

**HANA ADVISORY COMMITTEE TO THE
MAUI PLANNING COMMISSION
MEETING OF MAY 18, 2006**

A. CALL TO ORDER

The meeting of the Hana Advisory Committee (Committee) was called to order by Chairperson Kauai Kanakaole at 4:15 p.m., Thursday, May 18, 2006, Helene Hall, Hana, Island of Maui.

Ms. Kauai Kanakaole: Can we call this meeting to order so we can get started, and we'll have Joe read the first agenda item.

A quorum of the Committee was present. (See Record of Attendance.)

B. PUBLIC HEARING (Action to be taken after the public hearing)

1. **MS. CHERYL VASCONCELLOS, of the HANA COMMUNITY HEALTH CENTER, INC., requesting a State Land Use District Boundary Reclassification from the State Agricultural District to the State Rural District for the Hana Community Health and Wellness Village project on approximately 12.106 acres of land at 4590 Hana Highway, TMK: 1-4-003: 022 and 024, Hana, Island of Maui. (DBA 2005/0005)**

a. **Public Hearing
Action.**

b.

C. UNFINISHED BUSINESS

1. **HANA COMMUNITY HEALTH CENTER, INC. requesting a State Land Use District Boundary Reclassification from State Agricultural District and Rural District to State Urban District and a Change in Zoning from the Interim District to the P-1 Public /Quasi-Public District for the Hana Community Health and Wellness Village at 4590 Hana Highway, TMK: 1-4-003: 022 and 024, Hana, Island of Maui. (DBA 2003/0003) (CIZ 2003/0004) (J. Alueta) (*Public hearing was conducted on March 10, 2005*) (*Matter last considered on April 21, 2005*)**

Mr. Joseph Alueta: Good afternoon, Committee members. Your first item today is for a public hearing and that is for the Hana Community Health Center requesting a State Land Use District Boundary Reclassification from State Agricultural District to the State Rural District for the Hana Community Health and Wellness Village project on approximately 12.106 acres of land at 4590 Hana Highway, TMK: 1-4-003, parcel 22 and parcel 24, Hana, Island of Maui, and it's been identified as District Boundary Amendment 2005/0005, and that's your first public hearing item.

I'll try to explain, based on your agenda, go down and talk about the Unfinished Business and how that relates to your overall, and this kinda leads into my overall project or presentation is that, if you recall at your last meeting, there was some concern over the urban designation of changing the project area to urban, and it's outline in my addendum report that you have before you today, and a lot of the concern came about, one, because of I think tax issues, how that will affect the surrounding properties in their assessed value; also, there was also some concern with once you, I guess in the case, once you get the urban designation for this parcel, does it create a domino affect for other parcels to also become urban, and that issue does create -- it does create the potential or increase the potential for other parcels; and the general feel of the community of Hana is that we're a rural community, that this is a rural community, and we don't necessarily need as much urban as, you know, other areas of the island. The department reviewed both the state land use law as well as the operations of the project and that it would qualify as a public/quasi-public, and within the State Rural District, public/quasi-public uses are permitted so, therefore, we recommended to the applicant and he agreed to change or amend or, basically, file for a new application and that is the application that you have before you. Cause if you remember, at our last meeting, we took up both that urban district as well as the change in zoning so what happened was you held your public hearing for the change in zoning to public/quasi-public, which is a county designation, and you did hold the public hearing for his request for urban designation, however, he is, as of, you know, as I said, indicated, filed for a new application thus facilitating or requiring a new public hearing. So your public hearing is only for the district boundary amendment from State Agricultural District to the State Rural District, and the department did receive a letter and, I guess, we had some confusion cause I had thought he had withdrawn his previous application, but he did withdraw the request for urban so there is no longer an application for an urban designation, so what you have today is just for the one for the rural. And then, later on, we'll take up the rest of the overall project is the change in zoning, the rest of the change in zoning. So your first item is just the public hearing and for the district boundary amendment from ag to rural and, as I indicated earlier and I believe the applicant will over it more with his presentation as far as the location, you're dealing with the existing Hana Community Center, it's already operating on two acres of rural land; this will -- the additional acreage is to allow them to expand and to offer additional services, wellness facility services. So, hopefully, I didn't confuse too much or, hopefully, I cleared up some of those questions. If there's any questions, just yell me down.

So, Madam Chair, I'm gonna -- that kinda goes into my report, I mean for the most of my report about why we're here today with the request for a State District Boundary Amendment from ag to rural. It came about as, you know, like I said, it facilitated out of the community's concerns as well as this board's concerns of going to an urban designation. Because it was a new application, we did go through the standard procedure of reviewing the application and sending them out to agency comments to, once again, comment on the proposal that is before you. So I will skip through a lot of that. On Page, there's some procedural matters, 5, draft EA, Page 6 and the top of Page 7 are your agency comments that we did send out to, a summary of those sheets. Because this is a project that you've seen twice before, you've held two public meetings on this, as well as agencies have already reviewed the application, you can see that there wasn't any significant change, changes from their previous comments. If the agency had any comments at all. As we indicated, two main -- the two main ones were: one was discussed which was the location or relocation of the driveway to the northern end of the property fronting Hana Highway, and both DOT and -- Department of Transportation as well as Police Department felt that was needed. Also, we did actually get, because of the revised plans and the review by the Parks Department where previously we did not get any comments, they are now saying that the project would be subject to a park assessment for the construction of the residential units, and those are the -- those workforce housing so they would be subject to an assessment fee from the Department of Parks and Recreation. Land Use Commission did request that they get a formal interpretation as far as where exactly are the state ag and state rural lines. The applicant did address those and those are attached also as your exhibit, so that's pretty much been cleared up with the State Department of Land and Natural -- I mean, sorry, Land Use Commission. That pretty much summarizes our comments on the agencies.

Once again, as previously found, because you seen it before, I did attach my previous staff report. Many of the comments still apply in our analysis with regards to the community plan. It is, one, on your zoning map, on your community plan map as being public/quasi-public. There are several languages under health and family, objectives and policies, which do support and recommend for the expansion of and support of the Hana Wellness Center or, you know, to meet expansion of public services and private medical facilities within the Hana area. Let's see. You also have under social and infrastructure, I'm just trying to hit the highlights of the report as well as what's in the community plan is that you had goals under social infrastructure for efficient and responsive system for people orientated public services to enable residents to live safe, healthy, and enjoyable lifestyles and offer youth and adults original opportunities and choices of self community improvements. And under those objectives, we found at least four of them that met those and that was encourage the provision for public health education programs including mental health counseling services, encourage upgrading and expanding the facility at the Hana Medical Center, encourage a provision of service and development of facilities to meet the current and future elderly care needs of the Hana District, and maintain and expand educational opportunities for adults.

We felt based on -- that these community plan objectives and policies were met based on the applicant's presentation of the functioning and operation of the expansion of the Hana Medical Center to a Hana Wellness facility. Once again, infrastructure, there was no change from my previous report as far as addendums. We did receive one additional letter and that's attached as Exhibit 14 in the addendum staff report. So do you have any questions of the department at this time regarding its staff report? Okay, does the Chair or the board wish to hear from the applicant or --

Ms. Kanakaole: Do we have any questions?

Ms. Dawn Lono: I understand that, in previous meetings, there were questions asked of the Planning Department. Did all of those questions get answered? You know I heard you address the tax issue, which I think was one of the questions, and just in some of our public hearing discussion today, some things were mentioned. I just wanted to see if all of the questions that were asked previously from the Committee have been answered.

Mr. Alueta: I think I tried my best by going through some of the minutes and trying to answer the questions or concerns. I think for the tax purposes, I could not answer one hundred percent positively for sure yes or no because I think that was the main issue. I'm just saying is that -- so I couldn't answer positively whether or not lands nearby would be impacted tax wise, okay, but it was an issue and a concern and that is why the applicant, regardless of what the answer is, because that was a legitimate concern by this commission, they opted to modify their application and request for a rural designation rather than going to the urban designation. So -- but I tried my best. If there's any new ones, we'll try to answer those as best we can.

Ms. Kanakaole: I think we're ready to hear from the applicant.

Mr. Mich Hirano: Good afternoon, Chair Kanakaole and Committee members. My name is Mich Hirano, with Munekiyo & Hiraga, and our firm is assisting the applicant, Hana Health, with the district boundary amendment and the change in zoning. We have been before the Hana Advisory Committee on two previous occasions, March 10 and April 21 of last year, and based on comments received during the first meeting, the plans for the Hana Health and Wellness Center were modified. The buildings and uses were downsized. The kupuna housing was expanded because that was felt to be a needed facility in the community. As well, the phasing of the project was modified to reflect the priorities that were voiced at the meetings, and the kupuna housing was put forward at a earlier phase at the second meeting. And the April 21 meeting, as Joe Alueta mentioned, resulted in the amendment to the district boundary amendment application from the agricultural district to the rural district. Since public/quasi-public uses are permitted in the rural district, the applicant felt that that would serve the purposes of the proposed plans and as well it would

meet the needs and the concerns of the -- that were expressed regarding the urbanization of a rural community.

I'd just like to go over and clarify for you the areas in question. Currently, there are two parcels. Parcel 22 is -- Parcel 24 is the existing Hana Community Health and Wellness Center, it's a two-acre parcel, and it is currently designated rural in the state land use district, and it is zoned interim, and the application -- and the community plan designation for the two-acre parcel is public/quasi-public. The ten-acre parcel of the subject application of the district boundary amendment is this parcel, this larger parcel, this large L-shape parcel that's kind of mauka of the existing Community Health Center, it's 10.7 acres, and it also just wraps around to the north of the existing health center two-acre property and goes on to Hana Highway. This parcel has two state designations. This piece here, this approximately five-acre piece or .5 acre piece is already -- already designated rural in the state land use. So the application before you is to designate the remainder of Parcel 22 for rural designation.

As mentioned previously, then the community plan designates the land use of that parcel public/quasi-public. The current zoning for the parcel, for both parcels is interim, and interim does not permit expansion of uses, it's kind of a nonconforming designation of existing uses, so the application is to bring into line the zoning, the state land use designation, and the community plan designation to allow the project to go forward as a permitted use and, therefore, the application and the change in zoning is to change it from the interim zoning district to the public/quasi-public district.

I'd just like to briefly just review some of the plans since there are new members on the Advisory Committee and for the audience. The existing health center is approximately four thousand square feet and plans are to expand approximately four thousand square foot expansion of the existing health center and, as was mentioned in the site visit this morning or earlier this afternoon, the plan is really not to expand services but to, basically, provide more proper accommodation and facilities for the existing services. The kupuna housing. There are fourteen kupuna housing units that have been proposed just mauka of the health clinic. The health clinic. Also existing right next to the health clinic is the 911 emergency response ambulance. The plans are to really provide a better facility for that in the expansion of the health clinic, a garage for the ambulance, and facilities for the personnel who operate the emergency service facility. Further mauka, moving mauka along the site, the nutrition center, as being proposed and as you saw this afternoon, the nutrition center is being used to provide meal services for the elderly and the kupuna of the community. This is the administrative center and technology conferencing center because a lot of the future activities and training is by telecommunication and remote learning facilities, so that is the purpose of having a telecommunication conferencing type of facility. As mentioned earlier in the site visit today as well, the existing center, the administrative offices are in three separate buildings that are throughout the site and the idea is to bring them all

together under one roof. The second building or the other building, as we move on to the site, is the traditional healing center and the -- this is where the lomi lomi massage will be taking place and where counseling services as well will be taking place. And as you saw this afternoon, these facilities are currently being carried out in trailers on the site and they really are not the most appropriate type of facility for that type of service and the idea is to bring it into a more welcoming nurturing type of facility. The other facility is, at the top of the site, is a health and fitness center where there will be physical therapy, occupational therapy, and health and fitness classes. And as you saw today as well, these facilities or these services and activities are currently being carried out on the property, they're carried out in approximately this location, and they're carried out under tents and under shelters so, you know, during inclement weather, it's very difficult to carry out that type of activity and so it's really to house it in a proper shelter and facility. The dotted areas that you see are the gardens, the organic gardens that are on property right now and will be relocated and integrated into the site. Those gardens are providing produce for the nutrition program and, as well, it's also a service that is being provided for persons with addictions and trying to get those people into a mainstream job and to break their addictions. And that is now the organic gardens and, as well, the organic gardens will be expanded up into this top portion of the site. The mid-section of the top portion is the wellness cottages, there are nineteen cottages proposed and seven buildings, I believe -- six buildings, and these cottages are really for resident programs where there's intensive training and breaking long standing addictions and lifestyle habits, and it's a resident program, geared for resident program and these facilities are to house the participants in those programs. At the top of the site is the resident staff housing and, right now, there are professional -- medical professionals providing services at the clinic that are really living in Honolulu, they're coming in for twenty-four or forty-eight hour shifts, they're on a commuting type basis, and these facilities are provided to provide accommodation and housing for the medical personnel. So that's basically the presentation about the site and the application before you today. If you have any questions, representatives from the health center and myself will be available to answer questions. Thank you.

Ms. Kanakaole: Do we have any questions from the board for the applicant?

Ms. Mavis Oliveira-Medeiros: Did I hear you say that there's going to be a residential drug treatment now?

Mr. Hirano: Well, there will be treatments for -- there will be treatment services and these accommodations, the cottages, are for the participants in those treatment programs.

Ms. Cheryl Vasconcellos: There's a variety of services, we don't have specific plans for which kind, but substance abuse treatment and more of a halfway house kind of situation is what we're thinking about as well as chronic disease management programs and weight management. A good example is we wanted to do -- we wanted to do an adolescent

obesity program, residential program, as a summer camp and we didn't really have facilities to do that because that's a huge health problem for kids now. So it would be to house programs like that.

Ms. Kanakaole: Can you clarify the phasing again because that was one of the concerns at the last time that the kupuna housing was in the first phase and -- was that changed?

Mr. Hirano: Yes. Well, the kupuna -- I think the phasing of the development right now is that the nutrition center is an activity that has received funding and support and it looks like that may be an early phase if the application for the amendments go through. The kupuna housing would be the next phase that comes through. The phasing is very dependent on funding availability because this facility is, basically, going to be realized through the funding efforts of the center, the health center.

Ms. Kanakaole: If we don't have anymore questions from the Committee, we will open up the public testimony.

Ms. Fawn Helekahi Burns: I think we need to clarify for the public about the new application, letting them know that the application is not to urban, changing zoning to urban, but instead to rural because that, I think, that makes a big impact on people's testimonies this afternoon.

Ms. Kanakaole: Can I get the list for the testimonies and we'll open up the public testimonies now. Marguerite Etemad.

a. Public Hearing

Ms. Marguerite Etemad: Okay, I'm Marguerite Etemad. Thank you for listening to me. In reading about this, I'm concerned that they're unwilling, Hana Health is unwilling to release the feasibility study and I'd like to ask you, as a Committee, to do an independent feasibility study that's unbiased.

Ms. Kanakaole: John Blumer-Buell. Yeah, go ahead. We have a question for Marguerite.

Ms. Dawn Lono: Sorry, Marguerite, I -- just so I understand clearly. You're asking the Committee to request a feasibility study of the project? An independent feasibility study of the project?

Ms. Etemad: Hana Health has stated that they're unwilling to release their feasibility study so I'm concerned about that. What does it say? Is this feasible? Is it going to support itself? And I'm suggesting that the Committee hire someone to do an independent unbiased feasibility study.

Ms. Lono: Or we could recommend that that be done, basically?

Ms. Etemad: Yes, I don't know what the protocol is.

Ms. Lono: Okay. Alright. Thanks. Just so I understand.

Mr. John Blumer-Buell: Aloha, Committee members and community members. My name's John Blumer-Buell and I'm testifying for myself. I request the Hana Advisory Committee to the Maui Planning Commission to recommend denial of both requests from Cheryl Vasconcellos and the Hana Community Health Center for the following reasons. One, the request do not meet the Hana community and state legislative intent and the purpose of Act 263. Second, the request do not meet the Hana community intent and purpose of Ho`o Ku`i Kahi, which is the community generated plan. Third, the request do not meet the Hana community intent and purpose of the Hana Community Plan. Fourth, the applicants have refused to provide an in-depth financial disclosure regarding the proposed Health and Wellness Village. The Hana Advisory Committee to the Planning Commission has the right and the obligation to review the financial business plan. The community has the right to be informed -- the community has the right to be informed and to comment. Number five, the proposals do not meet the criteria of Title 19 of the Maui County Code. All six criteria must be met. And, finally, the current situation is not pono within the Hana community.

So, in addition to my request for denial, I request the Hana Advisory Committee to recommend mediation between the Hana community and the applicants as recommended by Governor Lingle's Maui Advisory Committee. The Hana Community Plan states, "Encourage community based dialogue regarding proposed land use changes in order to avoid unwanted conflict." The Hana Advisory Committee has the option and right to recommend deferral of the request until mediation is completed.

I have included the following information for your consideration before you make a recommendation, and I hope you all have these. There's six attachments. The first is Act 263, which was passed in June of 1996, and one of the things that's very important about that is it mentions Ho`o Ku`i Kahi, and that's the community report that was produced by the community and was the basis for the Hana Community Health Center. And, previously, I submitted forty-eight pages of that report to you and, this time, I just gave you the cover to simplify things, gave you the cover of that report, and the main point here is that the board of directors of the non-profit organization would be elected by the residents of the Hana District, Keanae to Kaupo. That was the intent of the -- of Act 263 and, in fact, we did have at least three hundred community members that elected the first board of directors. I'll finish up. The need for dialysis in Hana from the *Maui News* I think is a fair assessment of the current situation, *Maui News*, June 2004, Mayor tells Hana board to open up. They have not done so. *Maui News*, panel tells Hana community to repair

fractures. That's the Governor's Advisory Committee. They recommended that the board of directors from Hana Health mediate with the community. They refuse to do so. Six is the proposed revision to the Hana Community Plan Land Use Map from 1994. And I disagree with the Planning Department's interpretation of this situation. My understanding, based upon the Hana golf course, is that a change of designation, which they're now asking for, from ag to rural, should trigger an environmental assessment or EIS as with the designation for the golf course when it was ag and went to PK-3.

Mr. Boteilho: Excuse me, John, sorry to interrupt, but could you conclude in one minute or you can come back after?

Mr. Blumer-Buell: I can conclude in one minute.

Mr. Boteilho: Okay.

Mr. Blumer-Buell: Thank you. I'm just about finished. An environmental assessment or EIS process would enable this Committee to examine the finances, would enable you to examine the duplication of services and competition for funds that is going on right now; it would enable you to look at expanded medical services, and it would enable you to look at whether this is really an organic garden or a chemical free garden, I don't believe it's either, so I think this should, this new designation should be triggering that process. Finally, please take as much time as you need to make your decisions wisely. The future of the community is more important than being rushed into a hasty decision. And I know you spent a lot of time the last two meetings and I appreciate the long hours so malama pono.

Ms. Kanakaole: Frank Leonowitz. Go ahead, Dawn.

Ms. Lono: I understand that there was an environment assessment done and so what you're saying is because there's been a change in the application from it being urban to rural, that that should trigger a request for a new environmental assessment. Did I interpret that correctly?

Mr. Blumer-Buell: Yes. And, in all other land use designations or change of designations, it's always triggered an EA/EIS in the past. And the other thing that the Planning Department is not saying is that the designations that came out of the community plan hearings in 1994, which I were a part of -- which I was a part of, were based upon Ho`o Ku`i Kahi. The designations were given because of a community elected board of directors and community involvement, otherwise, there wouldn't have been the designations, so I think they're trying to bypass that process. They've been asked for financial disclosure and refuse to give it. That's not acceptable. Thank you.

Ms. Lono: Okay, I'm not -- I'm not sure if it's appropriate for me to ask this question, so if I'm out of line, you know, stop me. But, John, specifically, besides it not being a community elected board of directors, what are your biggest problems with the proposed project? I mean what do you see as negatives and what, you know, besides just the community not having elected the board of directors? Specifically addressing the plan that's been put in front of us today.

Mr. Blumer-Buell: Well, certain parts of it are certainly starting to look like what the community wanted. The big problem is the lack of expanded medical services, and if it was truly a community based project, we wouldn't have the duplication of services and competition for funds that's going on right now. I think that's a big problem. The other thing, when you look at the finances, is their own admission, this lease, the fifty-five year lease is worth over two million dollars to the state. It's now been handed to an organization that is private. It is not a community based organization any longer. It is a private organization. So the state -- they've essentially been handed a two million gift and, on top of that, it enables them to go out and solicit millions of dollars in the name of the community when the community doesn't have anything to do with deciding on what funds should be solicited and for what. So those are my big complaints and, you know, I think a -- that's why I'm recommending mediation.

Ms. Lono: I wish you were -- would have been at the site visit today, and I'm just kind of addressing what I heard you say about a lack of expansion of medical services because what I saw today is that we have a pretty enormous expansion of medical services but we have a lack of adequate facilities to take care of that expansion. I mean those services are being operated out of trailers, and in the mud, and underneath tents and -- and we actually do have, much to my surprise, I did not know all of the expanded services that we actually have, so just to address that with you. I do see a large amount of expanded services, needed services, and services that have been requested for a long time by the community. I want a little bit of clarification on your concern about the competition for funding, and I'm assuming what you're talking about is like programs like Hui No Ke Ola Pono, what other --

Mr. Blumer-Buell: Ohana Makamae.

Ms. Lono: Ohana Makamae and --

Mr. Blumer-Buell: They're specifically into that drug prevention and that sort of thing, and I don't know the figures, but I've been told that the health center and Hui No Ke Ola Pono are in competition for some of the same funds. The original plan envision Hui No Ke Ola Pono having their own buildings at the site and they would have been able to have Doctor Paul and so forth, they would have had their own buildings, and they would have shared with the medical center part of it for x-rays, pharmacy, and that sort of thing. But Hui No

Ke Ola Pono was always expected to be at the site, so was Ohana Makamae, so was the public health nurse.

Ms. Lono: As a founding member on the original board of directors, I agree with that, to some extent. Ohana Makamae I don't think was in existence at that point in time, but I do agree that it was the intent of the community that all of the community services would come under the umbrella of the Hana Community Health Center and that we could integrate the needs of the community and have them all be out of one area or one facility. That truly was the intent as I remember it. So I agree with you there and I would like maybe some clarification on exactly what the funding competition is, what funds are out there that both organizations are applying for, and, you know, maybe a way that we can find and I'm sure that I'm, you know, talking out of turn here, but I would assume that these organizations have tried to work with each other over the years and find a way to come together to be the best service that they can be in this community. So I'm assuming that Cheryl has met with Ray, and that Cheryl has met with Terry Lee and the Hui No Ke Ola Pono people, and, you know, that they have tried to come together on this in the best interest of our community. So I would like to know what funding is in direct competition so if there's a way to get that question answered.

Mr. Blumer-Buell: Your Committee certainly has the authority to require that information without question so you could -- you can get that information and I feel it that it should be part of a larger financial disclosure anyway, so thank you.

Ms. Lono: Okay, thank you, John.

Mr. Boteilho: Madam Chair, you know for the benefit of the people in the gallery, the county -- when we have large groups, the County of Maui standard for testimony is that after three minutes of testimony, you'll have a choice to conclude in one minute or you can come back at the end, after everyone else has testified, for three more minutes. The reason for that is that so that everybody who signed up, they'll have their chance for first crack, and then those who have more, then they can come back at the end. Thank you.

Ms. Kanakaole: So should we hold our questions for that testifier?

Mr. Boteilho: Oh, no, no, that does not apply to questions, only to the testimony time of the testifier.

Ms. Kanakaole: Okay. Frank Leonowitz. He's not here. Oh, he has a -- he submitted a letter. Okay, Suzette Cossey.

Ms. Suzette Cossey: I really would like to come back after. Thank you. Aloha and welcome members of the Hana Advisory Committee to the Maui Planning Commission and

fellow Hana residents. My name is Suzette Cossey and I'm a twenty-eight year resident of Hana. With regards to the Hana Community Health Center's request, I am not in favor of the rezoning request for the proposed Hana Health and Wellness Village at this time. Some of my reasons are as follows: Traffic. The State Department of Transportation and the Maui Police Department, on September 7, 2004, both stressed the need to relocate the existing driveway further west in order to have adequate site distance from the existing Uakea Road and Hana Highway intersections. Prior to this, on January 29, 2004, Mr. Hirano responded to the Department of Public Works that they confirm a site distance analysis will be submitted for review during the building permit application process. Why couldn't the analysis be prepared for today's hearing for review?

Number two, water. The department of supply stated, on November 24, 2003, that the applicant's estimated usage of nine thousand seven hundred fifty gallons of water per day is quite low considering the number of units and various amenities, which include kitchen and dining facilities, swimming pool, showers, and others that may involve the use of water. By standards, anticipated consumption for this project is in the range of twenty-five thousand to forty thousand gallons per day. And should a larger meter be required, water availability will be reviewed at the time of application for a meter upgrade. The response to this issue by Mr. Hirano, on January 29, 2004, was that they confirm water demand calculations will be prepared by a licensed engineer and, again, will be submitted for review during the building permit application process. Also regarding the water issue, Mr. Hirano responds to comments on conservation and pollution prevention by replying that we confirm the applicant will consider suggested water conservation measures as well as utilize best management practices to minimize infiltration from runoff of construction and vehicle operations. Rather than considering the suggested water conservation measures, why not implement one or more of the suggested measures?

Number three, subdivision. On November 20, 2003, the Department of Public Works and Environmental Management stated that they were currently processing a consolidation of two lots into one lot of 12.06 acres, Parcel 22, which is up for rezoning from ag to rural, and Parcel 24, the current health center site. Preliminary subdivision approval was granted on October 14, 2003 with Mr. Hirano acknowledging the consolidation of the two lots.

Mr. Boteilho: Excuse me, ma'am, it's three minutes so you'd like to come back after?

Ms. Cossey: Can I just --

Mr. Boteilho: You'll have three more --

Ms. Cossey: Okay.

Mr. Boteilho: Oh, no, well, you can conclude.

Ms. Cossey: Just finish up this subdivision one and come back?

Mr. Boteilho: Yeah, okay.

Ms. Cossay: Okay, thank you. What is the need or purpose of consolidating Parcels 22 and 24 into a subdivision. If a subdivision exist and rezoned to rural, what is the County's building ordinance and how does this affect the number of allowable permitted structures? I will continue. Thank you.

Mr. Boteilho: Thanks for your cooperation. I feel like the stopwatch police here tonight.

Ms. Kanakaole: Lehua Cosma.

Ms. Lehua Cosma: I have some papers to give you. Can I give you after? Okay. Aloha and thank you for allowing me the opportunity to speak, and thank you for your time in listening to the community at large. My name is Lehua Cosma. I would like to share my mana`o on the request of the reclassification from ag to rural for the proposed wellness village project. Through my position as a Board of Director for the Hawaii Health System Cooperation, Huli Auola Ehe of Maui County, Hui Laulima, and the Hana Community Association, I am committed to the health and well being of the greater Hana community. Upon reviewing the public documents on this proposal, I find that it is only fair to the community, as a whole, to not support this project at this time based upon several findings that requires your serious attention. Although it is a wonderful business plan, there is no evidence of assurance that this land change from ag to rural will be feasible for such a small population of Hana. I see this project as a private benefit over the real needs that would benefit the entire community and for that reason, I request this advisory board to really take the time and read the fine prints of the public documents before making any decision this evening. It is so important that a feasibility study of this project be available at least to this advisory board as requested at the previous meeting.

There is more development in this project than improvement of much needed medical services to the existing facility. There are too many unnecessary structures in this project that jeopardizes the existing resources being utilized at this present time. It is not a healthy community for everyone when that takes place and, yes, having a kitchen, a closed facility for our exercise program is essential, and I fully support that. Through its requirement, it can be done with a special use permit.

We need to retain our ag lands for the sake of our children's future and their culture. We are losing all our ag lands to the needs of the growing economy that has occurred and overflowing into these ag lands. The State of Hawaii recognizes the importance of these ag lands in the realization of its vision of conservation, protection, and utilizing of Hawaii's natural resources.

And I'd also like to acknowledge our health center employees, our ohana, who have worked so hard to put together the wonderful site that you folks took a tour today and they work hard for that farm. Also, at the same time, I feel that -- that the Hana Advisory Committee, since you did your tour today, and in order to see, don't you think it's only fair for each and every Hana Advisory Committee member to drive to Wailuku and back as passengers with families who need outside medical services in order to understand the other side of the story. I think it's only fair.

Mr. Boteilho: Excuse me, ma'am, could you conclude in one minute?

Ms. Cosma: Yes.

Mr. Boteilho: Okay, thank you.

Ms. Cosma: Okay, my vote at this time is for the status quo; yes to the kitchen, exercise facility, and farming that our employees are working so hard on because we are rich in resources, resources that is already being utilized by other organizations here in Hana who already exist in providing excellent health services to our people. We all share one goal, one vision. We all care for the community at large. And for this reason, we need to share these resources, work together. You see, if we can do this, we already have a wellness village and that creates a healthy community over the cost of millions of dollars. Mahalo. Any questions?

Ms. Lono: I have two questions. First, early in your testimony you were talking about there being private benefits to this project. Could you expand on that a little bit about what exactly you're talking about rather than -- as compared to community benefits? What were you -- what were you eluding to?

Ms. Cosma: Well, I'm kinda referring to private because it is a private organization.

Ms. Lono: Okay.

Ms. Cosma: Okay, and to me public involves the community at large.

Ms. Lono: Okay.

Ms. Cosma: Where everybody becomes in that process. That's what I meant by public.

Ms. Lono: Okay. Okay, and then the other question that I have is you talked about things within this plan that's been revealed here today that you support. What specifically, when you look at this plan, do you think is not okay?

Ms. Cosma: Well, I think what is not okay is the ag land is smaller than the whole project itself. I think it needs to be expanded bigger, concentrate on more farming, I think it's viable, and it's acceptable and sustainable to the kitchen. I think that would do.

Ms. Lono: Okay, so you feel like there's too much --

Ms. Cosma: There's too much unnecessary structures. When I took --

Ms. Lono: Like -- like what?

Ms. Cosma: Like waterfall massage they have in there. So I ask all of you to look at it and then you'll see what I'm trying to say. I don't see much on the existing building, but I see development around the existing building.

Ms. Lono: Well we were told today that the existing building was going to be expanded by four thousand square feet, or double the size, yeah, so we were -- that was expressed to us today that that facility which --

Ms. Cosma: Okay. Well, that's awesome, but --

Ms. Lono: Which is a really great relief to me --

Ms. Cosma: Right.

Ms. Lono: Cause I was concerned that there was a lot of stuff going on but that our --

Ms. Cosma: Like all of us, we are concerned.

Ms. Lono: Our main facility was not happening too.

Ms. Cosma: But I'd like to see the ag lands bigger. It's too small.

Ms. Lono: Okay. So if there was something -- how do you feel about the employee housing, for instance, about having -- having employee housing on the property?

Ms. Cosma: I don't think it's -- I don't think it's fair that they have because our people in Hana don't have housing. We have a shortage. And to accommodate outsiders before our people, I don't think so.

Ms. Lono: Does it necessarily mean that it would be an outsider in that housing?

Ms. Cosma: Well they stated earlier the housing would be for people they fly in and stuff like, you know.

Ms. Lono: So for -- for health care providers that are from outside of the community so -- because currently what I see happening is that we have a lot of outside providers who are renting our housing in Hana in order to be able to provide services here, so if they have housing on the property that they could utilize for that, then that would free up some of the rental housing that they're now renting in the community and paying more money than most of us can pay and taking those rentals out of the rental pool in Hana. So if we had some employee housing there, that might actually be a benefit in the long run. And that's just a comment from me and as an observation that I -- I made.

Ms. Cosma: I'm sorry, I don't see it that way.

Ms. Lono: Okay. I hear you.

Ms. Cosma: And that's my comment.

Ms. Lono: What about the -- what are we calling those? Overnight accommodations that we have there? What is your feeling on that?

Ms. Cosma: Overnight accommodations for who? Our Hana people?

Ms. Lono: Yeah, that's what, as I understand it, they're accommodations that would be used to facilitate programs --

Ms. Cosma: Participants.

Ms. Lono: Programs in Hana like she specifically shared with us today about drug abuse and alcoholism --

Ms. Cosma: Treatment.

Ms. Lono: Treatment programs.

Ms. Cosma: You know, before I can support that, anytime you have any treatment, you need to go through a certificate of need and that's my concern, so I cannot support it at this time. Thank you.

Ms. Lono: Okay. And then I know that one of your concerns is about the dialysis center that you feel is needed in Hana, and I have my own ...(inaudible)...

Ms. Cosma: We all need dialysis and, through testimonies and papers, you all know that and, yes, I'm still going forward with that. Whether it's there or somewhere else, it's going to happen, maybe not today, no, but it's happening.

Ms. Lono: Okay. Okay, so you're, just so I understand, your biggest concern is the agricultural use of the property and that there be more --

Ms. Cosma: Right, because that's what it is, the land change. The land on the wellness village and it's just changing from ag to rural, I support leaving it ag --

Ms. Lono: Okay.

Ms. Cosma: For the sake of our kid's future. Thank you.

Ms. Lono: Thank you, Lehua.

Ms. Kanakaole: Guy Lay.

Mr. Guy Lay: Aloha. My name is Guy Lay. Hello, my name is Guy Lay. I live in Kaeleku. I moved here about eight years ago. I was born in Lahaina, Maui. There's some questions that maybe you should take into consideration. On the plot plan, they don't have any septic tank area, there's no leaching area, and the removal of waste, the waste that's going to be coming from these areas. And the emergency facilities, are they going to be -- remain open while this is being built and will it encumber any emergency situations that might happen? Will there be a trauma emergency treatment area after this is finished? That's about it. Just questions that you should take into consideration. Thank you for your time.

Ms. Kanakaole: Terry Lynch.

Mr. Terry Lynch: Aloha. My name is Terry Lynch and I have a contractor's license, State of Hawaii, but I'm not going to talk about the planning side as much today in terms of the specifics, or maybe I'll do that in my next three minutes. What I wanted to talk about today was, you know, number one, I don't really like being here. There's a lot of conflict in the community, and unnecessary conflict. I would think that we could get together. I'm here to glorify God first, Akua Kahi, who's plan is the only one I've every found to work in my life. So before I undertake this plan, I pray that it is well, or any plan big or small, I would pray that His will be done. So may the light of God bless us all. So I have a question here, pono planning. Since the subject here is planning, I must ask first what is good and proper planning for so an important aspect as our Hana Community Center? Our community voted in an important plan for privatizing our former state run hospital, which included a community membership that would assure proper oversight and services perpetuated in righteousness. On this pono plan, the Hawaii State Legislature passed Act 263 allowing

our community to take possession of the new Hana Community Center. But I changed the address of my testimony today because I had to take the word "community" out to properly reflect the illegal taking of our health center from the community by secret meetings and secret dissolving of the membership. After years of pleading with those who carried out the illegal act to open up to this community to allow the righteous and pono health center government to be reinstated, we have been stonewalled. So it was for Queen Liliuokalani, whose righteous government she hoped would be returned someday. The plan is not from our community, it has been proposed by an outsider. It is not pono to those seeking in -- to serve in the light and through open meetings with reinstated membership. This plan is eight times greater in size than the Hana community marketplace, which sits still unfinished today. And now we should take this on, again, without pono planning, we'll just leave that till later, let's discuss these things later. What I see these plans are, as like the water and the waves, they change everyday. How can we discuss details when they constantly change. Until the community becomes a part of the planning, I mean really, until the membership is reinstated and we can come together, and God bless us all when we do, with a proper plan. So I thank you very much for this time to speak and I'd like -- if you wanna talk about some other details, I can do that three minutes later. Thank you.

Ms. Kanakaole: Earl Medeiros.

Mr. Earl Medeiros: I guess, Earl Medeiros, resident of Haneo`o, basically, to speak on the last meeting I came to was health services, to improve the health services, especially emergency room with an emergency doctor. I no care -- oh, I'd like to commend what the HCHC is doing, you're doing a fine job, but all you kupuna, all you kids, everybody in here, remember one thing, Dawn, I see you all bust up. You might have gotten into one accident. One fence post went through you, through your liver, you got hit right down here, you gone. All your kids, your kids on a tree all down break the neck, they're gone. You know, we -- I was here the old hospital to this one. I saw them break that down and I saw them build a new one, and we was there for the opening, all the way till now, and I've used the services of this like we say Hana medical, that's what we've known -- knew it as. I used this all along and I still using the services. But you guys gotta think now, we live way out here, it's fine and good all this, but, to me, if you gotta slate, now put all prejudice on the side, to have a clean slate, you put emergency room, dialysis, whatever, and all of this, put one clean slate, open your mind, what will the priorities be? I mean you guys pretty much know what the priorities are. Emergency room, nine out of ten times, going be number one on the list. This project is costing a lot of money and I believe the community -- the community here deserves -- deserves to have a say in what -- what is happening here. I mean you guys doing a fine job, like I said, I cannot put down, the services are great, you guys doing a good job, but remember I'm born here and I'm going to die here, and when I die, I wanna know, if I got a stroke, I wanna know that, you know, I can go to the hospital and, you know, maybe they can save me, not like I was using the example of Dawn, you gone. You know I have nothing against the HCHC, but keep that in mind because when

we lose, we lost our gym. I wasn't around when we lost our gym. Took us fifty years to get a gym, a gymnasium at the school, and still yet, it's not a community gym. The community is still out and we still don't have a community gymnasium. So don't forget you guys, once you pass this, you know, it's totally up to you guys, once you pass this, they got no obligations. I wanna hear obligation or see in writing that they'll work towards this and they'll get these facilities for us because I feel that's number one priority on the list. That's all I have to say. Thank you.

Ms. Lono: Earl, sorry, I think I'm going to change my name to ...(inaudible)... anyway, I just wanted to know if -- if you could prioritize the services, you mentioned ER and a trauma center, what else would you prioritize as of top importance?

Mr. Medeiros: Well, from the last meeting, I don't know what -- dialysis was one and giving birth was another. Two of my kids gave birth here but the last one couldn't so, you know, that was the top priorities at the last meeting. Oh, and also remember, the golden hour, yeah, never forget the golden hour, not golden two and half hours or three hours, the golden hour.

Ms. Kanakaole: Suzette?

Ms. Cossey: Thank you again. I left off on the number -- the effect of the number of allowable permitted structures. On February 8, 2006, the Department of Parks and Recreation commented that the project will be subject to park assessments should there be construction of any residential units where the total number of units is in excess of three. Based on the scope of the project, there is clearly more than three residential units, therefore, what does this mean about park assessments?

Revenue. It was stated at past public hearings that one of the primary purposes of the wellness village was to create a self-sustaining income producing -- okay, whereby monies generated would help to offset and alleviate lack of government funding. Currently, there is an onsite five acre farm, *Maui News*, May 16, 2006, with produce grown on the property that helps provide for Hana Health's nutrition program. This could be tied into the commercial kitchen, which HCHC is seeking. The produce grown on the farm can be utilized in the meals prepared for sale to the general public. Would rezoning from ag to rural be necessary or is a conditional special use permit all that would be required? In this way, you eliminate the need for the wellness village because, by all accounts, I can't seem to find any other scope of the project that would be income producing, which has been the premise of the applicant and the major underlying reason for the rezoning.

Feasibility study. In the past, members of the Hana Advisory Committee to the Maui Planning Commission inquired about a feasibility study. Although not required, it was requested by them that HCHC provide the study for the Advisory Committee's perusal to

better render their decision of the zoning application. It was stated in the *Maui News*, dated May 16, 2006, that the feasibility study was an "internal document that couldn't be shared." The study is solely for the purpose for the advisory members to glean information necessary and having every fact available to them in order to base their decision is what is important. It cannot be stressed enough the importance of having documented factual information before taking any action today, and the feasibility study is a very component of that.

In closing, if your findings and decision is to pass the rezoning request my Hana Health, please do so with reservations and attach or apply your conditions before leaving here today, otherwise, Hana will have lost its voice regarding the future development of the wellness village. Committee members, thank you for the privilege of speaking before you and I wish to extend my heartfelt gratitude of the unenviable difficult task and decision making ahead of you, along with the amount of time invested and personal sacrifices you have made. To reiterate what I stated earlier, I am not in favor of the rezoning of the Hana Health and Wellness Village at this time. Thank you.

Ms. Lono: Suzette, sorry, I'm a little confused about one of the subjects that you talked about earlier about subdivision. Could you go over that with me a little bit? I'm not clear cause I -- I didn't see anything in the plan about subdivision or subdividing.

Ms. Cossey: Well, because they talked about consolidating Parcels 22 and 24 into a subdivision, and it said preliminary --

Ms. Lono: Oh, Joe said he could address that. Wait, don't go away.

Mr. Alueta: All it is is they're consolidating the lots.

Ms. Lono: Right.

Mr. Alueta: And that's just --

Ms. Lono: So there's a consolidation but there is no proposed resubdivision or no --

Mr. Alueta: It's called -- it's called consolidation and resubdivision --

Ms. Lono: And resubdivision.

Mr. Alueta: Because -- because they're -- you're just creating one lot.

Ms. Lono: Right.

Mr. Alueta: So at the end, there'll just be one lot.

Ms. Lono: Okay.

Mr. Alueta: Instead of two lots.

Ms. Lono: Okay, so just so I'm clear that there's nothing in here about --

Mr. Alueta: They're not creating a fifty lot subdivision after this. No.

Ms. Lono: Yeah, subdividing the property into more lots as actually consolidating it into one lot.

Mr. Alueta: Correct.

Ms. Lono: And that's the resubdivision.

Mr. Alueta: Yes.

Ms. Lono: Okay. I was confused. Thank you.

Ms. Cossey: ...(inaudible)... I guess the wording was misleading where they said that, let's see, sorry.

Mr. Alueta: It's in my staff report under other government approvals as well as Department of Public Works --

Ms. Cossey: And Environmental Management, on November 20, 2003, they stated that they were currently processing a consolidation of two lots into one lot, which is up for rezoning, and the preliminary subdivision approval was granted on October 14, 2003, with Mr. Hirano acknowledging the consolidation of the two lots. So that's what I brought up about -- because they're saying they acknowledge the preliminary, where's that, the consolidation into a -- a subdivision, so what I'm asking is if it's classified as subdivision and you're zoning it rural, what then are the County building codes and how many structures are allowed per -- how many feet or acres or --

Ms. Lono: Right.

Ms. Cossey: Or whatever, that's why I brought that up --

Ms. Lono: Okay.

Ms. Cossey: Because I, you know, I'm not aware of what the county zoning is.

Ms. Lono: Okay, so that would be an issue of the rezoning but as far as the consolidation and resubdivision, there really isn't a subdivision of the lot except subdividing it into one lot.

Ms. Cossey: They're creating it into --

Ms. Lono: They're -- right.

Ms. Cossey: They're calling it -- they're creating it -- they're consolidating the two into --

Ms. Lono: To one.

Ms. Cossey: A subdivision. They call it a subdivision in the document here.

Ms. Lono: I know but you're -- I think there's a little bit of confusion there. Can you help clarify that, Joe?

Mr. Alueta: That's just the way Public Works calls it. Anytime you come in to either consolidate or -- either put lots together or cut them up, they call it a subdivision.

Ms. Lono: A subdivision, right.

Mr. Alueta: And what they're saying is they were granted preliminary subdivision approval, I mean Mich, the applicant, can correct me, but -- and my understanding of it is that it's still called a subdivision so they get a preliminary approval to consolidate. So they got preliminary approval for the subdivision which was a consolidation, in that sense.

Ms. Lono: Right. So I guess the reason for -- the reason for my questions is to clarify that for all of us, you know, everybody out there as well as for myself, so if there is any confusion, and I can understand where that confusion is coming from when you use a word like "subdivision" when you're actually not subdividing at all, what you're actually doing is creating one lot out of two, and they still call it a subdivision.

Ms. Cossey: One lot. The County is calling it a subdivision ...(inaudible)... and that's why I brought it up because as a unknowledgeable person ...(inaudible)... such a word, resident or layperson not knowing what it means when they consolidate it, they call it a subdivision, what does that then mean if they loosely call it a subdivision and it's zoned -- if it's then rezoned from ag to rural consisting of 12.06 acres, how does that then impact the Hana community and the project itself if it's zoned subdivision, rural subdivision, what kind of building codes and requirements, or what kind of leeway do they have, or what kind of restrictions are attached to something like that?

Ms. Lono: Well, subdivision isn't a zoning, I mean it doesn't have anything to do with the zoning, as I understand it, that -- and I'm just saying this to help cause I think you're concerned about something that you shouldn't be concerned about because the subdivision is just the reconsolidation. But a good question is if it is zoned to rural --

Ms. Cossey: Rural.

Ms. Lono: Yes, then what are the opportunities that presents themselves.

Ms. Cossey: That's -- that's what I brought up. That was the question I raised.

Ms. Lono: So the two are disconnected from each other though. That word subdivision in which you're calling there, to my understanding, doesn't really have anything to do with that.

Ms. Cossey: Well then maybe somebody needs to tell the County Public Works people who use that word, you know ...(inaudible)...

Ms. Lono: Or people just need to understand how it's being used in that context that's all.

Ms. Cossey: Yeah, well, and I think that's why we raised the issue because we needed clarification, how it will affect it, you know, is it so many acres that you build per structure, and that's where the Parks assessment came in based on more than three residential units --

Ms. Lono: Right.

Ms. Cossey: And are there more than three residential units, and are more than three residential units allowed based on this rezoning to rural, loosely called a, you know, the two parcel lot in -- I mean two parcel lot into one lot I guess now. That's why I brought it up.

Ms. Lono: Okay.

Ms. Cossey: So that we all could get clarification on it.

Ms. Lono: No I, yeah, and I hope that you've gotten some clarification at least on the subdivision part. I would --

Ms. Cossey: The subdivision part still haven't been -- the question on how many, regarding the residential units, and how that affects, you know, if it's zoned rural, what are -- how many permissible residential units would be allowed on 12.06 acres.

Ms. Lono: I would assume that this Committee would recommend and that the Planning Commission would recommend to the County Council that there be conditions of zoning, and those conditions of zoning, you know, wouldn't allow for the complete build out. If you look at what the complete build out could be in that situation, it might be rather horrifying actually and you know --

Ms. Cossey: Well, yeah, because there is over five acres of under cover or roof structures and parking.

Ms. Lono: But what I'm saying, I guess, is your concern about -- about full complete build out of what rezoning -- what opportunity that would present, we could affect by placing conditions upon our recommendation.

Ms. Cossey: Well that's why I did say, at the end, that if you do pass it, apply conditions today before leaving.

Ms. Lono: Okay, so what would your conditions, if you could recommend conditions, what would you recommend? I mean is our five employee housing units is that something that -- that you think is too much or you thinks it's inappropriate for that --

Ms. Cossey: Well, you know, for one thing, it's unfair to single out a select few of us who are coming up to speak when, in essence, this should be a community opportunity for everyone to speak out before it's gotten to this phase to ask ideally what we'd like to see instead of being given the project and then having to address what is already there and put a few of us in the position of saying, "Well based on all of that that's there, what is it that you would like us to prioritize." I think that's not what it should have been about.

Ms. Lono: Well I -- well what it should have been and what it is is what -- so what.

Ms. Cossey: Okay, well then what --

Ms. Lono: But we're here right now --

Ms. Cossey: Okay so --

Ms. Lono: And I'm trying to give you an opportunity, as a community member, to say your piece --

Ms. Cossey: Okay.

Ms. Lono: And this is the community forum in which we are trying to do exactly what you're talking about --

Ms. Cossey: Okay, can I say it now then?

Ms. Lono: Yeah.

Ms. Cossey: Okay, great, thank you.

Ms. Lono: Please.

Ms. Cossey: I would like to see an increase in the essential, the core essential medical services, not health services, but medical services addressing the medical needs of the community and if that includes an expansion of the existing service, does that in fact then require a certificate of need? I like the fact of the exercise and fitness program. I also like the farming program which they have expanded on, and I would like see that taken further if they could have a weekly farmers market including other maybe farmers and such and bring all that, and also maybe utilize that into a commercial kitchen, tie that all in there, where you don't need a rezoning for that and you can have a conditional or special use permit where it would be self sustaining, it would be income producing, those two areas would be income producing, and from there, I really don't want to comment anymore because I was -- I would prefer to be prepared in my responses and not just speak out of the side of my mouth, and then base my other decisions after that. But thank you for the opportunity.

Ms. Lono: Could I just ask you one more question? You said -- and we all knew that this meeting was coming up today and, you know, trying to be as prepared as possible I have a list of questions in my mind that I would like see answered, so I'm assuming that everybody who's attending this meeting has probably had some forethought about it and are prepared to address their concerns and issues here today, otherwise, we're wasting our time, but what I would like to ask you --

Ms. Cossey: No because normally in the past, I'm sorry, wait. Normally in past we have only been able to comment and not have --

Mr. Boteilho: Excuse me. Excuse me. Let's not have debate, please. One at a time.

Ms. Cossey: Yeah. Yeah.

Ms. Lono: I wanna ask you a question. You said that you would like to see an expansion of core essential medical services. Could you tell me what you would see as an expansion of -- what would you like to see that's not yet there?

Ms. Cossey: Well Earl lightly touched on some of the services. I know in the past, and I'm not sure because we're not updated as to maybe recent additions or improvements, I

believe that there was a machine that was there I think for doing blood counts, I don't know what it's called, I'm not a medical person, but they had the machine but they didn't have the person trained. If we could have more training so that we could keep more core -- more, you know, regular testing done here instead of people having to go out to that, you know, that's hard for people who especially may be ill that need to have their blood work tested, you know, instead of having to go out. It's simple things but necessary and vital to everyday living.

Ms. Lono: Yeah, I hear you, and one of the exciting things that I heard today on the site visit, and there was a lot of information that was given on the site visit so those who didn't come, you know, really missed some good information but --

Ms. Cossey: We weren't informed about a site visit and being, you know, welcome to participate in the site visit. We were all made aware of the 4 p.m. meeting but ...(inaudible)...

Ms. Kanakaole: It was publicly noticed.

Ms. Cossey: Okay.

Ms. Lono: Well one of the -- one of the things that we learned in the site visit was that there is a -- a great push in technology at Hana Health, that a lot of the services, like what was really exciting that I saw was in the x-ray, you can now get an x-ray and then that x-ray can be however scanned or sent over to an actual radiologist instantaneously to have it read.

Ms. Cossey: Right, they do that on the other side too.

Ms. Lono: Yeah, so the push and as a -- although we didn't get a lot of details, it's so that this kind of technology is going to be applied as part of our major medical services to improve them and to make more services available.

Ms. Cossey: Right.

Ms. Lono: The kinds of things that, you know, like I have a concern about is I think we need a physical therapist here. Why do you think that? No, I think that regular physical therapy services would be a great expansion of medical services here.

Ms. Cossey: Right of the existing building.

Ms. Lono: Eyeglasses.

Ms. Cossey: Right.

Ms. Lono: To be able to get your eyes checked. Those kinds of services so we don't have to drive to Kahului.

Ms. Cossey: Right.

Ms. Lono: So that's the kind of thing I was asking is if you could recommend major medical services, what would it be.

Ms. Cossey: Right. And I think if we would have been given like maybe these questions or things to think about, like if we would be questioned when we're sitting here, then we would -- because sometimes it's difficult to think off the top of your head when you're asked a question, well what is it -- and, you know, then later you go back and you say, "Darn, I wish, you know, I wish I had thought of that because, you know, that's something I really would have wanted," and maybe had we been better prepared to and be made aware that we would be asked these questions, we would have had, you know, put more thought into it instead of just our comment portion, which in the past is how it's been, and any discussion has been amongst Committee members. But thank you for the opportunity and, you know, with all the information that you have all gained from the site visit, that's how you can better render your decision today and, you know, we're just adding on our personal thoughts. But I appreciate the time. Thank you.

Ms. Kanakaole: We will have two more testimonies. Viola Cashman.

Ms. Viola Cashman: Good evening, Madam Chairman and your Advisory Committee. Thank you very much for allowing me to speak. Community people. My name is Viola Cashman and I live in Haneo`o and, like Earl, I have been a member of this community since birth and still continue to reside here, still continue to work here as a teacher at the Hana School. When I returned to Hana about twelve years ago, it was amazing to me that I had no idea what the Hana Health Community Health Center was all about. Since then, I have become a board member and I think that is one of the most rewarding things I have done, challenging, to say the least. But, no less, very educational. I'm sitting this evening, and I'll try to do this in three minutes. I can talk for hours and hours and hours, ask my husband. But we're looking at this here and we've heard that it is an expansion of our medical facilities. I'm a teacher at Hana School and one of things I fear is that our young children, we all realize that we don't have some of the services that we would like, for example, we don't have an emergency room, we don't have birthing, we don't have, you know, all these kinds of things that we -- a trauma center. Do you realize that we -- we lament over that and we continue, so we don't have a dialysis. We have done study after study. People have come into our meetings and we've been in community meetings where we have been verbally attacked, and, hey, that goes with the territory, but we have -- we go on and on and on how we can provide services. For me, as an educator, it's education, prevention and education. So while we cannot provide yet the services that we all would

like, we certainly can provide the education to our -- to our youngster. But along with that, we need to provide the services and one of the most important services, I am the SSC, the Student Services Coordinator at Hana School, and I take care of those students who are in need of emotional behavior counseling, their families, people within our community where they cannot become educated, they cannot learn academically until they take care of the behavior, they take care of the substance abuse, they take care of all this emotional stuff that they come to school with, you know. And I tell you, I have been a part of this community center, both as an educator with Hana High School and as a board member, and I will stand up here and tell you I will continue to do that, continue to be a member of this board of directors because we need to have that education so that we can prevent the obesity, prevent the poor health, prevent the chronic illnesses that happen, and you know what? It does take money. It does take money. Slowly we're beginning to open, you know, doors are being opened in the community and I thank you all for doing that survey. Do you realize that only ten percent of our -- of our, you know, the people who responded said, "We don't want anything to do with the Health Center." The other people who responded, and these people responded, you know, anonymously, they want the services, they need the services, they have seen the improvement in their health and their children's health, in their kupuna health. We now provide meals down at, not only Keanae, but Nahiku. Eh, baby steps. But you know what? We're going to keep doing it. We are going to keep doing it and we're going to keep working towards this because I tell you, the people of Hana, all of you, whether you like it or not, will benefit from this. I mean I realize there are things, there are obstacles and barriers out there, but you know what? That's what life is all about. I realize there's a golden hour, but you know what? We have to keep trying to get that emergency room; we have to keep trying to get all those services here to say you know what? It's no good and to stop right there - we've been defeated. Thank you.

Ms. Helekahi-Burns: Aunty Viola, I have a question. I realize that you had mentioned about the survey. Will that -- the information and the questions that was asked during the survey be disclosed to the Committee? Thank you.

Ms. Cashman: I think that's one of the handouts that's on the table. The actual questions? Good question. Okay, yeah.

Ms. Kanakaole: Sam Kalalau. Oh --

Mr. Shane Sinenci: You also mentioned that the board is trying to bring in all those other services that some of the community members were asking for, like the prenatal, emergency room, dialysis, how -- how much of an effort on the board's --

Ms. Cashman: Constantly. Constantly. We are -- have been, Cheryl, if you can help me out here, but we, at our board meetings, this is what we talk about all the time, you know.

We realize that it takes money, infrastructure, numbers, and some of these things we have no control over, you know.

Ms. Nitta Hasegawa: Can I go before Sam?

Ms. Kanakaole: Yes, you may, Nitta Hasegawa.

Ms. Hasegawa: Hi. I'm Nitta Hasegawa. My husband would have been here but he's on his way from Kahului, and the interesting part is, you know, with all the articles that come out in the *Mau'i News* about the prevention, and he goes to the doctor out there because he spends half the time out there, and one of his doctors told him, "You know, Harry, you guys out in Hana are way ahead. Prevention is the thing." And he says, "I give you guys credit. I wish every community would start doing it." Now I participate in a lot of the activities, being at my age, I go to the kupuna luncheon to eat healthy so I no stay home and eat my vienna sausage, and Pablo, Patty's husband is there and -- father, I'm sorry, father is there and we talk -- we talk about old times and -- and Fred Leonowitz's father comes to our luncheon. How about that? Anyway, so, you know, we need a place where we don't feel the elements. When it rains and it's muddy, and, you know, sometimes they have to cancel cause the tent will fall down because of the heat of the -- I mean the weight of the water. And, you know, we play Bingo, you know, the kupunas are out there and they want to do things but because you cannot -- because it's not enclosed, you cannot do very many things. You cannot, you know, get them to make cookies cause it's unsanitary and, you know, all that dust. So there's a lot of things that we want to do. I asked Masa, I think he's the oldest, besides Pablo in the group, he's 83, so I asked Masa, "How old is the kitchen?" He said, "I don't know. It was here before I was born." So you can imagine the conditions that Sano'e and Aloha -- I, you know, and they put out a meal for I don't know how many people, and they deliver it, and they need a new kitchen. I would have a nervous breakdown. I love to cook, but not under that kind of conditions. And then as far as emergency services go, they're having a hard time in Honolulu, all in the rural areas. I'm sure you read about in the paper. They cannot provide emergency services.

Mr. Boteilho: Excuse me, ma'am, Mrs. Hasegawa?

Ms. Hasegawa: Yes?

Mr. Boteilho: Since you wanted to go before, she's second to the last, and Sam is last, and since she wanted to go before him, why don't we just allow her her six minutes.

Ms. Hasegawa: Okay.

Mr. Boteilho: Thank you.

Ms. Hasegawa: Okay, now, I make use of all the services. I go to acupuncture. The dentist, my goodness, you know we have a full-time dentist, not once a month kind when I first got here. I had to go to Honolulu for a root canal. He does root canals. And, you know, I went in there and I was surprised. He has x-ray machine, the kind they don't develop, it comes down on the tv screen, like Doctor Miyamoto. How about that? So we are coming, we're making headway, you know. We have all these services and in exercise, I asked one of the girls, "How come you don't come to exercise anymore?" She says, "I don't wanna lie down on the mat on the dirt." And I said, "Well, you know, that's one of things we have to put up with." So we need something like this. Those of us who work there, who participate, we know what it is, and if those of you who don't know what the services are, come down. Come down. Go ask, "Eh, I like look around?" You can do that at hotels. Go to the medical center, you know, but no go tramping around on the the kind cause I got scolding in the garden cause it's -- you not supposed to do that. You need an escort. But like I said, if you don't know, go ask. Don't you go to a hotel and say, "Can I see what one of your rooms look like?" You know. You know, so many people just hear gossip, oh, they're doing this, they're doing that, oh, why don't you ask. Go to the source. If I don't know, I approach and I said I wanna see, you know. Let me see what you guys are doing. But sometimes, you know, being niele gets you into trouble. But we're making headway. We're getting all the services that we did not have when I first got here forty-five years ago. So, you know, you cannot stay stagnant. You want a dentist, you want up to date things, sure, we wanna have our babies in Hana, but, let me tell you, there are a lot of places in Honolulu where they cannot have babies, where they don't have emergencies, and they have to fly the helicopter. Even then, somebody told me, "You better watch out. When the ambulance pick you up, you know, you cannot go to certain emergency room. They refuse you. You gotta go someplace else." So that kind of stuff I don't know. All I know is, I'm speaking for the kupunas, we want to enjoy all the, you know, whatever we can enjoy. A nice place where we can do things, get together, not have to battle the elements, and exercise in a place where I can wear my new white shoes.

Mr. Boteilho: Excuse me, ma'am, we're at six minutes.

Ms. Hasegawa: Okay.

Mr. Boteilho: No, you can wrap up. You can finish up.

Ms. Hasegawa: Oh, okay. So that's the reason why, you know, and, like I said, the employees work real hard. They're afraid to even hang anything on the wall because the wall might fall down and I know what it is cause I used to live in one of those houses. Mrs. Vandenberg's house down there. So, you know, eh, progress, slow but sure. This isn't going to come out all one time, but at least we wanna enjoy something. And I thank you for listening, and I thank you folks, and I hope I wasn't being redundant. Thank you.

Ms. Lono: Just a comment. You're aware of the Hana Senior Center and the kupuna programs that are held at the senior center like you were talking about?

Ms. Hasegawa: I don't go to the senior center.

Ms. Lono: Okay.

Ms. Hasegawa: I go ...(inaudible)...

Ms. Lono: Okay.

Ms. Hasegawa: Cause I don't have all day to spend there ...(inaudible)...

Ms. Lono: I'm not trying to convey an issue here. I was just trying to educate you on the senior center which, you know, a lot of us here help facilitate and bring into reality, and they do have exercise programs inside, and they do have, you know, a lot of the things you are wanting until we get these -- when they get a facility.

Ms. Hasegawa: The exercise program I'm talking about is in the afternoon.

Ms. Lono: Okay.

Ms. Hasegawa. You know, with the young girls, these guys, you know.

Ms. Lono: Okay.

Ms. Hasegawa: Like, you know, I cannot lie down. I have to sit down and do weights. That kind of exercise.

Ms. Lono: Okay, I just wanted --

Ms. Hasegawa: I can do a little bit more than the kupunas, but not enough like these guys can.

Ms. Lono: Okay.

Ms. Hasegawa: Okay. Yeah.

Ms. Lono: I just wanted to make sure you knew you could go bake cookies and play bingo and stuff over there too.

Ms. Hasegawa: Yeah, but I don't have all day that's why.

Ms. Lono: Okay.

Ms. Hasegawa: Thank you.

Ms. Lono: Mahalo.

Ms. Kanakaole: Sam Kalalau.

Mr. Samuel Kalalau: Good afternoon, board members. First of all, thank you, Nitta. Believe it or not, she was my fifth grade teacher. You see what you created? Anyway, I know you guys have a tough decision here before you guys. I mean, you know, a lot of good comments came from the public. The most confusing thing is because, you know, you got two parcels there that right now both of them is zoned in a different zone and they wanna compile it into one zoned area. The confusion was subdivision. You know, I could understand where Suzette was coming from. But even if you get the rural designation for do any other kinda development, you would still have to go into the County to get either one R-3 for housing or R-2 or whatever -- whatever you wanted to develop on that property. A year ago when we had our last meeting, I came before you and I told, you know, I told all of you that if you bring out your docket 2006, 2005 where it has the recommendations, the confusing issue is that public/quasi-public. You know it's going to be rezoned to rural but in your guys' packets, it'll say public/quasi-public, and what you guys can do in that recommendation is to make sure that that public/quasi-public zone is either for health or hospital. The police station is zoned public/quasi-public but it's police. The fire station is zoned public/quasi-public and it's, you know, for fire or for police. Parks. Parks are zoned public/quasi-public and it's PK for park. Make sure that if you guys do make a recommendation like that, that the wordings be in there specifically for those kind of development or those kind of projects.

If you look at this map right here, you know, on this section of this map right here, there's a big housing project planned for Hana, this is the affordable housing community project that's going to be coming up over here, so the number of people is going to increase our town and if a lot of you has been looking at other developments throughout Hana, the numbers of people are going to grow within the next five years and I think a project like this would be real good because it will handle the population increase. If you go to the Kaeleku subdivisions, there's a lot of lands being subdivided out into two acre ag lots, and if you guys are aware about the Nahiku development, it's phase one and phase two, you gonna have nearly a hundred lots. You know, the numbers are here.

People were concerned about water for this project. We just opened -- we just laid the million dollar lines from Hamoa to come back to Hana Town and it's connected into the line that goes out to Waianapanapa, so we don't have a water problem in Hana. You know the

County is also looking at, you know, they're in negotiation in purchasing water companies down here and they're right -- they're in the process of right now putting in another well.

Mr. Boteilho: Excuse me, we're at three minutes but you get three more, since you're last.

Mr. Kalalau: Okay. Many of the people had a lot of concerns about them, its important, but a lot of the concerns is, like Lehua was saying, it's a need assessment and some of the -- some of the things that they wanted for include in here would not qualify underneath the need assessment. There's emergency. I mean even when you get picked up and you're in Maui Memorial, they still send you to Honolulu. It's very important and it's what Earl was saying, yeah, we need to look at it for the future. Anyway, but my concern is directed at you guys. You guys have your guys homework in front of you guys. Just be wise and make the best decision you can. Thank you.

Ms. Kanakaole: Terry Lynch asked to come back. I'm sorry I didn't call you back.

Mr. Lynch: Thank you for having me back for these final three minutes. You know this is shaped like a shoe. You notice this lot here? And this is kind of like buying a size thirteen tennis shoe for a baby just born. Do we have to buy this size thirteen tennis shoe? We're talking at least, this is a new plan, I have to say, I've just seen this new plan because it keeps changing, we're talking, you know, eighty thousand square feet last time. Are we less than that now? Or we're more? That's forty Helene Halls, including the kitchen over there, so that we can exercise and stay healthy. I mean this is really an overshoot. A huge footprint. Something way beyond our needs and something way beyond our means. I would hope that you would listen to John when he said, you know, they've gotta -- show us the plan. Come on we aren't -- we can't go on secrecy and know this is good for the Hana people. There's been too much secrecy and, you know, as much as I, you know, I love everyone here, I just -- I think everything should be in the light. Like this is the first time I actually heard, when Ms. Cashman spoke, this is the first time I've actually heard from a board member, and it was great when Dawn was bring up this question about, well, I like this service and that, and she was saying this and that, that was really great. But that's what I mean. When do we finally get to talk as a community. I would hope you would defer this again until the doors open up to the Community Health Center again. Thank you very much for this final three minutes. Any questions?

Ms. Kanakaole: One last call for testimony, public testimony.

Mr. Ed Cashman: Yeah, my name's Ed Cashman. That's my wife. You know, when I sit here I listen to it, to me it's as simple as do we need it or not. Not the zoning. Do we need the health center. I retired from the Fire Department thirty-two years. I'm kind of familiar with, you know, the liability. I've sat there when two lawyers questioned me and they wanna sue you because you went to the scene, if you don't do what you're supposed to do,

you going be in court and they going sue you. I've sat there in my office and the two lawyers sit there and with the stenographer. That's why we don't have an emergency. The last time we went to Vegas, I was watching the news. University Medical Center in, excuse me, Vegas, they wanted to stop emergencies because of the liability. In Honolulu, sometimes we wanna send people, we going on the ambulance, and they turn us away. Like we went Ewa Beach, you wanna go Saint Francis Medical, they said, "no." You think how can they tell you that? You get somebody here, you doing CPR, they tell you, "No. Go Queens." And you know you ain't going to make it, but that's the reality of it. You talk about one classic example if you don't move forward is your guys shopping center. You can find every excuse in the book, zoning, parking, water, you gotta move forward or you going end up exactly how you folks have - you have nothing. You cannot have one emergency, you cannot have birthing if you don't move. That's the reality cause I -- Hana is a small -- it's how to justify getting money. I've been to Washington with Cheryl them, they go see Daniel Inouye, nobody is more powerful than Daniel Inouye to get money for this health center. If University Medical Center in Las Vegas, Nevada, they make zillions, wanna stop it, you folks better move forward. Don't use every excuse. I hear every excuse in the book why you can't do it, and you get somebody here that wanna move forward, you better get on that boat and move forward with her. Thank you.

Ms. Kanakaole: Thank you. Anymore public testimony? Okay, public testimony is closed. We'll take a five-minute recess and we'll reconvene.

(A recess was called at 6:05 p.m., and reconvened at 6:17 p.m.)

Ms. Kanakaole: Okay, I'd like to call this meeting back to order. Okay, I wanted to have a discussion with us, us guys up here, because, through the testimony, a lot of good points have been brought up and I, you know, before we even make any kind of recommendation, I want us to talk about what we heard because what I heard might not be what you heard, and just have that open discussion in front of everyone.

Ms. Helekahi-Burns: Mrs. Chairman, is this the appropriate time to be able to get Cheryl up here to ask her some questions to get clarification?

Ms. Kanakaole: I believe so. Yeah.

Ms. Helekahi-Burns: Okay. Okay. Cheryl, please. Thank you. Couple questions just from the public hearing. The first, will the existing health services be interrupted during the expansion.

Ms. Vasconcellos: No, we have to continue with services. We're the only medical service here and so the plan is to develop a strategy for continuing medical care while whatever construction goes on.

Ms. Helekahi-Burns: Okay, mahalo. Next one, it seems to have been coming up frequently, but could you tell me your side of the story or to clarify the reasons for privatization of the health center?

Ms. Vasconcellos: Well, the privatization took place even prior to my coming onboard and that was the result of a lot of community involvement to preserve health care in the Hana community because, at that point in time, the state was really looking to terminate services. The funding wasn't there. And as a way to preserve health care, the community asked that the state transfer medical services over to the community. That has been taken very literally. The transfer did not take place where the state gave the community the health center. The state transferred the health center to a nonprofit corporation and that's what took place.

Ms. Helekahi-Burns: So, currently, the status of the health center is still a nonprofit organization?

Ms. Vasconcellos: We're still a private nonprofit organization, yes.

Ms. Helekahi-Burns: Okay. Thank you for that. Did you -- was there any feasible study for diversified ag? I mean I know that they've been asking for the feasible study for the current plans for the wellness center, but was there a diversified ag feasible study being that you guys have a very thriving garden going right now?

Ms. Vasconcellos: We, for every single component of the wellness village, as we get ready to move forward, we do a full blown business plan for each component and so, yes, we did a business plan and feasibility study for the ag project.

Ms. Helekahi-Burns: So, it's obvious to us that you guys have tried to be able to take the public concerns, well, at least to me, to take the public concerns and try to be able to alter your guys original plan, which I commend you for, you know, cause a lot of the service I, personally, do take part of and I've seen -- and I really commend you on the site, the site inspection today, which I -- it really helped me to be able to see what was really needed and how it was needed at that, but will there be, in the future, a site inspection or just a site tour for the public opened a lot more -- with more notice?

Ms. Vasconcellos: Yes. We actually had one for the Hana Business Council a couple of months ago and the response was so positive that at our last board meeting, actually, we talked about this and we've decided we're going to move forward some kind of an agenda for public tours, like you had today, either by group or whatever, we're still figuring out the process, but we wanna move in that direction so people can actually come and see what it is we're talking about, and it's not so conceptual, they can see what's going on. So we just actually approved that at the last meeting.

Ms. Helekahi-Burns: Thank you. One more question. This was brought up by Mr. John Blumer-Buell about the kui -- Ho'o Ku'i Kahi, which is the Hana community intent which, honestly, this is the first time I've seen this, this pamphlet of the Ku'i Kahi, but was this on the intent of this community intent? I'm not too sure what exactly it is but this document helped to be able to put limitations on your plans as of -- or was it in the development while you were planning this wellness center.

Ms. Vasconcellos: That was the document, it was a planning document used as part of the case made to the legislature to transfer the medical center to a community group and we, as Hana Health, have taken that document very seriously, and if you look at that document and compare it to the plans that we have moving forward now, we've included almost everything that is included in the original document. It should be noted that all of the services that were outlined in that planning document, it would have cost ten million dollars to get all of that going, not counting facilities, just programs, and we've tried to take all of those concepts as well as all of the other research that we've done in the community with polls and needs assessments, and that kind of thing, to come up with a plan. So this plan is not something that was created in a vacuum. We used that original planning document as well as additional research to develop the plan that we have now.

Ms. Helekahi-Burns: Thank you for your time.

Ms. Kanakaole: Did you wanna -- oh, go ahead.

Ms. Lono: Could you please explain to us why, excuse me, why the feasibility study is not a document that you want to share with the Committee or with the public.

Ms. Vasconcellos: Because those include business plans that really are proprietary information and the board of directors has reviewed those funding sources, reviewed those plans prior to giving us funding, but we have already seen a number of our programs and services plagiarized to bring in and start other programs. We just don't wanna put it all out there in the community.

Ms. Lono: I guess then part of the concern as, that I have as a long time community member and seeing many projects come and go, and the perfect example is our little Hina Village Marketplace over here, and had we been able to see and digest and understand that the amount of funding that it was going to take to implement that project was not actually available, then that project and that whole scenario could have looked very different. Also, one of the big controversies in the community in the past where the feasibility of the project has been called into question and actually affected the outcome was the golf course. The golf course, basically, failed because their financial plan could not hold water. They wanted to sell, you know, memberships in Japan, pre-sale memberships before the golf course was able to be built, blah, blah, blah. Well, that was --

became illegal in Japan so, therefore, the whole plan fell apart. So I think for the community's general comfort to try to find a way to answer some of the questions perhaps by not revealing the things that you feel are just so important to keep close to your inner-circle and not reveal them but to answer some of the questions about the feasibility of the project and where the money is going to come from, and one of things that I've heard many, many times in the past is about this expansion and this project making the Hana -- Hana Health, I gotta get used to the change, self-sufficient and self-sustaining, and this plan is very, very different from the last one that I was consciously aware of, so what I don't see here is really a plan that shows some sort of income producing initiatives that will make the Hana Health self-sustaining.

Ms. Vasconcellos: There has been a business plan, as I stated, put together for the agricultural project, and there has been a business plan put together for the nutrition center. As, as I said, as we move pieces of the project together, we do a full blown business plan and will not move forward with anything that will not at least support itself. If it generates additional revenue to help support the health center, better yet. So those are the two completed business plans that we've done to date. Those are the two projects that are moving forward the fastest. If you talk about kupuna housing, your income on kupuna housing is basically your rental income, but, of course, the housing itself will need to be subsidized by funding sources, HUD is an example, of one of the funding sources that we would be approaching to actually do the construction, but the ongoing maintenance of the building would need to come from rental income. So that's how we envision that piece of the project being able to take care of itself, not generate more money to support the medical services, but at least be able to support itself. We have not yet done a full blown business plan for the fitness center, we have some ideas about how that could be self-supporting, but until I do a business plan, I'm not going to say it's a go or not. I can only say that we're not about to build anything or start any service that we're not going to be able to support. We haven't done it yet, and we don't intend to do it in the future. But continued dependence on grant funding or trying to find grant money to provide all of the services that this community wants is impossible, and so we're taking -- we're biting off one piece at a time.

Ms Lono: As far as the expansion of medical services, I'm not clear exactly what type of ER and/or trauma services will become available if this plan and when this plan is implemented and the expansion of the medical facility. Could you expand on that a little bit?

Ms. Vasconcellos: We are not planning to do a trauma center and this is one of the issues that we grapple with at almost every board meeting. There is absolutely no funding available to provide trauma care. There's only one trauma center in the state, and that's Queen's Medical Center, that's the only trauma center for the whole state. There are emergency rooms, but in order to have a legal certified emergency room, you need to be

able to do surgery; you need to be able to have blood products; you need to have access to x-ray. It's not just a simple matter of saying we have an emergency room. The cost of that is prohibitive. The state, when the privatization took place, the state refused to give us a contract to do emergency care. Their position is that the ambulance service, the advance life support ambulance that they instituted at the same time as the privatization, was Hana's emergency, and we were able to generate enough support to at least keep the health center or the physicians available twenty-four hours a day, seven days a week, so that as emergencies came in or urgent care came in, we could provide backup support to the ambulance personnel without them having to transport to Maui Memorial directly, without even stopping at the health center because that really is the plan and that's how it works everywhere else in the state. The ambulance picks the patient up and transports the patient to the nearest emergency room, which we are not and we could never be because our population won't support it. Right now we transport about fifty-six patients a year by ground or air ambulance. Fifty-six patients, when there are family members, I understand, it's important. We want it. Who will pay for it? The state has made it very clear that they won't and there's no Federal funding for that, and there are rural health centers all over the state who don't even have what we have. So we continue to try to, you know, meet the need for at least after-hours care, working closely with the ambulance service. And in terms of the expansion, what we're talking about is trying to improve the facilities, continue to really explore technology issues. If there's a way to use the technology through tele-medicine, to hook into emergency room consultation when we need to do that, to bring the ambulance personnel maybe out of the house into a space in the -- in the medical center so that they're sort of the first responders onsite. So we're looking at those kinds of options. But the expectation that there will be an emergency room in Hana with twenty-five hundred people, it's just not going to happen unless there's private money and people are going to pay for the ongoing operation of this, but we're talking huge amounts of money here.

Ms. Lono: Thank you. So if we look at the action that's at hand, which is the State Land Use District Boundary Reclassification, if we're not clear if and how and when these -- this plan can be implemented, and in what stages it can be implemented, and what programs can be implemented, and this designation is given, I would hope that we would be able to give it in a very tightly knit package so that when the funding does not become available and these programs cannot be funded, that it doesn't open up this piece of property to just be done with, whatever the next board decides they wanna do, or whatever the next committee decides they wanna do, that we really make it a neatly tight knit package and protect ourselves from that because, obviously, it's not clear that you have the funding to this --

Ms. Vasconcellos: Right.

Ms. Lono: You know, dream.

Ms. Vasconcellos: It is definitely a dream. This is a conceptual design. It is based on a lot of the needs and desires that were, you know, coming from this community, these are things people said they wanted, services they said they wanted. It is a concept. It is a dream. It's a wish list. Not all of this is going to happen. If we're lucky, lots of it will happen. But, again, the zoning, quasi-public -- public/quasi-public, prevents you from doing much more than what we're proposing here. You couldn't build a resort. You couldn't build residential housing with this zoning. You can't do any of those things. So the zoning itself prevents that kind of thing from taking place.

Ms. Lono: Okay, let's see, I know I had other questions but if there are other members who have other things in the meantime -- oh, I know one thing I did wanna address. This issue of a membership organization. I was on the founding board of directors when we made the transition from a state run facility to a private facility and we did create a membership organization, which I fully supported and continue to support to this day, and as I grapple with this through all of the dialogue within the community and hear the positives and negatives on both sides of the issue, and I understood from Harry's explanation that, you know, concern about a takeover or concern about changing boards every year so that you don't have continuity and that, you know, you get a project started, then the board changes, and then the plan changes, and that -- that can be -- that can make for a very unhealthy climate to do business and to create a vision and a dream for the community. The dream and the vision that we shared in the workshop that we did many years ago, I mean a lot of it I see implemented, some of it I don't, some of it was a bigger dream than could ever be possible, but we were encouraged to dream big, but the membership issue continues to be a deep issue and we've got to find a way to somehow address it, and I know that an effort was made to have these public meetings where, you know, there would be a pre-set agenda and those items could be addressed and, you know, and that like felt so controlled and uncomfortable, and like it really wasn't open in community dialogue, and there was no freedom and no, you know, it just felt so rigid and not like community at all. So I continue to share and express my concern about somehow being able to integrate the community a little bit more in this dialogue with what needs to happen. I understand the surveys, I've been called by them, and, you know, I understand that that's a way of reaching out. But is there some more personal way that we can find so the John Blumer-Buells and the Suzettes and the Terrys and the people and the people who have real deep abiding love and concern for the community can have their views expressed and exchanged and heard and, you know, I don't know what the answer is? I just know that it's a very uncomfortable, unhealthy, and that's the last place we wanna be, is unhealthy as we create our health center place to be in our community. So if you have any thoughts that you could share on that issue, I would appreciate it.

Ms. Vasconcellos: I have a lot of thoughts; some that I'll share some that I would rather not. But I think that if you place the change in context immediately prior to the privatization, two months before the privatization was going to take place, the new Hana Community

Health Center and the State of Hawaii were slapped with a lawsuit, okay, by HGEA and UPW Unions on behalf of the employees. So it was very detrimental to the health center, the new startup health center, to have an open membership, and this is what I think Harry was referring to, not so much outside sources, but there were -- there were a lot of people who were not happy that the privatization was going to take place, and that was viewed by our attorneys, especially as an avenue for takeover and to stop the transfer from going forward, which really was because existing staff at the time would not be guaranteed positions with the new health center, and so we were encouraged to not have a membership organization, particularly for those reasons.

The other reasons really has to do with corporate stability, and you said it exactly correct, funding sources will not support organizations that are not stable and that they can count on as being stable organizations going forward. And those kinds of membership organizations, where whole communities elect boards, are not viewed as stable organizations. And I can tell you from, when I came to Hana, whatever it is, nine years ago or something at this point, I can't believe it's that long, I didn't come here with any preconceived notions about anything. I didn't know anybody here. I didn't know what any of the community politics were. But people are still telling me good luck, and the fact that Hana has that reputation among Federal granting agencies, among State Legislators, among county funding sources, that good luck, I don't think bodes well for this community, and that's a reality, and that's what I'm up against all the time. When I go try to raise money, that marketplace is thrown in my face all the time. And I've heard all kinds of stories about it, but I've gotten a lot of stories straight from the source because I'm dealing with some of the funding sources, and it really wasn't about the feasibility study. It was about how the community got involved in an inappropriate way, and I will put that out here on the table for you to just think about, it's neither here nor there, but there were a lot of valid reasons for the decisions that were made back nine years ago. How we get people to kinda come to terms with that? I don't really know. How many people are really unhappy? You know, we think it's probably around ten or fifteen percent. Are we always going to get a hundred percent consensus? I doubt it. But I think the majority of the people in this community support the direction that the health center is going in, people come to us, people use our services. I think the people who are most against what we're doing don't come and use the health center, don't really know what we're doing.

And, you know, we talk about the community meetings. Well you see who stands up and speaks at community meetings. Are the people who are speaking representative of this entire community? There are a lot of people who have lots of things to say but they don't wanna do it in a public forum, which is why we've used these telephone surveys and anonymous community needs assessments and focus groups so that everybody in Hana, everybody, has an opportunity to have their views known, and these kinds of forums or even the meetings that we tried to have open to the community on a quarterly basis, don't bring the Hana people forward to state their views. You have a select group of people who

come, that's not a bad thing, but they're definitely representing their views, and there are a lot of other views out there that we've only been able to get at through good solid research.

So I don't know, Dawn, that this situation will ever be resolved to everybody's satisfaction. I can only say that what we've been doing to date seems to be working. We're able to keep the health center open, which everybody at the state level gave us one year before we would collapse, and we've been able to keep it going because the plan was to shut it down and, you know, these are other things the community doesn't know. You know, the state's plan was that this place was going to be closed and then whatever they brought here, people would be satisfied with. So if they closed it and then suddenly came back with a nurse practitioner, people would be thankful. They had no idea that we would still be open, and so I just have to point to our record. We've been doing what we said we would do and we're trying to meet the needs of this community.

Ms. Lono: I just have one last concern that I've heard throughout the community for many years and that is the willingness of the Hana Community Health Center to work with existing programs and integrate those programs, or support those programs or not, compete with funding for those programs, and it was brought up today about Ohana Makamae and Hui No Ke Ola Pono, even perhaps the Hana Senior Center, which is an excellent program and serves the community wonderfully, and all of these things are created in the best interest of serving the community, and can we find a way to work together for our community, and put all this personal stuff aside, and find a way to integrate these programs? That was always our vision from the very beginning was to have those services at the Hana Community Health Center, to have our public health nurse at the Hana Community Health Center, to have Hui No Ke Ola Pono at the Hana Community Health Center. So my concern is is there a way or has there been an attempt to work with these various organizations and to kinda bring it under an umbrella situation?

Ms. Vasconcellos: There have been lots of attempts, and nobody has discussed those, so I'm going to go back in history a little bit, and let's start with Ohana Makamae. Prior to them getting organized, we had already had, actually right when the privatization took place and I was hired as the exec, we had several community meetings, one of which was with all of the nonprofit organizations in the district. They were all invited. We provided lunch. We talked about what our vision was. And we invited people to contact us to work together, okay. I was the new kid on the block. I didn't know anybody but, obviously, everybody knew who I was. We invited them, call me, we're willing to do whatever. Guess how many phone calls I got? Less than that. Okay. Zero.

Alright, so that was that particular issue. Then we had -- we had talked about our vision. We were talking about these things nine years ago. When the Ohana Makamae organization got started, and it was started by some of the past employees of Hana Medical

Center, we were told that we were not to be involved. They did not want our involvement in that organization, okay. We were told we don't want you involved, we want the health center to stay out of it, okay. I have all that documented, okay. They did not want us involved. Why? I'm not sure. My guess is because people loss jobs and they were now starting a new organization so they weren't interested in having the health center participate.

Okay, that was that situation. Going farther down, the big hullabaloo about the Federal money that we were getting. We had, and I met directly with the Executive Director of Ohana Makamae, and I told him this is the money that we have coming in, do you have projects that fit with ...(inaudible)... take back to the committee he was working with. Did I hear anything? No. Okay, there was no interest. That's Ohana Makamae.

Hui No Ke Ola Pono, same story. They had a transition in executive directors. The first executive director wanted to work with us, was talking about us absorbing the staff and the facilities under the umbrella of Hana Community Health Center. She was unemployed not long after that. A new executive director came in who was not interested. I went to the other side of the island and met with them on at least three occasions talking about joint transportation services, sharing a nutritionist, doing some coordinated programs. I was totally blown off. There was no interest. Couple of years later, we got some grant money. I called, I said, "Are you interested? This is focusing on native Hawaiians. I will cut you \$250,000, okay, out of the million dollar grant. I will cut you \$250,000 every year for the life of the grant. Do you wanna work together?" "We want half the money," was the response. Okay, so it broke down. That was the Hui.

I could go on and on and on about things that we attempted to do and could not break the barriers down here for whatever reasons. You know I hear John talk about competition for money. We're not competing with anybody. The Hui has a dedicated funding source, through Dan Inouye, it's the Native Hawaiian Health Improvement Act. They are funded. We can't even have that money. We don't go after that money. That money is designated for Hawaiian health systems. They have their money. Ohana Makamae has been funded privately for the most part. We don't go after that money either. We go after money that we think will support the programs that we're attempting to do. I have lots more examples of those kinds of trying to work together opportunities. We were doing some work with the new senior center. We were providing meals and some transportation. Our kupuna money was reduced and we couldn't continue to do all of that. But we helped them build a library, a care giver library, we purchased all the materials for their library and set it up over there. So we have tried. We haven't seen that same thing happen in return. We're not the bank. It's not our job to dole out our money to every other organization who would like it, but it seems unless we come to the table with dollars, nobody's really interested. And even when we come with dollars, unless it's more dollars, they're not interested. So we have tried.

We have worked together very well with the school, and we had some really solid programs there and we're looking at continuing or adding some of those in the next year.

So I really -- I hear people say these things, people who have no idea at all what we have attempted to do and -- and I have to sit here because I don't really have, except for now, I really don't have the opportunity to put this information out before the public. I sit and I listen and we try to adapt our plans to, you know, meet everybody's expectations, but when I hear all of these allegations coming out of left field, it's really hard to sit through that. You know our medical services had been attacked. I hear kidney dialysis. We introduced a bill in session this year. I'm sure nobody knows that. We attempted to secure funding to start dialysis in Hana in a facility. I was laughed out of the legislature, number one, okay. They're saying, "How many beneficiaries?" I'm saying, "Four people." They're saying, "You want all of this money for four people?" But I expected that response. What I didn't expect was that for Hana people who've been asking for this service to lobby against us, okay. They lobbied against any money being given to Hana Health to provide kidney dialysis services. They didn't want us to get the money. They didn't want us to do the service. And, yet, we're challenged over here, okay, why aren't you doing medical service, core medical service, and then we attempt to fund the core medical service, and the same people are lobbying legislators not to give us the cash. So that's another example of some of the things we've been up against. Now, I don't know what all the issues, I don't know what people's rationale is. If somebody else wants to do dialysis, that's fine with us. That's okay if it's going to happen at the senior center or wherever people wanna have it, but at least be up front about it. If you prefer that we not be involved, we won't be involved, but then don't call us on it in a meeting like this and say, "We wanted you to do this. You're not doing any of things we want." It's just incredible. But that was -- this just happened this session. So we had a live bill that got ditched. We were going to have a hard enough time getting it through the body anyway because they think Hana gets way too much money, and then I have Hana people calling them saying, "We don't want it." You know. I don't know what to say.

Ms. Lono: Well, thank you very much and I, basically, I ask these questions, not only for my own clarification, but for the clarification of the those out there that have expressed these concerns to me or expressed them in the community, so, you know, I just -- I appreciate your openness and honesty in sharing this stuff and I'm sure we're going to go ask questions of those other organizations and say, "Hey, that's, you know, something's wrong with the picture." So mahalo for that. I just have one other question. I think I said last time didn't I? Okay. Is there a plan within this -- this plan to have a restaurant and retail space and to be doing commercial uses and commercial sales? That's been a concern that's been expressed in the community.

Ms. Vasconcellos: The nutrition center definitely will be making meals, healthy meals, available to the general public, particularly to meet the needs of this community. In the

assessment we just did, we had eighty-six percent of the populations saying we wanna buy healthy meals. We have people coming to us all the time saying we wanna buy healthy meals. In our current facility, we're not allowed to sell anything. We could give everything away to our target population where we have funding, but we can't sell anything, so, yes, the plan is that. We will be having healthy meals available for sale. We also, as I'm sure people know, as we grow produce and we have more than we can use in the kitchen, we're selling produce to the community, we're selling produce to the local stores. That helps to sustain the farm when the Federal money runs out, and we got the Federal money to make it become a self-sustaining venture, which is why we did the business plan. When the Federal dollars run out, we're going to have a farm that can support itself and continue to employ the people that we're employing and help people keep a, you know, a healthy lifestyle. So, yes, those two components of the village will be generating revenue, and the medical center generates revenue, okay. We have to charge for medical services. It's a losing proposition, that's why we need the grant money, but people are charged on a sliding scale for the services. So just about everything we do there will be some kind of revenue generating component; whether it moves forward will depend on how much we can generate and will it support itself. So, yes, we will be having both of those things.

Ms. Lono: So that means a restaurant ...(inaudible)... you're looking to have a take out restaurant or people can come in and have a meal or --

Ms. Vasconcellos: That would be great. I'm not there yet. We're only looking right now at take out service.

Ms. Lono: Okay. I'll give somebody else a chance ...(inaudible)...

Ms. Oliveira-Medeiros: Dawn covers a lot of the questions that we had in mind too, but just today one of the teachers at the school told me that she was one of the people called for the survey but she was staying at her dad's rental house. Do you know how they targeted what people they called?

Ms. Vasconcellos: It's a computerized random system. It's totally random. They have all of the telephone numbers in the Hana District and it automatically generates calls, so they'd have no idea who they're calling. Whoever picks up the phone, at a Hana telephone number, is surveyed. They do ask the question though, if she doesn't live here, she probably just wanted to answer it for fun, but they asked the question: are you a resident and are you associated with the health center in any way? And they eliminate all of those people. So she probably wanted to answer and said, "Yeah, I'll do it."

Ms. Oliveira-Medeiros: Do you know how much of the twenty-six million is going to be spent on actual buildings?

Ms. Vasconcellos: That is such -- it's a number. Twenty-six million is a number. It's a number that, based on the market, probably six or seven years ago by now, we thought it would cost us to construct all of the facilities if we constructed everything that we had in the original plan. The plan has been downsized since that time and, based on the funding that I'm able to bring in, different components may be downsized as well. So the twenty-six million, at that point, was strictly infrastructure. It's not program support. It's buildings and water and sewage and all of that. But that's really, again, it's sort of a pie in the sky number based on best guessed estimates on all of the buildings we were going to have. But as we're going through this and get closer to actually doing a project, we zero in, we do the blueprints, and then we get solid numbers for what it's going to cost. So that number has been used a lot cause we had to attach a number to go through some of the planning process stuff, but until we actually do blueprints, you know, for each component or conceptual designs for each component, it's really just a number, but it's all for construction.

Ms. Oliveira-Medeiros: I don't know if you can answer this question, maybe the other guys can. If it were community run, like the Ho`o Ku`i Kahi plan wanted to do, would the feasibility study be a public document then?

Ms. Vasconcellos: I couldn't --

Ms. Oliveira-Medeiros: Or would we have access?

Ms. Vasconcellos: It's still a private nonprofit organization and it would depend on what the board at the time decided.

Ms. Oliveira-Medeiros: And then I just wanted to say I wish that all of the current employees and past employees and board members, if they all were to leave, what we would be left with here, and I really wish that we could find out what all those other people are thinking that haven't commented yet, like you said, they're probably too shy to come up or whatever, but I hate to go back to this or sound like I'm looking for an excuse, but after the last meeting that we had, that was over a year ago, we got a packet about that thick, I actually read most of it, and I know it's crazy, but to see -- my first reaction was what is John giving us now? But when I started reading it, it was -- those were actual people who voted for what they voted for, and the articles of incorporation, and the bylaws, and all of that were real and genuine from, you know, people who pretty much lived there most or, if not, all of their lives, and so I was just wondering why -- to me, it would make -- it would make -- I'm not saying that the current members are not accountable, but I just feel like it would make members more accountable to the community if they represent the community and they have to go back and answer to the community whatever questions the community have, you know what I mean? So --

Ms. Vasconcellos: I know what you're saying but I think really that we have fulfilled that obligation. I am not aware of any other nonprofit organization in this community that has to respond to questions or be accountable in the same way that we do. Not one. Whether it's a newsletter, an annual report, a community meeting, I couldn't tell you what most of those folks are doing. I can't tell you what happened to the two million dollars at one of the school projects. I don't know where that money went. I don't know where the accountability for that money is. I mean I believe that we have been very accountable, we are audited annually, the audit is available to, you know, our Federal and state funding sources, we do an annual report, we come to these meetings, we do flyers, we do everything. I think we have fulfilled that and I think, at some point, people are going to need to trust, and I know that's easy to say, but, you know, the people on the board are from this community. These are your community people. I don't know what else we can do to -- to help you feel comfortable with that. But we're very accountable. We're accountable to everybody; more so than most organizations in the state, to be perfectly honest.

Ms. Oliveira-Medeiros: Thank you very much.

Ms. Melissa Mauliola: I would like to say thank you, Cheryl, and I would like to commend you and your staff for the work that you do, serving the community here in Hana in those conditions. I mean we went there on the site inspection today and we saw tents up and that's where the kupuna eat, and I actually sat at the table where some of them sit and it was kind of lopsided and uncomfortable and, you know, I can -- I can see why the expansion is needed. There's no doubt that we need the services. There's no doubt that we need to improve the conditions of the health center. But there was community concerns and there was couple of testimonies tonight that I'm concerned about and I would like to know if there are any plans you have to meet those needs and one of them is for medical training for community members?

Ms. Vasconcellos: We have been doing that, actually, regularly. We have helped somebody, one of our past staff people, go through dental hygienist program at the university by providing funding support for that. We currently have youth workers. One, actually, who would like to be a nurse who is now working in the clinic getting some experience before she goes on to college. So we're trying to do those things as well as begin to bring some of that education to Hana through using the technology and making education and training more accessible. We have offered scholarships to students who are interested in going on in a medical profession whether it's dental or nursing or doctors, social workers, so we're -- we're trying to do that. It is difficult in getting -- we really need to start at the school level and getting high school kids interested enough to want to participate and that is the big challenge but, you know, we're making a little headway.

Ms. Mauiola: Okay, cause with the expansion of the building, the facility, you'll be expanding your services as well --

Ms. Vasconcellos: Yeah.

Ms. Mauiola: Which means you'll probably be providing more jobs --

Ms. Vasconcellos: More staff.

Ms. Mauiola: And I was wondering if -- I mean do we have a qualified community and what -- are you going to be hiring from in the community or --

Ms. Vasconcellos: We always try to hire from the community and we bring in whatever professionals are not available to us, but our ultimate goal is to train the community to take these jobs; that's part of what we wanna do with the conference center is bring in the learning, you know, to Hana rather than people having to go out because we're finding that a lot of the kids don't wanna leave Hana so we're trying to come up with solutions to that. You should know that there is a national health care professional shortage. This is -- if it's national, you know how bad it is in Hana. Nationally, there are not enough nurses. We're now running into a shortage of family practice physicians. So this is a national issue that's being -- they're trying to address it at a policy level at the Federal level. We're having the same problem at the state, there aren't enough emergency medical personnel. So it's not just a Hana problem, it's a huge problem, and we're trying to do our little bit to do something.

Ms. Mauiola: Okay, thank you.

Ms. Kanakaole: If you do get the zoning and the district boundary reclassification, how will you inform the public of the -- the different phases, you know, like how is the public going to know what the new -- what buildings are going to come up or which phase is going to be funded and --

Ms. Vasconcellos: Okay, well, I can tell you now that, obviously, the farm project is going and the next building to go up is going to be the nutrition center because we've gotten that funded. So, you know, we're still working out the details of that but as we're successful in securing funding, we'll -- we're going to let people know, it doesn't matter to me, we could do it in a flyer, we could do it however we wanna do it, but we haven't gotten to that point yet so we haven't thought about it.

Ms. Oliveira-Medeiros: Can we request that, there was obviously things that needs improvement at the site, I was just wondering, can we request that certain things go first,

like there definitely needs to be a exercise place, and there definitely needs to be a good kitchen area for them to cook out of and --

Ms. Kanakaole: I think that once we -- the issue on the table is -- is the reclassification of the boundaries right and the zoning?

Mr. Alueta: Correct.

Ms Kanakaole: And then --

Mr. Alueta: So you're going to get --

Ms. Oliveira-Medeiros: But when the time comes, can we recommend that?

Mr. Alueta: Yeah, and I would recommend, I've kind of grappled with this cause, like I said, this is kind of a unique situation in which you're trying to make a recommendation to the Maui Planning Commission of your concerns and try to formulate that into a condition and because this is -- it's a development but yet it's -- I mean it's a zoning and district boundary amendment and not an approval for a development. Yet, at the same time, you're conditioning, yes, it is, and so -- in other permits that we do in land use development, what we do is we normally reference a plan and I'm hesitant to do that with a district boundary amendment and a zoning change, but I think that's the only way that we could possibly get through this meeting and alleviate some of the concerns and be more -- and be very clear about what's going on and that, you know, that one of the conditions might be that this project is going to be for a medical or wellness facility, private or public, you know, that'll be available to the public, and I think that still needs to be done even though the zoning, as stated, the zoning does restrict it to public/quasi-public uses, there's a lot of different public/quasi-public uses, I mean it could be --

Ms. Kanakaole: That we have the list here.

Mr. Alueta: Yes, and there could be, you know, maybe somebody from Texas wants to come here and build a mega -- mega church that holds twenty-five thousand people rather than put up a little tent outside, you know, that's -- you're going to -- I mean that's the kind of things -- or the county may wanna say, "Well, you know what? We're going to come in and we're going to turn this over to a housing authority and we're going to build apartments on it and we're going to forget about the zoning because we're the county and we already got -- and it's public/quasi-public, and it's going to be a public housing project so, therefore, it meets the criteria." That -- and I think that -- I mean the community plan was clear that, and the intent was, I believe, was for a Hana -- some type of medical facility or wellness facility, I mean that services the community. So I think we should be clear at least on that one condition. Secondly, I think, because they are making reference to plans and we've

done it through our entire analysis, it would be appropriate to say we wanna reference this set of plans, and we'll use the date on this plan, that this is what you're looking at and you wanna say, "We're granting you zoning provided that this is the plan that you're proposing that you be at least somewhat compliant with this plan," and that if you wanna call out certain aspects that need to go first or need to be done prior to, I think that would be the easiest because I think Cheryl's already said that she's going to go with this first and I think -- and I think you probably wanna have the expansion of the medical facility as soon as possible but I mean don't get really nitty-gritty. I think just try to be more general that I think look at what the -- which, of all the items going up there, which is the least desirable and maybe put that toward the back end and say certain ones need to go first and, you know, and that can be kinda -- you can probably ask the applicant whether or not they have some significant concerns and -- but let's start with that, that way we -- I mean -- but, right now, I mean I haven't read the recommendations, but just as an -- those are the kind of amendments you probably wanna look at trying to do for my recommendations, and I think the best bet is to attach them to the zoning change and not the land use classification one.

Ms. Vasconcellos: Yeah, the only problem with saying this goes first, this goes second --

Ms. Kanakaole: Funding.

Ms. Vasconcellos: Funding. Is that if money becomes available for number five but not for number two, do we not take advantage of that opportunity because we haven't done number two yet? And I foresee that happening because funding just doesn't work like that.

Ms. Oliveira-Medeiros: I'm only talking about what I'm hearing the community say too that they really, really wanna see. That's it.

Ms. Vasconcellos: Yeah, I know, but I understand where it's coming from. I'm only saying that funding doesn't usually work like that and so we could have our hands tied because there's funding available for kupuna housing, let's say, but number two on the list is to expand the medical center, do we forgo that opportunity to do the kupuna housing because we haven't done the medical center yet because there's no money for that, and I foresee that's the problem that we would run into.

Mr. Alueta: And that's why I kinda state that don't be so nitty-gritty. You may wanna look at like -- I think that not the least, from the what the community and what this commission -- board has always talked about was this -- this one facility, the wellness -- I don't know if it's called the wellness -- oh that's the traditional -- sorry. I'm going to let you guys decide what you guys think.

Ms. Kanakaole: Do we have anymore questions? Comments?

Ms. Lono: I guess before we could actually -- I acknowledge I'm a little bit behind. I'm a new member of the -- of the Advisory Committee so you may have been through some of these things and if you have, you just say, "Oh, Dawn, we handled that already. Shut up." And I think what I would like to see before I were -- I would be able to vote on something like this is a copy of the environmental assessment cause I've never seen that and I don't know if that was given out to the Committee before or not, but I think it's a pretty important document and it would probably clear up a lot and address a lot of the concerns about the development issues that come up.

Ms. Kanakaole: I think we did -- we did have that.

Ms. Lono: Okay. Okay, so you guys understand it and you're clear and I can shut up?

Ms. Kanakaole: Yeah.

Ms. Lono: Okay. That's fine. The other thing that I would like to see and it was asked for earlier is a copy of the survey questions. So those are the two things that -- that I'm kinda missing in my repertoire of information.

Mr. Alueta: Which survey?

Ms. Lono: The recent survey that was done by the -- by Hana Health.

Mr. Alueta: Oh, oh, okay. I'm thinking land survey but you're talking about --

Ms. Lono: No, no, no, not that survey.

Mr. Alueta: Okay. Okay, thank you.

Ms. Oliveira-Medeiros: I think I saw something about an aqueduct on the property. Is that true?

Ms. Kanakaole: We went over that the last time. I remember asking a question about that at one of the other meetings about the aqueduct.

Mr. Alueta: Right, and that's why we added number four on the zoning conditions.

Ms. Kanakaole: Right.

Mr. Alueta: You'll see it in our recommendation because no one seems to -- we haven't been able to get a clear answer and the applicant is still working it out and so, until we get written confirmation, we're going to keep it in there.

Ms. Helekahi-Burns: I just have -- I would like to have one moment to comment, not comment -- yeah, comment. Just to put this on record. Continuously you would see in our Hana Community Design Guidelines and also the Hana Community Plan that -- I'll read it. I'll read it for everybody. "The Hana region is one of the few remaining areas which maintain the feeling of the unique Hawaiian place. Hana's natural beauty, its cultural resources and practices, the character of the its people combined to create a truly special place on earth." And for our Committee members, that's the one point that points into my mind, being born and raised in Hana, you know, and how I would want Hana to be when my grand kids come and be able to walk on this earth. And I came to realize that there is a compromise that we have to have and the biggest thing is the character of our people, you know, our people would not be able to be its unique Hawaiian self if we cannot malama the kino, and we cannot take care of their health, and this I continuously ponder about, you know, but I just want the community to know and especially our Committee members to take this into heart that the health center has tried to compromise, there's a compromise on their end where they had included more agricultural area, less development of our land, and according to their plans of their buildings, they had pretty much followed the guidelines of the Hana planning guidelines and the building formations and things that I commend the board members and also you, Cheryl, for the compromise, you know. I know for a fact it was hard for me to be able to say, "No, I'm not changing agriculture to urban," you know, and that is the biggy, the urban, you know, and it's hard for me to be able to think of Hana as urban, you know, and the compromise of being able to downscale it to where we'll still be able to have a nice landscape of what is originally there, and also to pursue more agricultural practices upon the land because I truly believe that when you work upon the land that not only do we fulfill our spiritual side but also health wise, physically, that we're able to enhance our lifestyle. So just -- it's just I wanted this to be on record and also for my recommendations for this plan, eventually I will be putting a couple recommendations on it, but I do wanna commend the Hana Health Center for their compromising of trying to keep Hawaiian -- keep Hana that unique Hawaiian place that it is. Mahalo.

Ms. Kanakaole: Do you wanna say anything?

Mr. Sinenci: I'll make it real quick. Yeah, I just wanted to kinda say what Kukuna was saying. I do appreciate the Hana Health Center and my family, very thankful, we use all of the services and the services are needed. You know we saw how we've been operating. I commend Cheryl and the rest of the community health center for continuing under all those circumstances. For me, coming into this meeting was like, oh, what I going decide, what I going vote, you know, and what my vote going mean, you know, and we still have all those, you know, Lehua and John and all these guys that have those -- those concerns too, and they're valid concerns, and we don't wanna just, you know, not pay attention to them. We wanna try and work with them. We wanna try and -- because they're part of the community too, you know, so we wanna take their concerns on and we wanna work towards fulfilling those dreams cause our kupuna going need all those services too,

including our prenatal and everything else. This whole process has been real educating, not just for me, but for all of us, and if we do go ahead and take this venture, we make sure that nothing urban going happen because all of us here gotta take that responsibility, we not going just come and talk, but we going have to make sure that, you know, we go through this process every time we gotta -- we gotta do this and everybody is involved as a community and that, again, we ensure that Hana will be Hana and we still have something for our kids. We're still a community, a small community with families, we still can talk with each other, plenty places no can anymore, and we just like continue to see that. Thank you.

Ms. Kanakaole: Oh yeah. Lehua. That's from Lehua Cosma.

Ms. Lono: Oh, okay. So does everybody have this?

Ms. Kanakaole: We had that last time, right?

Ms. Lono: Okay. I just --

Ms. Kanakaole: Last two times.

Ms. Lono: Found this. I was kinda going through the papers of what's been dropped here in front of me since we've been here and, you know, it's kinda hard to address and acknowledge people's written -- written comments, you know, without maybe taking some time to sit and read it, but this is pretty important. It's a -- it's a petition against the project from Hui Laulima. Who exactly is Hui Laulima? Can anybody answer that?

Mr. Terry Lynch: ...(inaudible)...

Ms. Lono: Okay. Are there -- is there a board of directors?

Mr. Lynch: No, I'm not on the board of directors ...(inaudible)...

Ms. Lono: Could you come forward, please, Terry?

Mr. Lynch: Yeah, because --

Ms. Lono: Now are you a Board of Director of Hui Laulima?

Mr. Lynch: No, I'm not. I'm not.

Ms. Lono: Okay. That was my question.

Mr. Lynch: Yeah. Okay.

Ms. Lono: And do you know anybody else who's on the Board of Directors of Hui Laulima?

Mr. Lynch: Well, I've attended there with -- at the meetings, they're sort of informal at the cafeteria at the school, there's usually about ten, twelve people there at the time, and they - part of the -- Lehua's really the spearhead, as you know --

Ms. Lono: Okay.

Mr. Lynch: Trying to get medical services needed for Hana. She's got a hospital committee so she's sort of the spearhead. I just -- I'm told of meetings and I go over there and meet with them so -- and talk about, you know, whatever services might benefit, you know, like she's been, of course, very interested because ...(inaudible)...

Ms. Lono: Yeah, I know her. I don't want to take a lot of time, I just --

Mr. Lynch: Okay.

Ms. Lono: So the rest of the board has seen this and we -- okay. I understand. Thank you, Terry, for your time.

Mr. Lynch: Sure.

Ms. Kanakaole: Okay, if there's no more questions or comments, we'll have Joe read the recommendations.

Mr. Alueta: Okay, and for -- just for record, you primarily were kind of mushing together, I guess, both the State Land Use District Boundary Amendment and the change in zoning, so, just to be clear, the request is for a district boundary amendment from ag to rural. The previous request to go from ag and rural to urban has been withdrawn. So they're going to just change the portion of land that's ag to state rural because, in the State Rural District, public/quasi-public uses are permitted. We agree that that is an appropriate district to seek. At the same time, they are seeking a change in zoning from interim to go to public/quasi-public, which is consistent with the community plan designation, which is public/quasi-public. So, under our conclusion of law, I just wanna make one correction on number one, I'm just -- everything after where I say, "The proposed request meets the intent of the general plan, the objectives and policies of the community plans of the county -
_"

Ms. Lono: Joe, show me where you are.

Mr. Alueta: I'm reading from my addendum -- addendum recommendations report dated May 18, 2006, and I'm on page -- okay. Thank you. And then, under one, I -- there is -- I don't know how that got in but apparently it should be just period because the project has already been community planned so it is already consistent with the public/quasi-public. We are recommending that, as far as conclusions of law, we did find or we are recommending that the proposed request is consistent with the community plan land use map of the county; meets the intent and purpose of the district being sought; and, if granted, would not adversely affect or interfere with the public or private schools, parks, playgrounds, water systems, sewers, solid waste disposal, drainage, roadway, transportation system, or other public requirements, conveniences, or improvements; and, five, the applicant -- application, if granted, would not adversely impact socio, cultural, economic, environmental, or ecological character and quality of the surrounding area.

Pursuant to 19.510 and 19.510.050, which is the conditional zoning for the county code, the council may impose conditions upon the applicant's use of the property. Conditions shall be imposed if the council finds them necessary to prevent circumstances which may be adverse to public health, safety and welfare. Conditions may be -- shall be reasonably conceived to mitigate the impact emanating from the proposed land use and shall meet the following criteria: that the public shall be protected from potential deleterious effects of the proposed use; and the need for public services created by the proposed use shall be fulfilled.

Under recommendations, we are recommending approval of the district boundary amendment from ag to rural. And, further, we are recommending that the Advisory Committee recommend approval of the change in zoning from interim to P-1 public/quasi-public district to the Maui Planning Commission. And under 19.510.050, conditional zoning, we're recommending the following conditions at this time: The applicant shall participate in infrastructural improvements for water, sewer, drainage, and roadways as determined by the appropriate county agencies to mitigate impacts resulting from the proposed development; that all future buildings on the site be reviewed and approved by the Urban Design Review Board as conforming to the character of the community as noted in the Hana Community Design Guidelines; that as presented, that the proposed guest cottages shall be used exclusively for patients participating in medical programs that require onsite housing as part of the treatment; that the applicant shall confirm in writing the significance of the aqueduct located on property with DLNR, State Historic Preservation Division and perform any mitigative measures recommended by the Department of Land and Natural Resources, State Historic Preservation Division; all buildings shall be limited to a maximum of two stories thirty-five feet.

We are recommending that you adopt our recommendations and our report memorandum prepared for the -- that was the original report from March 10, 2005, and this addendum report that was passed out dated May 18, 2006 as your findings of acts, conclusion of law,

and proposed decision and order and authorize the Director of Planning to transmit said recommendations to the commission on behalf of the Hana Advisory Committee.

Ms. Kanakaole: Do we have a motion to adopt what Joe just read? And the sequence is that if we wanna adopt this and we want to -- if you wanna add recommendations to what's already here, we must first pass this, move to pass this, and then add our recommendations or and then change whatever we wanna change. So do we have a motion, any motion, on the floor?

Ms. Helekahi-Burns: I make a motion to accept the recommendations of the Planning Commission.

Ms. Kanakaole: Second. All in favor -- oh, I'm sorry. Do you wanna say something, Shane? Yeah, we can --

Mr. Sincenci: Okay, I make the -- I'll make the motion that we agree to this with conditions. Okay, let me rephrase. I make a motion that we amend the previous motion of accepting this plan with recommendations. We're recommending that this be made for medical -- medical services, increase of medical services, the expansion of the Hana Community Health Center and Wellness Village to approximately 12.106 acres and --

Ms. Kanakaole: These are your amendments you're talking about? What you wanna amend?

Mr. Sincenci: That only -- that medical services be -- be built --

Ms. Kanakaole: On this piece of property.

Mr. Sincenci: With this rural -- yeah.

Ms. Kanakaole: Okay.

Mr. Boteilho: Madam Chair, could we have the applicant's representative comment on that possibly? I'd like to see what they -- what, you know, what their comment would be.

Mr. Hirano: I'd like to just confer with Cheryl, but I think that medical services, medical related services would be broader to allow even the agricultural type of activities that are being provided, so I think if it was medical related -- oh, medical and health related services.

Ms. Kanakaole: Is that right?

Ms. Lono: If it's medical and health related services, I mean that does make it broader but does that make it too broad? Do we want to -- how tight do we wanna make it? That's my question to Shane. I agree that it should be for, you know, medical and health related services.

Ms. Kanakaole: I think the health related services covers the other thing --

Ms. Helekahi-Burns: The other programs.

Ms. Kanakaole: The other -- yeah, the other programs that they're talking about like the --

Mr. Hirano: I think -- excuse me.

Ms. Kanakaole: The drug rehabilitation --

Mr. Hirano: I think to clarify that then if it was amended that only medical and health related services as represented in the plan dated and presented to the Hana Advisory Committee, and facilities, yeah.

Ms. Kanakaole: And facilities.

Mr. Hirano: And we could -- is there a date on that plan?

Mr. Boteilho: May 18.

Ms. Lono: ...(inaudible)...

Mr. Hirano: No, I think they've only been presented. We didn't ...(inaudible)... so we will as part of the record. I have a small print of that we could put into the record ...(inaudible)...

Ms. Lono: ...(inaudible)... okay.

Mr. Alueta: So I'm gonna -- the way I hear it, and correct me, from what Shane is trying to get at is that only medical and health related services and facilities -- facilities as presented by the applicant on May 18, 2006 be allowed, be permitted on the property.

Ms. Kanakaole: Yes.

Mr. Sinenci: So be it.

Ms. Kauai: Second. I second that. Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Sinenci, seconded by Ms. Kanakaole, then

VOTED: to include the amendment that only medical and health related services and facilities, as presented by the applicant on May 18, 2006, be permitted on the property.
(Assenting: D. Lono; M. Mauiola; M. Oliveira-Medeiros; S. Sincenci; F. Helekahi-Burns)
(Excused: F. Tolentino)

Ms. Kanakaole: That amendment is moved. Are there any other conditions that you wanna add?

Ms. Oliveira-Medeiros: I don't know quite how to word it but I would try to add to give priority to certain things maybe, yeah, priority but if -- yeah. For me, what I saw today and also what I hear a lot of people saying is they wanna expand the current facility, and I think that is one of the top things on the list already, and the exercise place, what is that called? Wellness center?

Ms. Kanakaole: Fitness.

Ms. Oliveira-Medeiros: Fitness center. Fitness center, the kitchen --

Ms. Kanakaole: Nutrition --

Ms. Oliveira-Medeiros: Nutrition center and a place for the farming guys to pot, pot their plants or whatever. A decent shed. Potting shed.

Ms. Kanakaole: How can -- is there a way for us to say that, to keep that idea but not limit, you know, because Cheryl brought up the fact that if money comes up, do they have to say, "No, we cannot build the fitness center because the nutrition center was second?" I mean how can we word that amendment so that --

Mr. Hirano: I think every consideration be given to developing the facilities in the priority as follows.

Mr. Boteilho: I would agree, Madam Chair, yeah.

Ms. Vasconcellos: Yeah, I think I'll make it more confusing, but to say something to take advantage of funding opportunities that come up for other components of the project, just

so it's clear that if money comes up for something else. I don't know if that'll make it ...(inaudible)...

Mr. Alueta: I'm going to try -- I'll take my stab at it. That the HAC or the Hana Advisory Committee strongly encourages the applicant to develop the project in this order or, you know, give priority, and then we just list --

Ms. Lono: With emphasis on these priorities.

Mr. Alueta: Right. So it's not -- it's not necessary a condition, it's going to be that you strongly encourage, it doesn't say "you shall," it does say "you must," it just says you strongly encourage meaning -- that way at least the commission will know, maybe we can't get out of here with some exact language, but maybe the commission or maybe the council will come up with something and we'll make it clear that -- and the applicant will make it clear that, you know, if can, can; if no can, no can. I mean if there's no funding there. You wanna see this project go forward, you have an idea which one should go forward first, which in your minds as a community, but you don't wanna hamstring them so badly that they can't do anything. And so I think that maybe if you just put it as strongly encourage the applicant, that way -- and if these -- and then that way, like I say, the commission and the council will take note of that and then maybe they'll amend it at that point if they can come up with something better. But I would say just, you know, the Hana Advisory Committee strongly encourages the applicant to develop the project in these phases, you know, or these priorities, and then we'll just go ahead and list those priorities and then if that -- so, like I'm saying, it's not going to be a finite condition but it's at least something that you --

Ms. Kanakaole: We encourage it.

Mr. Alueta: Yeah, you're getting it out to the next level that they know what is really important to you.

Ms. Kanakaole: Okay. Does that sound good, Mavis?

Ms. Oliveira-Medeiros: That sounds good.

Ms. Kanakaole: So we -- what we need to do is come up with the --

Ms. Mauliola: We need to prioritize, yeah.

Ms. Lono: So what did we say, the medical facility and then the --

Ms. Kanakaole: What was the -- we have a prioritized list, right?

Mr. Hirano: I think it was the nutrition center(inaudible)... original one, the modified one that was ...(inaudible)... the 21st of April last year, was the nutrition center, the kupuna housing, and then ...(inaudible)... as I recall and then --

Ms. Lono: But we're trying to come up with our --

Mr. Hirano: Yeah, so I think it you develop your own priorities but I think the nutrition center was prioritized because it was very close to getting the funding, so that was the first priority. The kupuna housing, I know, was considered as an important component --

Ms. Kanakaole: Right.

Mr. Hirano: And so that was moved up. But I think it's really your encouragement, at this point.

Ms. Kanakaole: So can we start with that? The nutrition center? List it first?

Ms. Mauiola: Does that include the kitchen? That was including the kitchen, yeah, facility? The nutrition center.

Ms. Kanakaole: So the nutrition center was one, number one.

Mr. Alueta: Yeah, I got nutrition center, that's letter C, that's this thing here.

Ms. Lono: And what about the medical facility?

Mr. Alueta: Medical center is A, that's number two.

Ms. Lono: I'm just throwing that out that the medical facility is pretty important.

Mr. Alueta: I mean I'm just --

Ms. Helekahi-Burns: I think that was one.

Mr. Alueta: Oh.

Ms. Helekahi-Burns: That was one; nutrition center two.

Mr. Alueta: Okay.

Ms. Lono: Fitness --

Mr. Alueta: Fitness was three?

Ms. Kanakaole: Yeah, well, see kupuna housing was way up there too from the last --

Mr. Alueta: Yeah.

Ms. Kanakaole: Two meetings that we were at. We were told that the kupuna housing should be up in the top two or three.

Ms. Oliveira-Medeiros: John Romain suggested it ...(inaudible)...

Mr. Boteilho: Madam Chair? Madam Chair, if I may?

Ms. Kanakaole: People too, I remember.

Mr. Boteilho: Madam Chair, if I may?

Ms. Kanakaole: Yes?

Mr. Boteilho: Yes, since we have a motion pending, could I suggest perhaps that we have an amendment to the main motion again and the maker of the motion would state what they -- what the priorities they feel should be, and once that's done and we have a priority list already, then we can change that or we can add to that. But I think we should have an amendment to the motion first.

Ms. Kanakaole: Okay. Am I going to say it?

Mr. Alueta: Cheryl or Mich, you wanna -- no, no, no. Okay.

Ms. Lono: We were gonna -- Shane made the motion so Shane's amendment.

Mr. Alueta: No, no, I'm just -- the things that you're calling out are listed differently than what -- so I need to interpret what is --

Ms. Lono: Right. He's going to give that to you in a form of a motion.

Ms. Kanakaole: Yeah.

Ms. Oliveira-Medeiros: I'd like to make a motion that the change of zoning allow us to prioritize our recommendations to the Planning Commission. Do we have a list?

Mr. Alueta: I will read off --

Ms. Oliveira-Medeiros: Off the top of my head --

Mr. Alueta: Okay, I'll read, if you can remember all of these, there is a medical center; a kupuna housing; nutrition training center; a conference and technology center; and administrative offices; traditional cultural healing center; your physical therapy center, which is your exercise area; your swimming pool, that's on H that's still on here; you have guest housing, which is that -- the facility for onsite; J is your maintenance facility; K is your laundry room; L is your employee housing; M is your hale; and N is your farming area so --

Mr. Boteilho: Well, Madam Chair, if I can comment. You know, the maker of the motion should state what their, you know, what their intent is. I mean you don't have to prioritize everything. You can just say one thing, or two, or three. So if you feel strongly that something should be prioritized, then that should be stated. You don't have to prioritize everything.

Mr. Alueta: Thank you, Wayne.

Ms. Helekahi-Burns: I do -- I do have one question. In what building will the kupuna luncheons be held in? The nutrition center. Okay, that's good to know. So the nutrition center get the kupuna luncheons so -- we, of the Hana Advisory Committee, strongly agree and encourage certain facilities to be built in priority and that would be the expansion of the medical center, nutrition center, and the fitness center, and kupuna housing, and whenever funding is available.

Ms. Kanakaole: Is that alright, Wayne?

Mr. Boteilho: Oh, yeah, that is a proper motion. We need a second.

Ms. Kanakaole: I'll second that motion. I've been seconding all night.

Mr. Boteilho: If they wanna put me in Robert's Rules jail, they can put me in jail.

Ms. Kanakaole: Okay, all approve? Oh, any discussion? No?

There being no further discussion, the motion was to a vote.

It has been moved by Ms. Helekahi-Burns, seconded by Ms. Kanakaole, then

VOTED: to also include the amendment that the Hana Advisory Committee strongly agree and encourage certain facilities to be built in priority and that would be the expansion of the medical

center, nutrition center, and the fitness center, and kupuna housing, and whenever funding is available.
(Assenting: D. Lono; M. Mauiola; M. Oliveira-Medeiros; S. Sincenci; F. Helekahi-Burns)
(Excused: F. Tolentino)

Ms. Kanakaole: The second amendment is passed. Back to the main motion. Any other amendments? We have two already we passed.

Mr. Alueta: We're going to do -- and your one motion is, basically, going to be to approve the rural, district boundary amendment to rural and there's no conditions attached to that. And then the public/quasi-public is with conditions you've been attaching. And you're doing motion to approve the whole thing. Does that sound correct so far? James? Mr. Corp. Counsel? Okay.

Mr. James Giroux: Yeah, if everybody's in agreement, that would be okay. The conditions will be attached to the conditions of zoning.

Mr. Alueta: Right.

Ms. Lono: So the conditions of public/quasi-public?

Mr. Alueta: Correct.

Ms. Lono: But not the condition of rural?

Mr. Alueta: Correct.

Ms. Lono: So there's no -- we're not making any recommendations or conditions on the rural portion, I mean doesn't that have to be kind of important that we -- that there be some sort of --

Mr. Giroux: Well, traditionally, that's -- cause that's in the state, that's the state designation --

Ms. Lono: Okay.

Mr. Giroux: So the real control you want is in the zoning cause that's going to be the real critical aspect of the build out of the development is going to be controlled by zoning.

Ms. Lono: Okay. We need to vote on the main motion.

Ms. Kanakaole: Yeah, we voted on the amendments. We need to vote on the main motion.

Mr. Alueta: And I'm just saying and I'm just making it clear that the main motion to approve is for both the district boundary amendment and the zoning change.

Ms. Kanakaole: Yes.

Mr. Alueta: Thank you.

Ms. Kanakaole: With amendments.

Mr. Alueta: With amendments.

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. Helekahi-Burns, seconded by Ms. Kanakaole, then

**VOTED: to accept the recommendations of the Planning Department for the district boundary reclassification from agricultural district to rural district; and the change in zoning with amendments.
(Assenting: D. Lono; M. Mauiola; M. Oliveira-Medeiros;
S. Sincenci; F. Helekahi-Burns)
(Excused: F. Tolentino)**

Ms. Kanakaole: The motion is passed.

Mr. Boteilho: Madam Chair?

Ms. Kanakaole: Yes?

Mr. Boteilho: Could we have a ten-minute recess?

Ms. Kanakaole: Five.

(A recess was called at 7:40 p.m., and reconvened at 7:50 p.m.)

C. UNFINISHED BUSINESS

2. **Maui Planning Commission requesting at its April 25, 2006 meeting comments and recommendations from the Hana Advisory Committee on the following:**
 - b. **MR. MICHAEL W. FOLEY, Planning Director, transmitting Council Resolution No. 06-32 containing a draft Bill for an Ordinance Relating to the Permitting of Transient Vacation Rentals. (J. Alueta)**

Ms. Kanakaole: Okay, let's call this meeting back to order. The next item on the agenda, are you reading the item, Joe? Can we do the transient vacation rental first before the workforce housing?

Ms. Lono: Well, I'm concerned that the community is not here for the transient vacation issue because that is a really big issue and I'm concerned that --

Ms. Helekahi-Burns: Is your mike on so we can get that on record.

Ms. Lono: Sorry, I'm concerned that the meeting has gone, the portion of the meeting with reference to the Hana Community Health Center has gone on a very long time and we've lost our public, and I know that the transient, well, you hear what I'm saying. John is still here. But we've lost our public and I know that this is a very important issue within the Hana community and I don't know how you all feel about it, if we should proceed. We did have a hearing, you know, a few weeks ago where we deferred it to this meeting and that meeting was not well attended because many people at that meeting said they didn't know about it or somehow public notice wasn't required for some reason or whatever, so I'm concerned that we don't have the public here to conduct this meeting, so I would like to move for a deferral on this item if it's not going to affect the agenda of the council and upcoming meetings. If it's on the agenda and we need to make progress, then we need to know that.

Mr. Yoshida: Madam Chair, members of the Committee, the Maui Planning Commission, at its April 26 meeting, had asked the Hana Advisory Committee to provide comments on these two resolutions. The public hearing with the Maui Planning Commission on the workforce affordable housing policy is scheduled for June 13. The public hearing with the Maui Planning Commission on the transient vacation rental bill is scheduled for June 28. And, basically, we're on a clock that we have to transmit the commission's, three planning commission's comments to the council with the record within a hundred and twenty days after we receive the resolutions. We received the resolutions on April 12, so we have to transmit the Planning Commission's recommendations by August 10.

Ms. Helekahi-Burns: So, in other words, we do have time to defer if we -- if we make a special meeting just for this?

Mr. Yoshida: Well --

Ms. Helekahi-Burns: Just for the transient vacation rental?

Mr. Yoshida: Again, you know, we need some time to do the transcript of the meeting, the minutes, and have that transmitted to the Planning Commission ahead of time before they conduct a public hearing.

Ms. Kanakaole: Is it awkward if we have our meeting after because you said the Maui Planning Commission is meeting June 13?

Mr. Yoshida: That's correct.

Ms. Kanakaole: So do we have to meet before them?

Mr. Yoshida: Ideally, you would like to have the record, the entire record, before the Planning Commission before they make their whatever recommendations they're going to make to the council because they're looking to you for your advice on how this body, the Hana Advisory Committee, feels about these two council proposed bills. So, ideally, we would like to have it transmitted to them before they start taking these items up.

Ms. Kanakaole: How long does it take to -- to do the, yeah, the transcribing of the minutes?

Mr. Yoshida: It depends on how long the discussion is, but I would think at least a couple of weeks.

Ms. Kanakaole: Two weeks?

Mr. Yoshida: Yeah, that's possible if --

Ms. Kanakaole: Which means we had to meet like last week cause we're running close already.

Ms. Oliveira-Medeiros: I would think the vacation rental owners would be here. There was two times already, yeah?

Ms. Kanakaole: Once. We already met with them once.

Ms. Oliveira-Medeiros: One time?

Ms. Kanakaole: And then this would be the second, but I think the Health Center kind of overshadowed our meeting. We had two people.

Ms. Oliveira-Medeiros: And if they were really concerned, you think they would have stayed.

Ms. Kanakaole: We had two people sign up. John was one of them to testify and another person.

Ms. Lono: Okay, well, let's get going ...(inaudible)...

Ms. Oliveira-Medeiros: I need to make a disclosure that we own a vacation rental in Hana and so, that being said, I would like to recuse myself.

Ms. Kanakaole: Okay. Okay, so we'll address it then tonight.

Ms. Helekahi-Burns: I make a motion not to approve the resolution of the transient vacation rentals. According to what I have read, there is more than enough points in there that wouldn't be beneficial to the people of Hana and also to the majority people of Hana. That's my motion.

Ms. Kanakaole: Can we hold on that motion because we have to have public testimony first.

Ms. Helekahi-Burns: Oh, public testimony. Are you for me or not, John?

Ms. Kanakaole: So let's open up the public testimony. There's only one who signed up, John Blumer-Buell.

Mr. John Blumer-Buell: Wayne, did you hand out my -- and I will -- I'll be brief. This is regarding the draft ordinance relating to transient vacation rentals. Aloha, Committee members. The Hana Community Plan states, "Discourage transient rental accommodation uses outside of the Hana urban district." That's Page 12, No. 9. And, "Conduct an inventory and study of existing nonconforming uses including vacation rentals to determine: one, their numbers; two, geographic distribution, and, three, effects upon the local housing and real estate markets and the local economy, and identify recommendations for resolving nonconforming use issues." Page 13, No. 5. I request the Hana Advisory Committee to the Maui Planning Commission to request an environmental impact statement as the most appropriate process to conduct the Hana Community Plan called for inventory and study, and to recommend that the Arakawa Administration enforce existing land use laws.

The Maui County Council met recently in Hana. Illegal vacation rental operators offered to provide an inventory to the council and the community before consideration of the subject. They also made statements regarding their financial impact on the community. These statements should be included within an environmental impact statement. And then attached for your information is a letter that I wrote in June 31, 2002, to the Maui County Council regarding an illegal vacation rentals resolution. And I won't bother to read that, it's getting late, but it goes over the existing General Plan language and the Hana Community Plan language and, you know, the basic -- there's two problems where we're at today and that is I was on the same committee you're on in '94 and this whole issue was really hashed out. We had -- there was fifty to seventy-five people at the meeting and this language that I just read came from the community. I mean people understood the vacation rentals were a increasing problem within the community and there were impacts so the community came up with this language and, like a lot of things, nothing's been done so it's really unfortunate. So when I -- my second recommendation is to recommend that the Arakawa Administration enforce existing land use laws. Right now, vacation rentals on ag land, on rural land, and all the ones in Hana town that are not designated for that use are illegal and that's most of them. So I'll leave it at that. Mahalo.

Ms. Kanakaole: Thank you. Anymore public testimony? Okay, public testimony is closed. Do we have discussion? Fawn, do you wanna make that motion again?

Ms. Helekahi-Burns: I make a motion to deny the transient vacation rentals.

Ms. Kanakaole: Do we have a second? I'll second that. Do we have discussion on that motion? Go ahead, Dawn.

Ms. Lono: This is a really major issue, in not only the Hana community, but, you know, statewide, islandwide, and my understanding is that that we have an opportunity here to kinda mold how this works for Hana. We can look at it and make our recommendations for how it would work for Hana that we don't need to be generally included in the blanket ordinance but have specific guidelines that are for Hana. My concerns about it especially pertain to agricultural land and land within our housing subdivisions that's being purchased by, you know, outside people not residents of Hana or even residents of Hawaii and then turning them into vacation rentals and taking that housing out of our market. I do think that there are some instances where vacation rentals could be permitted and okay, and I don't necessarily think that the process that you have to go through is so stringent, difficult, and expensive that it should -- it prohibits people from doing that. I think people just got lazy and the law has not been enforced, and they saw that it has not been enforced, so they decided just to skip it, basically, and now they've banded together and raised enough cane to, you know, get some action like this taken.

And I think that the onus here is on our Mayor and on the Administration and their lack of enforcing the laws, not only in the zoning, you know, this vacation rental thing, but all kinds of our laws are not being enforced on a regular basis.

So this is a really big issue and I hate to just blanket, say no, without, you know, providing them with something that, you know, they can use to plan cause something's going to happen here. Something is going to happen and we need to have our input. And I think one of the things that we can do, if it's within our power, is to say we want the land use laws enforced right now. There is no reason why the land use laws of this County should not be enforced. Until they are changed, they are in force and, you know, I think that's really important. So before we just make a blanket recommendation to say no, I think we should discuss some of the things that we really wanna see happen as a result of saying no or what we think should happen in Hana relative to vacation rentals.

Ms. Helekahi-Burns: Personally, I will clarify the reason why I disagree with the resolution. Almost every point that they had made disagreed with me. Number one, to keep transient vacation in urban areas. Most of the transient vacation is not in the urban areas, okay. Number two, the people who I, personally, would allow to have transient vacation rentals are not in urban areas. Another one is they're allowing agriculture areas to be a part of transient vacation, which is we are feeding into something that we don't want. Another one is allowing two houses on one lot to be able to become a transient vacation rental. Another one is putting managers on the site instead of owners, you know, that it becomes an investment issue, you know, that -- if anybody should be investing into Hana, it should be us, you know. The people who are buying these vacation rentals here are people who are just doing it for investment reasons only, you know. They are just saying, "Oh yeah, we'll put a manager on site," and try to put that into the resolution. But, to me, that's bringing in somebody who doesn't belong on the -- who doesn't belong or own the property, you know. Another one is it allows people who are outside to be able to get into transient vacation rentals in Hana. And I've looked at a lot of the points and I strongly feel that it was somehow bias by those was -- who wrote it. You know, those who had wrote this resolution on transient vacation rentals made me think that they're probably doing it for themselves, you know, so -- or influenced by those who are financially stable to be able to, you know, you know, to be able to give to campaigns and things like that, you know. So I say go back to the drawing board and hana hou this. Do it over again. Because, to me, there's just too much to have to amend in the resolution as of now that it won't be conducive to our lifestyle here in Hana. And that is just my reasons why I would deny the resolution. I say go back to the drawing board and do it again.

Ms. Kanakaole: So, Dawn, I think you -- did you -- you didn't agree with it but you wanted them to understand how we felt about it. Is that what your point was?

Ms. Lono: I think if we're just going to blanket say no, that we need to say --

Ms. Kanakaole: Why.

Ms. Lono: If you're going to say hana hou, go back to the drawing board, then you need to say hana hou, go back to the drawing board, and consider this, and this, and this. Because if you just give them a blank slate, then they're just going to come back with whatever they do again without our input, so we need to give them what it is we wanna see in the resolution or in the ordinance.

Ms. Helekahi-Burns: Maikai. However, if we do it, the only way we'll be able to do it is accept the resolution as of now and put amendments and conditions to it, which is not good enough. It is not good enough for Hana. What we need to say is do it over again, these are the things we don't wanna see in there, you know, or make something that's conducive to the Hana lifestyle and the Hana area, or rural areas like Hana.

Ms. Lono: Okay, so maybe what we could do is reject it and say we would like to have a series of workshops in Hana, with the Hana community, to write our own vacation rental ordinance, one that applies to Hana.

Ms. Helekahi-Burns: According to my understanding about that, that would be put into the Hana Community Plan as -- which is also was mentioned by the kind that they didn't wanna have no transient vacations in Hana and in order for do something that's specially made for Hana, we'll have to put it in our Hana Community Plan, which we will have to wait for the State community plan to be done before we can do the Maui community plan, and then the Hana Community Plan. According to what I was told in a previous the kind, in order for us to revise our Hana Community Plan or to put more -- more -- or to change or whatever the Hana Community Plan is, we would have to wait for the state community plan to be done.

Ms. Lono: Well we're not changing -- we're not talking about changing the Hana Community Plan. What we're talking about or what, if I understand correctly what's going on, is that there is an ordinance that is being proposed to address the issue of vacation rentals. That does not require that we change the Hana Community Plan. What it does require is that we take the Hana Community Plan into consideration as this ordinance is developed. So we see and we know what it says in our Hana Community Plan, which, by the way, is out of date and needs to be revised but won't be revised until the Maui General Plan is revised, which you're right on, but, in the meantime, something is going to happen with vacation rentals and we need to have a say in developing a vacation rental ordinance for the Hana District that meets our needs and our views and our requirements. So I would suggest, if we're going to reject this, that we at least offer them a way that they can be educated about what it is we expect, want, and need in that ordinance cause it's going to happen.

Ms. Helekahi-Burns: I do believe that's needed but I think that would take up another meeting. That will be another meeting which we're trying to -- trying to get away from.

Ms. Lono: Well, what I'm saying is that the recommendations ...(inaudible)...

Mr. Boteilho: Yeah, you can move, you can make a motion to that effect, Dawn, that we have workshops, amend the main motion by --

Ms. Lono: Yeah, just --

Mr. Boteilho: Proposing the workshops.

Ms. Lono: Just say we reject this but what we would like to recommend is that we have a series of workshops in Hana with an appointed body or, you know, somehow we're going to have to form a body, have public meetings or whatever, a series of them to address this and formulate our own vacation rental ordinance. So I would just like to add that to that motion. So I would be amending the motion to make the recommendation that we have a series of workshops in the Hana community to develop our Hana vacation rental ordinance. That's my amendment.

Ms. Helekahi-Burns: Comment on it?

Mr. Boteilho: We need a second. If there's no second, then it dies.

Ms. Kanakaole: Do we have a second?

Ms. Mauliola: Second.

Ms. Kanakaole: Okay, discussion?

Ms. Helekahi-Burns: I'm just wondering whether or not all of this information that would have to be gathered would be able to get in time enough for the Planning Commission?

Ms. Lono: No.

Ms. Helekahi-Burns: No? Does it? Because --

Mr. Alueta: This thing's been batted around for at least, yeah, at least two or three years and I would say no, you're not going to get it back, but I think what's going to happen is you're going to send a clear message that is obviously not what you want, okay, and council, my view of it, is they don't have a clear understanding. This is their first chance at it, first shot, and they expect that whatever comes back to them, they're going to revise

it and then send it back out again. But I think this is just a real preliminary start at it but I think we -- it's good that you're sending a clear message of what you -- that this is not what you want and that --

Ms. Lono: And that we wanna be involved.

Mr. Alueta: That you wanna be involved and I think we need to, in my report back to the Maui Planning Commission, we'll make that clear that this is obviously not what you want but you wanna be involved, and we'll try to formulate that. I mean, but first -- first, let's try to get through your one motion and if you wanna do any subsequent motions of, you know, that you wanna -- we move that we be involved or, you know, hold these meetings and do it on a second motion or something. I don't know where you're at now.

Ms. Kanakaole: We're at more discussion. Go ahead, Shane.

Mr. Sinenci: Right, before we make that motion, you did say something about not enforcing any of the land or the zoning ordinance, right? So if we're going to make all these amendments to that decision, we make sure that we're not -- or at least we wanna make sure that all those land zoning issues are enforced first.

Ms. Lono: Let's make that a separate motion all together that way we make our recommendation to whatever, whatever. That's what I would recommend.

Ms. Kanakaole: Okay. So all in favor of this amendment that Dawn suggested say aye. Any oppose? Okay. Oh that was three?

Mr. Alueta: If she doesn't anything, then it's assumed it's an aye.

Ms. Kanakaole: Oh.

Ms. Helekahi-Burns: So it's assumed an aye? Okay, well, I better say something. Just -- can we clarify the motion again? This is a motion to deny the resolution, however, no?

Ms. Kanakaole: With the --

Ms. Lono: No, your motion is deny, mine was just to amend the motion --

Mr. Alueta: Amend yours.

Ms. Helekahi-Burns: Okay.

Ms. Lono: Amend the motion to add --

Ms. Helekahi-Burns: Add to my motion. Okay.

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. Lono, seconded by Ms. Mauiola, then

**VOTED: to amend the main motion to include the recommendation that a series of workshops be conducted in the Hana community to develop a Hana vacation rental ordinance.
(Assenting: D. Lono; M. Mauiola; F. Helekahi-Burns; S. Sinenci)
(Abstaining: M. Oliveira-Medeiros)
(Excused: F. Tolentino)**

Ms. Kanakaole: Okay, do we have anymore amendments?

Mr. Sinenci: Okay, I make the motion that all land use zoning ordinances be enforced in Hana.

Mr. Alueta: Regarding TVR's or ...(inaudible)...

Mr. Boteilho: No, TVR's, as was testified.

Mr. Alueta: Okay, okay.

Mr. Sinenci: TVR's.

Ms. Lono: I second.

Ms. Kanakaole: Any discussion?

There being no further discussion, the motion was put to a vote.

It has been moved by Mr. Sinenci, seconded by Ms. Lono, then

**VOTED: to amend the main motion to include that all land use zoning ordinances be enforced in Hana regarding TVR's.
(Assenting: D. Lono; M. Mauiola; F. Helekahi-Burns; S. Sinenci)
(Abstaining: M. Oliveira-Medeiros)
(Excused: F. Tolentino)**

Ms. Kanakaole: Amendment carries.

Ms. Lono: So how do we get this word --

Mr. Alueta: Wait. You got the main motion now.

Ms. Kanakaole: Yeah.

Ms. Lono: We do? Oh, I'm sorry. Okay.

Mr. Alueta: To deny and you have your two amendments that you've added on.

Ms. Kanakaole: So we call the main motion back.

There being no further discussion, the motion was put to a vote.

It has been moved by Ms. Helekahi-Burns, seconded by Ms. Kanakaole, then

VOTED: to deny the transient vacation rental ordinance, and include the two amendments previously voted on.
(Assenting: D. Lono; M. Mauliola; F. Helekahi-Burns; S. Sinenci)
(Abstaining: M. Oliveira-Medeiros)
(Excused: F. Tolentino)

Ms. Kanakaole: The motion is carried.

Ms. Lono: So I would just like to know how the best way to -- the best way to get this point strongly across to the administration that we would like to see the --

Ms. Kanakaole: We just did it, I think, yeah?

Ms. Lono: I know but what are we going to do? Are we going to write a letter or how does that happen? You guys make the recommendation through the Planning Department? Okay. Fabulous.

Ms. Kanakaole: Okay, so do we move to the next agenda item?

- a. **MR. MICHAEL W. FOLEY, Planning Director, transmitting Council Resolution No. 06-30 containing a proposed Bill for an Ordinance Establishing a Residential Workforce Housing Policy. (J. Alueta)**

Mr. Alueta: Next agenda item is the housing -- workforce housing resolution. I think this bill is -- it's good that you took both up because I believe that the two are related. I mean you have the council making a recommendation or asking for comments on an ordinance that would take housing away from people, and then you have another housing bill that is going to require housing be developed.

The department, the Planning Department did review this with regards to the development of the workforce housing. We had -- there was a number of questions that the department had on it, I won't get into too much detail, we just felt that there was -- we didn't know where the numbers were coming from, the thirty percent was coming from, also, the main thing that we had a concern over was gap group. We understand -- what we call gap group, we don't feel that there's housing provisions, if you look on -- in the breakdown of that thirty percent, how much housing is supposed to be dedicated to workforce making a medium income, such as moderate income, above-moderate, and gap income. And if you look at the definitions on the front of moderate, definitions of moderate income and gap income, there's the eighty percent but not more than a hundred percent for below-moderate; moderate income is one hundred percent but not more than one hundred twenty percent the median income, and it goes up from there, to a hundred and -- and then above-moderate income is annual income of a hundred twenty percent but not more than a hundred and forty percent of annual income of the median income. We, at the department, feel that even if you made -- there's missing that group above that which is the hundred and forty to two hundred percent of median income and even if you were in that -- made two hundred percent the median income, you'd be struggling to buy a house at today's prices. And so we feel that, you know, there needs to be that -- if this is truly workforce housing, that that gap group needs to be taken care of in this workforce housing bill, not just -- because we feel that -- I mean also it's like affordable housing, you know, that eighty percent, you know, there's very little of that and a lot of that need is being met -- can be or will be met in through apartments. Okay, that's where a lot of them are met. But when you're talking about, in this case, single families -- single-family homes, they're talking about providing single-family homes or providing lots, those are going to be the people who are making the one-forty to two hundred percent because, realistically, those are the people who probably are going to be able to even afford to get a lot and build or buy a house and a lot, and I think that that's more realistic. Those who are in the really low income bracket, the eighty percent, the median, honestly, you're looking at apartments. I mean you're looking at a condo or you're looking at an apartment rental. I mean that's -- and that -- and those would probably be -- have to be developed either through the County or with the funds developed or some kind of joint public partnership, but there was a number of issues. I don't have my exact notes on but the main purpose of this is obviously, hopefully, you all read it and you had an opportunity, and we wanna get your comments here today, and we'll take those back to the Planning Commission as far as, you know, what kind of concerns you have, are you in generally -- are you in general support of this.

We feel that the impetus of this ordinance is currently affordable housing is handled strictly within the Department of Housing and Human Concerns. It's done by administrative rules ...(inaudible)... that affordable housing agreements out of the domain of the administrator under the Housing and Human Concerns and make it a code so that it's more fixed and it's more -- and it's also opened so it's not -- the public, everyone knows exactly what they're dealing with as opposed to an administrative policy that tends to change and could change monthly and for whatever reason, and so I think that was one of the main reasons that the council took it upon themselves to find out -- to try to codify the affordable housing policy. So that's all I have right now and, like I say, we're just trying to get your input on it, try to get your comments if something glaring stands out. I just kinda hit the real rough highlights of what I, you know, stood out from our department. There was a number of other things but we're going to raise those at the commission on our own.

Ms. Lono: I have a question, Joe, regarding the housing credits. I didn't see anything in here or unless I missed it that said how -- if they take the credits, how long do they have to fulfill the credit requirement. You know, they could take credits for eternity or do they have a time limit on them? If they take the credits, then do they have to fulfill that within a certain amount of time? I didn't see anything in here under the residential workforce housing credits portion.

Mr. Alueta: What page are you on?

Ms. Lono: Five.

Mr. Alueta: Okay, and then is it credits -- if someone earns credits or is he paying for credits?

Ms. Lono: No, it says credits may be given under the following circumstances, blah, blah, blah, blah, so I'm assuming this is the developer --

Mr. Alueta: Receiving the credits.

Ms. Lono: Yeah.

Mr. Alueta: Okay.

Ms. Lono: Am I wrong? Did I misinterpret it?

Mr. Alueta: No, no, that's correct.

Ms. Lono: Okay.

Mr. Alueta: He's receiving credits. That means that he provided -- he provided more than his required affordable housing.

Ms. Lono: Oh, I see. I see. Okay.

Mr. Alueta: So if he's required to provide thirty percent, say he does ten lots and he's required to provide thirty percent, so he's required to provide three units, and he says, you know what, I'm going to do fifty percent. I'm going to provide five units out my ten-lot subdivision. That means he's providing two affordable housing units above he's requirement --

Ms. Lono: Okay.

Mr. Alueta: Therefore, he has two credits.

Ms. Lono: Right.

Mr. Alueta: And so that means he could do another, if he opted to do another development later on, he could say, well, on this development, I'm gonna provide, of my next ten lot subdivision, I'm only going to do one affordable housing in that subdivision, per se --

Ms. Lono: And take the two credits.

Mr. Alueta: And use up my other two credits for the next development. And we want those to be used in the same community plan. A classic example is like Kaanapali or west Maui. We want the affordable housing units to be built within the same region, and that's what this talks about, you exercising them within the same region. Kaanapali, which is a -- not Kaanapali, but Kapalua is a resort, okay. Well, obviously, you don't want to build affordable housing in your resort destination area so they build a hundred homes and now they gotta provide thirty affordable units. Well, Maui Land and Pine will then build those thirty units in Mahinahina or in another section, but still within next Maui, and that's pretty much what they're doing with Pulelehua and that -- which is going to be a big -- probably a lot of that is going to be affordable housing because they're using -- they're required to provide so much affordable housing as a result of another development they're doing in Kapalua. So that's how those credits exchange. And also they could sell that credit. That credit could be sold to another developer to provide -- who wants -- who needs to provide affordable housing within the same region.

Ms. Lono: So I guess what I -- the only negative I see with that is it promoting trading these credits so that you end up with, you know, a strategic development where all of the -- all of the high end houses are here and they're going to take those credits and put them all

over here so they -- you end up with segregated communities, you know. They trade the credits so that high end is here and low end is there.

Mr. Alueta: Yeah, that's typical in some -- it's normally not -- it's not normally feasible for most developers. It'll occur where you have large landowners, like example A&B, Maui Land and Pine, where they are owners of land and developers of land and they have tracts of land in which they are able to do that. Ninety percent of the -- ninety percent, I don't know, I'm exaggerating here maybe, but a lot of developers that are coming in, they don't have that ability because they don't have vast land holdings and they're not doing vast developments, and so you typically will see them provide them and intermix within the same development. Spencer Homes is a -- he's doing four hundred lots and he's intermixing, and it's actually a requirement of his zoning to intermix it, and it's a lot easier for them to intermix it, to just say that home, you know, the affordable housing units are all intermixed within the same subdivision. Scott Nunokawa, another developer, is doing the same thing with his hundred and eight lot subdivision. So he's not saying I'm going to do another because he doesn't have, none of the --

Ms. Lono: Right.

Mr. Alueta: They're not big, big time developers. They're medium size.

Ms. Lono: Okay. I guess, you know, this kind of a resolution or proposal requires a lot of study to really understand it and, in my initial reading of it, I didn't feel really good about it. I mean I didn't think that the -- the percentages of low income, median income were really equitable to the needs of the -- of Maui's general community. We've got a lot of low income people who need housing and I don't see this really addressing that in a big way. So I guess my question to you, Joe, would be what, you know, what are your recommendations cause I didn't -- I don't have that in front of me? What were your specific comments regarding this?

Mr. Alueta: Well, like I said, I am still -- I have a little more time to formulate my comments for the Planning Commission.

Ms. Lono: So you wanted to hear from us.

Mr. Alueta: And that's why I'm kinda hearing from you. I'm just telling you what the staff had relayed when we held a staff meeting on it and, from my first reading of it or second reading, my gut reaction was like, a lot of our gut reaction is, one, is where are these numbers coming from? Where are you pulling up thirty percent?

Ms. Lono: Right.

Mr. Alueta: Where are you pulling up the \$60,000? Where -- and also we'd like to -- and also why do you stop at the hundred and forty percent median income when we feel -- when, on the opposite end, the staff who are, you know, County workers, they may fall in that hundred forty to two hundred percent of median income and they still can't afford to buy a house, and so they're looking at it from that perspective. The good, the good of this is that it does codify something that we felt has always been in the gray area of another -- of a department where, you know, you didn't know exactly what was going on with the agreements because we would attach zoning conditions on it saying full compliance with the affordable housing agreement that you have, okay.

Ms. Lono: Right.

Mr. Alueta: We never see what that affordable housing agreement is, okay, so we don't know, and I think the council is the same way; that's why they've written this is that they are also -- we see these affordable housing, we keep seeing that condition, yet we don't see the affordable housing being built. What's going on? And I think that's an attempt --

Ms. Lono: Continuity would be created?

Mr. Alueta: I think they want continuity but they're also trying to force accountability. They're trying to provide more accountability because they're signing on -- they're agreeing or attaching these conditions to zoning for affordable housing agreements and, yet, they look out and they're still looking for the affordable housing. So we like that part. Secondly, I think, we also like is that these affordable housing before it used to be you get a -- if you buy a -- if you buy an affordable housing, it's like hitting the lottery because you bought the lottery and you know, in one or two years, as soon as it says the restriction is done, I flip that affordable housing unit, and that is another thing that the County and the Department and council is concerned about it that, all of sudden, what this is is just a windfall to a low income bracket, moving money from one group of people to another group, and it's just another sitting form of tax, and these -- this requires, one, a longer holding period, I believe it's ten years, I think there's a longer -- there's definitely a longer holding period --

Ms. Lono: Well it says the unit must remain affordable for twenty-five years from the initial sale, but I mean that's inadequate, completely. It should remain affordable forever.

Mr. Alueta: And that's kinda what the Department, some Department members, staff members voiced the same thing. It should remain forever --

Ms. Lono: In perpetuity.

Mr. Alueta: In perpetuity, and the price should be based on, once again, on the HUD. So if you bought a housing unit at an affordable -- for the one-forty, you know, at the -- for

people who are one-twenty to one-forty median income, the price of that home should elevate so, in ten years, whatever the median income, the hundred and twenty to one-forty median income is, in ten years, that should be how you calculate the value of that home.

Ms. Lono: Right.

Mr. Alueta: And I think those are the kind of comments that are coming out of staff and I think are going to come out of other people but, like I said, we like at least now there's twenty-five years; before, some of these agreements had five years, two years, ten. I mean it was very random. And also I think there's also a provision in here that talks about how long you keep that affordable housing available for sale. In past, I've seen housing agreements -- I have to market it for sixty days. If I don't find anybody, I sell it to market rate. This amendment requires that if you have a unit that you have to sell at the eighty percent affordable housing; if you don't sell it, you have to offer it for thirty days to the next income bracket group, which is the one hundred to one-twenty. If you don't sell it after thirty days, you have to market it for the income group from one-forty to one -- I mean you keep moving up in bracket and you keep adding time to that amount of time that you have to market it for it. And, eventually, if you don't -- if run out of affordable housing brackets and you sell it as a market unit, you have to pay the County the difference. So that's the kind of -- I mean so there's a lot of good stuff in here. We just have a lot of -- I think it's very, to me, it was eighty percent done and there's just a little, like I say, from the staff's standpoint, they did like it; they just had a few questions and areas where they wanted to see brackets above and so that's all --

Ms. Lono: Well, at this point, my --

Mr. Alueta: I hope that's all I have.

Ms. Lono: My main comment would be about the twenty-five year, you know, issue that is should be forever, it should be remain in affordable bracket in perpetuity, so that's one of my main comments. Other than that, I don't have anything else.

Mr. Alueta: Is there a consensus? I mean we can do this by consensus if you all agree with that idea, then I'll just say --

Ms. Kanakaole: I agree.

Mr. Alueta: That, by consensus, the Hana Advisory Committee said that.

Ms. Kanakaole: Does anybody else agree with Dawn?

Mr. Boteilho: Well, maybe just for sake of time, if nobody objects, then we'll assume that we have consensus.

Ms. Kanakaole: Okay. I think the other good concern that you brought up was the hundred-twenty to hundred-forty that being the max, yeah, because a lot of hard working people are in that bracket, you know, husband and wife working County, state jobs are in that bracket and can't afford to build a house. Right, not on Maui; definitely not in Hana.

Mr. Alueta: So I'm going to say expand the -- make another bracket that goes above one-forty in that mix of providing two more brackets. Did you wanna top it out at what two hundred percent or -- of median income? Cause right now I believe it's --

Ms. Kanakaole: It's one-forty?

Mr. Alueta: So, let's see --

Ms. Helekahi-Burns: I think my concern about expanding the brackets is it leaves less chances for the low income to be able to, you know, to be able to afford affordable housing, you know. So if we do continue on increasing bracket, those on the lower brackets get even lesser chances of being able to get affordable income and --

Ms. Kanakaole: That's not true.

Ms. Helekahi-Burns: And, right now, in Hana, thinking just of Hana, you know, we're somewhat low moderate, you know, that's pretty much the income that's naturally, you know, for those who are above moderate, they're doing darn good in Hana, you know. However, like for the Hana prices, they'll still probably have a hard time to be able to purchase any kind of lands or houses here. So if we consider Hana in mind, as of now, not really the whole Maui island, I think it would be better and better to the interest of our public here in the community that we wouldn't increase the brackets due to the fact that very small amount of people Hana is in that one-twenty to one-forty percent. So my suggestion is that we keep it at the brackets that they have right now and so we'll be able to put the ones who can, you know, the multi-family homes to be able to get their chances of being able to buy some or be able to afford anything here in Hana. My concern is Hana's prices is already, you know, one of the highest here on the island and I -- I'm just concerned that if our real estate continues on making a skyrocket the kind that those who are of low income wouldn't be able to afford it either, you know. So this workforce, I mean I read, I browsed through most of it. I do have some concerns about the credits, you know, because the credits are actually given to developers, you know, that's a biggy. You know the developers need no more credit, if you ask me. You know they get enough credit. If they can afford to make a hundred forty homes, why give them anymore credit, okay. So my thing about credit is that I think the credit should be taken out of this resolution. Take that credits out of the

resolution cause the developers already get so much, you know, most of the tax credits are for them. It's not for us. You know, it's not those who are in need of needing a tax credit. Most developers get credit. They get tax breaks and --

Ms. Lono: I think you're misunderstanding the credit situation.

Ms. Helekahi-Burns: Well, according to what I just heard and what I've read, I think that's targeted mostly for the developers.

Ms. Lono: No, but as far as the credit that's written into this, has to do with if they build more affordable houses, then they're required to build for a project, then they can take the above and beyond number of affordable houses they build and apply that to another development so that they fulfill the credit.

Ms. Helekahi-Burns: Well, according to what I came to understand is if they build so much affordable housing, they would be able to use these credits that they had built up from making affordable housing to be able to extend above the -- above the limitations of what they can build, right? So if they're only, for instance, if they had gotten two credits and they're able to build more than the zoning or the land use allows them, they're able to go above the limitations. That's my interpretation of what you said, Joe. Please could you go that over again for me?

Mr. Alueta: I think you're close but you're meshing two concepts. One is the credit and one is the incentive bonuses. Okay, credits are if you do a development, as Dawn tried to explain, it's like if you build a hundred homes, right, you have entitlements to build a hundred homes, this ordinance would require you to build thirty of those homes, right, to be designated for the affordable housing. And so what happens is if you build fifty affordable housing, meaning you say I'm going to build, of my hundred lots, I'm only required to build thirty homes, but I'm going to build fifty homes that meets this affordable housing, okay. I sell those to the affordable housing people, to those people who qualify, that means I provided twenty extra affordable housing homes. That's a good thing. But that means -- so what that means is like he can keep those credits, that means he got credit for doing twenty extra, and he can say I'm now going to apply them to my next development of a hundred homes. And so instead of -- when I do that develop -- instead of providing in this one subdivision, I'm going to do a hundred homes, but instead of doing thirty affordable housing, I'm going to apply the twenty credit extra to that and I'm only going to build ten of them because I already provided, you know, fifty at another one because -- I mean it just means that he gets to apply it to another development, okay, but he's not gaining -- he's not gaining in the sense that he's getting -- he's building more houses for nothing.

Ms. Helekahi-Burns: Okay.

Mr. Alueta: He's still being assessed that thirty percent affordable housing.

Ms. Helekahi-Burns: Yes, and that's -- okay, I have -- I did interpret it wrong, however, it does be able to generate a gentleman like estate. You know what I mean? He's putting all the affordable -- what they're trying to do, according to what I've come to understand, is that they're trying to mix the income so we don't have the hood all in one area. You know, that's kinda what I came to the kind, not all low income people all living in one -- in one neighborhood, so that's what they're trying to say, okay, you know, you're going to have this neighborhood but you're going to have to be able to mix the incomes in this, in this area. So if he has this credit, and he only has to make ten out of a hundred affordable homes one area, he is able to be able to create a gentleman like estate so you can -- what's happening is what they're trying to -- trying to prevent, it ends up coming back to being the same. They're trying to put all the, you know, all the higher income people in one area, you know, and then they call it estates, you know, because majority of the -- the houses here are for a higher price and for the certain type of income so --

Mr. Alueta: So, if I can try to summarize your concern is that, your concern is that by allowing for credits, that you create a segregation by economic class and that's a -- is that consensus concern? But I mean are you opposed to the credit or you just want to voice that concern that there's a -- I mean are you opposed to the credit so much that you wanna say that you don't want to have them be able to gain credits because it would create a segregation by economic class, possibly?

Ms. Helekahi-Burns: Personally, I would like to know before I answer your question is will this prevent developers to making affordable homes? I mean you know what I mean? If I say okay, you not going get credits. Will they say, okay then, we're not going to do any affordable homes?

Mr. Alueta: It all depends on what the development -- developer's goals and objectives are because every developer is going to have different cost structures. I mean it's very different because every developer is going to have different cost structures and also it's like -- it also may encourage people to provide affordable housing. I gave you cases of Kapalua, which may have been, you know, that may have given you the idea of the segregation, which I guess it does. We have an affordable housing requirement for hotels, okay. When a hotel comes in, we have timeshare units, that timeshare unit, that timeshare development did like whatever, four hundred units, and they require -- they were required to provide, I don't know, like sixty affordable housing units, okay. Well, obviously, you're not going to build employee -- I mean, for them, building employee housing on hotel land is really not feasible and it's not -- and from a standpoint of a local guy, I don't wanna live on the hotel property because, you know, I no like walk around, you know, and you have all these tourists around. I'd rather have my own house or my own apartment somewhere outside of the resort area. Another developer is building in -- on Lower Honoapiilani Road.

He's doing a seven-story condominium complex, right, a beautiful condominium, but it's geared -- it's going to be geared toward local residents and he can make some of these -- he's willing to do some of them as affordable. He was able to partner with the hotel, with the timeshare company. They said, look, we'll give you our affordable housing credit money that we have provide, you build us the units and make those units that you were going to sell for \$210,000 for a one-bedroom apartment, you sell them for one-fifty cause now that becomes an affordable housing unit. See how that -- see how that credit matches up? It works out where he's saying I need to provide, as a hotel developer, I need to provide sixty units. You're providing condos that are geared toward affordable housing and you're going to -- if you had to sell it at market, they'd be two-ten. Well you know what? I'll give you sixty thousand and that's like a credit, that's like money in the pocket, basically, to an affordable housing person, it drops the price down, now someone can afford that unit. Now someone in that income gap group can afford it. So, like I say, that's how these -- these credits can work. They can either be traded, they can be purchased, and so it just allows, in the business world, you want -- you wanna know what your requirement is and you want flexibility, okay, and that's why -- and I think that's what this ordinance is trying to do is strike a balance. Where they come up with this amount, the thirty percent, the \$60,000 that they've assigned as a value, that's some of the questions the Planning Department has is like where do you get these numbers from and how good -- I mean is that number going to change because as inflation changes, shouldn't that number go up? And so those are the kind of things that we have. But I'm not trying to put words in your mouth. I'm just trying to help you guys out as far as to articulate what you're trying to get to. I understand the segregation cause I don't thing -- I don't think, from the Planning Department, we saw that and that -- but hearing you say it, when you create that credit, there is that potential for creating that segregated communities by economic class and I think that's, you know, it's a valid concern. Is it valid enough to eliminate to credits? I'm not sure because I -- I see the value in having that flexibility for developers.

(Committee member Sinenci left the meeting at 8:40 p.m.)

Ms. Lono: Could we express that, a concern, just express that as a concern?

Mr. Alueta: Yeah, and --

Ms. Lono: ...(inaudible)... like you said, consensus that this is something we would like to express as a concern, something to be looked at ...(inaudible)...

Mr. Alueta: Right. Okay. That'll be the easiest way cause if you don't all agree that you think maybe the credits are good but you still have that same concern that she, that Fawn has -- okay.

Ms. Kanakaole: Anymore concerns?

Ms. Helekahi-Burns: I just wanted to know who is going to reassure that those people who do -- who do -- who are eligible to be able to get these workforce homes or these affordable housing are people who -- who are not aliens or who don't come from outside of the community?

Mr. Alueta: You're sounding like me, foreigners.

Ms. Helekahi-Burns: Yeah, well they said aliens in here. They said, well they said legal aliens. Yeah, so I guess you pay taxes. But I just wanna know because who reassures this. You know what I mean? Who reassures that this restriction are being met, you know, because, well, it goes through the commission and once it's out, yeah, who upholds this thing and I mean I doubt it if the police officers read this thing.

Ms. Lono: ...(inaudible)...

Ms. Helekahi-Burns: Yeah.

Mr. Alueta: According to the code, it falls within the Director of Housing and Human Concerns and they -- they would screen -- the people would get on a list as affordable housing, you know, and they would be qualified through, so what my, Clayton or Wayne can correct me if I'm wrong, my understanding of the process, how it would be is that the list of people eligible or affordable housing would be established and maintained by the Housing and Human Concerns Director and that developers, when they say I'm doing a development, I got thirty units that need to be -- I need -- give me a list of people that I can call, or here they are, can you find out who's interested in buying one of these units, okay.

Ms. Lono: But if you qualify ...(inaudible)...

Mr. Alueta: They would screen them and go yes, yes.

Ms. Lono: ...(inaudible)...

Mr. Alueta: Right. And qualify their income, like they would provide -- fill out an application, provide the documentation needed to show your -- that you fall within that economic income bracket, so you don't want like people who make, you know, five hundred thousand a year, like Clayton, and qualify him for houses like that, you know, you want --

Ms. Helekahi-Burns: And, you know, just to tap into that cause I see their waiting list in here, so who holds the waiting list?

Mr. Alueta: Housing.

Ms. Helekahi-Burns: Housing.

Mr. Alueta: Department of Housing and Human Concerns.

Ms. Helekahi-Burns: And how would the public know where to get applications or to be able to get onto those waiting lists?

Mr. Alueta: Page 8, Applicant Selection Process, Ownership of Unit, and it outlines the wait list procedure. Thank you, Clayton.

Ms. Lono: ...(inaudible)... we have a separate wait list for Hana as part of Maui so that anybody from, you know, if something comes up in Hana that is going to be sold in Hana, residents rather than anybody countywide. Is that a concern that other ...(inaudible)...

Mr. Alueta: You can recommend that.

Ms. Lono: ...(inaudible)... in Hana, I would assume ...(inaudible)...

Mr. Alueta: So you -- so we probably, somewhere in this 8, we would add Hana as a separate region.

Ms. Lono: Yeah.

Mr. Alueta: Okay, we can -- is that a consensus to set up a separate list? Okay.

Ms. Kanakaole: Anything else? I think we got a good -- we got some concerns, yeah, or some good concerns to share. Can we close?

Mr. Boteilho: Thank you for your time, members and Chair.

Ms. Kanakaole: That's it? Meeting adjourn.

Ms. Lono: ...(inaudible)... don't we have another meeting coming up?

Ms. Kanakaole: June, we have a site visit.

Ms. Lono: There's a site visit ...(inaudible)...

Ms. Kanakaole: We just have a site visit I think, 22nd.

D. DIRECTOR'S REPORT

Mr. Yoshida: Yeah, I believe that your April meeting date the Committee designated the Chair and Commissioner Lono to represent the Advisory Committee and conduct the site inspection of the Ola Honua employee farm dwelling project out in Kipahulu.

Ms. Kanakaole: Yeah.

Mr. Yoshida: And then that will come up for public hearing in July.

Ms. Helekahi-Burns: Will we be able to amend that or we're already adjourned?

Mr. Boteilho: It's not on your agenda.

Ms. Lono: ...(inaudible)...

Ms. Helekahi-Burns: Meaning that -- I know at the last meeting I also said at the end that I was gonna attend the site visit also and it was okay just in case we were -- just so we're under quorum.

Mr. Boteilho: Yes. Yeah, as long as three or less would be okay, and you don't have to go either, you know.

Ms. Helekahi-Burns: Yeah.

Mr. Boteilho: Yeah.

Ms. Helekahi-Burns: But, aunty, you said you wanted to go?

Ms. Oliveira-Medeiros: Well not if three or less.

Ms. Helekahi-Burns: But, okay, so if we do have four, then what, that wants to go?

Mr. Boteilho: Cannot cause you have quorum.

Ms. Helekahi-Burns: Cannot cause get four?

Mr. Boteilho: You would --

Mr. Yoshida: Well we would have to notice the meeting.

Mr. Boteilho: Yeah, yeah, okay, if you do that, then it would be a whole different animal. It would be a site inspection like we did today. We would post as such.

Ms. Helekahi-Burns: Okay.

Ms. Oliveira-Medeiros: You guys wouldn't have to come, right?

Mr. Boteilho: Well if it's a formal site inspection, we would have to come.

Ms. Helekahi-Burns: Well you guys like come back? I mean you know why? You what the good thing about this the kind is that usually us Hana guys are put in this the kind this predicament of having to drive to Wailuku and stuff, so we know what you guys going through, you know, we do --

Ms. Kanakaole: We no more one plane coming for pick us up.

Ms. Helekahi-Burns: Yeah, except we no more plane, and to tell you the truth, I kinda scared flying at night anyway, but we're taking into consideration whether or not the Planning Commission will wanna come in for the site inspection cause, as of now, we do have four Committee members who are interested in going. But if you guys no like come back, I can pull out.

Ms. Oliveira-Medeiros: Or I can.

Ms. Helekahi-Burns: Or I can. You guys not going pull out. You guys was in there first.

Mr. Yoshida: Well I guess if we post the agenda, then we have to have a quorum. You know I think probably our planner can take a video or something to take back to the Planning Commission. I'd also record for the public that the Hana Advisory Committee conducted a site inspection of the Ola Honua site, this is what they saw, this is where they stopped at, and so forth.

Ms. Helekahi-Burns: So four of us are going then?

Ms. Kanakaole: No, three or less.

Ms. Helekahi-Burns: No, three.

Mr. Boteilho: Don't go four, please.

Ms. Helekahi-Burns: Okay, so in other words, you no like come, so I'll pull out, aunty, I'll take you're the kind. Could we clarify the time first before we the kind --

Ms. Oliveira-Medeiros: Can we say that three and then whoever can make go and --

Ms. Helekahi-Burns: No, they cannot.

Mr. Yoshida: Well I think if once we get into -- I think no more than three if we don't post an agenda. If we have a quorum of four, then I would defer to Corp. Counsel, but I think we have to post an agenda and it'll be a regular -- like a regular meeting of the Advisory Committee.

Mr. Boteilho: You know what I would recommend? You go three, you contact the landowner, and you just go, and you just set up a date and time and just go.

Ms. Lono: I certainly would be willing to do a video ...(inaudible)... and share it with anybody who would want to see it. I'll take my video camera and just, you know --

Mr. Giroux: That would probably be good. Arrange with staff and maybe you can do it as part -- because what's supposed to happen is there's supposed to be a full report to the full body so you could probably have a video or, hopefully, get something that we could, even if it's just on the camera, but, yeah, bring it back as part of the report back to the whole body.

Ms. Lono: Okay ...(inaudible)... so who is going? Kauai, Fawn, and I? And then if one of us can't make it, then we'll have as a back up Mavis ...(inaudible)... well I think we need to prepare for that.

Mr. Boteilho: Yeah, if somebody cannot make it, I guess it's fair, yeah.

Ms. Lono: ...(inaudible)... Mavis will be the back up ...(inaudible)...

Ms. Kanakaole: We changed it, yeah, cause something about --

Ms. Lono: What time was it, Clayton, we were going?

Ms. Kanakaole: Afternoon, yeah? 3:00 right?

Mr. Yoshida: I thought it was in the afternoon. Oh, 3:00.

Ms. Kanakaole: Yeah something --

Mr. Boteilho: 3:00.

Ms. Helekahi-Burns: You know what, we get the minutes, yeah? No? I no more. Okay.

Ms. Lono: I have it on my calendar I have at home.

Ms. Helekahi-Burns: Okay, thank you. Okay, go home already. Adjourn the meeting.

Ms. Lono: I move we adjourn.

Ms. Kanakaole: I did. I adjourned the meeting already.

E. ADJOURNMENT

There being no further business brought before the Committee, the meeting was adjourned at 9:00 p.m.

Respectfully submitted by,

SUZETTE L. ESMERALDA
Secretary to Boards and Commissions I

RECORD OF ATTENDANCE

Present

Kaui Kanakaole, Chairperson
Fawn Helekahi-Burns, Vice-Chairperson
Melissa Mauliola
Mavis Oliveira-Medeiros
Shane Sinenci (Arrived 3:35 p.m.)
Dawn Lono

Excused

Francine Tolentino

Others

Wayne Boteilho, Deputy Planning Director
Clayton Yoshida, Planning Program Administrator
Joseph Alueta, Administrative Planning Officer
James Giroux, Deputy Corporation Counsel