

COUNTY OF KAUAI
SALARY COMMISSION
4444 RICE STREET, PIKOI BUILDING, SUITE 300
Līhu'e, Hawai'i 96766

APPROVED MINUTES OF THE COMMISSION'S FIRST TELECONFERENCE MEETING
JANUARY 19, 2022

CALL TO ORDER

Chair Yoshida called the teleconference meeting to order on Wednesday, January 19, 2022, at 9:01 a.m.

ELECTION OF CHAIR AND VICE CHAIR FOR CALENDAR YEAR 2022

Chair Yoshida called for nominations for Chair and Vice Chair.

Commissioner Kenneth Rainforth moved to nominate Commissioner Patrick Ono for Chair. Commissioner Trinette Kauai seconded. Hearing no objections. The motion carried 4:0 by voice vote.

Commissioner Trinette Kauai moved to nominate Commissioner Laurie Yoshida for Vice Chair. Commissioner Kenneth Rainforth seconded. Hearing no objections. The motion carried 4:0.

At this point of the meeting, Chair-elect Ono took over running the meeting.

ROLL CALL

Chair elect, Ono called for a roll call to ascertain quorum. Commissioners present at the meeting : Chair-elect Patrick Ono, Vice Chair-elect Laurie Yoshida, Kenneth Rainforth and Trinette Kauai.

Also, present was Boards and Commissions Administrator Ellen Ching, Support Clerk Mercedes Omo, and Deputy County Attorney Andrew Michaels.

PUBLIC TESTIMONY

Chair-elect Ono asked if there were any remote testifiers wishing to provide testimony. Hearing no testifiers and having no written testimony, the public testimony was closed.

APPROVAL OF MINUTES

A) Open Session Minutes of November 10, 2021, Meeting.

A motion was made by Commissioner Ken Rainforth to approve the meeting minutes of November 10, 2021, meeting as circulated. Vice-Chair elect, Laurie Yoshida seconded. The motion carried 4:0 by voice vote.

BUSINESS

SC 2022-1 Discussion and decision-making on submitted a Salary Resolution to establish maximum salary caps for certain County officers and employees included in Section 3-2.1 of the Kauai County Code for Fiscal Year 2022/2023.

Chair-elect Ono called on Administrator Ching to address the Commission on any new information she received from Human Resource. Ms. Ching reported that according to Human Resource Director Annette Anderson they are actively in the middle of arbitrations with various unions with the Fire Department being first to arbitrate contract negotiations and had no new information to provide the Commission with.

Chair-elect Ono thanked Ms. Ching for the update. He noted that the pandemic caused tremendous challenges, not only for the Commission's ability to set maximum salary caps, but for the County as a whole. He pointed out that at the last meeting, the Commission received a good report from the Department of Finance which seem to indicate that the County is trying its best to recover financially. Regarding submitting a salary resolution for fiscal year 2021/2022 to establish the maximum salary caps for hard to fill positions, he does not think it is the appropriate time for the Commission to do so and that the Commission should focus on fiscal year 2022/2023 particular the hard to fill positions.

Commissioner Kauai agreed.

Ms. Ching stated that the compared to the past administration, the current Administration had to deal with many disasters involving fire, police, public works, parks department and emergency management personnel. She explained that because Governor Ige at the request of Mayor Kawakami declared those disasters federal disasters it opened the door for the County to be able to submit requests for reimbursement from the federal government and to request for federal aid to cover any expenses to mitigate debts incurred due to those disasters.

She further explained that because Covid-19 was on the forefront of those disasters the Department of Human Resource had to step up and write policies on how to address covid-19 testing, how to handle masking, what steps to take when an employee is exposed to someone who tested positive for covid-19 and a policy to address employee (s) who had to travel outside of the Kauai for work related business or for other reasons.

Vice Chair-elect Yoshida stated that although she concurs with Ms. Kauai and Chair Ono about now not being the appropriate time to address salary caps it is not a reflection of the employees work performance particular the employees who come under the Salary Commission's purview which tend to be key cabinet employees. Everyone has gone above and beyond their normal day-to-day duties. It's all about the budget and now with the Omicron variant being present throughout the communities there hasn't been any discussion to her knowledge about the federal government coming through with more covid relief funds. She noted that the County is at a deficit without the deity.

Ms. Kauai concurred with Vice Chair Yoshida comments about all the hard work the county employees has been doing and are continuing to do every day but thinks that it would be insensitive on the Commission's part to submit a salary resolution given the County's financial position but hopefully everything will settle down and the Commission can once again look at recommending salary increases.

Chair-elect Ono stated that based on those comments he feels inclined to postpone the discussion and decision-making for item SC 2022-1.

Ms. Ching asked Chair Ono if he could call for a motion to that effect.

Ms. Kauai moved to suspend any discussion regarding the decision on submitting a salary resolution to establish the maximum salary caps for certain County officers and employees included in Section 3-2.1 of the County Code for Fiscal Year 2022/2023. Vice Chair Yoshida seconded. Chair Ono called for the vote. With no objections. The motion carried 4:0 by voice vote.

With no further discussion, Chair Ono moved on to item SC 2022-2.

SC 2022-2 Discussion and decision-making on presenting proposals on any Charter amendments the Salary Commission would like the Charter Review Commission (CRC) to consider.

Ms. Ching stated that she sent out an email with the charter along with some links. She noted that relative to the previous proposal by the Salary Commission to set the salaries without council's approval which is like what Oahu and the Big Island counties are doing.

Mr. Rainforth stated that he believes the County of Maui is doing the same thing as well. Ms. Ching stated that she wasn't sure if the Mau Salary Commission had the same ability that is why she did not include Maui in her opening statement, but she could check on it quickly.

Chair Ono stated that although he cannot pull up the Maui Charter now, but it did appear that the Maui Salary Commission has the capacity to set the salaries without going to council. The Salary Commission on Maui determines the conversation on elected officials, department heads as well as first deputies or first assistants of all county departments.

Ms. Kauai stated that not to go off the subject, but she reviewed Page 48, Section 23.04 of the Kauai County Charter and it talks about facsimile signatures so she was thinking maybe the Salary Commission could add language in the charter to address digital signatures like DocuSign.

Vice Chair Yoshida stated that it would make sense since the county already uses DocuSign for a lot of things.

Ms. Ching agreed.

Chair Ono stated that he appreciates Ms. Ching for providing the Commission with the information so the Commissioners could see for themselves the language that is written in the Charter. He stated that what Oahu and the Big Island Salary Commissions is doing is relevant and would benefit the Kauai Salary Commission and is something the Commission could possibly send to the CRC to consider if the Commissioners all agree.

Mr. Rainforth asked Chair Ono if he is asking the Commission to submit a proposal to the CRC to amend the Charter so that the Salary Commission can set the salaries rather than having to go to council for approval or disapproval.

Vice Chair Yoshida stated that it would put the Kauai Salary Commission in line with the rest of the counties; however, to her understanding there is a difference where some counties would set the maximums versus setting the actual salary which to her is an administrative thing to meet the budget. To clarify, she is not opposed to submitting a proposal to CRC she just wants to make sure that the proposal does not call for setting the actual salaries because it should be up to the administrative to do,

Ms. Ching asked Chair Ono for permission to address some of the comments she heard from the other Commissioners. Chair Ono replied yes.

Ms. Ching stated that if the Commission is interested in submitting a proposal to the CRC, she would recommend that the Commission vote on it now. She noted that at this point, CRC is not asking for a detailed proposal, all they're asking for a simple paragraph as to what the Commission wants to propose. Once the vote is made, she would work on drafting a memo for the Commission to review and for the Chair to sign.

Mr. Rainforth moved that the Salary Commission submit a proposal to the CRC to amend the Charter to allow the Kauai Salary Commission to set the maximum salaries without council's approval. Vice Chair Yoshida seconded.

Ms. Kauai called for more discussion. She asked if the memo could include a proposal to utilize digital signature.

Ms. Ching recommended that the Commission submit one proposal at a time and vote on the motion that is currently on the floor. Then the Commission can discuss, Ms. Kauai's proposal.

Chair Ono called for the vote on a motion that was made by Mr. Rainforth and seconded by Vice Chair Yoshida to allow the Kauai Salary Commission to set the maximum salaries without going to council for approval. Hearing no objections. The motion carried 4:0 by voice vote.

Chair Ono called for a second motion to submit a proposal to CRC to add language on Page 48, Section 23.4 of the Kauai County Code.

Ms. Kauai moved that the Commission submit a second proposal to CRC to amend Page 48, Section 23.4 of the County Charter to include language “in addition to facsimile signatures to accept digitized signatures as well. Vice Chair Yoshida seconded. Chair Ono called for the vote. Hearing no objections. The motion carried 4:0 by voice vote.

For clarification, Ms. Ching stated that the Commission agrees and authorizes her to draft a letter to communicate to the RCR about those two (2) motions. Chair Ono replied yes.

With no further discussion, Chair Ono moved on to item SC 2022-3.

SC 2022-3

Discussion and decision-making on setting the date for the next Salary Commission meeting.

After the discussion, the Commissioners all agreed to set the next teleconference meeting date for Wednesday, February 23, 2022, at 1:30 p.m.

Executive Session

None needed.

Adjournment

With no further business to conduct, Chair Ono called for a motion to adjourn the meeting. At 9:36 a.m. the meeting adjourned.

Submitted by:

Mercedes Omo, Support Clerk

Approved as circulated by: February 23, 2022.

Approved as amended by: (See meeting minutes of February 23, 2022)

Patrick Ono, Chair Kauai Salary Commission