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LIQUOR COMMISSION
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI, STATE OF HAWAI'I

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held at the Department of Liquor Control
Conference Room, David K. Trask, Jr. Office Building,
2145 Kaohu Street, Room 108, Wailuku, Maui, Hawai'i,
commencing at 8:57 a.m., on Wednesday,
September 11, 2019.

REPORTED BY: JESSICA AKITA, RPR, CSR No. 461

1 APPEARANCES:

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COMMISSION MEMBERS PRESENT:

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Leon Bolosan, Acting Chair
Jerrybeth De Mello, Commissioner
Alberta De Jetley, Commissioner
Jamie Becraft, Commissioner

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STAFF PRESENT:

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Edward Kushi, First Deputy Corporation Counsel
Georgette Tyau, Deputy Director
Sandra Kobayashi, Liquor Control Officer, III
Layne Silva, Liquor Control Officer, III
Maria Khangsengsing, Secretary to

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Boards/Commissions

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1 Wednesday, September 11, 2019; 8:57 a.m.

2 WAILUKU, MAUI, HAWAI'I

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4 ACTING CHAIR BOLOSAN: (Gavel.) Let's
5 call for a meeting to order. Thank you.

6 Maria, can we have a roll call?

7 MS. KHANGSENGSING: Maria Khangsengsing,
8 Department of Liquor Control.

9 COMMISSIONER DE MELLO: Jerrybeth De
10 Mello from Lahaina.

11 COMMISSIONER DE JETLEY: Alberta De
12 Jetley from Lanai.

13 MR. KUSHI: Ed Kushi, corp counsel.

14 ACTING CHAIR BOLOSAN: Aloha, Leon
15 Bolosan.

16 COMMISSIONER BECRAFT: Jamie Becraft from
17 Wailuku.

18 MS. TYAU: Georgette Tyau, Liquor
19 Control.

20 MS. KOBAYASHI: Sandra Kobayashi, Liquor
21 Control.

22 MR. SILVA: Layne Silva, Liquor Control.

23 ACTING CHAIR BOLOSAN: Okay. This
24 morning, we don't have enough quorum, so I'll have Ed
25 Kushi --

1 MR. KUSHI: Yeah. Mr. Chair, if I may,
2 and to members of the audience, there's only four
3 commissioners here. For whatever reason, earlier this
4 morning, we found out we don't have a quorum, so. But
5 because this is a publicly hearing and notices went out,
6 I'm advising the commission to hear public testimony,
7 but no discussion and no action on any of the agenda
8 items. They would have to be deferred to the next
9 meeting. So we'll -- we will -- the commission should
10 take public testimony on any agenda item.

11 ACTING CHAIR BOLOSAN: So then if we do
12 have people to testify, you have three minutes. And
13 state your name.

14 MR. JORGENSEN: Good morning. Dave
15 Jorgensen, I'm an attorney representing one of the
16 applicants today. And, I mean, obviously there's
17 nothing -- no one can do because there's only four of
18 you, but at the same time, you know, we would ask the
19 department to hold a -- you know, to schedule a special
20 meeting, you know, not just my clients, but other
21 applicants are here, and I have a feeling because it
22 happened to us before in another matter that couple of
23 the things may be put off for a couple months because
24 new notices has to be sent out. And, you know, this is
25 a financial hardship for all these applicants that have,

1 you know, applied and have been waiting. You know, for
2 my client in particular Kihei Moose, I mean, it's a
3 question of expansion and there's things that have to be
4 done, and permits and plans that have to be approved,
5 and dealing with other departments in the county.
6 Anyway, that's just my request that the department find
7 a way to have a special meeting sooner than one month
8 from now, or in some cases two months from now. Thank
9 you.

10 ACTING CHAIR BOLOSAN: Thank you, Dave.

11 Another testifier?

12 COMMISSIONER DE JETLEY: Mr. Chair, are
13 we allowed to make comments on that?

14 ACTING CHAIR BOLOSAN: No.

15 MR. KUSHI: No.

16 COMMISSIONER DE JETLEY: No? Okay.
17 Thank you.

18 ACTING CHAIR BOLOSAN: Anyone else?

19 MR. KUSHI: Anyone else wants to testify
20 on any agenda item? If not, I would ask specifically is
21 there anyone here to testify on public hearing issues of
22 Application No. 01, Fun Charters, or Application No. 22,
23 Troon Beverages? These were set for public hearing, and
24 they were published in the newspaper and they were
25 notified by mail.

1 MR. SILVA: (Nods head.)

2 MR. KUSHI: So if anybody would want to
3 testify on those matters, please speak now.

4 (No response.)

5 MR. KUSHI: Because unless the department
6 or the commission rules otherwise, I would advise that
7 we have a meeting here. Although we can't take action,
8 but then the commission is present to hear testimony, so
9 we will not have a public hearing on these issues, on
10 these two matters, and there'd be no need for
11 publication or notification again, okay? So is anybody
12 here to testify on those two applications?

13 Seeing none, Mr. Chair, I would advise you to
14 close the meeting.

15 ACTING CHAIR BOLOSAN: Okay. I'd like to
16 call on the -- for an adjourn.

17 COMMISSIONER BECRAFT: Motion to adjourn.

18 COMMISSIONER DE JETLEY: Second.

19 ACTING CHAIR BOLOSAN: Adjourned.

20 (Proceedings concluded at 9:02 a.m.)

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C E R T I F I C A T E

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU)
_____)

I, JESSICA AKITA, Certified Shorthand Reporter for the State of Hawaii, do hereby certify, only upon placement of my original signature below, that the foregoing pages 1 through 5, comprise a full, true and correct transcription of my stenographic notes had on Wednesday, September 11, 2019 in the above-entitled cause, to the best of my ability.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

Dated this 24th day of September, 2019.



JESSICA AKITA, RPR, CSR No. 461