

MINUTES OF THE

MAUI COUNTY CHARTER COMMISSION

DATE: September 23, 1975
 PLACE: Cameron Center, Conference Room, Wailuku, Maui
 CALL TO ORDER: 3:40 p.m.
 PRESIDING: Monsignor Charles Kekumano
 MEMBERS PRESENT: Monsignor Charles Kekumano ✓
 Paul Devens, Commission Attorney
 Edwina Bright -
 Margaret Cameron -
 Catalino Agliam
 Sanae Moikeha -
 Ralph Murakami -
 Lloyd Sodetani ✓
 Joseph Souki ✓
 Allan Sparks ✓

MEMBERS EXCUSED: Hideo Abe
 Stephen Petro

OTHERS PRESENT: Paul Mancini, Executive Assistant to the Mayor
 Ed Tanji, Press

Minutes

The minutes of the meetings of September 17, 1975 and September 23, 1975 was deferred until the September 30, 1975 meeting.

Material Distributed

Monsignor Kekumano said the material distributed, Tentative Important Issues, are gathered information taken from the September 3, 1975 and September 9, 1975 minutes, put together by the subcommittee for deliberations before committing it to public meetings.

In answer to Mr. Sparks question, Monsignor Kekumano said that the wordings in the Tentative Important Issues will be the material the Charter Commission will use for presentation to the public meetings.

Tentative Important Issues

Office of the Mayor

Mr. Souki made a correction under (b) the consideration of office of the Mayor. He said possibly should be omitted from the wordings; possibly Managing Director, Planning Director, etc. It shall be read:

To consider changing the present position with regard to succession as acting Mayor during the temporary absence or disability of the Mayor; Managing Director, Planning Director, etc.

Form of Government

Mr. Sparks suggested eliminating the considerations (a) and (b) under form of government. After motion duly made and seconded it was moved and carried that the considerations (a) and (b) be eliminated from the tentative important issues.

Department of Human Concerns

Mr. Souki recommended that housing be added on to the consideration. It was moved and carried that housing be added on to the Department of Human Concerns.

Planning Department

It was recommended that a more appropriate consideration be identified under the Planning Department for the General Plan.

Planning Department

In answer to Monsignor Kekumano's question, Mr. Souki said he sees nothing wrong in putting section 5-408-General Plan of the Honolulu Charter for the consideration since the Commission is accepting this concept of the general plan. Consideration (b) shall read:

To consider a provision whereby the general plan shall set forth the county's broad policies for the long range development of the county. It shall contain statements of the general social, economic, environmental and design objectives to be achieved for the general welfare and prosperity of the people of the county through government action, county, state or federal. The statements shall include, but not be limited to, policy and development objectives to be achieved with respect to the distribution of social benefits, the most desirable uses of land within the county, the overall circulation pattern and the most desirable population densities within the several areas of the county.

General Plan; Development Plan

Mr. Devens said the general plan on Oahu is very broad and it may be specific enough to identify some details, governmental facilities, etc. Mr. Devens said the next level would be the development plan which is more detailed where you get into the alignment of major roadways, etc. He said zoning is the most detailed of the three step process.

Mr. Sparks said he understood that the general plan for Maui was detailed enough to say that this is primarily agriculture land and is used for agriculture and this is urban land, used for urban, etc., and these are only guidelines, not zoning law; Mr. Sparks asked is this to be considered the general plan?

Mr. Devens said if you defined it as your general plan, than it is.

Monsignor Kekumano said public hearings are not required by the present Charter and that the Commission should maintain consideration (c): The provision stating clearly that public hearings be required before any plans or changes are adopted.

Board of Adjustment and Appeals

Land Use and Codes

After a lengthy discussion on the Board of Adjustment and Appeals, it was considered that it be a housekeeping matter and to include Land Use and Codes also as a housekeeping matter.

Ethics Code and Commission

Mr. Souki said in condensing the Ethics Code we have provided for the office of prosecuting attorney as the office to provide the follow up in the event that there is any investigation of breach of the Code of Ethics.

Disclosures---Mr. Murakami said that they included the members of all boards and commissions in disclosures; this comes under the Standard of Conduct.

In answer to Monsignor Kekumano's question, Mr. Souki said that the prosecuting attorney would be serving like a staff to the Commission.

Answering Mrs. Cameron's question on Ethics Commission, Mr. Souki said that a board of ethics is included, Section 10.5, Board of Ethics in the suggested section on Ethics.

Mr. Souki said under Ethics Code and Commission tentatively the consideration should read:

To consider a provision to institute an Ethics Commission and revise the present Ethics Code.

Ethics Code and Commission

Mr. Murakami said that the two major changes in the Ethics Code would be the disclosure portion which now includes not only the elected officials but department heads, appointees, employees, members of all boards and commissions. He said the enforcement aspect would be with the prosecuting attorney.

Penalties

After a lengthy discussion on penalties, Mr. Devens said that it can be handled by the legislative body of the Council and be enforced by ordinance.

Mr. Sparks asked if there is anything the Commission can do to be sure that the penalties are enforced?

Mr. Devens said that you can insert it in the Charter or leave it to the Council.

Public Meetings

After a lengthy discussion on the pros and cons in drafting the Charter, Monsignor Kekumano said that the housekeeping matters will be discussed on the September 30, 1975 meeting.

Monsignor Kekumano went over the tentative dates for public meetings beginning with Hana, Lanai, and Molokai. He said that the public meetings should be ended by the end of November using the rest of the time to print the Charter.

There being no further business the meeting was adjourned at 5:30 p.m.

Next Commission meeting will be on September 30, 1975 at 3:30 p.m. at the Cameron Center.

Respectfully submitted,
Leonora Balidoy, Secretary