

CHARTER COMMISSION
MEETING MINUTES
JULY 18, 1991
MAYOR'S LOUNGE

Present

James H. Cockett
Sherrilee K. Dodson (Vice Chair)
Dolores M. Fabrao
Robert Nakasone (Chair)
Victor G. Reyes
Anne M. Takabuki
Jamie Woodburn
Lloyd Yonenaka

Guests

Herman Adalist
Guy Haywood
Mark Adams (Maui News)
Marylou Green (Mayor's office)

Excused

Annette Mondoy
Allan Sparks
Debbie Wright

I. Call to Order

Chairman Nakasone called the meeting to order at 4:20 p.m., on July 18, 1991, in the Mayor's Lounge of the County building. He noted a quorum was present.

The Chair amended the agenda to add Communication 91-10, a July 9, 1991, letter from the County Clerk to the Commission and Communication 91-11, the proposal of the 1983 reapportionment committee. Also added was Communication 91-0, the Maui County Charter, 1989 edition.

II. Approval of July 3, 1991, Minutes

The minutes of the July 3, 1991, meeting were approved as circulated.

III. Communications

Communications 91-0 through 91-11 were accepted.

IV. Budget

Communication No. 91-2, 7/11/91 letter from the Mayor regarding the budget of the previous commission, was discussed. As the letter stated, the type of information requested was not

available. Therefore, a subcommittee of three people will be formed, chaired by Anne Takabuki. The subcommittee will submit a proposed budget to the commission at the next meeting.

V. Timetable

Corporation Counsel was asked to submit a timetable as to the process of submitting proposed amendments to the Charter. The Chair asked Mr. Haywood to clarify Article 14, Section 14.3, Mandatory Review, of the Maui County Charter, specifically relating to "forty-five days" before any election. The Chair reported he interpreted that as being the primary election.

Mr. Haywood noted that Section 14-3 states "The commission may propose amendments to this charter. . . within fifteen (15) months after such commission has been appointed." He was not sure of how the appointment process went. He will look into the date there was a quorum.

The Chair requested from Corporation Counsel an absolute final date for filing the proposed amendments with the Clerk's office, taking into account the above-mentioned forty-five days. The Chair noted we would not be working with the "fifteen months" because time is already short.

Dates of public hearings and publication dates in the newspapers would also be part of the process and should be included in the timetable.

A. Sunshine Law

The Chair then asked Corporation Counsel to briefly give the commission the guidelines of the Sunshine Law (Communication No.91-4, Chapter 92 of the Hawaii Revised Statutes). Mr. Haywood noted the important thing about Chapter 92 is its intention to protect any individual's right to know.

He noted a "chance meeting" is a social, informal grouping of two or more members where business is not discussed; a "meeting" is any gathering of members where business is discussed. All meetings are open to the public and the public is given the opportunity to speak. The board is allowed to limit the time of the public's comments. Executive sessions allow a board to conduct business without the public present.

A board must give six days notice to the Clerk's office of any agenda. Public hearings must be published, according to the law, in a newspaper published at least twice weekly in the County.

After asking if there were any more questions, and there being none, Mr. Haywood excused himself from the meeting.

VI. Other Business

A. Public Testimony

It was noted that at all meetings the public will be free to testify. Future agendas will so note this by placing another item on the agenda, "Public Testimony".

B. Legal/Clerical Support

The Chair noted Allan Sparks' recommendation that the commission obtain an executive secretary with some legal experience. A subcommittee of three people will be formed, chaired by Sherrilee Dodson, to submit guidelines to the commission at the next meeting, about the contracting of these two individuals.

C. Post Office Box

Sherrilee Dodson did obtain a post office box for the commission. The new box number is 307, Kahului, 96732. Ms. Dodson will ask Pamela Dodson, Information Officer in the office of the Mayor, to do a press release on where the Charter Commission will receive its mail.

[At this time guest Herman Adalist departed from the meeting. Before leaving he commended the commission members for committing to this purpose and wished them well.]

VII. Next Meeting Date

The Chair advised he had contacted Council Services about the use of its committee room for future meetings. The room has a good sound system with many microphones. Eventually, when more formal matters are acted upon and/or when minutes might be critical, the tapes will be accessible, of good quality and of great help. There were no objections to this suggestion.

The Chair then recommended that the next meeting be subject to the call of the Chair. Ms. Fabrao announced second Thursdays are good days for her. Mr. Cockett advised he would not be able to make a meeting on the last Thursday of the month. There were no objections to the next meeting being on call.

VIII. Adjournment

The meeting was adjourned at 4:50 p.m.

APPROVED:

Robert Nakasone Aug. 15, 1991
Robert Nakasone, Chairman Date

only