

KAUA'I PLANNING COMMISSION
REGULAR MEETING
January 10, 2017

The regular meeting of the Planning Commission of the County of Kaua'i was called to order by Chair Mahoney at 9:04 a.m., at the Lihu'e Civic Center, Mo'ikeha Building, in meeting room 2A-2B. The following Commissioners were present:

Chair Sean Mahoney
Mr. Roy Ho
Mr. Wayne Katayama
Mr. Kimo Keawe
Ms. Kanoe Ahuna

Absent and Excused:
Ms. Glenda Nogami Streufert

The following staff members were present: Planning Department – Michael Dahilig, Chance Bukoski, Leslie Takasaki; Office of the County Attorney – Deputy County Attorney Jodi Higuchi Sayegusa; Office of Boards and Commissions – Administrator Jay Furfaro, Commission Support Clerk Lani Agoot

Discussion of the meeting, in effect, ensued:

CALL TO ORDER

Chair Mahoney called the meeting to order at 9:04 a.m.

ROLL CALL

Planning Director Michael Dahilig: Commissioner Ho?

Mr. Ho: Here.

Mr. Dahilig: Commissioner Ahuna?

Ms. Ahuna: Here.

Mr. Dahilig: Commissioner Katayama?

Mr. Katayama: Here.

Mr. Dahilig: Commissioner Keawe?

Mr. Keawe: Here.

Mr. Dahilig: Commissioner Streufert?

Mr. Dahilig: Commissioner Apisa?

Mr. Dahilig: Chair Pro-tem Mahoney?

Mr. Mahoney: Here.

Mr. Dahilig: Chair Pro-tem we have five (5) members present.

SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON
APPOINTMENT OF SUBDIVISION COMMITTEE CHAIRPERSON, VICE
CHAIRPERSON AND COMMITTEE MEMBERS

Chair Mahoney: Nominations are now in order for the position of Planning Commission Chair, the nominations need not be seconded. Commissioner Ho?

Mr. Ho: I move to appoint Mr. Kimo Keawe Chair of the Planning Commission for the year 2017.

Chair Mahoney: Are there any further nominations?

Ms. Ahuna: I move to appoint...Vice Chair?

Chair Mahoney: This is for the Chair, the order of business right now. The Vice Chair will come next. Are there any further nominations for Chair?

Mr. Katayama: I move that nominations be closed.

Mr. Keawe: Second.

Chair Mahoney: It has been moved and seconded, all those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

Nominations are now closed. Kimo Keawe has been nominated to fill the position of Planning Commission Chair. Are there any requests for a secret ballot vote? None, all those in favor of Commissioner Kimo Keawe as Chair, please raise your right hand (Unanimous show of hands) Motion carried 5:0.

Kimo Keawe is duly elected to serve as Planning Commission Chair, congratulations. As the outgoing Chair I would just like to thank all the Commissioners and the department for all the help, and the staff that has helped me during this and I wish Kimo the best, thank you.

Newly appointed Chair Kimo Keawe took his place as Chair of the meeting.

Chair Keawe: I would like to take this opportunity to thank Chair Mahoney for his leadership and service this past year and hope that we can continue his fine example. We will do our best in that effort, thank you. Nominations are now in order for the position of Planning Commission Vice Chair, nominations need not be seconded. Are there any nominations for the position of Vice Chair?

Mr. Katayama: Chair Keawe, I would like to nominate Roy Ho.

Chair Keawe: Roy Ho has been nominated, are there any other nominations for the position of Vice Chair? If not, nominations are closed. All those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

Nominations are now closed. Sorry, this is new so it will take a while, motion to close nominations.

Mr. Mahoney: Chair I make a motion to close nominations.

Chair Keawe: Is there a second?

Ms. Ahuna: Second.

Chair Keawe: It has been moved and seconded to close the nominations, all those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

Nominations are now closed. Roy Ho has been nominated to fill the position of Planning Commission Vice Chair. Are there any requests for a secret ballot vote? Seeing none, all those in favor raise your right hand.

Ms. Higuchi Sayegusa: Just to clarify, that was in favor of Commissioner Roy Ho's nomination for Vice Chair?

Chair Keawe: Those in favor of Roy Ho as Vice Chair please raise your right hand. (Unanimous show of hands) Motion carried 5:0.

The majority of members have voted in favor of Commissioner Ho and he is duly elected to serve as Planning Commission Vice Chair, congratulations. Mr. Dahilig, we are on to the appointment of Subdivision Committee Chairperson. We need a motion to appoint a Subdivision Chair. We are looking, as far as Subdivision Chair, Commissioner Ho, and Vice Chair is Commissioner Mahoney, and also to appoint Commissioner Ahuna as a temporary member in order to achieve quorum and to take action in cases where members are absent. Can we have a motion to approve the slate?

Mr. Katayama: So moved.

Ms. Ahuna: Second.

Chair Keawe: It's been moved and seconded to approve the slate, all those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

APPROVAL OF AGENDA

Mr. Dahilig: Thank you Mr. Chair. We are now on the approval of the agenda for this morning. Congratulations on your election as Chair, we look forward to working with you and the rest of the Commission and the Commission's leadership. If we could take items A through H on the agenda in order and then recess for the 9:00 a.m. and go to second calendar, and then resume with the calendar with item J, run through the calendar and then handle the executive session prior to adjournment and adjourn the whole meeting at that point. That would be my recommendation for this morning Mr. Chair.

Chair Keawe: Do we have a motion to approve the altered agenda?

Mr. Mahoney: Move to approve the agenda as amended.

Mr. Katayama: Second.

Chair: Moved by Commissioner Mahoney and seconded by Commissioner Katayama, all those in favor say aye. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

MINUTES of the meeting(s) of the Planning Commission

Regular Meeting Minutes of November 22, 2016.

Regular Meeting Minutes of December 13, 2016.

Chair Keawe: Can we do those together for both meetings?

Mr. Ho: Move to receive.

Ms. Ahuna: Second.

Chair Keawe: I have a motion from Mr. Ho to approve and seconded by Commissioner Ahuna, all those in favor. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

RECEIPT OF ITEMS FOR THE RECORD

None.

HEARINGS AND PUBLIC COMMENT

Continue Agency Hearing (NONE)

New Agency Hearing (NONE)

HEARINGS AND PUBLIC COMMENT (Continued)

Continued Public Hearing (NONE)

New Public Hearing (NONE)

CONSENT CALENDAR

Status Reports (NONE)

Director's Report (s) for Project (s) Scheduled for Agency Hearing on 1/24/17.

Class IV Zoning Permit Z-IV-2017-2 and Use Permit U-2017-2 to allow construction of a new administration building, hanger, parking area, and associated improvements on a parcel located along the mauka side of Ahukini Road in Lihue, situated at the Lihue Heliport facility approx. ¼ mile east of the Kapule Highway/Ahukini Road intersection, further identified as Tax Map Key: (4)3-5001:148 and affecting a portion of a larger parcel containing 3.67 acres = ***Mauna Loa Helicopter Tours, LLC.***

Director's Report pertaining to this matter.

Class IV Zoning Permit Z-IV-2016-18 and Use Permit U-2016-15 to allow conversion of an existing residence into a bed and breakfast operation on a parcel located along the northern side of Poipu Road, approx. 250 ft. north of the Kipuka Street/Poipu Road intersection and further identified as 2375 Kipuka Street, Tax Map Key 2-8-023:040, and containing a total area of 10,570 sq. ft. = ***Rebecca Smith-Magdaleno.*** [Director's Report received 7/12/16, hearing postponed 7/26/16 due to applicant's failure to meet the requirements of Section 8-3.1 (f) of the Kauai County Code, 1987, as amended.]

Mr. Dahilig: The department would recommend receiving the consent calendar at this time.

Chair Keawe: Can we have a motion to receive the Consent Calendar?

Mr. Mahoney: Move to receive the Consent Calendar.

Mr. Ho: Second.

Chair Keawe: All those in favor. (Unanimous voice vote) Opposed? (None) Motion carried 5:0.

Mr. Dahilig: Mr. Chair, notwithstanding the order, maybe if we could take the Subdivision Committee Report as a quick matter before going into the recess, this would be item L.

COMMITTEE REPORTS

Subdivision

Mr. Mahoney: Subdivision Committee Report, final subdivision map approval S-2016-20, Kukuiula Development Company, LLC, TMK 2-6-016:088 and 2-6-020:031, approved 3:0. That was all the business of the Subdivision Committee this morning Chair.

Chair Keawe: Can I have a motion to approve?

Mr. Mahoney: Move to approve.

Mr. Ho: Second.

Chair Keawe: It's been moved and seconded, all those in favor. (Unanimous voice vote)
Motion carried 5:0.

Commission recessed this portion of the meeting at 9:12 a.m.

Meeting resumed in Open Session at 9:52 a.m.

GENERAL BUSINESS MATTERS

Hearing Officer's Report and Recommendation of Contested Case Hearing; Certificate of Service relating to appeal of the Planning Director's Decision Regarding Application for Non-Conforming Use Certificate CC-2015-5, TVNCU #4122, Tax Map Key No. (4) 5-8-011:010 = *Laura Bancroft Living Trust and David Bancroft.*

Ms. Higuchi Sayegusa: The options at this point, the Hearing Officer did submit his report and recommendation on the contested case. The options at this point are to render the Commission's decision upon the record. The decision could either be adopting the Hearing Officer's Report and Recommendation as is, adopting the Hearing Officer's Recommendation with any modifications that you folks want to consider, or issue a wholly different original order according to your own views and recommendations in how to proceed with the contested case. Another option that you folks may want to consider is the oral argument. If you folks want to entertain oral argument you folks can motion/second and vote on whether to allow for the oral argument subsequent to that. Then you will have the same options, i.e. to adopt the Hearing Officer's Report and Recommendation, adopt the Hearing Officer's Report and Recommendation with modifications, or adopt something wholly different. You also have the option to reopen the docket and take further evidence or take any other disposition to the case that is necessary under the circumstances. You can send it back to the Hearing Officer for further contested case if there is any particular issue that you wanted to flush out a little bit more. Those are some options you can consider at this point.

Chair Keawe: Any discussion on this particular item?

Ms. Ahuna: So those are not guidelines but they are rules by the County, correct Jodi?

Ms. Higuchi Sayegusa: Yes that is the Commission rules at this point.

Ms. Ahuna: I believe that the Hearing Officer did do his due diligence in regards to hearing all the evidence brought forth as well as the Exceptions were heard. So in that regard I think it is only fair to listen to Mr. Chun's three (3) minutes or give him that opportunity to allow him the three (3) minutes to respond or to share with us anything further. This has gone through a Hearing Officer already, there has been recommendations made, the timelines have been put forth and that is where we are at. I do think since Mr. Chun is here we should allow him his three (3) minutes to share.

Chair Keawe: Ms. Ahuna expressed her desire to have Mr. Chun have his opportunity to present.

Mr. Katayama: Since we have both attorneys here I would like to listen to them make arguments supporting their conclusions of law/findings of fact as it compares to the Hearing Officer.

Chair Keawe: Mr. Mahoney.

Mr. Mahoney: I am willing to accept the Hearing Officer's report. It went through the Hearing Officer. If we wanted to hear it we could have heard it but we chose to send it to him and I respect the Hearing Officer's decision. That is how I feel.

Chair Keawe: Commissioner Ho.

Mr. Ho: I concur with Ms. Ahuna's suggestion.

Chair Keawe: Anybody want to make a motion to that effect?

Ms. Ahuna: I would like to make a motion to listen to Mr. Chun, give him his three (3) minutes. Is that the correct way to say that?

Ms. Higuchi Sayegusa: Allow for oral argument by both parties.

Ms. Ahuna: I would like to make a motion to allow for oral arguments by both parties, County as well as Mr. Chun.

Chair Keawe: Do I have a second?

Mr. Katayama: Second.

Chair Keawe: If this motion is approved I would like to limit the amount of time, maybe ten (10) minutes max. I don't think it will take that long but just to give proper time to present your argument. Is it okay if we amend the motion to that?

Ms. Ahuna: From my understanding Mr. Chun said three (3) minutes so I will hold him to that.

Ms. Higuchi Sayegusa: That is within your discretion, Chair, on how you want to conduct the oral arguments.

Chair Keawe: Let's try for three (3) minutes, if you are going to go four (4) or five (5) minutes that is fine but no longer than that.

Ms. Higuchi Sayegusa: Maybe we can have a discussion and vote on whether or not to amend the motion.

Chair Keawe: Any discussion on this particular motion? Does everybody understand the motion on the floor?

Mr. Ho: Is there a motion on the floor?

Ms. Higuchi Sayegusa: Yes, to allow for argument.

Chair Keawe: Any other discussion? Can we call for the vote, all those in favor? (3 ayes) Opposed? (2 nays) Motion not carried 3:2.

Ms. Higuchi Sayegusa: Maybe we can do it on roll call just for the sake of the record.

Mr. Dahilig: The motion on the floor is to allow for three (3) minutes of oral argument on item J (1) by both parties, Commissioner Ho.

Mr. Ho: No.

Mr. Dahilig: Commissioner Ahuna.

Ms. Ahuna: Aye.

Mr. Dahilig: Commissioner Katayama.

Mr. Katayama: Aye.

Mr. Dahilig: Chair Keawe.

Chair Keawe: Aye.

Mr. Dahilig: Commissioner Mahoney.

Mr. Mahoney: No.

Mr. Dahilig: 3:2, Mr. Chair.

Mr. Chun: Mr. Chair, if I may, just to raise a formal objection that by preventing a person or a member of the public, including an applicant, from speaking on an agenda item is a violation of HRS 92-3 and will be forming a basis of our appeal also. 92-3, as your counsel will inform you, basically states that any interested person may be allowed or must be allowed to present written and oral testimony in front of the Commission on any agenda item. This is an agenda item. I don't believe the Commission has the option of not allowing anybody to speak on an agenda item. That is just for the record so when we do appeal this matter it will be on the record.

Ms. Higuchi Sayegusa: If I may just clarify, under Chapter 92, HRS, Sunshine Law, the public and all persons shall be permitted to attend and be afforded an opportunity to present oral testimony on any agenda item. Mr. Chun is a party or representative of a party so it gets a little muddy because on the one hand he is not just any member of the public, but then again he is an interest person so that might be an issue going forward. Chair, it is an issue. On the one hand he is a party, a representative, but then again that makes him an interested person as well.

Chair Keawe: Is there any reconsideration?

Ms. Higuchi Sayegusa: My former advice was strictly pursuant to our rules, but 92, since the decision has to be done in open session pursuant to our Charter which requires all decisions to held in open, it is subject now to Chapter 92. However I would I guess try to clarify that oral argument is arguing the respective positions related to the contested case. Public testimony is sort of...

Ms. Ahuna: So technically this is not public testimony then, this is requesting oral argument.

Ms. Higuchi Sayegusa: I would say under 92, it is oral testimony on an agenda item.

Ms. Ahuna: And Mr. Chun is requesting based on 92.

Ms. Higuchi Sayegusa: To testify as a member of the public, as an interested person on an agenda item.

Mr. Mahoney: Chair, just to clarify, if they are going to argue the case again or if it were just public, I am a little bit confused on that connection.

Chair Keawe: Mr. Chun, can you clarify what you would like to do?

Mr. Chun: I just want to make it clear; a member of the public or interested person has three (3) minutes, period. They can do whatever they want in the three (3) minutes as long it relates to the agenda item. I am not talking about arguing because if you allow argument, in other words you have three (3) minutes from this party and then somebody else comes in and argues, that is an argument and I am not asking for that because it is not an argument. It is an opportunity of an interested person to present views to the Commission. If another party comes in and offers counter then you have an argument and I am not asking for that.

Chair Keawe: So you are clarifying Mr. Chun that your comments will not be arguments to this issue.

Mr. Chun: It is a view on the agenda item and the Commission can consider it or not consider it. It is not an argument because we don't have two parties in front of you; you only have at this point in time one member of the public. So it is not an argument per say. To have an argument you need two people.

Chair Keawe: Mr. Dahilig.

Mr. Dahilig: If I could just state for the record, should the Commission choose to provide three (3) minutes of public testimony to Mr. Chun the department would have no objections to it.

Chair Keawe: The department has no objections to that, any objections from any of the Commissioners? Mr. Chun, could you please sign the testimony list.

Ms. Ahuna: Jodi, can you clarify my motion on the table, what was it? We need to clarify that motion because I believe I did state in my motion that the County would be able to provide an opportunity.

Ms. Higuchi Sayegusa: That motion and the second did not pass so that is off the table so we are now looking at the public testimony under 92 issue and whether to allow for testimony.

Chair Keawe: Any objections to Mr. Chun testifying as a member of the public on this issue with the clarification?

Mr. Mahoney: Chair, no objections.

Chair Keawe: Mr. Chun.

Mr. Chun: Good morning, Jonathan Chun on behalf of the Bancrofts on this matter. You have before you the proposed Findings of Fact Conclusions of Law of the Hearing Officer. The Bancrofts would incorporate by reference and hereby submits as part of its public comments the Exceptions that they filed. Without reading the Exceptions, the Bancrofts would like to emphasize to the Commission when it reviews this matter it involves a situation where the Planning Department has totally failed in providing adequate notice to the Bancrofts. The Bancrofts filed an application. There is no doubt about that, no dispute. There is no dispute also that six (6) years, six (6) years after they filed the application the County came back six (6) years later and said "we denied it." Between the time they filed the application and the time they denied it the Planning Department sent and inspector, assigned a TVNC number, put it on the website, and then took no action other than to say six (6) years later they denied it.

What happened in the six (6) years? What happened in the six (6) years are two important things the Commission should consider which we argued. One is that the statute was amended by the County Council to extend the application deadline. That was done, no argument there. That is a matter of fact, a matter of law. What else happened? Within that six (6) years the County

Council also amended the ordinance by saying even if you were late, the original ordinance said if you were late you can always file an appeal to the Planning Commission and the Planning Commission can grant the TVNC as long as you had proof that you were operating. The County Council took that out because it extended it. The important thing that happened is, because the department did not inform the applicant until six (6) years after the application was filed, it was actually denied, the applicant lost its ability to appeal to the Commission and the Commission lost its ability to grant the TVNC under the ordinance. That is what happened and the Hearing Officer totally ignored it by saying there is no requirement to file.

Just to give an application (inaudible) the Commission an understanding of what that means. For example, if you filed an exemption for real property tax or homeowners exemption, the ordinance provides that you have to file an exemption and the ordinance also provides the criteria for it. You file the exemption. The Finance Department doesn't notify you that they are going to deny the exemption they just send you a bill and say here are your taxes. They never tell you they denied the exemption. After you get your bill you find out they denied the exemption, they file the appeal and then the Finance Department says, sorry, you didn't file your appeal within the proper time. So that is what we have here in this situation. We have an application, no notice of it being denied. After it was denied the Planning Department comes back and says you should have told me earlier so you could have appealed, too late, the appeal is too late.

Chair Keawe: Thank you Mr. Chun. With regard to this matter, any further discussion? Before us is the Hearing Officer's Report and our review this morning is to either accept the Hearing Officer's Report or not accept it or alter it and issue our own, any discussion in regard to that?

Ms. Ahuna: The Hearing Officer's Report was provided to us and like Commissioner Mahoney said it is more than two thousand pages of reading. I believe he did his due diligence and timelines were set and they were not met and if this appeal was to...they were given the opportunity to appeal that in seven (7) days and they took over a month or about a month. If it was of their interest to do so why not have done it in the seven (7) days? We probably wouldn't be in this situation right now because we would have to respond to that seven (7) days. I think that is where it stands.

Chair Keawe: Thank you, Commissioner Mahoney?

Mr. Mahoney: I concur with Commissioner Ahuna.

Chair Keawe: Commissioner Ho.

Mr. Ho: I concur also.

Chair Keawe: Mr. Katayama.

Mr. Katayama: I think what needs to be clearly understood or at least further clearly articulated is the responsibilities of the department to any applicant and the applicant's responsibility in completing the action. Now having said that there is some ambiguity because the laws at that

time, the statutes at that time were in a process of evolving in addressing an issue. It comes to the point where who is responsible for completing the application. At the end of the day, to me, the party with the interest needs to be responsible but I think the Exceptions, as noted by the Petitioner, in this case sort of brings out some of that ambiguity. But at the end of the day I think this Commission needs to again, articulate who is responsible, what is the department's responsibility and what their actions constitute within the scope of their work. And so again, I think moving forward, what we decide here this morning and what we adopt in terms of decision and order and conclusions of law will help move that forward in other kinds of cases that come before us.

Chair Keawe: Any other comments? If not, are we ready to make a decision, anybody offer a motion?

Mr. Katayama: What are we adopting?

Chair Keawe: We are adopting the Hearing Officer's Report in its entirety.

Ms. Higuchi Sayegusa: You would have to have a motion for that.

Mr. Mahoney: I will make a motion to accept the Hearing Officer's, in its entirety, for Non-conforming Use Certificate CC 2015-5, TVNCU #4122, Tax Map Key (4) 5-8-011:010, Laura Bancroft Living Trust and David Bancroft.

Chair Keawe: Do I have a second?

Mr. Ho: Second.

Chair Keawe: It has been moved and seconded, any discussion on the motion, roll call vote.

Mr. Dahilig: The motion on the floor is to accept the Hearing Officer's Recommended Findings of Fact, Conclusions of Law, Decision and Order as it relates to Contested Case Hearing No. 2015-5, Transient Vacation Rental Non-Conforming Use Certificate #4122, Tax Map Key (4) 5-8-011:010, Laura Bancroft Living Trust and David Bancroft, Vice Chair Ho.

Mr. Ho: Aye.

Mr. Dahilig: Commissioner Ahuna.

Ms. Ahuna: Aye.

Mr. Dahilig: Commissioner Katayama.

Mr. Dahilig: Chair Keawe.

Chair Keawe: Aye.

Mr. Dahilig: Commissioner Mahoney.

Mr. Mahoney: Aye.

Mr. Dahilig: 5:0 with a silent vote Mr. Chair.

Chair Keawe: Thank you, motion adopted.

Mr. Dahilig: Thank you Mr. Chair, we are not on item M.

UNFINISHED BUSINESS (for Action)

None.

NEW BUSINESS

None.

ANNOUNCEMENTS

Topics for Future Meetings

The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on Tuesday, January 24, 2017.

Mr. Dahilig: We circulated the on deck sheets for the next few meetings for the Commission's information. I would also note that what is not on there that will be coming in terms of public hearing notice that will come out next week Monday as the Commission is aware of the scheduling; we are looking at a Special Meeting Workshop on January 31st concerning the General Plan. That hearing notice will also be coming forth as well so that should be also noted along with these pending hearings that are coming up. The department would recommend going into executive session and recommend that the meeting be adjourned at the conclusion of the executive session. I will turn it over to the attorney.

EXECUTIVE SESSION

Pursuant to Hawaii Revised Statutes Sections 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the evaluation of the Planning Director over the past and current fiscal year. This session pertains to the Planning Director's evaluation where consideration of matters affecting privacy will be involved. Further, to consult with legal counsel regarding powers, duties, privileges and/or liabilities of the Planning Commission as it relates to the evaluation of the Planning Director.

Deputy County Attorney Jodi Higuchi Sayegusa read item I (1) Executive Session item.

Ms. Higuchi Sayegusa: I would recommend a roll call vote on whether to go into executive session.

Chair Keawe: I will entertain a motion to go into executive session.

Mr. Mahoney: Chair, move to go into executive session with adjournment following the executive session.

Mr. Katayama: Second.

Chair Keawe: Moved and seconded, any discussion, roll call vote, Mr. Dahilig.

Mr. Dahilig: The motion on the floor is to go into executive session pursuant to item I (1), and adjourn the meeting after the conclusion the executive session, Vice Chair Ho.

Mr. Ho: Aye.

Mr. Dahilig: Commissioner Ahuna.

Ms. Ahuna: Aye.

Mr. Dahilig: Commissioner Katayama.

Mr. Katayama: Aye.

Mr. Dahilig: Chair Keawe.

Chair Keawe: Aye.

Mr. Dahilig: Commissioner Mahoney.

Mr. Mahoney: Aye.

Mr. Dahilig: Motion carried 5:0, Mr. Chair.

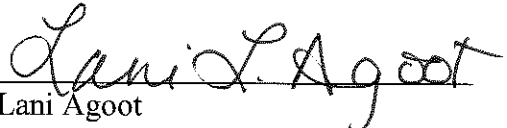
The Commission recessed this portion of the meeting at 10:17 a.m.

The meeting resumed in Executive Session at 10:33 a.m.

ADJOURNMENT

Chair Keawe adjourned the meeting at 11:09 a.m.

Respectfully Submitted by:


Lani Agoot
Commission Support Clerk

Approved as circulated (add date of meeting approval)

Approved as amended. See minutes of _____ meeting.
