

MAUI COUNTY CHARTER COMMISSION  
MOLOKAI PUBLIC MEETING  
KAUNAKAKAI

DATE: October 24, 1975  
PLACE: Kaunakakai School, Kaunakakai, Molokai 96748  
CALL TO ORDER: 7:00 p.m.  
PRESIDING: Chairman Monsignor Charles A. Kekumano  
COMMISSIONERS PRESENT: Mrs. Edwina Bright, Vice Chairman  
Hideo Abe  
Catalino Agliam  
Dr. Sanae Moikeha  
Ralph Murakami  
Stephen Petro  
Lloyd Sodetani  
Allan Sparks  
Joseph Souki  
ABSENT & EXCUSED:  
Mrs. Margaret Cameron  
STAFF PRESENT: Mrs. Cecilia T. Marciel

The 6<sup>th</sup> scheduled public meeting of the MAUI COUNTY CHARTER COMMISSION was called to order by Chairman Kekumano at 7:00 p.m. at the Kaunakakai School, Molokai on October 24, 1975. Ten Commissioners were in attendance; 34 Molokai residents and two members of the press corps. Refer to attendance sheet attached.

In his opening remarks, Chairman Kekumano thanked Molokaians for showing their interest and concerns in the Charter by their presence. He also reminded everyone that the considerations are pertinent only to Maui County; not to be confused with State and/or Federal matters.

Chairman introduced Commissioner Allen Sparks who conducted his illustrative presentation on the COUNCIL COMPOSITION. (Refer to Issues attached).

Discussion:

The Chairman recognized Elegio V. O'Campo - who said that ...."in 1968 I proposed the same thing I am proposing now; that we have equal representation like any other place - I was denied, they said Molokai population was too small. Molokai councilman is elected by Maui, just like Lanai, but Maui does not know the qualifications of our candidate. But they say if you not backed by the powerful machine, you have no chance. But we do not have true representation or even equal representation".

Chairman recognized Ernest Uu, who in turn directed his question to Commissioner Stephen Petro: "As you know, when we determined the boundary lines, some time ago, we approved the present system. The present system is the best and we should retain it because we have not had any opposition from the general public. If we have only Molokai people support Molokai's candidate, we will not get full support tax-wise from Maui."

Chairman recognized Fred Bicoy who said that he had a statement to read - which was authored by Blake Lightfoot, Kamalo, Molokai; Bicoy stated he does not represent Lightfoot nor does the statement represent his feelings (Bicoy's). Lightfoot was unable to be present. (Refer to statement attached and made a part of these Minutes).

Commissioner Joe Souki: Mr. Lightfoot recommends that Molokai become a separate County and simultaneously he also mentions that we should improve the situation we have now into equal representation, rather than a district representation. Which does Mr. Lightfoot want - does he want a separate County or does he want to improve on the manner of representation for Molokai? I think this is a critical question?

Chairman: Unfortunately, he is not here to answer your question, Mr. Souki.

Commissioner Souki: Maybe the messenger can elaborate a little?

Chairman: He indicated he does not speak for the man.

Commissioner Souki: In any case, I think this matter should be clarified.

Chairman recognized Louis Hao, President, Molokai Chamber of Commerce - refer to letter and statement attached and made a part of these Minutes. Hao sought permission to present considerations as chosen by the Molokai Chamber of Commerce. Chairman Kekumano suggested Mr. Hao read the Chamber's preferences item by item categorically as they are presented by the Commission so as to eliminate any misunderstanding and to encourage discussion. Mr. Hao agreed and consequently read Item 1, Council Composition, c). (Copies distributed to all Commissioners.)

William Buchanan, G. Hayashida, Mariano Acoba, Anna Goodhue, F. Bicoy - these Molokai residents spoke for the retaining of the existing system of electing the Council - all to be elected at-large with residency requirements for Councilmen from Molokai and from Lanai.

Chairman to Bicoy: You're speaking of keeping the status quo - the at-large system with district representation for the two islands - supposing some other areas like Hana or Lahaina would like to have one too? In other words, do you prefer to have just these two, or should we have three or four elected from an area, or elected at-large?

Bicoy: Yes.

Chairman: Thank you.

Chairman recognized Jim Williams (Kaunakakai resident): Mr. Lightfoot's views don't sound too popular with this group, but I'd like the Commission to consider some kind of district representation. The government of this country is based on representation by district. I think it's a good idea - the word accountability wasn't used, but I think that was meant in some of the pros that were mentioned; the three hit me are true district representation, minorities better represented and direct competition between candidates. I hope you can move in that direction. You have a

compromise - or some alternatives, but I hope you really consider those very strongly.

Chairman Kekumano elaborated on the "Issues" as circulated -

- 1) Council Term of Office
- 2) Council Office Vacancy
- 3) Powers of the Council
- 4) County Clerk
- 5) Office of the Mayor
- 6) Managing Director
- 7) Cost of Government Commission (a new Commission)
- 8) County Attorney-consider the separation of County Attorney and Prosecutor; and should the Public Prosecutor be an elected position)

Chairman recognized Ernest Uu: Could the County Attorney be elected?

Chairman: It could be - what has been suggested is that the Public Prosecutor could be an elected position. The County Attorney normally represents the administration; the idea of creating the Prosecutor's position would make that office an independent one - on the other hand, consider that he would be elected, say - only for two years, would a qualified attorney run for office for such a short term.

Chairman directed his next question to Councilman Loy Cluney present in the audience: Mr. Cluney do you care to comment on the County Council, the term of office, or any aspects of it?

Mr. Cluney: Thank you Mr. Chairman, I would be lying if I said I didn't have any interest about the limitation of terms - on the other hand, the people - the voters would like to see their candidates come before them, so I really don't care - either way.

Chairman: Thank you very much - we'd probably have problems either way.

Chairman spoke on the consideration of Department of Public Works (Refer to Issues) - he pointed out that some people had spoken against the transfer of maintenance of Parks and Recreation to Public Works because small parks would be low on the priority list, therefore, would not receive proper maintenance and care.

Chairman Kekumano explained further the rationale of the Department of Human Concerns for the purpose of better accessibility to elderly and youth programs, immigration services, housing, etc. He emphasized that they already exist and would not necessarily contribute toward increased costs, but perhaps better coordination. There might be some inevitable amount of overlapping due to the youth program services and activities which already exist in the Parks and Recreation Department.

DEPARTMENT OF WATER SUPPLY:

The Chairman said this would only concern East Molokai; that the present Board is a semi-autonomous group; accountable only to the Mayor, and that, this same situation also exists in the Planning Department. Would it improve these two departments to have the Directors appointed by the administration, thereby making them true department heads.

Question by Uu: Would they be able to take over the systems here on Molokai? We have about 6 systems operating here.\* Are you saying that the County is going to run the whole system?

Answer by Chairman: I cannot speak for the water department - or the other authorities - we're only speaking of the Board of Water Supply as affects the Charter.

INFORMAL DISCUSSION AND COMMENTS:

Chairman Kekumano:

1. Consider district representation on all Boards and Commissions?
2. Is this feasible for all Boards and Commissions?
3. For instance - the Street Lights Board - can you have members from Molokai and Lanai too?

ETHICS CODE COMMISSION:

1. Institute a new Commission and revise the present code -

DEPARTMENT OF POLICE:

Chairman explained the Charter Commission has not done too much with this because it feels that many of these rules and regulations should be set forth by the Police Commission. (There was no opposition).

DEPARTMENT OF LIQUOR CONTROL:

It was mentioned by the Chairman that the purpose of increasing the size of the Board from three to five members would be a matter of convenience for the department. (No opposition).

DEPARTMENT OF PERSONNEL SERVICES:

It was felt by the Chairman that the considerations here are most for clarification of the department itself.

INITIATIVE AND REFERENDUM:

Consisted of two considerations -

\*NOTE: (The County system has jurisdiction over an area from Kaunakakai thru' to Halawa and Kalae. Other areas are owned and operated by Hawaiian Homes Lands, Department Land and Natural Resources, Molokai Ranch, Dole and DelMonte Companies).

1. To expand time required for filing; and,
2. to provide for a more restrictive procedure for Council to repeal and/or amend.

Chairman Kekumano asked for more questions:

1. Bill Char asked if he could send in written testimony to the Commission after the Hearing. Monsignor answered in the affirmative and suggested it be done within the next week.
2. F. Bicoy inquired about Boards and Commissions, Item c) - ..... "Would it refer to staff? Chairman - No, only board members and commissioners, and/or department heads.
3. E. Uu asked is it possible to insert in the Charter that neighborhood commission could advise our councilman on different things because he is usually away from Molokai - there would be more in-put at the community level. Maybe it could be a committee appointed by the Mayor to act in an advisory capacity. Answered by Chairman: This is the first time this has come up - but I don't see why it cannot be considered.

Commissioner Petro to Councilman Cluney: Mr. Cluney, what is the capacity of the Molokai Advisory Board in relation to Mr. Uu's comment? Am I correct in saying the Molokai Advisory Board is appointed by the Mayor and what kind of in-put do they give to you now?

Mr. Cluney: The district of Molokai has two advisory committees; one is the advisory committee to planning department; the other is the committee for improvements; however, this last committee has not been functioning, it has not met for the last 6 years. But I think he is referring to something stronger than that. The Mayor appoints these people from various districts - that's why it's called an advisory committee.

Chairman Kekumano: That Committee is not described in the Charter. Perhaps we could look into that and see what happened to that particular group - I don't know.

Chairman Kekumano recognized Mr. O'Campo who said: (regarding Term of Office) - The four year term is too long - the two year term is better - if the guy or the lady don't finish their work, we can put them out - the two year term is better with no term limited.

Chairman: With no term limit.

Answer (Mr. O'Campo): yes.

Chairman recognized Mr. Williams: With regard to term of office - I would go for a longer term of four years - we have a fairly strong Council - the Mayor would be provided with some continuity - I like that. The limitation of age is probably incidental - I would give the voters credit at this level of government; so if a candidate is 26 years old, he's probably qualified. As for Referendum and Recall, it might be a good idea for a more restricted procedure.

Chairman: Thank you Mr. Williams.

Councilman Cluney to Chairman: May we discuss the Council Office vacancy? (Cluney read Sec a)

Commissioner Sparks to Cluney: How do you feel about it?

Councilman Cluney: I feel it should be along party lines - if the vacancy is created by a Democrat, then the next highest Democrat should fill the vacancy; if its a Republican, then the same should apply.

Chairman: And if there's no one of the same political party?

Cluney: The Charter Commission should take care of that!

Chairman: I was hoping you'd help us with that! (Laughter).

Lady from audience: It could happen also that if you had two people running, one may be totally incompetent.

Chairman: Yes, we do realize there are many complications in this area. It's not that simple to say the next one in line would take over.

Commissioner Sparks: With the kind of lawyers we have, perhaps they could write something in - in other words we have to think in terms of concepts.

Commissioner Souki: It sounds like you want the present system - whereby the Council or the Mayor would appoint to fill the vacancy?

Mr. Williams: If it is a two-year term, yes; if it is a four-year term, I feel we should have a special election.

Cluney: Do you expect this Commission to look into government salaries also?

Chairman: Yes, that will come under the heading of "Cost of Government", one of the issues.

Commissioner Petro: I believe Mr. Hao had a list of issues he wished to discuss.

Chairman: Yes - Mr. Hao did we cover those subjects during our course of discussion?

Hao: Yes, Mr. Chairman; I am submitting this paper to you with the preferred or underlined issues as our recommendations, rather than taking everyone's time now.

Chairman: Thank you Mr. Hao, that would be very helpful.

Mrs. Adams: Mr. Chairman, I am wondering if it is the wise thing to do to allow the Mayor to appoint this Cost of Government Committee to investigate or look into discrepancies in the mayor's commission.

Mr. Chairman: Have you any suggestions?

Mrs. Adams: I would think it would originate from the taxpayers...

Molokai  
October 24, 1975  
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Commissioner Souki: Mr. Chairman, I would like to respond to that - In the State of Hawaii, there is a position called the Ombudsman, and if there is any complaint regarding the County and/or State, you may refer the complaints to the Ombudsman - he is a totally independent person.

Commissioner Petro: Mrs. Adams, under the present system, all appointments are confirmed by the Council, so you see you would have this check and balance.

Chairman recognized Mr. O'Campo who said that he is against the Public Prosecutor being an elected position - that it would be too vulnerable a position - "and the guy get too many friends!".....

Mr. Acoba: Mr. Chairman, are all of these things going to be put on the ballot?

Chairman: Yes, the results of our work will be presented to the County Clerk and a year from now it will be up before the voters of the County for their decision.

Chairman recognized Councilman Cluney who referred to the Chief of Police now being the Dog Warden of the County of Maui. He suggested that this matter be referred to the Department of Public Works. Chairman agreed and that this could be set up by the Police Commission.

Cluney: The people of Lanai and Maui do really want "true district representation" - but that there are many, many things involved; that at the present time there is too much <sup>to</sup> loose to change the present system.

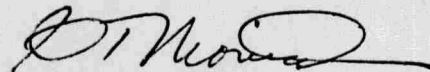
Chairman: Thank you. I want to thank all of you for being here tonight, this is by far the best hearing we have had all over Maui County.

Councilman Cluney thanked the Commission for its services.

There was nothing further - meeting adjourned at 9:00 p.m.

FOR THE COMMISSION:

Respectfully submitted,



Mrs. Cecilia T. Marciel

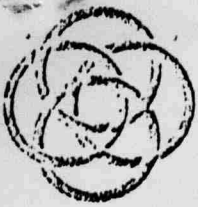
Please sign  
ATTENDANCE

CHARTER COMMISSION -  
 MOLOKAI - 10/24/75

<u>NAME</u>	<u>ADDRESS OR ORGANIZATION</u>
1- <del>Pearl Pita</del>	Maunaloa, Molokai
2- David McKenna	Molokai Jaycees
3- Sue McKenna	Kakaia, HI
4- Joan Aidem	K'kai
5- Frances Manuel	Hoolohua
6- Cornie Seliga	HPP, Inc
7- Hanngyobkung	Kakaia, Mol-
8- Eligio V. Ocampo	H'kai, Mol.
9- Chris Muzino	Kalahe, Molokai
10- Victoria M. Buchanan	H'kua, Molokai
11- Anna D. Goodhue	Bukoo, Molokai
12- Felhami Kelapi	ohia, Molokai
13- J. Hayashida	K'kai
14- James D. Willigan	Kamalahai
15- J. MacFarlane	Kaunakakai
16- William D. Chan	Hoolohua, 96729
17- Ernest R. Sr.	" "
18- <del>James</del>	K'kai, 96748
19- <del>Loy</del>	Hoolohua, Molokai
20- Ann. G. Buchanan	Hoolohua, Molokai
21- Lestrade Calantoc	Maunaloa, Molokai
22- Ellen Baybayan	Maunaloa, Molokai
23- Mariano Ceiba	Maunaloa, HI - 96770
24- Masatoshi Logimoto	Kaalapuu, Molokai
25- Alph Kromm	K'kai, Molokai



- |    |                     |                   |
|----|---------------------|-------------------|
| 27 | Fred D. Bicy        | East Molokai      |
| 28 | E M Dooley          | East Molokai      |
| 29 | Joseph Poignos      | East Molokai      |
| 30 | Ann Marshall        | East Molokai      |
| 31 | Mary Okeri          | Maulaloa, Molokai |
| 32 | Harvey Crwells      | East Molokai      |
| 33 | Stephen L. Grinnell | East Molokai      |
| 34 | Maryne Dooley       | " "               |



HONOKOWAI - NAPILI TAXPAYERS' UNION

(A Local Improvement Association)

October 21, 1975

Rec'd  
10/21/75

Maui County Charter Review Commission  
County of Maui  
Wailuku, Hawaii

Re: Composition of the County Council

My name is George Apo and I reside in Honokowai. I am here to speak on behalf of the Board of Directors of the Honokowai-Napili Taxpayers' Union, which represents over 750 members.

On June 26, 1975, by letter to your Commission, the Board of Directors of our Association went on record as believing that the present system of electing all Council members at large does not give fair and equal representation to West Maui.

Since that date, as members of the Commission know, our Secretary-Treasurer has attended many meetings of your Commission and she commends you for your diligence and dedication to a very difficult task.

On October 7, 1975, the Board of Directors voted to go on record to recommend to the Charter Review Commission that a majority of Council members reside in and be elected from districts of approximately equal population, taking into consideration the unusual geography of Maui County; and that a minority of the Council members be elected at large. For example, that 5 members be elected from the districts in which they live and 4 members be elected at large.

The Board further voted to go on record to recommend that West Maui be one district and, if that is not possible, that West Maui should be in a district including Molokai and Lanai.

Thank you for this opportunity to express our opinion.

Very truly yours,

George Apo  
Member, Board of Directors

HONOKOWAI - NAPILI TAXPAYERS' UNION

(A Local Improvement Association)

June 26, 1975

1-2  
7/1/75

Monsignor Charles Kekumano, Chairman  
Maui County Charter Commission  
County of Maui  
Kalana o Maui  
Wailuku, Hawaii 96793

Dear Sir:

The Board of Directors of Honokowai-Napili Taxpayers' Union, on behalf of its approximately 700 members, would like to go on record as believing that the present system of electing Council members at large does not give fair and equal representation to West Maui.

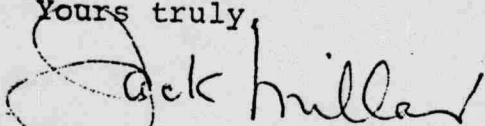
We are, therefore, interested in any discussions the Charter Commission may have concerning the composition of the Council, any proposals resulting from your study, and any public hearings that may be called.

Will you please? (1) Notify us when the subject of the composition of the Council is on your agenda; (2) Forward to us copies of any tentative proposals issuing from the Charter Commission regarding Council composition; and, (3) Notify us of dates set for public hearings.

Please forward notices to: P. O. Box 1635, Lahaina, Hawaii 96761. The telephone number for our Secretary is: 661-4571.

Thank you.

Yours truly,



Jack Millar  
President

/wvs

POST OFFICE BOX 1635 / LAHAINA / MAUI / HAWAII / 96761