would come to show you my face,
 23 because I'm tired of it.
 24 And let me walk through some of the items that
 25 I wanted to cover. And I'm just going to walk down --

Page 12

1 walk through it as Number 1 and Number 2 as shown on the
 2 agenda. Some of them is really not worth commenting on,
 3 so I will let you know which ones those -- I think those
 4 are.
 5 The first -- the first item, referencing the
 6 increase of term of office for councilmembers. You
 7 know, obviously, I would support Item (a). Item (b),
 8 this lacks clarity. It needs to be more specific in how
 9 it will be worked out. And you come to us and give us
 10 this, and this is inconclusive. How is it going to
 11 work? The five individuals who will have the four years
 12 versus the four individuals that may have the -- the two
 13 years. Yes, it's by vote, vote get. But how do we know
 14 that? You know, all we got was that Maui News thing on
 15 Sunday that tells us absolutely nothing.
 16 Number 2, which is Charter to amend, authorize
 17 the Director of Personnel Services and Civil Service
 18 Commission to adopt rules having force and effect of law
 19 to carry out, et cetera. I have difficulty with this
 20 when we have appointed individuals. The director is
 21 appointed, the commission members are appointed. And if
 22 you think they're going to adopt rules that has the
 23 force and effect of law, I think we need to kind of like
 24 take a look at that again.
 25 Article 3, regarding powers and privileges of

<p style="text-align: right;">Page 13</p> <p>1 -- this was in regards to the Prosecuting Attorney's 2 Office, and appointing investigators who will have 3 powers and privileges of police officers. I think we 4 need to define what those powers and privileges are, and 5 whether or not these so-called investigators will be 6 required to go through the police training because they 7 will be, also, carrying firearms, I guess, if they have 8 all powers and et cetera.</p> <p>9 The other item is Article 4, the election of 10 Mayor at the -- election nonpartisan election. I can 11 support a nonpartisan election. I think a lot of 12 individuals, we align with a philosophy, whether it be 13 the Democratic Party, Republican Party, independent, 14 green, whatever, we align with a philosophy. And I 15 don't really see a difference in a nonpartisan versus a 16 partisan race.</p> <p>17 Article 8 -- Number 5, Article 8-7, Department 18 of Fire and Public Safety, adopt a new name for the 19 Department of Fire and Public Safety and Department of 20 Fire and Public Safety Commission. That's absurd. I 21 mean, Fire Department -- what is it, Maui County Fire 22 Department? They're not only there to kill fires; they 23 do rescue and -- and search, they do training for safety 24 precautions, they work with Civil Defense. And now 25 you're going to -- you want to add ocean lifeguards.</p>	<p style="text-align: right;">Page 15</p> <p>1 Commissioner Baxa to suspend the rules. 2 COMMISSIONER DE REGO: I second. 3 VICE-CHAIR HEDANI: Is there a second? 4 Seconded by Commissioner De Rego. Discussion? 5 (No response.) 6 VICE-CHAIR HEDANI: All those in favor, 7 signify by saying "aye." 8 (A chorus of ayes.) 9 VICE-CHAIR HEDANI: Opposed, "nay." 10 (No Response.) 11 VICE-CHAIR HEDANI: Carried. Thank you. 12 COUNCIL CHAIR MATEO: Thank you very much, 13 Commission. 14 Number 7, adopt biennial budget and capital 15 program in nonelection years. I could not support 16 something like this. I think the economics not only of 17 the State, but of the country, is changing. And for us, 18 we're more accountable on a year-to-year basis. Yes, 19 it's tedious, but it works. You know, for us, it has 20 allowed Maui County to stay in line with cuts from the 21 Federal Government, cuts from the State. And by us 22 being able to review the budget on a yearly basis, it 23 helps us to be a lot more accountable with our funds and 24 our ability to plan on a year-to-year basis. 25 Number 8 is the creation of the Office of the</p>
<p style="text-align: right;">Page 14</p> <p>1 That's part of public safety. So let's recognize the 2 department for what they do.</p> <p>3 The next item is Number 6, Department of Fire 4 and Public Safety, Ocean Safety inclusion. I don't even 5 know whether or not both Parks and Recreation and the 6 Fire Department really had this discussion. I think 7 there's so many technicalities involved with here -- 8 with this item that, you know, is not being addressed. 9 Technicalities like, for example, their compensation, 10 their ranking system, because the Fire Department has a 11 ranking system with their rank and file. Logistics is 12 just a question altogether that needs to be addressed. 13 And this proposal does not address that.</p> <p>14 MS. KAHUHU: Time. 15 COUNCIL CHAIR MATEO: Okay. Well, I'm going 16 to -- 17 COMMISSIONER DELEON: Mr. Chair, can we 18 suspend the rules? This is the Chairman of the County 19 Council. 20 COUNCIL CHAIR MATEO: Oh. Thank you. 21 VICE-CHAIR HEDANI: Commissioners, any 22 objections to suspending the rules? Commissioner Baxa. 23 COMMISSIONER BAXA: Mr. Chair, suspend the 24 rules. 25 VICE-CHAIR HEDANI: There's a motion by</p>	<p style="text-align: right;">Page 16</p> <p>1 Auditor with Cost of Government as part of the 2 organization of that office. I support the creation of 3 an Office of the Auditor. I do not support the 4 inclusion of the Cost of Government. 5 And for me, simple as it may be, if we have an 6 auditor, which I hope to hell we do, I think that 7 individual could take the place of the Cost of 8 Government Committee. She or he will be doing primarily 9 the same work. So I -- you know, that's something that 10 I would support, only the auditor. 11 Number 9, boards and commissions, nonpartisan. 12 We get a lot more issues than worrying about a little 13 line on an application that says, you know, your party 14 affiliation. That's be real. We can omit that 15 altogether. 16 Number 10, require interactive communications 17 access to the public relative to those rural community 18 areas. I can -- I can support something like that. As 19 a matter of fact, we already are looking at that 20 particular process. We're looking at systems. We have 21 just visited the Big Island, so -- because they have an 22 interactive system with their Kau, Kona and the Hamakua 23 area. So we're already looking at that. 24 Number 11, boards and commissions, increase 25 the number of days that the Mayor has to submit to the</p>

<p style="text-align: right;">Page 17</p> <p>1 Council. I think that's fine. 2 So is the next one, 13-2.17, with the Mayor's 3 nominees to fill vacancies, the increase in days. It's 4 -- I don't see any problem with that. 5 Remove authority of -- Number 12, remove 6 authority of the County Council to propose Charter 7 amendments during General or Special Election cycles. I 8 do not support something like this. I think you need to 9 understand that the elected officials, we're going 10 through the process right now, we deal with the 11 difficulties and technicalities of a lot of different 12 departments, processes and procedures. And because we 13 deal with it, we may have a deeper insight into some of 14 the issues that needs to be adjusted correctly or 15 tweaked. And I think, by removing the authority of the 16 Council, that becomes an issue that I would not be able 17 to support. 18 Number 13, relative -- regarding the Charter 19 to revise and publish the -- this is when significant 20 amendments are adopted to -- to the Charter. I don't 21 see any reason why it should not if it's significant 22 changes. 23 The next one is 14, to conform term 24 appointments, Charter Commission, to the terms of other 25 Maui County boards and commissions. I would not be able</p>	<p style="text-align: right;">Page 19</p> <p>1 their considerations in this item. 2 The next one is -- what is it -- 18, this is 3 the -- regarding the creation -- create a declaration of 4 policy for Fire, to add "review of personnel actions." 5 I can support something like this because it continues 6 to add accountability on the department. And it puts 7 the -- the head of the departments on notice that they 8 need to start being cognizant of the individuals that 9 they have and they're responsible for who is currently 10 in their charge. 11 Number 19, this is adding sustainability, 12 powers, duties and functions to the Department of 13 Environmental Management. Environmental Management can 14 hardly do what they're required to do now, and we're 15 going to give them another responsibility. 16 And this sustainability thing, this is not 17 about sewer and landfills. It includes food 18 productivity, food -- food -- what is it? How is it 19 worded? I'm not going to look, but it includes food 20 prep -- something to do with food. And this is totally 21 not in the realm of somebody who has an engineering 22 degree, who knows how to deal with sewers and landfills. 23 So this is not something that I would readily support. 24 Number 20 has to do with consistency in powers 25 and duties of Department of Police, Department of Liquor</p>
<p style="text-align: right;">Page 18</p> <p>1 to support this. I think the direction, the 2 responsibility, the tasks of the Charter Commission is 3 very specific and clear. And I think it should remain 4 as it currently is. 5 Number 15 has to do with indemnifying boards 6 and -- board and commission members in their duties. 7 This is already, in part, a practice. The County does, 8 in fact, indemnify those individuals that are being 9 challenged if they were doing their due diligence, et 10 cetera. There's a process that we go through. It has 11 been identified to you in your materials that you are in 12 receipt of. So I believe you are aware of that process. 13 Number 16 and 17 both have to do with the 14 increase from 90 days to one year for both residents and 15 Mayor and Council in order for them to file their 16 papers. I have, you know, no problems with that. One 17 year just seems kind of a little bit to me, you know. 18 If you want real residents, you're not getting it in one 19 year. My slippahs more old than one year, you know. 20 (Laughter.) 21 COUNCIL CHAIR MATEO: So I think we got to be 22 real and take a look at what kind of time limit we're 23 putting on it. So I don't have any issues with that. 24 I do like -- I do want to ask, however, 25 whether or not the County Clerk had been asked about</p>	<p style="text-align: right;">Page 20</p> <p>1 Control. I would not be able to support Number 20. I 2 still feel that the Council determines policy. 3 Number 21, create a declaration of policy, 4 this would be for -- applicable to all County 5 departments. The Charter does not declare policy. I 6 just have issues when you keep adding these 7 responsibilities. Personally, I -- personally, this is 8 just me, you know, the person with the slippahs more 9 than one year -- can tell you that I see a lot of -- a 10 lot of this as a deterioration or erosion of some of the 11 powers of Council. And I think we need to be cognizant 12 of the fact that there is an elected body whose 13 responsibility is the legislative function. And, you 14 know, to try to erode that does present questions for 15 me. 16 And to the Charter Members, thank you very 17 much for allowing me to extend my time. Thank you. 18 VICE-CHAIR HEDANI: Thank you, Council 19 Chairman. Questions from the Commissioners? 20 Commissioner Crivello. 21 COMMISSIONER CRIVELLO: Aloha, Danny. And 22 thank you for being here this evening. 23 COUNCIL CHAIR MATEO: Thank you, Stacy. 24 COMMISSIONER CRIVELLO: I just wanted to ask, 25 when it comes to the County Auditor, in your opinion,</p>

Page 21

1 you mention that the Cost of Government is not the
 2 entity or what-have-you, how do you see us having that
 3 auditor appointment process? What is your thought on
 4 that?
 5 COUNCIL CHAIR MATEO: Well, you know --
 6 COMMISSIONER CRIVELLO: And keeping the
 7 auditor independent.
 8 COUNCIL CHAIR MATEO: Well, initially, you
 9 know, the Council did have a discussion on the -- the
 10 potential of us having a County Auditor for the County.
 11 We really did not go into detail. The model is Marion
 12 Higa. That's the model. Because, you know, that's what
 13 we all can look at, an individual that is independent.
 14 She's functional, she's respected, she doesn't care who
 15 she goes up against, she has a job to do. Yeah. She's
 16 under the legislative branch. Duh. You know, so what
 17 is the difference?
 18 You know, it is the legislative branch that is
 19 responsible for the audits. And having it under the
 20 legislative branch just makes sense.
 21 I don't know how we could change an audit
 22 process because there's standards that she must meet and
 23 there's policies that she needs to adhere to in order to
 24 develop a recommendation or a finding. And there is no
 25 way that -- that I think we can influence that because

Page 22

1 there's standards.
 2 To me, it's just more functional that way. To
 3 think that independence means outside of executive,
 4 outside of legislative, you're creating another branch,
 5 it's not going to work. So, for me, under the
 6 legislative branch, where it belongs, and where audits
 7 are done, makes sense.
 8 COMMISSIONER CRIVELLO: Thank you. Thank you.
 9 VICE-CHAIR HEDANI: Any other questions from
 10 the Commissioners? Commissioner DeLeon.
 11 COMMISSIONER DELEON: Thank you, Mr. Chairman.
 12 I think you've pointed out to us, we have an
 13 educational problem, because I think your reading of
 14 what we were intending is like real -- I mean, not that
 15 you were bending it. It's just that you're looking at a
 16 piece of paper that has a few words on it. It doesn't
 17 describe some of the stuff well enough to really be able
 18 to give you full meaning of what we were intending.
 19 For instance, the idea about policy in the
 20 Charter. There was talk about a general policy of these
 21 boards and commissions, or all the departments to have
 22 good training, hire the best people, very, very
 23 motherhood and apple pie kind of things. Very broad,
 24 very general for -- and it became -- it came out of a
 25 discussion from the Fire Department. And there was

Page 23

1 language that was proposed by a fireman, but we thought
 2 that that language would work for all of the
 3 departments. I mean, we want to have the best police
 4 officers, the best park workers, as such. So we have an
 5 educational process we need to work through. And some
 6 of these things just got done, so we haven't had a
 7 chance to clarify them to the point where I think you
 8 could get digest them well enough.
 9 COUNCIL CHAIR MATEO: Well, I read the
 10 minutes. So I have a little more --
 11 COMMISSIONER DELEON: Okay.
 12 COUNCIL CHAIR MATEO: I have a little more
 13 than just reading, you know, the little blurb that was
 14 printed.
 15 COMMISSIONER DELEON: Right, right, right.
 16 COUNCIL CHAIR MATEO: Yeah.
 17 COMMISSIONER DELEON: Okay. But, yeah, so
 18 that sense of policy was really broad and something that
 19 was overreaching. I don't think it really -- I mean, I
 20 personally didn't think it would be a reach beyond
 21 Council authority. I mean, it's something I think the
 22 Council would buy into. You want the best people in
 23 your departments, you want them trained.
 24 COUNCIL CHAIR MATEO: I want all the money for
 25 do our budget, too.

Page 24

1 COMMISSIONER DELEON: Huh?
 2 COUNCIL CHAIR MATEO: I want all the money we
 3 need to take care of our needs of the County as well.
 4 COMMISSIONER DELEON: Right. Okay, yeah.
 5 Okay. I'll pass.
 6 VICE-CHAIR HEDANI: Any other questions from
 7 the Commissioners? You had some additional questions,
 8 Dave?
 9 COMMISSIONER OKAMOTO: I do.
 10 VICE-CHAIR HEDANI: Commissioner Okamoto.
 11 I'll be the shuttle person.
 12 COMMISSIONER OKAMOTO: Thank you, Danny. On
 13 the -- the sustainability, we've heard quite a few
 14 people say, hey, how that's so important. And I can see
 15 what you mean, it doesn't really fit there. Would you
 16 see it being a different department? Would you see it
 17 just not being put in at all?
 18 COUNCIL CHAIR MATEO: I'd like to -- in a
 19 perfect world, yeah, I would like to see a different --
 20 a separate department. But, of course, the cost of
 21 living -- Cost of Government Committee would tell us we
 22 need to be efficient and effective and it would say no.
 23 So we've got to look at it at two sides. You know,
 24 right now, under the Office of Economic Development,
 25 there is an ag person, there is a person who deals with

Page 25

1 farming communities. So I think we just need to take a
 2 look at what currently exists and perhaps reassign or
 3 add these responsibilities to an individual that can do
 4 that.
 5 We've got to remember that this Administration
 6 has executive assistants. And executive assistants are
 7 assigned to different components of needs throughout the
 8 County. And perhaps one of them can focus on
 9 sustainability needs. You know, I believe Rob Parsons
 10 is, you know, that person. And he's already an EA with
 11 the Administration.
 12 So perhaps, you know, I would not include it
 13 as a proposal. I would deal with Administration and
 14 say, how do we get this included in and make it part of
 15 your administrative performance.
 16 COMMISSIONER OKAMOTO: Thank you.
 17 VICE-CHAIR HEDANI: Additional questions from
 18 the Commission? Commissioner De Rego.
 19 COMMISSIONER DE REGO: I just want to clarify
 20 that last remark that you made. You said that
 21 sustainability is -- should be an administrative
 22 function, basically, that the Mayor should be able to
 23 assign that in whatever department and organize it in
 24 any way that he sees fit. I'm going to use the word
 25 "adverse" again. So would you be adverse, though, in

Page 26

1 some way, shape or form, since the County is a
 2 blueprint, it's a foundational document -- it also
 3 speaks about our values. Okay. And part of those
 4 values are spoken of in the functions of the department.
 5 Would you be adverse somewhere where -- and we've
 6 thought it would -- at least my feeling was that it
 7 would be good, if you're talking about Environmental
 8 Management, sustainability comes under that umbrella.
 9 The nuts and bolts of it, I agree, would have to be
 10 worked out. But would you be adverse at least laying a
 11 foundation -- we're not talking about a ceiling, we're
 12 talking about a floor here -- in terms of a statement of
 13 value within the Charter that would establish that kind
 14 of mandate, if you wish? And that way, the Council or
 15 the Mayor couldn't sidestep it.
 16 COUNCIL CHAIR MATEO: I don't have problems
 17 with taking a look at where that particular component
 18 can fit. I just -- I would just be concerned about
 19 adding additional responsibilities to a department
 20 that's already stressed and kinda like up to its
 21 (inaudible) capacity.
 22 VICE-CHAIR HEDANI: Thank you, Danny.
 23 Commissioner Baxa.
 24 COMMISSIONER BAXA: Sir, I don't know if I
 25 heard everything, but -- when I came from the plane, I

Page 27

1 had a hard time hearing, so I hope that I heard
 2 everything. I heard you say that you are in favor of an
 3 auditor.
 4 COUNCIL CHAIR MATEO: Yes.
 5 COMMISSIONER BAXA: The way the proposal reads
 6 now is that the auditor would be appointed and fired by
 7 the Cost of Government Commission. I am -- I do not
 8 think that is the model that they have in Honolulu. So
 9 what are you -- what are your thoughts on that?
 10 COUNCIL CHAIR MATEO: Yeah.
 11 COMMISSIONER BAXA: In Honolulu, I think, the
 12 supervision and firing is done by the Council. In the
 13 proposal here, the auditor will be hired and fired by
 14 the Cost of Government Commission.
 15 COUNCIL CHAIR MATEO: Right.
 16 COMMISSIONER BAXA: Do you have any thoughts
 17 on that, Councilman?
 18 COUNCIL CHAIR MATEO: Yes, I do. Thank you
 19 for the question. And I think I stated it. I support
 20 the concept of an auditor. I do not support the second
 21 component of this proposal, where it is the Cost of
 22 Government Committee that is connected to that
 23 individual.
 24 VICE-CHAIR HEDANI: Thank you. Additional
 25 questions from the Commission? Commissioner DeLeon.

Page 28

1 COMMISSIONER DELEON: So, Chairman, to your
 2 knowledge, how does the legislature insulate the State
 3 Auditor from political influence from the legislature?
 4 COUNCIL CHAIR MATEO: I don't know how --
 5 everything is political. You go to the grocery store,
 6 you know, it's politics there. So everything is
 7 political. You cannot escape it. I believe that just
 8 the respect of that office, understanding the role that
 9 this auditor has to play, and the specifics and the
 10 standards that she needs to hit in doing her audits. I
 11 don't know how legislators -- legislators can influence.
 12 COMMISSIONER DELEON: Okay. Thank you.
 13 VICE-CHAIR HEDANI: Thank you. Additional
 14 questions from the Commissioners?
 15 (No Response.)
 16 VICE-CHAIR HEDANI: Seeing none, thank you
 17 very much, Danny.
 18 COUNCIL CHAIR MATEO: Thank you all very much.
 19 VICE-CHAIR HEDANI: Just for your information,
 20 you're the only person that has testified so far that
 21 has managed to hit all 21 of the proposals.
 22 (Laughter.)
 23 COUNCIL CHAIR MATEO: Through your generosity,
 24 yes, thank you very much.
 25 VICE-CHAIR HEDANI: Thank you for your

Page 29	<p>1 diligence in providing comments to the Commission. 2 COUNCIL CHAIR MATEO: Thank you. And I also 3 would like to thank you for your position on district 4 voting as well. 5 COMMISSIONER DE REGO: I, actually, have one. 6 VICE-CHAIR HEDANI: Oh, one more question. 7 COMMISSIONER DE REGO: I want to go back to 8 your statement considering the erosion of Council 9 powers, especially as it deals with initiation of 10 amendments to the Charter Commission -- to the Charter. 11 How do you see that as an erosion of Council power, 12 especially in a year where the Charter Commission is 13 expected to look at the Charter for that specific time? 14 We're not saying that the Council is being excluded from 15 making Charter amendments out of the other nine years, 16 out of the 10, that would be available while the Charter 17 Commission is sitting. I'm wondering how this thing 18 actually ends up being an erosion of Council power in 19 that respect. 20 COUNCIL CHAIR MATEO: The simple fact that the 21 proposal reads -- what the hell does it read? What 22 number was that, please? 23 COMMISSIONER SUGIMURA: Number 12. 24 COUNCIL CHAIR MATEO: Number 12. For the 25 simple fact that it reads "remove authority of County</p>
Page 30	<p>1 Council." 2 COMMISSIONER DE REGO: Okay. 3 COUNCIL CHAIR MATEO: And that is a 4 legislative function. And, again -- again, I don't 5 think you -- you know, the Charter Commission is created 6 every 10 years. Every 10 years, this group comes in, 7 you sit down, you review the Charter. And you're 8 working from scratch, right? We've had nine years 9 building up to when you guys come into play. We've 10 dealt with the difficulties of the Charter. We've dealt 11 with difficulties in the departments. And now you're 12 telling us we no can submit an amendment to the -- to 13 change the Charter? I mean -- 14 COMMISSIONER DE REGO: Mr. -- Mr. Chair, could 15 I have the microphone? I'm going to ask him a question. 16 VICE-CHAIR HEDANI: Commissioner, we're not 17 here to debate. 18 COMMISSIONER DE REGO: I'm not going to debate 19 him. I'm asking a clarification question. 20 VICE-CHAIR HEDANI: Okay. 21 COMMISSIONER DE REGO: I just want to clarify 22 how -- how do you see that as erosion of Council power? 23 Because the amendment does not preclude the Council from 24 cooperating with the Charter Commission during the time 25 it's sitting. So I'm -- from that vantage point, I'm</p>
Page 31	<p>1 wondering how it's seen as an erosion of Council power 2 when the Council would actually be participating with 3 the Commission. 4 COUNCIL CHAIR MATEO: How has the Council 5 participated with this Commission? 6 COMMISSIONER DE REGO: It sent in -- you've 7 sent in -- 8 COUNCIL CHAIR MATEO: Yes. 9 COMMISSIONER DE REGO: -- proposals and -- 10 COUNCIL CHAIR MATEO: And it wasn't -- 11 COMMISSIONER DE REGO: -- (inaudible.) 12 COUNCIL CHAIR MATEO: So -- 13 COMMISSIONER DE REGO: You know, I think -- I 14 think that's the question that I have. 15 COUNCIL CHAIR MATEO: I don't think so. 16 VICE-CHAIR HEDANI: Any other questions from 17 the Commission? 18 (No Response.) 19 VICE-CHAIR HEDANI: Okay. Seeing none, thank 20 you very much, Danny. 21 COUNCIL CHAIR MATEO: Again, thank you all 22 very much. Aloha. 23 VICE-CHAIR HEDANI: Lisa, next testifier. 24 MS. KAHUHU: Chair, there's no one else signed 25 up.</p>
Page 32	<p>1 VICE-CHAIR HEDANI: Are there any other 2 members of the public that would like to take the 3 opportunity to testify at this time? Please step to the 4 microphone and state your name for the record. And sign 5 in with Lisa after you're completed with your testimony, 6 please. 7 MR. RITTE: Aloha, Commissioners. 8 I think one of the problems is this empty 9 room. So I'll just say that and move on. 10 VICE-CHAIR HEDANI: We all know who you are, 11 but you have to state your name for the record. 12 MR. RITTE: Walter Ritte, from Molokai. 13 I had a crash course in this one. So I'm 14 going to give you is just an honest opinion without too 15 much political haggling and stuff. So this is just 16 something I went over and gave some real fast opinions. 17 So in the first one, I think the -- under A, 18 the four years is a good idea. Everybody's trying to 19 figure out how to cut costs. And it's really simple if 20 you do it every four years instead of every two years. 21 It's easier to run for office. 22 And I like the idea of limiting how long 23 people are in office. I am 67 years old. And I've come 24 to the conclusion that it's not a good idea to be in 25 office as long as the Senator Inouye has or Senator</p>

Page 33

1 Akaka has. I mean, it's like -- it just doesn't make
 2 any sense. So we should limit.
 3 Number 2, I'm not in agreement with.
 4 Number 3, I'm not in agreement with.
 5 Number 4, I really like the word nonpartisan.
 6 I'm tired of watching TV and seeing the democrats and
 7 the republicans fight, and we lose. So that -- I don't
 8 see how you can be in favor of that kind of system.
 9 Number 5, I couldn't understand.
 10 Number 6, I like the idea of taking our
 11 resources, whether it's County or State, and using those
 12 resources for the public. When we had problems in our
 13 ocean and went to the State because the State had
 14 responsibility in the ocean, the problem was the State
 15 never have one boat, but they had jurisdiction, and the
 16 County had nice boats, but they had no jurisdiction. So
 17 for us on the street, it was like, duh, why don't they
 18 use the County boat with the State guys and go do what
 19 gotta be done. But, no, it's their jurisdiction, it's
 20 their this, their that. So us, the public, we don't get
 21 served because people start drawing lines between the
 22 governments. So the more we can share resources between
 23 the County and the State, the better for us in the
 24 community.
 25 What number was I on? 6, yeah? Okay.

Page 34

1 7, I got no on Number 7. I'll agree with
 2 Councilman. I mean, the only time people really come in
 3 this room is during budget hearings. So if we don't
 4 have them every two years, that's the only time people
 5 are going to hear from the Council is every two years.
 6 So Number 8, I think that's critical, also.
 7 There is very little trust. And you can blame the Feds
 8 for that, but it comes all the way down to government in
 9 the County, too. So having an auditor is -- I think
 10 it's almost mandatory. And I don't know how it's going
 11 to relate to Cost of Government because I don't even
 12 know who that is.
 13 Number 9, I have a yes for Number 9. Yeah, I
 14 don't like the party -- party thing. So I'm saying,
 15 yeah, get rid of political party affiliations. It
 16 doesn't help.
 17 Number 10, I'll -- I support Number 10 because
 18 you have an empty room. So without communication, we
 19 going to keep having empty rooms.
 20 Number 11, I have a no. Number 11. If I hire
 21 and I paying for a Mayor, he better do his job as fast
 22 as he can. Don't come to me and say, "Excuse me, but I
 23 need more time." No. Do your job. You got 30 days to
 24 do it, do it.
 25 Number 12, no.

Page 35

1 Number 13, no.
 2 Number 14, no.
 3 Number 15, yes. Nobody's going to blow the
 4 whistle if they ain't going to get protected.
 5 Number 16, yes. Let me give you a short story
 6 on Number 16.
 7 MS. KAHUHU: Time.
 8 MR. RITTE: Okay. That was really short.
 9 (Laughter.)
 10 VICE-CHAIR HEDANI: Lisa, we actually
 11 suspended the rules not just for one person.
 12 MS. KAHUHU: Okay. That wasn't clear to me.
 13 VICE-CHAIR HEDANI: Thank you. Continue.
 14 MR. RITTE: Wow. I hire you at my meetings.
 15 Okay. Number 16, I was going to tell you a
 16 short story. So Number 16, the community of Molokai got
 17 tired of watching all of our resources disappear. And
 18 after 50 years, we figured out the State just ain't
 19 going to protect our resources. So the communities
 20 formed their own governance. And it's a community-based
 21 governance from the bottom up. And it's called the Aha
 22 Kiole on Molokai. It's called the Aha Kiole on Molokai.
 23 So when they set the rules for how long you got to live
 24 on Molokai, they didn't say nine months and they didn't
 25 say a year, they said two years. So what I'm trying to

Page 36

1 reflect to you, if this room was full, I think that
 2 would be the answer, is that one year is too short. And
 3 I really -- I'm going to remember this for every time I
 4 do this kind of stuff, that my -- my slippahs is more
 5 than one year old, also. So that was like -- I cannot
 6 forget that one. Slippah is -- okay.
 7 Number 17, yes.
 8 And Number 18, yes.
 9 Number 19, I just told you the story about our
 10 natural resources. For us, on Molokai, the natural
 11 resources is our second economy. We got two economies.
 12 I know Maui only get one now, maybe one-and-a-half,
 13 maybe. Oahu only got one. Kauai, I think, maybe one
 14 and one quarter. So for us, we have two economies over
 15 here. And one is based on cash and one based on our
 16 natural resource. So for us over here, our natural
 17 resources is the way one-third of this island survives.
 18 So I don't know what this Department of Environmental
 19 Management is, but I know what a natural resources is.
 20 And somehow, in our Charter, we need to protect -- if
 21 Molokai's part of the County, we need to protect the
 22 natural resources. We have to protect the natural
 23 resources. And I don't care if it's the Mayor that does
 24 it or the Council that does it. And if they both do it,
 25 better yet. So I would say, if this room was full, that

Page 37

1 people would be telling you that the natural resources
 2 is critical to this island. It's still here.
 3 Number 20, I don't like making all things the
 4 same. You know, I always like -- when I went to
 5 Kamehameha School, they tried to make me into a haole.
 6 I was a Hawaiian in a Hawaiian school, and they tried
 7 their best. And my mother said, look, if you're going
 8 to survive in this world, you got to become a haole. I
 9 said, okay, mom, I go to school at Kamehameha School.
 10 But I still don't like the idea of making everything the
 11 same. We have to keep differences and allow departments
 12 to run because they get different responsibilities and
 13 they get their own idiosyncrasies and stuff. So to
 14 standardize everybody, I get a chill. Maybe one thing,
 15 just one standardization, you should all come to work at
 16 8:00 and work eight hours at least and then leave the
 17 rest up to them.
 18 Number 21, no. Same reason. I don't like too
 19 much governance, government interference, telling people
 20 how, what, what, what, what, what. And everybody
 21 becomes robots, you know. This is how -- if you do
 22 this, you get fired. Yeah, but, you know, if you do
 23 this, you know.
 24 Thank you.
 25 VICE-CHAIR HEDANI: Thank you very much,

Page 38

1 Walter. Can you stay, if the Commissioners have any
 2 questions? Commissioners? Commissioner DeLeon.
 3 COMMISSIONER DELEON: So this goes back to the
 4 slippah question. On 16, I had a different spin on
 5 this. I didn't get to sell my spin, that's why we got
 6 the one year. The one I was proposing is that you had
 7 to have been an elector, somebody who had voted in the
 8 last election. So, that way, you cannot only say that
 9 you were on the island, but you actually voted, so
 10 there's some kind of certification of your existence.
 11 MR. RITTE: Is this voting or running for
 12 office, Number 16?
 13 COMMISSIONER DELEON: 16. Oh, I'm sorry,
 14 that's 16. I got the wrong one. So we're talking --
 15 oh, that's -- yeah, that's running for office. Running
 16 for office.
 17 MR. RITTE: Oh.
 18 COMMISSIONER DELEON: But the point is, by the
 19 fact that you were a voter in the last election, you can
 20 say whether you voted or not. It can't say what you
 21 voted for, but it could say whether you showed up at the
 22 ballot box and voted. So it's a way of certifying that
 23 you actually voted in the last election.
 24 MR. RITTE: Okay. I misunderstand this Number
 25 16. Because, in my mind, I was thinking that if you

Page 39

1 here for a year, or if you're here for nine months, you
 2 can become Mayor.
 3 COMMISSIONER DELEON: Yeah. Right now, it's
 4 90.
 5 COMMISSIONER DE REGO: Right now, it's 90
 6 days.
 7 MR. RITTE: Yeah. That's the part that I'm
 8 against.
 9 COMMISSIONER DELEON: So this proposal is to
 10 increase it to one year, but without any kind of
 11 certification. So it's just you are going to
 12 self-identify yourself to be here one year. And the one
 13 I had was you had to have been an elector in the last
 14 election. So you had to actually had to have, you know,
 15 hit the card with the puka and showed you existed here
 16 in the last election. Which do you prefer?
 17 MR. RITTE: Well, increasing it is fine,
 18 whatever. I'm just trying to -- I -- I would like to
 19 see people live here longer before they start telling us
 20 how our future should be. There's too many people who
 21 doesn't understand what the heck they're doing and now
 22 they're telling us where to go and what to do. So I
 23 support the idea of being -- of increasing.
 24 I didn't realize that there was a difference
 25 between your intent that a voter -- one year is fine,

Page 40

1 you can be, you know, voting in one year, but, to run
 2 for office is where there should be a difference between
 3 a voter and somebody who can run for office. But there
 4 isn't. Right? I mean, any voter can run for office.
 5 So let me tell you another short story, then,
 6 for this Aha Kiole system, just so you can understand
 7 what a community would do if they was in charge of
 8 things. You can come in and be a member of the Aha
 9 Kiole, if you've been here for two years. But you
 10 cannot be an elected official or be an official unless
 11 you have bones that are in the -- that are buried in the
 12 islands. And you cannot be somebody up there unless you
 13 have what they call the ike, which you cannot get in
 14 nine months and you cannot get in a year. And the ike
 15 is the knowledge of this place. So we -- in order to be
 16 a leader, so you can tell where we going to go, we place
 17 a much higher standard than somebody who just wants to
 18 join. So, you know, that -- if the room was filled
 19 would be something that you guys (inaudible).
 20 So I don't know how you do that with the
 21 Charter, you know, because you guys stuck with one
 22 Constitution of the United States of America that make
 23 you do what you got to do. But over here, when we do
 24 grass roots, the Constitution is secondary to how we
 25 want to operate.

Page 41

1 VICE-CHAIR HEDANI: Any further questions?
 2 Commissioner Crivello.
 3 COMMISSIONER CRIVELLO: Aloha, Walter. And
 4 thank you for being here.
 5 MR. RITTE: Aloha, Stacy.
 6 COMMISSIONER CRIVELLO: I have two
 7 clarification.
 8 First of all, I think I'll go to Number 19(b),
 9 as far as the sustainable resource, because that's
 10 something, I think, we've been throwing back and forth
 11 in our discussions. And I think Council Chair Mateo
 12 clarified as far as the environmental. And that
 13 department that -- you know, when I hear Environmental
 14 Management, I'm thinking, oh, these guys going to take
 15 care of all our environment.
 16 MR. RITTE: Right. That's what I thought,
 17 too.
 18 COMMISSIONER CRIVELLO: But when you look at
 19 the existing Charter, their powers and duties are like
 20 Danny said, the sewer, the recycling, what else they
 21 have here -- it's like the Public Works. And some of
 22 the discussion we were having is how do we be assured --
 23 and I know that's going to cost money to -- how do we
 24 assure that the kind of things that you mentioned, like
 25 our natural resources, our oceans, our watershed, and

Page 42

1 everything else -- even if the State has lots of
 2 jurisdiction on that, but Maui County is known to sort
 3 of have taken some things in their own hands. So that
 4 being said, do you see this as some of value to have a
 5 separate department, or is this something that the
 6 Charter should define to the Environmental Management
 7 Department what is expected of them? I think that would
 8 -- if you can -- say if you had governance over this --
 9 MR. RITTE: Okay.
 10 COMMISSIONER CRIVELLO: -- how do you see this
 11 be part of the Charter? Or should this come from
 12 Administration, or is this something of value that we
 13 should leave there?
 14 MR. RITTE: Okay. The first thing I would say
 15 is that Time Magazine chose the Person of the Year. And
 16 that person of the year didn't come from the top. It
 17 wasn't President Obama, like before, or Bush or anybody.
 18 The person of the year came from the bottom of the
 19 triangle. And the picture of that -- it's on Time
 20 Magazine, is a protester. So the protesters have made
 21 the hugest contribution to society over this past year.
 22 And what is happening right now -- and I'll
 23 just speak to Molokai. What is happening right now is
 24 that this island has realized that the State of Hawaii
 25 and the County and the Feds have not been able to

Page 43

1 protect our resources that we depend on to survive. We
 2 have come to that conclusion. So we're going to go and
 3 do what the government is supposed to do. So we went
 4 out there last week or the other day, or whatever, I
 5 can't even remember, there's so much going on, but we
 6 went out there and protested. We were willing to go out
 7 there in the dark and get runned over by the ship. We
 8 didn't know if he was going to see us or not. I say
 9 that to show you how critical the environment is to some
 10 of us.
 11 Now, the solution has to come from government.
 12 And I don't understand as much as Danny about how this
 13 thing runs, but all I understand is what the community
 14 is looking at, this environment as a critical, critical
 15 issue. And now we starting to go out there, risk our
 16 lives, protest, break the law, whatever the heck we got
 17 to do to protect. So that should be a signal for the
 18 Charter Commission to figure out, okay, there's
 19 something missing, why is the community out there
 20 fighting all this stuff.
 21 So I cannot answer the second part of your
 22 question, whether it should be this or should be that.
 23 But it's not there. So if it's not the sewage guys
 24 going to protect our environment, I don't think that's
 25 their job, and he says they're overworked, then, you

Page 44

1 know, Cost of Government come here to Molokai, we want
 2 to talk to you because we want you to spend some money
 3 on our environment.
 4 VICE-CHAIR HEDANI: Thank you. Any additional
 5 questions from the Commission?
 6 COMMISSIONER CRIVELLO: I do.
 7 VICE-CHAIR HEDANI: Do you have a follow-up
 8 question?
 9 COMMISSIONER CRIVELLO: Maybe not a follow-up,
 10 but going back to -- I guess, also, it has to do with
 11 resources. With Number 6, your mention of -- this is
 12 the Fire Department as well as the Ocean Rescue and
 13 Safety. How do you see -- do you see sharing of the
 14 resources as far as these two departments being made
 15 into one as far as when you're saying jurisdiction?
 16 Because there are lifeguards, then you have rescues or
 17 -- so you see the melding of both?
 18 MR. RITTE: I think it's going to be really
 19 hard for State and County to come together. But I think
 20 it's really -- we do this on Molokai all the time,
 21 especially when there's a fire. The County guys go, the
 22 State guys go, every equipment you can muster, private
 23 and all. You got private guys becoming firemen,
 24 dragging the hoses, all that stuff. So we used to that.
 25 So if we can have the equipment, at least the equipment.

Page 45

1 And then, you know, I don't know if the State guys can
 2 drive the County boats or whatever, there's going to be
 3 some pilikia, but there has to be some solution in using
 4 every available piece of equipment on this island in
 5 order to do whatever needs to be done. And somehow that
 6 -- I don't know how you going to do that, but that's
 7 critical. Otherwise, we running out of money. We
 8 cannot be buying the same equipment for the -- one for
 9 the State, one for the County, and all that kind of
 10 stuff. We got to share. And we do share, but not
 11 enough.

12 VICE-CHAIR HEDANI: Okay. Hold that thought.
 13 For Akaku, we need to take a short break so that they
 14 can go ahead and change the tapes. And then if anybody
 15 else has additional questions, we can come back to the
 16 question. So we're going to take a one-minute recess to
 17 change tapes.

18 (Off the record.)

19 VICE-CHAIR HEDANI: Okay. We're back in
 20 session. Akaku is back online with a fresh new tape so
 21 we can go for another, what, hour and-a-half?

22 CHIVO JOHNSON: Yes. Actually, two now.

23 VICE-CHAIR HEDANI: Two hours. Okay. Are
 24 there any other questions from the Commission for
 25 Mr. Ritte? Seeing none, thank you very much, Mr. Ritte.

Page 46

1 Are there any other members of the public that
 2 would like to provide testimony at this time? Please
 3 step to the microphone and state your name for the
 4 record.

5 MR. ALCON: My name is Pancho Alcon. I
 6 mentioned to Wayne that when I got this email today, I
 7 said, okay, I got all this stuff in front of me, so how
 8 did you reason all this stuff out.

9 Anyway, the first one I like that, you know,
 10 switching to four years. I always told (inaudible),
 11 when we were campaigning, every two years, I say we
 12 going to work hard, I say, first year you run, you good
 13 in office, by the second year, you got to start running
 14 again. I said four years is great. I like the idea
 15 about total of 12 years, whether it's consecutive or
 16 staggered or whatever. Just 12 years and you get out of
 17 there.

18 Let me see. Item 2. I'm going to bypass that
 19 guy.

20 I'm not sure about Item 3. I don't think we
 21 ought to have prosecutors doing police work. I think
 22 you already got that department to do that for you, and,
 23 you know, submit all the information to you to
 24 prosecute.

25 Nonpartisan I like. I hate having to do

Page 47

1 republican, democrat. Costs more money doing it that
 2 way, I would think.

3 I like the Item 5, Public Safety. I don't
 4 mind the name change. If it fits, that's fine. The
 5 powers, I think I like that going under the Fire
 6 Department, as far as ocean rescue and safety. Because
 7 on Molokai, they do that already, anyway. The Fire
 8 Department has the boat and all that stuff and they do
 9 the fire and rescue here.

10 Item 7: No, I don't like that amendment.
 11 The auditor I like. As far as who they would
 12 go under, I'm not sure, you know, whether it should be
 13 Cost of Government or somebody else.

14 Yeah, I don't like Item 9. I don't think
 15 political parties has anything to do with boards and
 16 commissions.

17 Item 10, yeah, I like that, providing
 18 information in remote areas.

19 I want 11 to stay at 30 days.
 20 Council should be able to propose amendments.
 21 13, if it's important changes, I think we
 22 should probably, you know, reprint it.

23 15 -- 14, no. And 15, as Danny said, they
 24 probably already do that now, but if it's not and it
 25 needs to be in writing, probably we should go ahead with

Page 48

1 that amendment.

2 Residency, the longer the better. I think the
 3 longer you live in a place, you learn more about the
 4 people and the culture and it makes you a better servant
 5 for the people.

6 17 -- so 16 and 17, I agree with the longer
 7 time periods to be a resident.

8 18, I'm not sure.

9 On Item 19, about the environment, if, as
 10 Danny says, the department currently is overloaded, then
 11 possibly we should look for somebody else to do the job,
 12 whether it be a separate department or a separate person
 13 to do that, to protect our resources.

14 I'm not sure about Item 20, whether we should
 15 make it standardized.

16 I'll be honest with you, every time you come
 17 up to evaluations of chiefs and directors, I find it
 18 very hard for board members to do an evaluation because
 19 we don't see them as often as we should. And we -- you
 20 know, in our minds we got a lot of confusion about what
 21 they do and whether they doing it right and we got to
 22 get in on a survey or talking to the people below. I
 23 get very frustrated when that comes up because I really
 24 have a hard time in terms of evaluations.

25 21, I would probably say maybe as far as

Page 49	Page 51
<p>1 standardizing, you know, the declaration of policy for 2 all departments. 3 And that's all I got. 4 VICE-CHAIR HEDANI: Thank you very much, 5 Pancho. And thank you for your prior service on the 6 Police Commission as well. 7 Questions from the Commissioners? 8 Commissioner DeLeon. 9 COMMISSIONER DELEON: I've seen your name for 10 all these years and I never really had a chance to meet 11 you. Aloha. 12 MR. ALCON: Hi, Dave. 13 COMMISSIONER DELEON: Your comment on Number 14 20 takes my breath away because we've had this 15 discussion, like the Fire Commission and Police 16 Commission, we're talking about the fundamental role of 17 these commissions is to review the chief's or the 18 director's function. And for somebody in your -- 19 somebody with your experience to say how do you do 20 that -- 21 MR. ALCON: Every time we do that, I kind of 22 like shake my head because, you know, like if you just 23 coming on, okay, you're in three months, evaluation 24 time, what you going to do? What do you know? You 25 don't know anything, you know. Even the guys been there</p>	<p>1 what your thoughts on that is? 2 MR. ALCON: I still like the -- when we were 3 in the water department, I think at that time we were -- 4 I'm trying to think, advisory, I think, water department 5 at that time. And I think we were pushing for 6 semiautonomy, which I kind of liked. You know, 7 semiautonomy where the Board of Water Supply would work 8 on the rates and stuff like that. And I kind of like 9 that independence as far as, you know, not being 10 connected to the -- the Mayor. I never had a chance in 11 the Police Commission to hire or fire the chief. He was 12 always in place by the time I came in. So I don't know 13 how that went. 14 VICE-CHAIR HEDANI: Any other questions from 15 the Commissioners? Commissioner Crivello. 16 MEMBER CRIVELLO: Aloha, Pancho. Thank you 17 for being here tonight. I guess, as prior commissioner 18 on the Fire Department and you serving on Police 19 Commission and your frustrations on evaluating, I guess 20 I was trying to hear where Commissioner DeLeon was 21 trying to get more input from you. So from my 22 experience on the Fire Department, there's -- there are 23 some measurement tools that the Fire Department -- or 24 the Fire Commission utilizes to evaluate their chief. 25 And in order to hire and fire or what-have-you, the</p>
Page 50	Page 52
<p>1 long time, they probably don't know anything, except the 2 guys on Maui, maybe because they get to talk to the 3 chief, they talk to the lieutenants, captains. But you 4 come from Molokai or Lanai, what are you going to do? 5 And that's my personal view because I come from, you 6 know, someplace remote. 7 COMMISSIONER DELEON: Besides the Police 8 Commission, which bodies did you serve on? 9 MR. ALCON: Water Department. 10 COMMISSIONER DELEON: So you did the water 11 board as well? 12 MR. ALCON: Yeah, yeah. 13 COMMISSIONER DELEON: You know, there was 14 another proposal. It was that the departments would do 15 -- I mean, the commissions would do an appointment right 16 up to a recommendation level, so they would do all the 17 vetting and do all the review, and then -- this is for 18 hiring. 19 MR. ALCON: Yes. 20 COMMISSIONER DELEON: But then they would make 21 a recommendation to the Mayor, and then the Mayor would 22 do the final. That way, you have that connection with 23 the power of the Mayor's Office. My concern is the lack 24 of connection between if the departments can operate 25 independently of the Mayor, and often do. I'm wondering</p>	<p>1 evaluation process should be there. So in your opinion, 2 as one of experience, what's your thought, then, about 3 commissioners -- evaluation is hard. Let me back up. 4 On the Fire Commission, if you're new on there, you 5 don't participate in the evaluation. So in your mind, 6 should the Commission be doing the hiring and the firing 7 and should that not include evaluation, too? 8 MR. ALCON: No. I believe the hiring and 9 firing, you going to go through a lot of records and 10 you're going to probably take maybe recommendations from 11 different places, maybe, the guy came from. And I think 12 you can do that, you know, be able to believe hire and 13 fire -- or hire the guy, at least, based on all this 14 information you're going to take. But in terms of 15 evaluating, I find it a little bit harder to do, just 16 because you don't have that interaction, you don't see 17 what happens between the chief and his subordinates. 18 And my feeling was that you should probably do a survey, 19 impartial survey, submit them to the -- the rank and 20 file and have them comment on various things that you 21 want to, you know, hear about, and possibly make some 22 kind of a decision from all the stuff that you get. 23 That's what I feel, yeah. 24 COMMISSIONER CRIVELLO: Thank you. 25 VICE-CHAIR HEDANI: Thank you.</p>

Page 53

1 Any other questions from the Commissioners?
 2 Commissioner DeLeon.
 3 COMMISSIONER DELEON: Because you mentioned
 4 that you were on the Water Board as opposed to on an
 5 advisory Water Board and semiautonomous --
 6 MR. ALCON: I don't even remember if I was --
 7 I know we talked about that semiautonomous when I was on
 8 the advisory.
 9 COMMISSIONER DELEON: Oh, you were only on the
 10 advisory?
 11 MR. ALCON: I believe so, yes.
 12 COMMISSIONER DELEON: Right now, we have an
 13 advisory Board of Water Supply that, basically, the
 14 County Council is the actual Board of Water Supply. I
 15 mean, where they actually make all the decisions and do
 16 all the rate setting and everything else. And, of
 17 course, the Mayor is the overseer of the department.
 18 How would you feel as somebody who is appointed to a
 19 five-year term to a board that doesn't have any real
 20 authority not being listened to?
 21 MR. ALCON: Yeah, I think that's what we
 22 talked about. Like we were coming to meetings and we
 23 were doing a whole bunch of talking, and pretty much
 24 nothing was getting done. You know, we just talking
 25 about water issues. We didn't make any kind of headway

Page 54

1 as far as, you know, CIP, that kind of stuff, yeah. I
 2 thought it would be more worthwhile if you can get
 3 involved in something and have some impact on the
 4 department.
 5 VICE-CHAIR HEDANI: Thank you very much.
 6 Additional questions? Commissioner De Rego.
 7 COMMISSIONER DE REGO: Getting back to the
 8 issue of the semiautonomous water department. In the
 9 past -- and this has gone back and forth since 1949,
 10 when the Water Board was first founded, about five or
 11 six times, actually, between -- six times. Okay. Would
 12 you be in favor if the board was made autonomous or
 13 semiautonomous that the board would set the rates? In
 14 the past, what's happened is they've hired and fired the
 15 director, but it was still the Council that set the
 16 rates.
 17 MR. ALCON: Rates.
 18 COMMISSIONER DE REGO: So would you be more in
 19 favor of the board like it is in Honolulu actually being
 20 the one who sets the rates?
 21 MR. ALCON: Just off the top of my head, I
 22 think it would be better if the board set the rates,
 23 just from the standpoint of in terms of election years,
 24 that kind of stuff, if you had a hard decision to make.
 25 And it would have some bearing on whether or not you did

Page 55

1 or did not get elected. You might not make a decision
 2 at that point. And the board could probably do it
 3 without having any bearing on what the outcome of an
 4 election was.
 5 VICE-CHAIR HEDANI: Thank you, Pancho.
 6 Any additional questions from the
 7 Commissioners?
 8 (No Response.)
 9 VICE-CHAIR HEDANI: Seeing none, thank you
 10 very much. Are there any other members of the public
 11 that would like to offer testimony at this time? Going
 12 once, going twice. Don't be shy. Step to the
 13 microphone, state your name for the record, please.
 14 MR. CRIVELLO: Aloha. I'm Kawika Crivello.
 15 I'm just here tonight to testify, to please don't bring
 16 back the district voting and let our voices be heard.
 17 Another thing I was looking at, on your 19,
 18 Section 19, Environmental Management, to amend. Real
 19 quick, where -- so we're adding that responsibility, is
 20 that the proposal? Okay. I work for Environmental
 21 Management, and I kind of deal with the Administration.
 22 And I know it's on Akaku, but definitely not,
 23 okay. Do not.
 24 Yeah, it's so much responsibility as it is to
 25 take care of what we have in front of us as it is. And

Page 56

1 even that is overreaching as of right now. So I'm
 2 definitely against that.
 3 Mahalo.
 4 VICE-CHAIR HEDANI: Thank you, Kawika. Can
 5 you wait and see if anybody has questions? Commissioner
 6 Moikeha. Wow, fresh face and a fresh voice.
 7 COMMISSIONER MOIKEHA: I don't know if you
 8 want the voice.
 9 I think I need to give you some information.
 10 This came from the Mayor. And what the Mayor did in his
 11 proposal is that he saw fit to put it under -- as a
 12 increased function of the current director of
 13 Environmental Management. And at the time that this was
 14 proposed, we had a lot of people that came out and were
 15 definitely in support of a whole new department just for
 16 sustainability. And, you know, when I thought about
 17 that, it was kind of like, why didn't the Mayor just
 18 propose a new department. So I'm not quite sure why he
 19 would want this as an expanded function and not just
 20 make it something separate. So just some history of how
 21 this proposal came to light.
 22 And the public, as you and others have stated
 23 here today, totally support, you know, sustainability of
 24 our resources. And I, too, don't see how this fits
 25 under the function of Environmental Management.

Page 57

1 And I appreciate your comments. But that --
 2 that was the history of where this came from.
 3 MR. CRIVELLO: The Mayor?
 4 COMMISSIONER MOIKEHA: The Mayor.
 5 MR. CRIVELLO: Okay. Still. Still. You
 6 know, I'm in the -- I've been in there for 19 years. So
 7 I've seen the ebb and flow. And as far as environmental
 8 and the responsibilities of coordinating and definitely
 9 policies for, you know, implementing programs, promoting
 10 sustainability, conservation, yeah. Right now, as far
 11 as the management that is right now, I think a separate
 12 department would be much more efficient. Yeah. I'll
 13 just keep it right there.
 14 (Laughter.)
 15 COMMISSIONER MOIKEHA: Thank you for your
 16 honesty.
 17 VICE-CHAIR HEDANI: Thank you, Kawika. Any
 18 additional questions from the Commissioners?
 19 (No Response.)
 20 VICE-CHAIR HEDANI: Seeing none, thank you
 21 very much.
 22 MR. CRIVELLO: Thank you.
 23 VICE-CHAIR HEDANI: Are there any other
 24 members of the public that would like to offer testimony
 25 at this time?

Page 58

1 (No Response.)
 2 VICE-CHAIR HEDANI: Seeing none, we'll go
 3 ahead and close public testimony at this time. And if
 4 there's no objection from the Commissioners, we'll go
 5 ahead and file any communications that we've received.
 6 Commission Moikeha.
 7 COMMISSIONER MOIKEHA: This is just a real
 8 quick comment. I want to thank all of you that came
 9 here tonight and for your participation. This was not
 10 the best list to try and gather information and your
 11 knowledge and experience and the comments that you felt
 12 were necessary to give to us. This is not the best time
 13 of the year to come and try and have public input,
 14 either. I attended the first meeting in November, and I
 15 missed the second meeting of November, and for the
 16 Charter Commission. And at that point in time, when I
 17 left on vacation, we weren't supposed to come back out
 18 until like January. And I was under the impression that
 19 we would have had time to vet this list.
 20 As the process went through, we were gathering
 21 public information from our meetings, from testimony,
 22 from every source that came to us, in creating these
 23 lists to work from. And then kind of little by little
 24 getting it down to something that was workable and
 25 seemed to be the highest priority. And as we did that,

Page 59

1 we brought this to the attention of our staff, our
 2 Analyst. And she gathered that and put it on what is
 3 known here as the draft language.
 4 I guess I was really kind of irritated Monday
 5 when I realized we weren't going to have that
 6 opportunity to vet this list. So I can totally
 7 understand your position when you say, what does this
 8 mean, where is the history here, how did this be, what
 9 is -- you know, I don't understand this. And there are
 10 a lot of questions we had, but we couldn't make any
 11 changes because it already had been put out there for
 12 the public. And so this is what the public had to look
 13 at, and we couldn't change that at this point in time,
 14 but we will be able to do that after we've gone through
 15 all of our outreach meetings, after January.
 16 But I want to thank you because it also helped
 17 me understand, while it wasn't the most perfect list,
 18 the varying opinions that you may have when you read
 19 something and how it could be very different from one
 20 person's interpretation to another, and how much
 21 education we need to do when we do publicize this again
 22 to get good input and give meaning to it. So I want to
 23 thank you for your time that you spent here tonight.
 24 And if you will continue to be part of this process with
 25 us, I think that's all we can ask.

Page 60

1 Unfortunately, I don't think we can come back
 2 out again to the outer islands or other community areas.
 3 We're going to have to receive it in our regular
 4 meetings. But I would hope that you would stay with the
 5 process and continue to review this document.
 6 And it's very unfortunate that there's not
 7 other ways we can publicize this, but we should keep
 8 that in mind as to how we get the word out, other than
 9 just through internet or on the website and things of
 10 that nature. But thank you for what you have shared.
 11 And I hope that we can come back and have something
 12 better to work with that will give you the opportunity
 13 again to have comment.
 14 Thank you.
 15 COMMISSIONER BAXA: Mr. Chair?
 16 VICE-CHAIR HEDANI: Commissioner Hashimoto.
 17 COMMISSIONER HASHIMOTO: Thank you, Chair. I
 18 just want to ask if -- if it would be helpful if we
 19 could arrange to have this information that you need,
 20 this written information, if we could send it here to
 21 the library or something. Would that make it more
 22 accessible to you? Because I know, in Hana, we have the
 23 same problem, we don't get the information out to Hana.
 24 Even our -- our committee -- our commission agenda does
 25 not get posted on the board in Hana. So I wonder if we

Page 61

1 could make arrangements to go through the library and
 2 get a copy, at least, at the library, where you can go
 3 there and have access to it. Would that help? I don't
 4 know whether we can do that, but we can certainly try.
 5 COUNCIL CHAIR MATEO: Mr. Hashimoto, in
 6 addition to the library, there's also the Office of
 7 Council Services.
 8 VICE-CHAIR HEDANI: Danny, if you could use
 9 the microphone.
 10 COUNCIL CHAIR MATEO: Thank you for the
 11 question. In addition to the library, there's also the
 12 Office of Council Services. The Office of Council
 13 Services does have a heavy traffic flow. And as a
 14 matter of fact, this is where we disseminated this
 15 information from, from our office. And that is always
 16 available. So either location would be -- would be
 17 good. And we have the ability to post on bulletin
 18 boards, letting them know where access to the materials
 19 are. So either way would be good. The Office of
 20 Council Services, to me, is more productive than the
 21 library, yeah.
 22 Thank you.
 23 VICE-CHAIR HEDANI: Thank you very much,
 24 Danny. Duly noted.
 25 Any other comments on the public testimony?

Page 62

1 Commissioner Baxa.
 2 COMMISSIONER BAXA: Mr. Chair, this is not a
 3 comment from the public testimony, but please correct me
 4 if I am wrong, it is my understanding that although a
 5 list was submitted, circulated, it does not mean that
 6 the public could not voice any other matter that is
 7 related to the Charter amendments. I notice that during
 8 the public discussions, the public were limiting
 9 themselves to the list that was provided to you. And I
 10 was under the impression that you would be free to
 11 submit any testimony as well in any other matter related
 12 to Charter amendments in addition to what has been
 13 provided to you. Please correct me if I'm wrong, but
 14 that is my understanding, Mr. Chair.
 15 VICE-CHAIR HEDANI: Thank you very much,
 16 Commissioner Baxa. Yes, I believe we are here to take
 17 any testimony relative to the Charter. So it can be on
 18 the proposed amendments as well as any other items that
 19 the public wanted to bring forward. For the public's
 20 information, you know, what you see here is a summary,
 21 basically, a digest or a summary of what each of the
 22 amendments that are being proposed basically consist of.
 23 Some of these amendments have not been formally drafted
 24 yet, so even the Commissioners here have not had a
 25 chance to review the exact language that's been drafted

Page 63

1 for that particular change. It's only the concept
 2 that's been kind of talked about and summarized. And
 3 that's what you're -- that's what you have presented for
 4 you in these 21 items. The 21 items are not final.
 5 They're in draft form. We wanted to engage the public
 6 as early as possible in the process so that we would get
 7 feedback instead of working through a vacuum,
 8 essentially.
 9 The Commission has taken approximately over
 10 100 proposals relative to Charter changes. And we've
 11 essentially whittled that down from 100 to roughly 21
 12 that's currently still standing. Each Commissioner has
 13 their own opinion as to the number of issues that should
 14 go before the ballot. My personal opinion is it should
 15 be anywhere from five to six or something in that
 16 vicinity.
 17 So the process is not complete. The time for
 18 providing input is still open. And we do appreciate the
 19 comments that we've received tonight. Especially with
 20 due diligence going through all 21 items that we had
 21 listed on the -- on the list.
 22 Also, Number 14, that you see on your list,
 23 has some problems because two different -- two different
 24 directives got jumbled up into one item. So it's not --
 25 it's not completely correct or in its final form.

Page 64

1 That's just for your information.
 2 Commissioner De Rego.
 3 COMMISSIONER DE REGO: I'll stand up. You've
 4 been walking back and forth. I need the exercise.
 5 Yeah. I'd like to make some comments about
 6 the public testimony as well as what we see here.
 7 Looking at 14, I can understand why the Council Chair
 8 would be concerned about the erosion of County powers of
 9 the Council. But I would like to say that the intent of
 10 that particular proposal was so there wasn't two
 11 parallel processes about amending the Charter happening
 12 while a Charter Commission was seated. So this is now
 13 our discussion among ourselves, right, is this is what's
 14 going on. And I think that there's got to be a process
 15 by which the Council and the Charter Commission, while
 16 it's sitting, cooperates and is not working in parallel.
 17 We had this discussion last night when a
 18 councilmember, Councilmember Couch, said that we should
 19 be limiting the number of things that are going on the
 20 ballot and then saying that he was also proposing an
 21 amendment at the same time. I see this as a cooperative
 22 process. I see the Council -- we sent a letter to the
 23 Council, we invited them to be a part of the process. I
 24 don't see it as an erosion; I see it as maybe limiting
 25 for a specific period of time where we would work out

Page 65

1 channels of communication for the time that a Charter
 2 Commission is sitting, where we would get together and
 3 not -- help fashion this Charter proposals and amendment
 4 that go on the ballot. And I think that was the intent
 5 of that. If there's a better way of wording it or doing
 6 it, I'd be open to seeing that language.
 7 But, you know, if we are to look at 14, you
 8 know, I -- and put it together -- this is my next
 9 point -- is the fact that we have to start looking at
 10 these to see how they fit with one another as well.
 11 Right? Because 14 would have affected, also, the second
 12 one in terms of the Council being limited during the
 13 time a Charter Commission is sitting. So I can see why
 14 there would be a concern on that. So we need to get
 15 that time figured out because that was in error, I
 16 think.
 17 But, also, I still think the original intent
 18 of the -- the limits -- I wouldn't call it erosion, I
 19 would call it limits -- on the Council during the time a
 20 commission is sitting is -- is still, I think, an
 21 important thing to encourage cooperation and not to
 22 parallel processes.
 23 VICE-CHAIR HEDANI: Any other comments on the
 24 testimony that we've received tonight? Commissioner
 25 DeLeon. Oh, sorry. Was there a member --

Page 66

1 COMMISSIONER BAXA: I think that somebody from
 2 the public wants to raise their hand long time ago.
 3 COMMISSIONER DE REGO: No. This is our --
 4 COMMISSIONER DELEON: We closed testimony.
 5 VICE-CHAIR HEDANI: Are you interested in
 6 providing testimony at this point?
 7 SPEAKER: I just had a question.
 8 VICE-CHAIR HEDANI: Okay. We've already
 9 suspended the rules once, so I don't really --
 10 COMMISSIONER DE REGO: Suspend them, go ahead.
 11 VICE-CHAIR HEDANI: I don't think you want to
 12 hold on ceremony at this point.
 13 COMMISSIONER DE REGO: No. No, I'm fine.
 14 VICE-CHAIR HEDANI: If you have testimony that
 15 you would like to offer at this time, please step to the
 16 microphone. Question, please step to the microphone.
 17 It's kind of loose because we have no rules tonight. So
 18 catch as catch can.
 19 MS. MOORE: It's Molokai, it's laid back.
 20 COMMISSIONER DE REGO: It's relaxed.
 21 MS. MOORE: First of all, thank you again for
 22 coming to Molokai.
 23 VICE-CHAIR HEDANI: And if you could state
 24 your name for the record, please.
 25 MS. MOORE: My name is Beverly Paoule Moore.

Page 67

1 I was told about this meeting, which I came to the last
 2 meeting, scheduled for today. I would give testimony
 3 tonight if I had received this form. I just got it
 4 tonight. And for me to take a stance -- and some of
 5 them I support, some of them, after reading it just now.
 6 But is there any way we can get it on the website where
 7 we can click on to you folks' thing and just get it, you
 8 know, that's -- was that on there? That's the reason
 9 why I'm asking? That's the only question I'm asking.
 10 VICE-CHAIR HEDANI: Lisa.
 11 MS. MOORE: It's due process, yeah.
 12 VICE-CHAIR HEDANI: Do you have a comment on
 13 that?
 14 MS. KAHUHU: Everything is on the website.
 15 MS. MOORE: Okay. So when you folks announced
 16 this meeting, so what should we be looking for at the
 17 next session? Of course, you not coming to Molokai
 18 anymore, but we can give our comments and respond to
 19 your website with some of this?
 20 MS. KAHUHU: Yes. Actually, right on the
 21 agenda is the email address to contact.
 22 ms. mor: Okay. I don't have any of that.
 23 That was my question.
 24 MS. KAHUHU: Yeah. It's all available on the
 25 website.

Page 68

1 MS. MOORE: Okay. That's good.
 2 MS. KAHUHU: All the material that the
 3 Commission reviews, everything is on, dating back to the
 4 first Charter Commission.
 5 MS. MOORE: Okay. So my second question would
 6 be, when it comes to the final -- you know, when you
 7 folks do all of you folks' information, then it's for us
 8 like Molokai, because we just like Lanai and Hana, is to
 9 spread our word to our community to correspond to you
 10 via email, correct? Is that correct? When we took a
 11 stance?
 12 VICE-CHAIR HEDANI: Okay. The way the process
 13 will work is --
 14 MS. MOORE: Due process.
 15 VICE-CHAIR HEDANI: I'm sorry?
 16 MS. MOORE: It's a due process, yeah. I just
 17 want to make sure our community is aware.
 18 VICE-CHAIR HEDANI: The way the process works,
 19 we're going to take public testimony from all of the
 20 different nine different districts, come back, we have
 21 additional deliberations on the 21 items. There may be
 22 the possibility of items that have been deferred or not
 23 brought forth can also be reconsidered. That's another
 24 possibility. Once the final vote is taken on the
 25 proposals that we elect to take forward to the ballot,

Page 69

1 then there will be an initiative to get public education
 2 out to the public via print media, via the website, via
 3 printed material, in order to educate the public about
 4 what -- how we boiled it down to the final questions
 5 that are going to come before them on the ballot, and --
 6 and allow them to get more information from that through
 7 those means. So we have a public -- we have a public
 8 relations group or public awareness group that will work
 9 on a program to get that information out further to the
 10 public.
 11 MS. MOORE: Okay. My second question,
 12 therefore, saying that, can the -- we came here the last
 13 time -- and the reason why we had a large participation
 14 is because we were concerned about Molokai losing its
 15 Council seat. Can that come back on the agenda again?
 16 And that's what I'm concerned, because we were made
 17 aware that a vote was taken at the last -- so that can
 18 come back on the table again?
 19 VICE-CHAIR HEDANI: The Commission has to --
 20 correct me if I'm wrong.
 21 COMMISSIONER SUGIMURA: Ask Junior.
 22 VICE-CHAIR HEDANI: But, basically, the 21
 23 items is what we boiled it down to. We're probably
 24 going to take it from 21 down to six or 10 or whatever
 25 we decide on. But it is possible.

Page 70

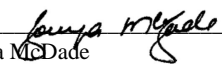
1 MS. MOORE: So when it becomes possible, is it
 2 something that's going to be in the timely basis where
 3 Molokai community people can also respond to that issue,
 4 too? Because I need to find out if it's going to be two
 5 days before. And I'm looking at the (inaudible) of due
 6 process, that's what I'm looking at.
 7 COMMISSIONER DE REGO: Excuse me.
 8 Parliamentary inquiry, Chair?
 9 VICE-CHAIR HEDANI: Maybe I can direct that
 10 question to --
 11 COMMISSIONER DE REGO: To Corporation Counsel.
 12 VICE-CHAIR HEDANI: -- Ed Kushi, our Corp
 13 Counsel. And you can tell me whether or not we can
 14 bring that particular issue up again.
 15 MR. KUSHI: Yes. Mr. Chair, what happened was
 16 you took a vote on a certain issue, it failed. A motion
 17 was to go to amendment stage, that failed. I forget
 18 what the vote count was, but --
 19 COMMISSIONER DE REGO: Six-three.
 20 MR. KUSHI: It can come back in terms of
 21 another motion. But according to Robert's Rules, which
 22 your rules incorporate by reference, the people on the
 23 winning side of that motion -- a person on the winning
 24 side of the motion needs to make the motion to
 25 reconsider.

Page 71

1 COMMISSIONER DE REGO: Reconsider, yes.
 2 MS. MOORE: Okay.
 3 MR. KUSHI: So that's what your rules and the
 4 Robert rules say. Now, having said that, you could
 5 suspend your rules. But that may -- I need to review
 6 that issue, also. But, again, the normal course is that
 7 if you lose, you cannot continually make a motion to
 8 reconsider. It would have to be on the other side.
 9 MS. MOORE: Thank you very much. Thank you.
 10 VICE-CHAIR HEDANI: Thank you, Beverly. Any
 11 questions for Beverly?
 12 (No Response.)
 13 VICE-CHAIR HEDANI: No. Thank you very much
 14 for testifying. Is there a question for Beverly?
 15 COMMISSIONER DE REGO: No.
 16 VICE-CHAIR HEDANI: This is just comments on
 17 public testimony.
 18 COMMISSIONER DE REGO: Public testimony.
 19 VICE-CHAIR HEDANI: Commissioner De Rego.
 20 COMMISSIONER DE REGO: Yeah, I also wanted to
 21 echo the sentiment of Commissioner Moikeha. I wanted to
 22 thank everybody for being here tonight. And I think --
 23 let's hope we can get the word out to Lanai so --
 24 because I'm getting the sense -- and my heart is feeling
 25 a little heavy right now in terms of -- I'm sure there

Page 72

1 would be a lot more people here if word got out. I
 2 wasn't aware that -- that there was this kind of
 3 miscommunication. So as a commissioner, I personally
 4 would like to apologize for that not occurring. And I
 5 know the people of Molokai are very passionate about
 6 their lives, about their -- their community. And let's
 7 hope that we have a lot of kokua in terms of getting
 8 your input on all these things and -- and making sure
 9 that communication channel is open. So I just wanted to
 10 say that. I'm feeling kind of bad right now, actually.
 11 VICE-CHAIR HEDANI: Thank you. Any other
 12 comments on public testimony? Commissioner Crivello.
 13 COMMISSIONER CRIVELLO: Frank, don't feel bad.
 14 I'd like to add, though, that I'm sure the Commissioners
 15 here will agree with me, Molokai's voices have been
 16 heard, I think, strongly with district voting, which I
 17 think has been a thorn in our side. And I can
 18 appreciate the Commissioners' open hearts and open minds
 19 in making their final deliberations.
 20 However, you know, getting the -- we have --
 21 we are going through a process, too, that the notices
 22 come to us at a certain time, also. And the bulletin
 23 boards are so filled with all kine garage sales, yard
 24 sales and everything else, that was hard to find space.
 25 Because I did try to get the proposals up there. And

Page 73	Page 75
<p>1 then you can tack one bunch of it and then it 2 disappears. So the thumb tacks all used up. They going 3 to swipe your thumb tacks, too. 4 But that being said, I think we still have all 5 the opportunities to try and if you see anything with 6 the proposals or if you have any questions, any way that 7 I can be of assist, do not hesitate, stop me at Misaki's 8 or Friendly Market or wherever. But I want to thank you 9 folks for being here. Danny, especially want to thank 10 you because that was a whole list that all of you went 11 through. So mahalo. And, again, I want to thank our 12 Commissioners for really having an open heart and mind 13 when it comes to Molokai, Lanai and Hana. 14 VICE-CHAIR HEDANI: Okay. Any other comments? 15 Commissioner Baxa. 16 COMMISSIONER BAXA: Mr. Chair, I think 17 (inaudible) the fact that not too many people appeared 18 in Molokai today. But I think, and this is my 19 observation, the most passionate thing that was in the 20 minds of the people of Molokai when we were here the 21 last time was about the residency voting. And since 22 that does not appear to be in question right now, I 23 think that is why not too many of them came in today. 24 VICE-CHAIR HEDANI: Thank you. Commissioner 25 DeLeon.</p>	<p>1 to go ahead and adjourn tonight's meeting. And thank 2 you very much for your participation and for your 3 feedback. We appreciate it. 4 (Meeting adjourned at 8:12 p.m.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
Page 74	Page 76
<p>1 COMMISSIONER DELEON: Actually I want to take 2 personal responsibility for the empty room. If I had 3 only written a commentary, you would have filled the 4 room up. 5 (Laughter.) 6 VICE-CHAIR HEDANI: Any other comments from 7 the Commissioners? Commissioner Sugimura. 8 I also want to apologize, I called Chivo Ching 9 Johnson, our representative from -- from Akaku Steve, 10 because Steve was doing the filming during our last 11 meeting. 12 Commissioner Sugimura. 13 Sorry. Chivo also indicated if anyone is 14 interested in getting copies of any of the meetings, he 15 will be more than happy to send them to you on tape from 16 Akaku. Thank you, Akaku. 17 COMMISSIONER SUGIMURA: So I just want to 18 close this and say that I think this empty room is a 19 testament to the sentiment or the loud display of 20 opposition that we heard the last time about district 21 voting. And for this room to be empty, I think the 22 whole Island of Molokai has calmed down to know that it 23 is a dead issue in this go around with the Charter. 24 (Applause.) 25 VICE-CHAIR HEDANI: Okay. With that, I'd like</p>	<p>1 CERTIFICATE 2 3 4 I, TONYA MCDADE, Certified Court Reporter of 5 the State of Hawaii, do hereby certify that the 6 proceedings contained herein were taken by me in machine 7 shorthand and thereafter was reduced to print by means 8 of computer-aided transcription; and that the foregoing 9 represents, to the best of my ability, a true and 10 accurate transcript of the proceedings had in the 11 foregoing matter. 12 I further certify that I am not an attorney 13 nor an employee of any of the parties hereto, nor in any 14 way concerned with the cause. 15 DATED this 13th day of January, 2012. 16 17  18 Tonya McDade 19 Certified Shorthand Reporter #447 20 Registered Professional Reporter 21 Certified Realtime Reporter 22 Certified Broadcast Reporter 23 24 25</p>