

MAUI COUNTY CHARTER COMMISSION PUBLIC MEETING
Old Hana School Cafeteria, Maui
Wednesday, March 6, 2002
6:00 p.m.

PRESENT

Terryl Vencl, Chair
R. Sean McLaughlin, Vice-Chair
Vince Bagoyo
Ray DeMello
Bill Fuhrmann
Gwen Hiraga
Stephen Holaday
Karolyn Mossman
Erlinda Rosario
Donn Takahashi

STAFF

Brian Moto, First Deputy Corporation Counsel
Ke`ala Pasco, Charter Commission Assistant

EXCUSED

Stephen Petro
Jon Van Dyke, Charter Commission Analyst

CALL TO ORDER

The meeting was called to order at 6:03 p.m. Present: Chair Vencl and Vice-Chair McLaughlin; Commissioners Bagoyo, DeMello, Fuhrmann, Hiraga, Holaday, Mossman, Rosario, and Takahashi; First Deputy Corporation Counsel Moto and Charter Commission Assistant Pasco. Excused are Commissioner Petro and Analyst Van Dyke.

Chair Vencl asked for a motion to accept the minutes from February 27, 2002. Motion was made (McLaughlin), seconded (Bagoyo), and carried unanimously.

Communications have been received from Angie Hofmann and Leina`ala Kihm. Motion was made (Mossman), seconded (Holaday), and unanimously approved.

Chair Vencl greeted those present, saying that the Commission had been in Hana last August. Since then, the Commission went through deliberations and came up with 17 proposals, which are on display; handouts are available at the sign up table. The Commission is now in the process of going back out to the different communities to get feedback. She outlined the process until the final report is submitted to the County Clerk's office to be prepared for the ballot in November.

Chair Vencl then explained the procedure for giving testimony (the three minutes plus one rule). She called up the first testifier to begin public testimony.

TESTIMONY

MR. JOHN KAHALEHOE, SR.

Mr. Kahalehoe is the Service Supervisor II of Hana. He believes the Water Department should remain semi-autonomous because they get more CIP projects completed this way. The process is faster than if they had to go through the administration.

When asked by Commissioner Fuhrmann to clarify his preference, Mr. Kahalehoe said he'd prefer that Water remain semi-autonomous for now (17A), and would like it to be more autonomous in the future. Commissioner DeMello said that the proposal means greater rate setting authority; Mr. Kahalehoe said he approved of that.

MS. LINDA HAMILTON

Ms. Hamilton worked on the CAC the last time, when the Hana community plan was opposed by (then Mayor) Linda Lingle. In a Maui News article dating back to 1994 (copy submitted), she is quoted as saying that Maui County "lacks a mechanism to ensure that proposed subdivisions of agricultural lands fit the goals established by our General Plan and community plans"; there is "no means by which to consider whether a subdivision will have a negative impact on schools, roads, solid-waste disposal, police and fire service, or the continued use of surrounding lands for agricultural activities. Hana needs protection to preserve its uniquely Hawaiian character."

Ms. Hamilton wondered if an amendment to the Charter would result in a mechanism in the Planning Department to deal with a cumulative impact. Chair Vencl replied that part of the Charter deals with community plans and their enforcement, hence the proposal to keep the CACs alive longer to allow them to watch as it goes through the process. Commissioner Mossman added that another component puts Long Range Planning in the Charter so it can't be ignored. Commissioner Fuhrmann said he didn't think this was a Charter issue. He said impacts can be manifested through computer modeling by inserting variables. Mr. Brian Miskae is now the Long Range Planning division Executive Director, and he's available to speak to the community about that.

Ms. Hamilton believes there should be a tie-in (dovetailing) between land use planning and what the state mandates; she asked where state mandates were mirrored in the County, and if the Charter really addresses this issue. She stressed that if we have something that needs to be done, we need to get it on the GIS. Chair Vencl responded that it's being handled through the Council, the administration, and Mr. Miskae's office. She offered to ask our analyst how we can assure that it'll be there. It's not something that would be in the Charter itself; however, it could possibly be put in the draft report. Ms. Hamilton said she'd be interested in hearing what the analyst has to say. Commissioner Bagoyo said that the County has a GIS (arc view system), but it takes a while to put it all in place. He said one goal is to clarify the role of the Planning Department. He hopes that HRS 658 would assist the Planning Department as they move toward this Long Range Plan.

Commissioner Bagoyo continued that for a development in a certain district, you need to be able to see if what exists (schools, traffic, fire protection) is adequate enough. While you can actually go as far as overlaying where pipelines, utilities, and so forth are, it takes a lot of time; this has to be weighed against the cost. Ms. Hamilton mentioned that she got assistance from Scott Splean of the Maui High Performance Computing Center (estimate submitted), adding that it's probably outdated and Mr. Splean may not even be available anymore.

MR. JOHN BLUMER-BUELL

Mr. Blumer-Buell said he came out because we didn't have a big turnout last time. He told the Commission that more people than we may realize are paying attention. He's watched a number of meetings on Akaku and was thankful he was able to do that.

He had some words of advice for the Commission:

- 1) Information for the public needs to be in language that is as unambiguous as possible.
- 2) Get a second opinion on legalese. Many times, things on the ballot are confusing even with characterizations, so it's important to be as clear as possible.

Mr. Blumer-Buell said that while he's leaning toward moving Water back under the administration (17B) because he's concerned about concurrency, he's still open to the issue. He added that if there's a lack of accountability with the Water Department, the Mayor is to blame because he appointed some of those people.

He asked if there was anything the Hana Community Association could do to help get the word out (newsletter, etc.). He said the Board will consider inviting Commissioner Fuhrmann to speak at one of their meetings. The criteria would be to hear both sides of these issues; they mostly want general information.

He brought up one more thing although he didn't think it was a Charter issue. He'd made a complaint that the government didn't tell the truth. He believes that everyone in office should be able to distinguish between right and wrong and tell the truth, but there's nothing in there that "holds people to honesty." He believes this is something everyone wants automatically. He referred to the issue with Mike Molina, saying that the need for honesty needs to be spelled out in the Charter, but it's so obvious it doesn't need to be on the ballot.

Mr. Blumer-Buell thanked the Commission and said people do appreciate what's being done. He was the last person to testify.

CONCLUSION

Chair Vencl thanked everyone for coming. The meeting was adjourned at 6:26 p.m.



Ke'ala Pasco, Charter Commission Assistant