

<p style="text-align: right;">Page 1</p> <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 CHARTER COMMISSION</p> <p>6 COUNTY OF MAUI</p> <p>7 STATE OF HAWAII</p> <p>8</p> <p>9</p> <p>10 PUBLIC MEETING</p> <p>11</p> <p>12 Held at the Kihei Community Center, 303 East Lipoa Street,</p> <p>13 Kihei, Maui, Hawaii, commencing at 6:30 p.m., Tuesday,</p> <p>14 December 13, 2011.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 Reported By:</p> <p>22 Rachelle Primeaux, CSR No. 370</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 3</p> <p>1 MAUI COUNTY CHARTER COMMISSION</p> <p>2 TRANSCRIPT OF PROCEEDINGS</p> <p>3 * * *</p> <p>4 CHAIR STONE: First I would like to say aloha</p> <p>5 everyone for attending this public meeting of the Charter</p> <p>6 Commission. My name is Josh Stone. I'm the Chairman of the</p> <p>7 Commission. If you need, there are copies of the Maui</p> <p>8 County Charter available with Lisa Kahuhu, who is sitting</p> <p>9 right over there. Thank you.</p> <p>10 As well as questions that are proposed that the</p> <p>11 Commission has come up with, which is why we're back out</p> <p>12 here to see the public. Those copies of those questions are</p> <p>13 also with Lisa. I would like to call this meeting to order</p> <p>14 as of 6:30 p.m. and introduce our Commissioners that are</p> <p>15 present.</p> <p>16 Why don't we just quickly go down the table and,</p> <p>17 Commissioners, if you could just state your name and where</p> <p>18 you're from, that would be very nice, please. Starting with</p> <p>19 you, Kay.</p> <p>20 COMMISSIONER OKAMOTO: Kay Okamoto from the Island</p> <p>21 of Lanai.</p> <p>22 COMMISSIONER WIGER: Flow Wiger, Lahaina.</p> <p>23 COMMISSIONER HASHIMOTO: Clifford Hashimoto from</p> <p>24 Hana.</p> <p>25 CHAIR STONE: Josh Stone from Paia.</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2 Joshua A. Stone, Chair</p> <p>3 Wayne H. Hedani, Vice-Chair</p> <p>4 Artemio C. Baxa</p> <p>5 David P. DeLeon</p> <p>6 Frank R. De Rego, Jr.</p> <p>7 Clifford Hashimoto</p> <p>8 Linda Kay Okamoto</p> <p>9 Flo V. Wiger</p> <p>10</p> <p>11 STAFF:</p> <p>12 Edward Kushi, Jr., Deputy Corporation Counsel</p> <p>13 Lisa Kahuhu, Supervising Law Technician</p> <p>14 ADMINISTRATION:</p> <p>15 John Buck, Executive Assistant to the Mayor</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 COMMISSIONER HEDANI: Wayne Hedani from Wailuku.</p> <p>2 COMMISSIONER DeLEON: Dave DeLeon, Haiku.</p> <p>3 COMMISSIONER BAXA: Artemio Baxa from Makawao.</p> <p>4 COMMISSIONER DeREGO: Frank DeRego, Jr., from</p> <p>5 Kahului.</p> <p>6 CHAIR STONE: Also, I would like to present our</p> <p>7 staff who is with us today. Again, we have Lisa Kahuhu, who</p> <p>8 is our supervising law technician. We have Edward Kushi,</p> <p>9 Jr., who is our Deputy Corporation Counsel. We have a</p> <p>10 stand-in for Tonya McDade, who is our court reporter,</p> <p>11 Rachelle. Hello, Rachelle, nice to meet you. Thank you for</p> <p>12 being here.</p> <p>13 And John Buck, yes. John Buck, Executive</p> <p>14 Assistant to the Mayor. I will never forget John.</p> <p>15 MR. BUCK: You didn't recognize me with the cast</p> <p>16 on.</p> <p>17 CHAIR STONE: That was it. You were hiding behind</p> <p>18 your cast. Also, I would like to recognize that Don Couch,</p> <p>19 Councilman Don Couch is here. Thank you so much for being</p> <p>20 here tonight, Don. It's important to understand that the</p> <p>21 Maui County Charter is a blueprint for how the government</p> <p>22 functions here in Maui and has been referred to as the Maui</p> <p>23 County Constitution.</p> <p>24 It is a document that governs our government, and</p> <p>25 among other things, determines its structure, powers,</p>

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1 efficiency and accountability. It is, therefore, very  
 2 important that the citizens of Maui County have the  
 3 opportunity to address concerns and rectify problems with  
 4 the Charter as perceived today.

5 And again, today we are bringing to the public the  
 6 proposals that the Charter has come up with to date. And  
 7 that will be what we would like to be discussing this  
 8 evening. I would like to go over our oral testimony rules  
 9 before we begin. We'll call up each public testifier in the  
 10 order that they register to testify. And each person will  
 11 have five minutes to testify on items concerning the Maui  
 12 County Charter.

13 Following a testifier's testimony, I will ask the  
 14 Commissioners if they need clarification on the presented  
 15 testimony. Lisa, could you please call up the first  
 16 testifier.

17 MS. KAHUHU: Don Couch.

18 CHAIR STONE: Councilman Couch, thank you for  
 19 coming forward.

20 COUNCIL MEMBER COUCH: Thank you. Thank you guys  
 21 for being here tonight. Unfortunately, you're not going to  
 22 get a big crowd today, because everybody is over at -- it's  
 23 not hooked up, sorry. There's another meeting, a very  
 24 important community meeting over at Kamalii School, so and I  
 25 apologize. I will be not be able to stay for the whole

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1 thing, so I've got to run over there as well.

2 But I want to thank you again for coming. I want  
 3 to talk about a couple of things that you have on the list.  
 4 Well, overall it's a huge list. And I just am a little  
 5 worried about voter confusion/apathy or seeing all of these  
 6 things and not voting on any of them or saying no to  
 7 everything or some form of the above.

8 So I just ask that you kind of trim it down if you  
 9 can. I realize there's a lot of stuff and that Council  
 10 doesn't put stuff on there very often, but we do --  
 11 apparently, it's been done before, the Council does during  
 12 the off years and also during the on years, which is another  
 13 thing I wanted to talk to you about. I understand your  
 14 concern that this happened last time we had a Charter  
 15 Commission, and we had an issue with water, the Water  
 16 Department.

17 There were two confusing and separate items, one  
 18 that the Charter Commission brought up, one that the County  
 19 Council brought up. And they kind of sort of clashed and  
 20 what would have happened if both of them got it. So I  
 21 understand the reasoning for saying, putting the provision  
 22 that Council can't introduce amendments in the year that the  
 23 Charter Commission has been convened.

24 But I still would like to see that taken off only  
 25 because there have been a couple of things and one that I am

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1 introducing to Council very soon, just yet another  
 2 housekeeping thing or possibly a housekeeping thing that  
 3 should get in as soon as possible if the voters want it.

4 So I am introducing an amendment myself through  
 5 Council. Hopefully it will get through, and I wouldn't want  
 6 to be handcuffed into not doing that amendment just because  
 7 you guys are in session. Although I do -- as I said, I do  
 8 understand why you have that provision in. But the biggest  
 9 thing I wanted to talk to you about is your provision, the  
 10 amendment on nonpartisan elections.

11 I was, not ten years ago, but I think it's  
 12 somewhere in between, actually there was a Council amendment  
 13 I believe that we took partisan elections out of the county  
 14 races. I find that this is my first year in Council that  
 15 not caring or knowing what party everybody is in, we get a  
 16 lot more stuff done. We are more collegial.

17 If you take a look at some of our votes, some of  
 18 our big votes that we've had a lot of 5-4 votes that we've  
 19 had, they're not always the same five people. As a matter  
 20 of fact, I don't know that you have the same five people on  
 21 a 5-4 vote. Because we all are -- we're not worried about  
 22 what party are they in, what is your party going to say.  
 23 It's just the two top people that the voters want to work  
 24 with. Sometimes it's Republican and/or two Democrats.  
 25 Sometimes it's a Republican and a Democrat. Sometimes it's

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1 somebody who is not a member of a party. I ran as a  
 2 Republican in the state race many years ago, but when it  
 3 came to a nonpartisan race, I am very nonpartisan.

4 I have beliefs on both sides of the aisle, and  
 5 fortunately, if you notice our chamber, there is no aisle.  
 6 It's a big, long arc, so we can all see each other and  
 7 discuss things with each other. I think bringing  
 8 partisanship back in has worked really well for the federal  
 9 level of these coming days. So would you really want that  
 10 to come back down to the county level?

11 So if you had to pair some things, which would be  
 12 nice if you did just to keep the voters a little bit more  
 13 sane without going nuts in the voting booth, certainly  
 14 nonpartisan and hopefully Council initiated amendments.  
 15 Thank you for your time, and I would be happy to answer any  
 16 questions you have.

17 CHAIR STONE: Thank you very much, Councilman.  
 18 Just a note for you, these proposals obviously go back after  
 19 the public outreach, and whether or not all of these make it  
 20 onto the ballot, we'll see. But I'm sure there will be a  
 21 lot of trimming going on, and that's the whole point of  
 22 being out here today. We also have discussed as a group  
 23 that we don't want to put out something to the voters that  
 24 is just so overwhelming they can't handle.

25 COUNCIL MEMBER COUCH: Thank you.

<p style="text-align: right;">Page 9</p> <p>1 CHAIR STONE: So with that, I would like to put  2 out to the Commissioners if they have any clarifications.  3 Commissioner DeRego, go ahead.  4 COMMISSIONER DeREGO: For interest's sake, since  5 we have so many on the list, I think there's about 20, could  6 you take off what you think would be your top five or --  7 COUNCIL MEMBER COUCH: To put on the list?  8 COMMISSIONER DeREGO: To put on the list.  9 COUNCIL MEMBER COUCH: Oh boy, I can give you my  10 opinion on the Council terms. Two years is kind of short.  11 It was less than a year into the term that we're already a  12 year away from the election. So it's one of those things  13 where we -- everybody is saying wait a minute, we just got  14 here, all us new ones. We just got here to think about  15 elections. So a four-year term would be nice.  16 And also three terms. Whether they're consecutive  17 or not, somebody has been on Council for 12 years, that's  18 it. They're done. None of this go off for two and come  19 back on. Gosh, the list is --  20 COMMISSIONER DeREGO: I didn't mean to put you on  21 the spot. I guess why I'm asking the question, if I can  22 follow up just a bit, Mr. Chair.  23 CHAIR STONE: Go ahead.  24 COMMISSIONER DeREGO: Is a lot of the housekeeping  25 stuff, you know, often times might be kept to off years;</p>	<p style="text-align: right;">Page 11</p> <p>1 COMMISSIONER DeLEON: Council Member, you're going  2 to propose a Charter Amendment is what you're saying?  3 COUNCIL MEMBER COUCH: Yes.  4 COMMISSIONER DeLEON: Why was it you didn't bring  5 it to this Commission?  6 COUNCIL MEMBER COUCH: This is something that came  7 up two weeks ago in discussing a bill I have for my  8 committee. And it's something that the departments have  9 been wrestling with for years and didn't think anybody would  10 care. So I said, well, yeah, that this makes sense that  11 maybe we need to change this.  12 So if something came up two weeks ago that I  13 didn't even know about was an issue and the department is,  14 you know, way down in the enforcement section and whatnot.  15 They knew it was an issue but they never brought it up to  16 their supervisors.  17 COMMISSIONER DeLEON: And it's imperative to do it  18 this year?  19 COUNCIL MEMBER COUCH: Because of the way things  20 are going in certain -- yes. In my mind, it's not  21 imperative, imperative. But I mean if the Council holds it  22 down because there are so many other things going on, it's  23 just another two years we would have to wait for more teeth  24 in our enforcement.  25 COMMISSIONER DeLEON: Could it be another point on</p>
<p style="text-align: right;">Page 10</p> <p>1 whereas, when the Charter Commission is meeting, you know,  2 this is some of my thing, but I'm wondering how you feel  3 about housekeeping during Charter Commission years versus,  4 you know, some of the big things that we're proposing that  5 might need a little more attention. I'm wondering what your  6 reaction is to that.  7 COUNCIL MEMBER COUCH: You know, as to that, one  8 of the things I'm trying to do as a bit of housekeeping and  9 a bit of a policy issue, but some of these housekeeping  10 things, I mean we can then say all right, in order to keep  11 the ballot clean, you guys are going to pick five.  12 We can bring up, and I would be happy to if I  13 survive the next election to be happy bringing up some of  14 these things, too. But, you know, the other good thing is  15 maybe Number 5, the Fire and Public Safety -- gosh, you guys  16 have so many. I can give you a list if you would like  17 afterwards.  18 COMMISSIONER DeREGO: Yes, I would appreciate  19 that.  20 COUNCIL MEMBER COUCH: I would say again what top  21 five, and I would say if we can only get rid of five, these  22 five.  23 COMMISSIONER DeREGO: Thank you.  24 CHAIR STONE: Commissioners, further  25 clarification. Commissioner DeLeon.</p>	<p style="text-align: right;">Page 12</p> <p>1 our list?  2 COUNCIL MEMBER COUCH: Yeah, sure. But I thought  3 your list was closed.  4 COMMISSIONER DeLEON: No, it's not closed.  5 COUNCIL MEMBER COUCH: Oh, okay. Well, in 13.10  6 or 12, it sets the limit of fines that Council did put into  7 laws and \$1,000 and no more than a year in prison. That  8 \$1,000 was there in 1983. Right now there are certain  9 people that could be fined at \$1,000 an instance, which  10 sometimes can be that's as much as they can get. They write  11 that off as the cost of doing business.  12 So, my amendment is to eliminate that last phrase,  13 the last two phrases, "no more than \$1,000" or "one year in  14 prison". You can leave the one year in jail, that's fine.  15 But the \$1,000, we had a debate in our office whether or not  16 to just eliminate the number or put another number in there.  17 And the reason I chose to eliminate the number was because  18 we would have to, you know, another ten years or 20 years,  19 we would have to be back for possibly raising the limit  20 again.  21 I think that Council has -- is good enough at  22 least right now, this Council that we have that we could be  23 very judicious in what we're going to do, what limit we  24 would set. There was a fear at some time that Council would  25 go wild and set huge, humongous fines when right now the</p>

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1 \$1,000 is the cost of doing business at some of these.  
 2 CHAIR STONE: Thank you very much. Commissioner  
 3 Hedani.  
 4 COMMISSIONER HEDANI: Don, one of the things that  
 5 was proposed was to create an office for the county auditor  
 6 and to have that person, instead of reporting to the  
 7 legislative department or to the executive department, have  
 8 them reporting to the Cost of Government Commission as kind  
 9 of like an independent -- an independent body that would  
 10 work with the auditor to take complaints from the public.  
 11 Do you have any opinion on that?  
 12 COUNCIL MEMBER COUCH: You know, and I don't know  
 13 about the Sunshine Law here. This is something that's come  
 14 before Council. (Inaudible.) This came before us on the  
 15 floor, and I had some thoughts of exactly going the way you  
 16 guys wanted to do it. Then I thought about it some more and  
 17 had a discussion with some of my staff in that in most  
 18 cases, auditors are auditing the administration and state,  
 19 federal, everywhere.  
 20 Legislators don't really -- we don't run the  
 21 departments. We run our own department however we see fit  
 22 to run it. But it's one of those situations where all of  
 23 our staff, none of them are -- I don't think any of them are  
 24 Union. They're all appointed every two years. So it's our  
 25 own staff and how we want to run stuff. We have a certain

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1 amount of money that the administration puts in the budget,  
 2 and during our budget sessions, we scrutinize ourselves in  
 3 that.  
 4 So to put an independent auditor is okay, but  
 5 there's nothing really to audit in the Council side, very  
 6 little, I mean maybe one little bit; whereas, the  
 7 administration we're auditing how both programatically,  
 8 which is what we do as Council anyway. We try to audit  
 9 programatically. It's really difficult, because we can't  
 10 concentrate full-time on that, or financial, so there's two  
 11 types of audits, programatic and financial audits.  
 12 And that's what the state does, and that's what  
 13 the feds do is audit the administration side, so I would  
 14 push it more to have it as a legislative audit.  
 15 CHAIR STONE: Thank you. Commissioner Hashimoto.  
 16 COMMISSIONER HASHIMOTO: I just -- this is just  
 17 for clarification. On the first remark you made regarding  
 18 partisan/nonpartisan. Right now it's nonpartisan, so you're  
 19 in favor of leaving it?  
 20 COUNCIL MEMBER COUCH: I'm in favor of leaving it  
 21 nonpartisan.  
 22 COMMISSIONER HASHIMOTO: Thank you.  
 23 CHAIR STONE: Thank you. Commissioners, any  
 24 further clarification?  
 25 Thank you, Councilman Couch. Thank you very much

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1 for being here. Lisa, next testifier, please.  
 2 MS. KAHUHU: Chair, we're just going to switch the  
 3 mic cord real quick.  
 4 CHAIR STONE: Okay. No problem.  
 5 MS. KAHUHU: Michel Trotto is the next testifier.  
 6 CHAIR STONE: Michael, thank you very much for  
 7 being here this evening.  
 8 MR. TROTTO: Good evening, Chair Stone and  
 9 Commissioners. Thank you for coming to Kihei tonight. I  
 10 appreciate your being here. My name is Michael Trotto.  
 11 I've been a property owner in Kihei since 1969 and a  
 12 permanent resident of Kihei since 1977. I looked over that  
 13 list. I just made my own little list I would like to go  
 14 down and just ask you to consider some of these -- I'm in  
 15 favor of the term of office going to four years for the  
 16 Council as opposed to two years.  
 17 And one of the reasons, I saw this year where, in  
 18 August, this past August, I see requests, not requests, but  
 19 I saw fundraisers beginning for the Council Members. And I  
 20 thought, my goodness, now already seven months. They were  
 21 seated in January. And here it is August, and they're  
 22 already starting. That's one of the biggest reasons, and I  
 23 think it's a deterrent to getting a qualified candidate.  
 24 They look at that, and they say, you know, it's  
 25 costly to have to do these elections every two years. So I

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1 would hope that this body would really look in favor of  
 2 putting that four-year term in place. And I think again  
 3 it's for getting the quality of candidates that you would  
 4 want to see in there. I'm not concerned about -- I've heard  
 5 comments, well, if they have somebody in the four years  
 6 prior to that, if they're not doing a good job and all that.  
 7 You know, we just don't see that. We see people that come  
 8 in here and want to do a good job, and they don't want to be  
 9 burdened by having to run an election every two years.  
 10 So I think the positives are going to outweigh the  
 11 negatives on that. And, of course, I have to tell you that  
 12 I am a very staunch term limit guy. I have been for many,  
 13 many years. I truly do not believe in lifetime or career  
 14 politicians. I think they should come in at a reasonable  
 15 time, and then we should have that chance for other highly  
 16 qualified people to take over.  
 17 You know, sometimes new and improved is okay, you  
 18 know. It's not always the same old, same old that you have  
 19 to have because they're doing a good job. Yeah, they do a  
 20 good job. But I think we shouldn't have people -- lifetime  
 21 politicians. I think we need, especially for the younger  
 22 people, really talented and people that want to serve their  
 23 community. They know it's an uphill battle in our system  
 24 today and how we do it and incumbents always just seem to  
 25 get reelected, so I think we should look at that.

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1 And I favor the three four-year terms. And then,  
 2 you know, then we give them a fond mahalo and aloha. And I  
 3 would hope that would go on and give it to the voters to  
 4 decide also. The other thing I want to talk about it  
 5 partisan elections. I think we've proven that in these last  
 6 few years that having nonpartisan elections really works  
 7 well. And, you know, you hear the term across the aisle and  
 8 bipartisan, but you know what, that aisle that they talk  
 9 about, sometimes it's a really wide, wide chasm, and  
 10 sometimes it's even a wall.

11 So it doesn't always work. So in our small  
 12 community here Maui County, I think having nonpartisan  
 13 elections really has proven to be the better way of going.  
 14 And I would also like to extend that, if you would, to take  
 15 to take that out, the partisan part, take it out of the  
 16 requirements for people like yourselves who serve on boards  
 17 and commissions. I don't think people who come out and  
 18 volunteer to give their expertise and their time and their  
 19 service should be straddled with having to declare a  
 20 particular party.

21 I think that's wrong. And it doesn't serve to get  
 22 what you're, you know, the end product. I mean some of  
 23 these boards and commissions require certain specific  
 24 expertise. And that should be the underlying criteria, and  
 25 some of the ones that do not, we shouldn't have people

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1 thinking that they have to declare a particular party. I  
 2 don't think that really helps, and I don't think it has any  
 3 meaning. And if you look at the Council today, I think it's  
 4 working better than we've seen in many, many years.

5 And it's just better that you don't have that  
 6 hanging up there. So anyway, I hope you can pass that on,  
 7 and we want to stay with nonpartisan and have the voters  
 8 decide also. I like to see many of these issues go before  
 9 the electorate, and you know, have them make a decision.

10 MS. KAHUHU: Time.

11 MR. TROTTO: I have some other things, but anyway,  
 12 those were the main things. And again, before I get off, I  
 13 would just like to sincerely give you my mahalo and aloha  
 14 for doing what you folks do. This is a tough job, and I do  
 15 appreciate all the hours and that you do to take care of  
 16 this Charter. And thank you for your services today,  
 17 Commission. Aloha.

18 CHAIR STONE: Thank you, Michael. Thank you very  
 19 much. One second. I'm sure we're going to have some  
 20 questions from the commissioners. And also, if you would  
 21 write in the testimony in written form and hand it in so we  
 22 get to see everything left on your list.

23 MR. TROTTO: I just have it outlined. I forgot to  
 24 bring the actual testimony.

25 CHAIR STONE: And your input is very much

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1 appreciated. Commissioners, any clarifications on the  
 2 testimony? It was very clear. Thank you very much,  
 3 Michael. Thank you. Lisa, next testifier, please.

4 MS. KAHUHU: Thomas Croley.

5 CHAIR STONE: Thomas, welcome tonight.

6 MR. CROLEY: Aloha, Commissioners. I'm Thomas  
 7 Croley from here in Kihei, and thanks for coming out to  
 8 frosty cold Kihei tonight. And I want to echo the mahalo  
 9 for your service on this Commission. I know that each and  
 10 every one of you wants to do the right thing to improve our  
 11 county government. And I know there will be disagreements  
 12 about what that right thing is, but I do sincerely  
 13 appreciate all the effort that you've put into making the  
 14 Charter work better and making our county government work  
 15 better.

16 This is the third time you're hearing from me, and  
 17 I'm a bit disappointed that the items that I brought forward  
 18 do not seem to be moving forward on your agenda. So I'll  
 19 make one more plea for them, if you will. The first item  
 20 that I brought forward the first time I testified was that  
 21 of amending the Charter so that boards and commissions would  
 22 have the ability to appoint alternative members. The idea  
 23 of having them to appoint alternative members would expedite  
 24 replacing someone who suddenly disappears from the  
 25 commission, because they resign or because they die or

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1 whatever.

2 And sometimes it takes six months to get through  
 3 the process and have the Mayor nominate someone and have it  
 4 get through. If someone is sitting there as an alternate  
 5 who has already been sitting in on some of the meetings,  
 6 already is up to speed on how the commission operates, I  
 7 think that person would be ready to step forward and do  
 8 that. I think that could be done as one of the housekeeping  
 9 measures tagged onto one of the other things you have on  
 10 there regarding boards and commissions.

11 The second item, of course, is the thing that I  
 12 testified so passionately on in my second testimony, and  
 13 that is the way that we elect our Council representatives.  
 14 I've paid close attention to all the discussions that you  
 15 folks have had, and I appreciate all sides of this. For me,  
 16 I like the opportunity to be able to vote for all nine of my  
 17 Council representatives. Me personally, because I'm  
 18 somebody who is involved in county government and I know  
 19 each of these people, I like to have the opportunity to vote  
 20 for Gladys Baisa from upcountry or to vote for Riki Hokama  
 21 from Lanai. It just works for me.

22 But for a lot of people that I talk to, it doesn't  
 23 work so well. They come to me and ask me who should I vote  
 24 for, because they're overwhelmed with nine candidates on the  
 25 ballot. But it's very clear to me looking at how the

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1 elections have taken place over the past several years that  
 2 the current system is not working as we had intended it to  
 3 work.  
 4 And I do feel that this Commission is not serving  
 5 the voters by allowing the voters to have the chance to  
 6 decide what system would work best for them. I think that  
 7 the Commission has made some assumptions that I'm not sure  
 8 about. One of the assumptions that I hear made in the  
 9 arguments for our current system is that Molokai, Lanai and  
 10 Hana may not have their own representative if we abandon our  
 11 current system.  
 12 Now, I would challenge anyone to say that Riki  
 13 Hokama couldn't win an election against someone from  
 14 Lahaina, for example, and be elected by the people from  
 15 Lahaina. I don't think that the people who live in Lahaina  
 16 would necessarily say Riki is not going to be in our best  
 17 interest because he's from Lanai. He's a smart guy. He is  
 18 a guy who knows our budget process very well, and I would be  
 19 hard-pressed to find someone who is a better candidate than  
 20 him.  
 21 Same thing for Danny Mateo or Linda Lingle coming  
 22 from Molokai. These are smart people, and I think they  
 23 stand just as good a chance being elected by a broader base  
 24 of people than just their island. So, I think it's a flawed  
 25 assumption to think that people cannot rise from Molokai or

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1 Lanai and be elected by the people of Maui unless we force  
 2 them to elect those people by only giving them that choice,  
 3 which I don't think serves democracy very well. Again, I  
 4 would like to give the public the opportunity to consider an  
 5 alternative, and I think it's the kuleana of this Commission  
 6 to come up with an alternative, a reasonable alternative.  
 7 I understand it's a difficult thing to do, and I  
 8 understand you may run out of time because you're trying to  
 9 consider a broad base of these issues, and maybe you can  
 10 come up with an alternative for setting up a -- voting on  
 11 setting up a group to come up with. But I think more effort  
 12 should be given to an alternative way of electing our  
 13 Council just based on the fact that a lot of people have  
 14 already testified they're concerned about it and the fact  
 15 that looking at the results and how our current system is  
 16 working, it's not working all that well.  
 17 The other item that I do want to make a comment on  
 18 is that aspect of partisan elections. For the past 20  
 19 years, we've had a system where we have had nonpartisan  
 20 elections, and it's been working very well in County  
 21 Council.  
 22 MS. KAHUHU: Time.  
 23 MR. CROLEY: I don't see turning it into a  
 24 partisan is going to help. And I would point out the voters  
 25 did already vote on this issue, and overwhelmingly they

Page 23

1 wanted to go to a nonpartisan system. Thank you.  
 2 CHAIR STONE: Thank you very much, Thomas. Much  
 3 appreciated. Commissioners, clarification on Mr. Croley's  
 4 testimony?  
 5 Mr. Croley, actually I have a question. I don't  
 6 know if you were savvy to that session where we were looking  
 7 at one of the district voting proposals, the Ramil proposal  
 8 we caused kind of a broad, that broad concept. It didn't  
 9 pass on into our draft proposal stage, but there was some  
 10 interest.  
 11 I'm interested in your opinion of that particular  
 12 proposal, or we took it as a broad proposal, you know, that  
 13 concept let's call it.  
 14 MR. CROLEY: Personally, I didn't support that  
 15 concept, which is why given the choice between, you know,  
 16 one idea and our current idea, I might well vote for -- our  
 17 current idea works. I'm not saying that district voting is  
 18 the only way to go about it. But the particular one that  
 19 you were considering having the three different districts  
 20 and having -- it really got pretty complicated, you know,  
 21 and I think in some ways can even be more confusing.  
 22 The one benefit I did see to it though is instead  
 23 of people having to vote for nine representatives, culling  
 24 it back. And I also think that the four-year thing helps to  
 25 some degree, because if we put people on every other, then

Page 24

1 they're not faced with nine representatives to elect every  
 2 two years. It could be four in one year and five in  
 3 another. So, you know, there's probably a myriad of  
 4 possibilities, but that particular one, I may not have voted  
 5 for it. Because I thought it to be just as complicated as  
 6 your current system.  
 7 CHAIR STONE: Thank you. Commissioners,  
 8 clarification? Thanks very much for being here this  
 9 morning.  
 10 Lisa, next testifier, please.  
 11 MS. KAHUHU: Trevor Meyring.  
 12 CHAIR STONE: Trevor, thank you for being here.  
 13 MR. MEYRING: Good evening. My name is Trevor  
 14 Meyring. I'm here to speak a little bit about the ocean  
 15 safety merger to Fire. I'm an ocean safety officer. I'm  
 16 new to public service in Maui. I'm not new to public  
 17 service itself. I'm very thankful to be a part of ocean  
 18 safety here and making a real difference in people's lives.  
 19 Kind of the same as you guys, what you do here makes a huge  
 20 differences all the way around this island.  
 21 And I do believe that moving to Fire for ocean  
 22 safety would help us provide a better service. Better  
 23 service is what each and everybody that I've worked with  
 24 cares about every day. And we work very hard to take the  
 25 very best care in people, whether it be before they get hurt

Page 25

1 or after.

2 And I believe that merging with Fire during

3 critical situations where we need more manpower where we

4 need more resources is the way to go. We work with them

5 closely many times already, but I believe that the training

6 opportunities being merged together would be more -- provide

7 more cohesive and more seamless emergency response and

8 patient care.

9 So just again, I'm very thankful and I would like

10 to see us grow and expand and do bigger and better things

11 for people.

12 CHAIR STONE: Thank you. Thanks so much.

13 Commissioner DeRego.

14 COMMISSIONER DeREGO: Thank you very much for your

15 testimony this evening. We have -- there's been testimony

16 prior to this about ocean safety possibly because of the

17 Union situation being treated as second class citizens

18 within the Fire Department because of differences in Union

19 contracts and how each is dealt with in the collective

20 bargaining process.

21 Do you have any concerns about the merger of the

22 Fire Department with ocean -- I mean the ocean safety with

23 Fire Department in that regard?

24 MR. MEYRING: My concerns, they don't really lie

25 in being second class. I know we'll be taken care of. It's

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1 just to what degree and what kind of ways we have for, you

2 know, certain desires, and that's really what it boils down

3 to. I don't have a good grasp on what all the differences

4 are, so I don't know enough to give you an intelligible

5 answer, you know, and say, yeah, here it is. This is it.

6 I'm not too concerned honestly.

7 CHAIR STONE: Great. Thank you. Commissioner

8 Hashimoto.

9 COMMISSIONER HASHIMOTO: Yes. I just wanted to

10 know in what capacity you serve in your department. Are you

11 in management, or are you one of the --

12 MR. MEYRING: No, I am an ocean safety officer at

13 the second level. So I still have room to learn and grow,

14 become an operator, and you know, things to look forward to.

15 COMMISSIONER HASHIMOTO: Okay. Thank you.

16 CHAIR STONE: Very good. Commissioners, further

17 clarification? Commissioner Hedani.

18 COMMISSIONER HEDANI: Hi, Trevor. Thanks for

19 coming. Thanks for testifying. You know last night when we

20 were in Lahaina, we had a person come up from the lifeguard

21 side and say they were very concerned because some of the

22 talk, or I guess it's just scuttlebutt at this point, was

23 that the hours of the lifeguards were going to be changed

24 from eight hours in a day to twelve hours in a day or

25 something like that similar to what the Fire Department go

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1 through.

2 But my perspective is that a lifeguard that's on

3 duty is watching for people every minute of the time that

4 he's on duty to make sure that they don't get hurt or drown.

5 And it's not like sitting back waiting for a fire and taking

6 a nap while you're waiting for 12 hours. So do you have an

7 opinion on something like that?

8 MR. MEYRING: Your energy, yes, you know, you do

9 get drained at times when we're very busy. I work Makena.

10 And at times, we're very busy, very busy. And an eight-hour

11 day feels like more than enough. But we signed up for this,

12 and we need to move through the changes. If those changes

13 mean providing, you know, better care and better service,

14 and me not leaving the beach and watching the fire truck and

15 the ambulance come opposite right after I'm going home,

16 which I've seen and I hear about the next day happen because

17 we closed the tower, I'm willing to step up.

18 CHAIR STONE: Very good. Thank you.

19 Commissioners, further clarification. Commissioner Wiger.

20 COMMISSIONER WIGER: Thank you for your testimony,

21 Trevor. I just wanted to say that I found your explanation

22 to be very cogent. It made a lot of sense. And as you

23 think about ways that you could see the integration, if it

24 were to take place happening, if you could perhaps provide

25 the Commission with information that you might have about

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1 ways of going about that. I mean it's something that, you

2 know, we don't get into that level of detail and

3 interpretation, but you may have some thoughts about how

4 that could actually work.

5 MR. MEYRING: Sure, I would be happy to. I'm

6 still learning the mechanics and the gears how they fit

7 together and what the approaches are, you know. And beyond

8 the scuttlebutt, there are real ways to make things work. I

9 appreciate you being concerned with that.

10 COMMISSIONER WIGER: And if you could provide us

11 with anything you could think of, that would be helpful.

12 MR. MEYRING: Thank you. I will do that.

13 COMMISSIONER WIGER: Thank you.

14 CHAIR STONE: Thank you. Commissioner DeRego.

15 COMMISSIONER DeREGO: Just as a followup to that,

16 if you could express what you feel would be the professional

17 advantages and the safety advantages of merging with the

18 Fire Department, whether it be certification and training

19 and, you know, those kinds of things, if you could add that

20 to your list when you're thinking about it and kind of

21 putting your thoughts down.

22 MR. MEYRING: Because you know that, and that is

23 obvious, the training, the level of training that can be

24 achieved. And we know that no great games are won without a

25 great deal of training, and that's an obvious benefit having


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1 those resources available, having the manpower and the time  
 2 that it takes to do the training.  
 3 And like I was saying, when you do need to call  
 4 all the boys from the firehouse, that you have done  
 5 exercises together and that you know and they know that we  
 6 can be counted on as a unit, and there's no guesswork.  
 7 That's probably the biggest thing in my heart that I know,  
 8 because big things will happen that require a lot of work  
 9 and a lot of effort, and you need things to be just fluid as  
 10 it gets, so I think that's number one for me.  
 11 CHAIR STONE: Thank you very much. Commissioner  
 12 Hashimoto, do you have something?  
 13 COMMISSIONER HASHIMOTO: No.  
 14 CHAIR STONE: Commissioners, any further  
 15 clarifications?  
 16 Trevor, thank you so much for being here to  
 17 testify, and thanks for what you do. It's much appreciated.  
 18 Thank you.  
 19 Lisa, any further testifiers?  
 20 MS. KAHUHU: Chair, there is no one signed up.  
 21 CHAIR STONE: At this time, I would like to put  
 22 out to the public that if anybody would like to testify that  
 23 has not testified, you're welcome to come forward. Nobody,  
 24 okay. Very good. Thank you very much, public, for your  
 25 testimony tonight. Although short, very relevant. So that

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1 is much appreciated. Without objection, I would like to  
 2 close oral testimony at this time.  
 3 And without objection, I would like to put all of  
 4 our communications into the record. And moving on,  
 5 Commissioners, if there's any discussion on the testimony  
 6 that we heard this evening, now would be the time to discuss  
 7 it. No. Very good.  
 8 Okay. Looking at our next meeting. Our next  
 9 meeting is tomorrow. We've got a busy schedule this week.  
 10 So our next meeting is tomorrow on Molokai at 6:30 p.m. And  
 11 I'm sure that most of the commissioners will be there  
 12 tomorrow. All right. Very good. And without any further  
 13 discussion, any further input, Commissioners, just before I  
 14 sign off, anything else?  
 15 No, we're all good. All right. Thank you very  
 16 much. I will be adjourning this meeting as of 7:12. Thanks  
 17 for everyone joining this meeting. Aloha. Merry Christmas  
 18 and Happy Holidays.  
 19 (The meeting adjourned at 7:12 p.m.)  
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 2 CERTIFICATION  
 3  
 4 I, RACHELLE PRIMEAUX, Notary Public for the State of  
 5 Hawaii, certify:  
 6 That the proceedings contained herein were taken by me  
 7 in machine shorthand and were thereafter reduced to print  
 8 under my supervision by means of computer-aided  
 9 transcription; that the foregoing represents, to the best of  
 10 my ability, a true and accurate transcript of the  
 11 proceedings had in the foregoing matter.  
 12 I further certify that I am neither attorney for any  
 13 of the parties hereto nor in any way concerned with the  
 14 cause.  
 15 Dated this 9th day of January, 2012.  
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 17   
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 19 \_\_\_\_\_  
 20 Rachelle Primeaux, CSR No. 370  
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