

CHARTER COMMISSION
MEETING MINUTES
OCTOBER 24, 1991
KIHEI SCHOOL CAFETERIA

Present

James Cockett
Annette Mondoy
Robert Nakasone (Chair)
Victor Reyes
Allan Sparks
Anne Takabuki
Jamie Woodburn
Debbie Wright
Susan Nakano-Ruidas (Staff)

Excused

Sherrilee Dodson (Vice Chair)
Dolores Fabrao
Lloyd Yonenaka

I. CALL TO ORDER

Chair Nakasone noted a quorum present and called the meeting to order at 6:09 p.m.

II. APPROVAL OF MINUTES

Approval of October 10 and October 17, 1991 minutes were deferred to the next meeting.

III. PUBLIC TESTIMONY

A. Buck Joiner (no organizational affiliation) addressed three Articles for Commission consideration:

1. Article 3 - 3-1 County Council Composition

Joiner noted that given the current population distribution it was no longer appropriate that the Central district have three representatives. He proposed that the Central area have two representatives, with the other seat going to either upcountry/East Maui or making it another At-Large seat.

2. Article 13 - 13-2 Boards and Commissions

Joiner indicated that five (5) year commitments for voluntary assignments were excessive and suggested that three (3) years was a more than sufficient term. The possibility of having 1/3 of the board/commission change each year would not only improve quality, but would insure continuity and be less stressful for volunteers.

3. Article 8 - Chapter 5 Department of Public Works

Joiner felt that Sections 8-5.1, 8-5.2 and 8-5.3 should be moved to Chapter 8 Department of Planning. He stated that this was a more logical location for approval of building permits, applications and licenses. He further suggested that Section 8-5.4 Board of Variances and Appeals should be moved to the Planning Department as it "doesn't belong in Public Works."

Questioned by Commissioners, Joiner stated that he was not recommending changes in residency requirements, just fewer seats in the Central district. He further stated that he was not recommending district elections, as the one-man-one-vote would not be fair to Lanai or Molokai.

B. Herman Adalist (no organizational affiliation) advised Commissioners to ignore the current Charter and start over from scratch. He felt current changes to Maui have been "done at us and to us, but not with us" resulting in an unhappy community.

III. PUBLIC TESTIMONY (Continued)

Adalist proposed a Maui County Constitutional Convention where a new Charter would be formed and would become Maui's Constitution. Maui citizens would represent themselves based on geographical and political divisions and would set up their own system of government with no council and no commissions. He noted that we need a "participatory democracy," with the people helping make an organizational system that would govern the community.

Adalist asked that Charter Commissioners recommend to voters that they agree to a Constitutional Convention, with representatives either running or drawn like a lottery. He stated that this would result in a "real state-of-the-art, year 2000 municipal government."

- C. Gene Thompson (President, Kihei Community Association and Board Member of the Maui Council of Community Associations) stated that the various community associations intended to set up forums after the first of the year to explain the Charter and to solicit Charter changes from members of MCCA organizations. He stressed the need for someone to explain the Charter to these organizations.

Thompson indicated that suggestions for changes to the Charter will possibly (but not limited to) include the following:

1. Article 3 - 3-1 County Council Composition
Council elected At-Large vs Council elected by district, one-man-one-vote law would come into effect.
2. Article 3 - 3-2 County Council Terms
Two year term vs possible proposal for 4 year staggered terms.
3. Article 11 - 11-3 Initiative Petitions
Possible proposals to change the 20% signature requirement of voters registered in the last election.
4. Article 11 - 11-4 and 11-5 Initiative Filing and Certification and Supplementary Petitions
Possible proposal for an allowance for supplementary petition in case of insufficiency.
5. Article 13 - 13-2 Boards and Commissions
May possibly request an elected Planning Commission.
6. Additional Article - Balance of Power/Powers of Appointment
If proposed as Charter revision, would be of interest to community associations.

IV. COMMUNICATIONS
None.

V. OVERVIEW ARTICLES VI, VII, VIII
Deferred to later meeting.

VI. COMMUNICATIONS 91-0 - Articles IX, X
Deferred to later meeting.

VII. UNFINISHED BUSINESS
None.

VIII. OTHER BUSINESS

- A. Chair Nakasone accepted summary outline from Smokey Burgess who appeared too late for public testimony. (According to

VIII. OTHER BUSINESS (Continued)

written outline, it appears Burgess' testimony would have reiterated that of Buck Joiner in requesting the following proposed changes:

1. Shifting one Central Council seat to an At-Large seat.
2. Land Use removed from Public Works and moved to the Department of Planning.
3. Board of Variances and Appeals moved to the Department of Planning.

B. Chair Nakasone appointed the following Commissioners to head Article Committees:

| | |
|---------------|-------------------------|
| Allan Sparks | Articles I through VII |
| James Cockett | Article VIII |
| Anne Takabuki | Articles IX through XIV |

Chair Nakasone reminded committee chairs about the Sunshine Law and the need to post agendas prior to their committee meetings. He further asked committee chairs to report recommended changes back to the full Commission.

C. Jamie Woodburn asked that agendas be mailed to all Commission members.

IX. NEXT MEETING

The next meeting will be held November 7, 1991 in the Council Committee Room at 4:00 p.m.

X. ADJOURNMENT

There being no further business, Chair Nakasone adjourned the meeting at 7:12 p.m.

APPROVED:

Robert Nakasone, Chair
Robert Nakasone, Chairman

Sum 11/7/91
Date