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LIQUOR CONTROL COMMISSION  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS  
REGULAR MEETING

Held via Blue Jeans video conference, commencing at  
9:08 a.m., on October 6, 2021.

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

COMMISSION MEMBERS PRESENT:

CHAIRPERSON: LEON BOLOSAN  
VICE CHAIR: JAMIE BECRAFT  
COMMISSIONERS: ROBERTO ANDRION, JR.  
AARON BOSWELL  
JERRYBETH DE MELLO  
SYLVIA HO (in at 9:15 a.m.)  
SNEHAL PATEL  
STANLEY RUIDAS  
BRUCE U'U

STAFF PRESENT:

DEPUTY CORPORATION COUNSEL: MIMI DESJARDINS  
DIRECTOR: LAYNE N. SILVA  
DEPUTY DIRECTOR: JARRETT KAHOOHANOHANO  
LIQUOR CONTROL OFFICER: MARC WEISENFELD  
COMMISSION SECRETARY: MARIA KHANGSENGSING  
PRIVATE SECRETARY: LIANNE SUZUKI

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(October 6, 2021, 9:08 a.m.)

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CHAIR BOLOSAN: Okay. The meeting of the liquor commission is now called to order. Good morning, everyone. Let's have a roll call. Please acknowledge your presence by stating here or present when it's called upon.

Jamie Becraft.

VICE CHAIR BECRAFT: Present.

CHAIR BOLOSAN: Roberto Andrion. Robert?

VICE CHAIR BECRAFT: You've gotta unmute yourself.

COMMISSIONER ANDRION: Yeah.

VICE CHAIR BECRAFT: There you go.

CHAIR BOLOSAN: Okay, all right. Aaron Boswell.

COMMISSIONER BOSWELL: Present.

CHAIR BOLOSAN: Okay. Let's skip Sylvia for a while until she joins in.

Stanley Ruidas.

COMMISSIONER RUIDAS: Present.

CHAIR BOLOSAN: Bruce U'u. Bruce? Well, I know he's here.

Okay. Let's just move on. Snehal Patel.

COMMISSIONER PATEL: Here.

CHAIR BOLOSAN: Okay. When Sylvia will be joining us, we will acknowledge that she joined the meeting.

Deputy corp. Counsel Mimi DesJardins.

1           CORP COUNSEL DESJARDINS: Aloha.

2           COMMISSIONER ANDRION: Mr. Chair, I believe you  
3 forgot Jerrybeth.

4           CHAIR BOLOSAN: Okay, okay. Thank you, Robert.  
5 Jerrybeth De Mello.

6           COMMISSIONER DE MELLO: Here.

7           CHAIR BOLOSAN: I'm sorry. I'm sorry, sistah.

8           COMMISSIONER DE MELLO: That's okay.

9           CHAIR BOLOSAN: Okay, yeah. Director Layne Silva.

10          DIRECTOR LAYNE N. SILVA: Here.

11          CHAIR BOLOSAN: Deputy Director Jarrett  
12 Kahooahanohano.

13          DEPUTY DIRECTOR KAHOOHANOHANO: Present.

14          CHAIR BOLOSAN: Maria Khangsengsing.

15          MS. KHANGSENGSING: Present.

16          CHAIR BOLOSAN: Lianne Suzuki.

17          MS. SUZUKI: Present.

18          CHAIR BOLOSAN: Marc Weisenfeld.

19          LCO WEISENFELD: Present. Present. I'm here.

20          CHAIR BOLOSAN: Okay. Thank you. Did I miss  
21 anyone?

22          (No response.)

23          CHAIR BOLOSAN: Okay. Then --

24          COMMISSIONER U'U: Leon, I don't know if you --  
25 Leon, I don't know if you called my name, but I got off for

1 some reason.

2 CHAIR BOLOSAN: Yes, Bruce, I'm so sorry, I did,  
3 but -- okay. Bruce U'u --

4 COMMISSIONER U'U: I'm here.

5 CHAIR BOLOSAN: -- is here.

6 COMMISSIONER U'U: I'm back.

7 CHAIR BOLOSAN: I'm sorry.

8 COMMISSIONER U'U: Don't be sorry, buddy.

9 CHAIR BOLOSAN: I know I called you. Okay.  
10 Now we move on, then -- did I miss anyone then  
11 before I move on to the agenda?

12 UNIDENTIFIED SPEAKER: Dollies Clubs and Cafe, Paia,  
13 North Shore.

14 CHAIR BOLOSAN: All right, braddah.

15 Let's move on to the agenda of October 6, 2021. May  
16 I have a motion for approval?

17 COMMISSIONER DE MELLO: I make a motion to approve  
18 the agenda.

19 CHAIR BOLOSAN: Okay. Agenda for October 6, 2021,  
20 moved by Jerrybeth.

21 VICE CHAIR BECRAFT: Jamie Becraft. I second.

22 CHAIR BOLOSAN: Seconded by Jamie. May I have a  
23 motion for approval?

24 COMMISSIONER ANDRION: Roberto. Call for the vote.

25 CHAIR BOLOSAN: Okay, all right. Okay.

1 VICE CHAIR BECRAFT: Mr. Chair --

2 COMMISSIONER ANDRION: Mr. Chair, Bobbie Andrion. I  
3 have a clarification.

4 CHAIR BOLOSAN: Yes.

5 COMMISSIONER ANDRION: I'm assuming that we are  
6 doing the amended agenda; is that correct?

7 CHAIR BOLOSAN: Yes.

8 COMMISSIONER ANDRION: Okay, understood. So we're  
9 gonna take a vote.

10 CHAIR BOLOSAN: Yes, yes. Okay. We're gonna take a  
11 vote. All in favor, say aye. Please raise your hand.

12 (Response.)

13 CHAIR BOLOSAN: Okay. Opposed? Opposed?

14 (No response.)

15 CHAIR BOLOSAN: Motion carries.

16 Now we move on to the minutes, liquor commission  
17 minutes of September 8, 2021, regular meeting. May I have a  
18 motion for approval?

19 COMMISSIONER PATEL: I make a motion for approval,  
20 Chair.

21 CHAIR BOLOSAN: Okay, Sne, you've got it.

22 Anyone for second?

23 COMMISSIONER ANDRION: Roberto Andrion. Second.

24 CHAIR BOLOSAN: Robert, you've got the second.

25 All in favor, say aye.

1 (Response.)

2 CHAIR BOLOSAN: Opposed?

3 (No response.)

4 CHAIR BOLOSAN: Motion carried.

5 Now we have public testimony. Public testimony is  
6 limited to three minutes per agenda item. Please sign up in  
7 the chat area and indicate which agenda item you wish to  
8 testify on.

9 I don't see anyone at the chat area, but just in  
10 case somebody's on, just on the phone, is there anyone wanting  
11 to testify?

12 (No response.)

13 CHAIR BOLOSAN: Okay. If not, public hearing is  
14 closed.

15 We're gonna move on on General Licensing Matters,  
16 Items A and B, The Breakfast Caffe, LLC dba Kihei Caffe;  
17 Makena Beverage Club, Inc. Db a Makena OP Hale Bar. May I have  
18 a motion for confirmation?

19 VICE CHAIR BECRAFT: (Gesturing.)

20 CHAIR BOLOSAN: Okay, Jamie, you've got it.

21 Second by? Anyone want to -- Jamie Becraft.

22 COMMISSIONER DE MELLO: I make the second.

23 CHAIR BOLOSAN: Okay. Jerrybeth, you've got the  
24 second. Motion by Jamie.

25 So those who are in favor, say aye.

1 (Response.)

2 CHAIR BOLOSAN: Opposed?

3 (No response.)

4 CHAIR BOLOSAN: I don't see any. Motion carried.

5 Licensing Matters, Preliminary Hearings, Application

6 No. TA-01 The Odom Corporation doing business as The Odom

7 Corporation. Can we have the applicant for this application?

8 MR. HOO: Yes, Mr. Chair. Kenneth Hoo appearing for  
9 the applicant Odom Corporation. Also appearing is Mr. Dana  
10 Leslie. He's also virtually appearing.

11 CHAIR BOLOSAN: Okay. Thank you. Will you state  
12 your name, please?

13 MR. HOO: Yes. My name is Kenneth Hoo. I'm the  
14 authorized agent and attorney for the applicant The Odom  
15 Corporation.

16 CHAIR BOLOSAN: All right. Thank you very much.

17 Can I have Marc go ahead and read for this  
18 application?

19 LCO WEISENFELD: Yes. We're at Application TA-01,  
20 it's a wholesale beer and wine, the applicant The Odom  
21 Corporation.

22 Can everybody hear me okay?

23 COMMISSIONERS: Yes.

24 CHAIR BOLOSAN: Yes, we can.

25 LCO WEISENFELD: The applicant The Odom Corporation



1 doing business as The Odom Corporation is applying for the  
2 transfer of a Wholesale Beer and Wine license from Anheuser-  
3 Busch Sales of Hawaii doing business as Anheuser-Busch Sales  
4 of Hawaii.

5 The officers and directors of the corporation, their  
6 personal history statements, their criminal history  
7 statements, and the lease agreement are all included in the  
8 investigator's report. It is a consent to transfer.  
9 Applicant has submitted a copy of a transferrer's endorsement  
10 of transfer signed by Thomas dean Larson, treasurer of  
11 Anheuser-Busch Sales of Hawaii, dated July 15th, 2021.

12 The proposed premises consisting of approximately  
13 41,546 square feet located at 169 Kalepa Place, Kahului, Maui,  
14 Hawaii.

15 There are no schools, churches, or licensees of the  
16 same class and kind located within a radius of 500 feet.  
17 There are two retail general licenses located within a radius  
18 of 500 feet. There's one license -- one licensee of this  
19 class and kind currently issued within Maui County.

20 Plans of the applicant: The applicant plans to open  
21 seven days a week (inaudible) hours a day.

22 Past history is that Eagles -- Eagle Distributors  
23 was granted a wholesale beer and wine license on December  
24 14th, 1994. The wholesale beer and wine license was  
25 transferred from Eagle Distributors to Anheuser-Busch Sales of

1 Hawaii effective August 1st, 1996. There were no reports of  
2 liquor violations at this location. A copy of their past  
3 history is attached.

4 A site inspection was conducted of the premises on  
5 September 17th, 2021.

6 In the opinion of this investigator, the applicant  
7 appears to be fit and proper and does not appear to be  
8 disqualified by any provision as stated within Section 281-56  
9 HRS for obtaining or exercising the license.

10 All documents necessary for the issuance of a liquor  
11 license have not been submitted. The documents are included  
12 in the investigator's report.

13 CHAIR BOLOSAN: Okay. Thank you, Marc.

14 Do the applicant -- do you have anything else to  
15 add?

16 MR. HOO: Nothing to add at this time, Mr. Chair.

17 CHAIR BOLOSAN: Okay. Now the floor is open for the  
18 public testimony, if there is any.

19 (No response.)

20 CHAIR BOLOSAN: I don't see anyone on the chat area.  
21 Then I'm gonna close public hearing on this item.

22 Any questions from the members of the commission?

23 (No response.)

24 CHAIR BOLOSAN: Any question from the members of the  
25 commission?

1 (No response.)

2 CHAIR BOLOSAN: If not, I call for a motion to  
3 approve.

4 VICE CHAIR BECRAFT: Mr. Chair, Jamie Becraft. I  
5 make a motion to approve TA-01.

6 CHAIR BOLOSAN: Thank you, Jamie.

7 Anyone for second?

8 COMMISSIONER DE MELLO: Mr. Chair.

9 COMMISSIONER U'U: I'll second.

10 COMMISSIONER DE MELLO: Jerrybeth De Mello. I  
11 second that motion.

12 CHAIR BOLOSAN: Thank you, Jerrybeth.

13 All in favor, say aye.

14 (Response.)

15 CHAIR BOLOSAN: Opposed?

16 VICE CHAIR BECRAFT: And, Mr. Chair, Mr. Chair, I'd  
17 also like to point out, Mr. Chair, that Sylvia did join us at  
18 the beginning -- while Marc was reading at the beginning of  
19 this.

20 CHAIR BOLOSAN: Okay. Thank you, Jamie. I was  
21 gonna do that, but it was just in between all the -- all the  
22 happenings. Thank you, Jamie.

23 COMMISSIONER HO: Thank you.

24 CHAIR BOLOSAN: Okay. Motion carried.

25 Congratulations.

1 MR. HOO: Thank you, Mr. Chair.

2 CHAIR BOLOSAN: You're welcome.

3 Now we have application -- hang on. I've gotta find  
4 my notes. We're gonna move on to Application No. 02, MKR,  
5 Inc. Doing business as Dollies North Shore. Will the  
6 applicant state your name and your position, please?

7 CORP COUNSEL DESJARDINS: Chair, this is Mimi. I  
8 believe there's an Application No. 01 with Maui Beverage  
9 Company --

10 LCO WEISENFELD: Yes, there is.

11 CORP COUNSEL DESJARDINS: -- on the amended agenda.

12 CHAIR BOLOSAN: All right. I'm so sorry.

13 CORP COUNSEL DESJARDINS: No, that's okay. Thank  
14 you.

15 CHAIR BOLOSAN: I blanked out on that one. Okay.  
16 Okay. Thank you very much, Mimi.

17 Okay. I see Sylvia. Welcome to the meeting. For  
18 the record, you joined the meeting.

19 Application No. TA-01, The Odom Corporation doing  
20 business as The Odom Corporation.

21 VICE CHAIR BECRAFT: Mr. Chair.

22 CHAIR BOLOSAN: Yes.

23 VICE CHAIR BECRAFT: Chair, I believe it's B. It's  
24 not TA, it's just No. 1. Try look at B.

25 LCO WEISENFELD: Yes, we have one TA-01 and one 01.

1 CHAIR BOLOSAN: Yeah.

2 VICE CHAIR BECRAFT: No more the TA. You said  
3 TA-01, this is just Application No. 01.

4 LCO WEISENFELD: For Maui Beverage Company.

5 CHAIR BOLOSAN: Okay. Hang on. Yeah, okay. All  
6 right. I'm so sorry. I apologize.

7 It's Application No. 01, Maui Beverage Company, LLC  
8 doing business as Pauwela Beverage Company. Will the  
9 applicant please state your name and position?

10 MS. COX: Cady Lisbeth Cox, member.

11 CHAIR BOLOSAN: Welcome.

12 MS. COX: Thank you.

13 CHAIR BOLOSAN: Okay. Now, can I have you, Marc?  
14 Thank you --

15 LCO WEISENFELD: Yes.

16 CHAIR BOLOSAN: -- for reading the application.

17 LCO WEISENFELD: (Inaudible) Application 01 is a  
18 Small Craft Producer Pub, Category B. The applicant is Maui  
19 Beverage Company, LLC doing business as Pauwela Beverage  
20 Company, applying for a Small Craft Producer Pub license,  
21 Category B.

22 The member and agent of the manager-managed LLC, the  
23 personal history statements, the criminal history statements,  
24 and the lease agreements are all included in the  
25 investigator's report.

1           The proposed premises consisting of approximately  
2 2,645 square feet of ground space is located at 375 West  
3 Kuiaha Road, Haiku, Maui, Hawaii.

4           There are no schools or churches located within a  
5 radius of 500 feet.

6           There are no other licenses of the same kind, class,  
7 and kind located within a radius of 500 feet. There is one  
8 retail general licensee located within a radius of 500 feet.

9           The applicant initially plans to manufacture  
10 kombucha seven days a week from 8:00 a.m. to 6:30 p.m.

11           A site inspection was conducted on May 4th, 2021, at  
12 about 10:00 a.m. It was noted that there was no outside  
13 lighting between the premises and the outside restrooms. An  
14 inspection was conducted at night in the area leading to the  
15 restrooms and were found to be poorly lit. A site inspection  
16 was conducted at night, the outside of the premises was found  
17 to be poorly lit, creating an unsafe access to the restrooms  
18 located outside of the premises. The department of liquor  
19 control is recommending that Maui Beverage Company, LLC doing  
20 business as Pauwela Beverage Company close for business by  
21 6:30 p.m. nightly. Maui Beverage Company doing business as  
22 Pauwela Beverage Company has submitted a letter accepting the  
23 recommendation of the department.

24           Information contained within DLC-006 indicated that  
25 Cady Lisbeth Cox and James Kyle Fleming had been convicted

1 of -- had not been convicted of a violation of law other than  
2 a minor traffic violation.

3 All documents necessary for the issuance of a  
4 license have not been submitted. These documents are included  
5 in the investigator's report.

6 CHAIR BOLOSAN: Thank you, Marc. Are you finished,  
7 Marc?

8 LCO WEISENFELD: Yes, I am.

9 CHAIR BOLOSAN: Okay. Thank you very much.  
10 So, Cady Cox, do you have anything to add?

11 MS. COX: Nothing at this time, Mr. Chair.

12 CHAIR BOLOSAN: Okay. Then the floor is open for  
13 public testimony. I still don't see any -- anyone testifying,  
14 so I would like to close public hearing.

15 Any question from the members of the commission?  
16 Members?

17 COMMISSIONER PATEL: I have a question, Chair.

18 CHAIR BOLOSAN: Go ahead.

19 COMMISSIONER PATEL: Yeah. It stated that all  
20 necessary documents have not been submitted. What's remaining  
21 or --

22 LCO WEISENFELD: Yes. There are some documents that  
23 have not been submitted, and these documents are included in  
24 the investigator's report.

25 DIRECTOR LAYNE N. SILVA: Sne, if you look at the

1 second page of the report, you'll see that there's a listing  
2 on there where it says all items have not been submitted.  
3 Those are the clearances and permits from the other  
4 governmental agencies that still need to be obtained in order  
5 to be issued the liquor license.

6 If not, Marc, you can go ahead and read from the  
7 listing of what you have that's remaining. Now, keeping in  
8 mind that at the time the application was placed on the  
9 agenda, that is what we have on file. Things may have come in  
10 since then and not been identified yet, so that's just a  
11 preliminary listing of what may be missing. So go ahead,  
12 Marc, you can read the listing.

13 LCO WEISENFELD: Okay. So the items that are listed  
14 is department of public works certificate of occupancy, the  
15 department of public works miscellaneous inspection,  
16 department of fire and public safety fire prevention bureau  
17 clearance, the department of environmental management  
18 wastewater reclamation division clearance, department of  
19 commerce and consumer affairs registration of trade name, an  
20 executed lease, the liquor liability insurance, the license  
21 fee, and a final inspection. These are all items that still  
22 need to be done.

23 CHAIR BOLOSAN: Did that answer your question, Sne?

24 COMMISSIONER PATEL: Yes.

25 CHAIR BOLOSAN: Okay. Any more from the members?



1 (No response.)

2 CHAIR BOLOSAN: Okay. I don't see any. Then call  
3 on a motion to approve.

4 VICE CHAIR BECRAFT: Mr. Chair, Jamie Becraft. I  
5 make a motion to approve Application No. 01 to include the  
6 recommendations of the department of the hours of operation  
7 and that, if my understanding is correct, that they are to be  
8 closed by 6:30 p.m.

9 LCO WEISENFELD: That's correct.

10 CHAIR BOLOSAN: Okay. Now, the applicant, you  
11 understand the conditions put on your application, right?

12 MS. COX: Yes.

13 CHAIR BOLOSAN: Okay. And you are okay with it?

14 MS. COX: Yes.

15 CHAIR BOLOSAN: Okay. Any more comment from the  
16 commissioners?

17 VICE CHAIR BECRAFT: We need a second, Chair.

18 CHAIR BOLOSAN: Oh, okay, all right. I'm so sorry.  
19 Okay.

20 COMMISSIONER U'U: Second.

21 CHAIR BOLOSAN: Okay, Bruce, you got it.

22 VICE CHAIR BECRAFT: And then a comment, Mr. Chair,  
23 just for the rest of the commissioners -- because I already  
24 have some knowledge of this situation -- so they know what's  
25 going on. Apparently, there's some issues with some lighting

1 and whatnot for bathroom usage up in that area, so they've  
2 agreed because it would be dangerous for, you know, patrons to  
3 be consuming alcohol and walking in the dark, that for now  
4 that they will be closing before it gets dark.

5 CHAIR BOLOSAN: Okay. So --

6 VICE CHAIR BECRAFT: And that way, we won't have any  
7 of those issues. And I'm sure if that were to change in the  
8 future, they could come and reapply or tell us that that has  
9 changed, and then we can consider making that, you know, later  
10 on into the nighttime hours. So that's the point of the -- of  
11 the restriction, just in case you were wondering.

12 CHAIR BOLOSAN: Okay. Thank you, Jamie. I'm aware  
13 that there's enough lighting in there, and as long as the  
14 applicants understand the condition that is put on the  
15 application, I'm okay with it.

16 Is there any more before I call on a motion to  
17 approve, then?

18 (No response.)

19 CHAIR BOLOSAN: If not, motion to -- call for  
20 approval.

21 VICE CHAIR BECRAFT: Chair, we've already motioned;  
22 we just need to vote.

23 COMMISSIONER ANDRION: Call for the vote, please.

24 CHAIR BOLOSAN: Okay. All in favor, say aye.

25 (Response.)

1 CHAIR BOLOSAN: Okay. Stan the second? Who made  
2 the motion?

3 VICE CHAIR BECRAFT: Mr. Chair, you just have to ask  
4 if there's any nays, and then it would be approved.

5 CHAIR BOLOSAN: Yes, yes. Okay. All in favor, say  
6 aye.

7 (Response.)

8 CHAIR BOLOSAN: Okay. Opposed?

9 (No response.)

10 CHAIR BOLOSAN: Motion carried. Thank you very  
11 much. Congratulations.

12 MS. COX: Thank you.

13 COMMISSIONER U'U: Congratulations.

14 MS. COX: Thank you.

15 CHAIR BOLOSAN: Okay. We move on, Item C,  
16 Application No. 02, MKR, Inc. Doing business as Dollies North  
17 Shore. Will the applicant please state your name and  
18 position? Do we have anyone representing this application?

19 LCO WEISENFELD: He was on here.

20 CHAIR BOLOSAN: Yeah. Marc, did you say he was  
21 here?

22 LCO WEISENFELD: Yes.

23 MR. ANDERSON: Jim Anderson.

24 LCO WEISENFELD: There you go.

25 MR. ANDERSON: Managing partner for MKR, Inc.

1 CHAIR BOLOSAN: Okay, all right. All right. Please  
2 state your name and your position. Come again, please?

3 MR. ANDERSON: Jim Anderson, managing partner.

4 CHAIR BOLOSAN: Okay. Thank you. Can we have  
5 you -- thank you very much.

6 Can we have Marc read the report, please?

7 LCO WEISENFELD: Yes. This is Application No. 2;  
8 it's a Restaurant General, B(ii). The applicant is MKR, Inc.  
9 Doing business as Dollies North Shore applying for a  
10 Restaurant General License, Category B(ii).

11 The officers, directors, and stockholders of the  
12 corporation; their personal history statements; and criminal  
13 history statements; and the lease are all included in the  
14 investigator's report and supplementary report attached.

15 The proposed premises consists of approximately  
16 3,500 square feet of ground-floor space located at 120 Hana  
17 Highway, Units 10 and 11, Paia, Hawaii.

18 There are no churches -- schools or churches located  
19 within a radius of 500 feet.

20 Vana and Milagros are licensees of the same class  
21 and kind.

22 There are three dispenser general licenses, one  
23 dispenser beer and wine license, one retail general license,  
24 and one retail beer and wine license located within a radius  
25 of 500 feet.

1           There are 87 licenses of this class and kind  
2           currently issued within Maui County.

3           Plans of the applicant is to be open seven days a  
4           week from 8:00 a.m. to 2:00 a.m.

5           A site inspection of the proposed premises was  
6           conducted on September 16th, 2021.

7           In the opinion of this investigator, the applicant  
8           appears to be fit and proper and does not appear to be  
9           disqualified by any provision as stated within Section 381-56  
10          of the HRS from obtaining or exercising a license.

11          All documents necessary for the issuance of a liquor  
12          license have not been submitted. Those documents are included  
13          in the investigator's report. That's all.

14          CHAIR BOLOSAN: Okay. Thank you, Marc.

15          LCO WEISENFELD: You're welcome.

16          CHAIR BOLOSAN: Okay. The applicant, do you have  
17          anything to add?

18          MR. ANDERSON: Not at this time, Mr. Chair.

19          CHAIR BOLOSAN: Okay. The floor is open for public  
20          testimony. Anyone for or against this application?

21          (No response.)

22          CHAIR BOLOSAN: I don't see any at the chat area, so  
23          I will close public hearing on this item.

24          Any question from the members of the commission?

25          Any question?

1 (No response.)

2 CHAIR BOLOSAN: If not, I call for the motion to  
3 approve.

4 COMMISSIONER PATEL: I make a motion, Chair, to  
5 approve.

6 CHAIR BOLOSAN: Okay, Sne, you got it. Second?

7 COMMISSIONER RUIDAS: Second.

8 CHAIR BOLOSAN: Okay. Stan, you've got it.

9 All in favor, say aye.

10 (Response.)

11 CHAIR BOLOSAN: Opposed?

12 (No response.)

13 CHAIR BOLOSAN: Motion carried. Thank you.

14 MR. ANDERSON: Thank you, Mr. Chair.

15 CHAIR BOLOSAN: Thank you.

16 We're gonna move on to Application 0 -- No. 03, Grab  
17 & Go Market LLC doing business as Grab & Go Market. Will the  
18 applicant please state your name and position, please?

19 MR. JORGENSEN: Yes. Good morning. This is Dave --  
20 can you hear me? Can you hear me?

21 VICE CHAIR BECRAFT: We can hear you.

22 COMMISSIONER PATEL: We can hear you.

23 MR. JORGENSEN: For some reason, my video won't come  
24 on, but -- I apologize. This is Dave Jorgenson --

25 CHAIR BOLOSAN: Oh, Dave.

1 MR. JORGENSEN: -- appearing on behalf of Grab & Go  
2 Market LLC. With me this morning is Derek Larson, who is one  
3 of the members of Grab & Go Market, and we're happy to be  
4 before you.

5 CHAIR BOLOSAN: Okay.

6 MR. JORGENSEN: Oh, there I am. Sorry.

7 CHAIR BOLOSAN: All right. Marc.

8 LCO WEISENFELD: Yes. Application No. 03 is a  
9 Retail General. Grab & Go Market LLC doing business as Grab &  
10 Go Market applying for a retail general license.

11 The members, managers, and agent of the member-  
12 managed LLC; the personal history statements; the criminal  
13 history statements; and the lease agreements are all included  
14 in the investigator's report.

15 The proposed premises is a single-story structure  
16 consisting of approximately 950 square feet located within the  
17 Island Surf Shopping Complex at 1993 South Kihei Road, Space  
18 10 and 11, Kihei, Maui, Hawaii.

19 There are no schools, churches, or licensees of the  
20 same class and kind within a radius of 500 feet.

21 There are two general -- restaurant general, one  
22 dispenser beer and wine, and eight dispenser general licenses  
23 located within a radius of 500 feet.

24 There are 129 licenses of this class and kind  
25 currently issued within Maui County.

1           The applicant plans to be open seven days a week  
2           from 6:00 a.m. to 10:00 p.m.

3           A site inspection was conducted of the proposed  
4           premises on September 20th, 2021.

5           In the opinion of this investigator, the applicant  
6           appears to be fit and proper and does not appear to be  
7           disqualified by any provisions stated within Section 281-56 of  
8           the HRS from obtaining or exercising a license.

9           The documents are included -- all documents  
10          necessary for the issuance of a liquor license have not been  
11          submitted. The documents are included in the investigator's  
12          report.

13          CHAIR BOLOSAN: Okay. Thank you, Marc.

14          LCO WEISENFELD: You're welcome.

15          CHAIR BOLOSAN: Now, Dave, do you have anything to  
16          add?

17          MR. JORGENSEN: This is a small store in the corner  
18          of the Island Surf building off South Kihei Road closest to  
19          Cove Park. I mean, in the -- that cove park corner of the  
20          Island Surf building. The convenience store has been there  
21          for a bit, but my clients are looking to add the liquor  
22          license to broaden their -- their offerings. So we are  
23          both -- Mr. Larson and I are available for any questions you  
24          might have.

25          CHAIR BOLOSAN: Okay. Thank you, Dave.



1 I still want to call if there's anyone for or  
2 against this application before you can -- and I don't see  
3 nobody at the chat area, so I will close public hearing on  
4 this item.

5 Any question from the members, Commissioners?

6 (No response.)

7 CHAIR BOLOSAN: If not, I call for a motion to  
8 approve.

9 COMMISSIONER ANDRION: Roberto Andrion. Motion to  
10 approve Application 03.

11 CHAIR BOLOSAN: Thank you, Robert.

12 Second?

13 COMMISSIONER U'U: I'll second it.

14 CHAIR BOLOSAN: Okay, Bruce.

15 COMMISSIONER U'U: I'll second it.

16 CHAIR BOLOSAN: You got it.

17 All in favor, say aye.

18 (Response.)

19 CHAIR BOLOSAN: Okay. Opposed?

20 (No response.)

21 CHAIR BOLOSAN: Motion carried. Thank you.  
22 Congratulations.

23 MR. JORGENSEN: Thank you very much, Chair and  
24 Commission, have a great day.

25 VICE CHAIR BECRAFT: Good luck, Mr. Larson.

1 MR. LARSON: Thank you very much.

2 CHAIR BOLOSAN: Okay. We're gonna move on to Item  
3 E, Application No. 04, WMW Liquor Service, LLC doing business  
4 as Waicoco at the Westin. May I have the applicant come back  
5 and say your name and position, please?

6 MR. NAKAMURA: Good morning. Yeah, good morning,  
7 Mr. Chair, Members of the Commission, and staff. This is  
8 Craig -- good morning. This is Craig Nakamura, attorney on  
9 behalf of the applicant. And with me today is Mr. Tyler  
10 Amina -- I believe I saw his name, so I think he signed on --  
11 who is appearing on behalf of the applicant. Thank you.

12 CHAIR BOLOSAN: Thank you.

13 Marc, take it away.

14 LCO WEISENFELD: Yes. We have Application No. 4.  
15 It's a Restaurant General, B(ii). The applicant WMW Liquor  
16 Services, LLC is doing business as Waicoco at the Westin  
17 applying for a Restaurant General license, Category B(ii).

18 The member and manager -- the member and manager of  
19 the member-managed LLC, their personal history statements,  
20 criminal history statements, and a management agreement are  
21 all included in the investigator's report.

22 The proposed premises consisting of 12,860 square  
23 feet that's comprised of 5,960 feet of interior restaurant  
24 space and 4,190 square feet of uncovered outdoor space, 760  
25 feet of covered outdoor restaurant space, and 950 square feet

1 of kitchen space is located within the Westin Maui Resort and  
2 Spa at 2365 Kaanapali Parkway, Lahaina, Maui, Hawaii.

3 There are no schools or churches located within a  
4 radius of 500 feet.

5 The Hula Grill, Leilani's on the Beach, and  
6 Monkeypod Kitchen by Merriman are licensees of the same class  
7 and kind located within a radius of 500 feet. There is one  
8 hotel and one retail general license located within a radius  
9 of 500 feet.

10 There are 85 -- I'm sorry. There are 87 licenses of  
11 this class and kind currently issued within Maui County.

12 The plans of the applicant is to initially open  
13 seven days a week from 5:00 a.m. to 10:00 p.m.

14 A site inspection of the proposed premises is  
15 currently pending.

16 In the opinion of this investigator, the applicant  
17 appears to be fit and proper and does not appear to be  
18 disqualified by any provision as stated within Section 281-56  
19 of the HRS from obtaining or exercising a license.

20 There are documents necessary to issuance of the  
21 liquor license that have not been submitted, and those  
22 documents are included in the investigator's report.

23 CHAIR BOLOSAN: Okay. Thank you, Marc.

24 Craig, do you have anything else to add?

25 MR. NAKAMURA: Yeah. Thank you, Marc. And I also

1 want to thank Layne for all of his help in moving this matter  
2 along and getting us on the agenda today this morning.

3           Very briefly, there is a new restaurant called  
4 Waicoco, which is located at the Westin Maui Resort in  
5 Kaanapali. It is located on the makai side of the hotel.  
6 It's oceanfront on the ground floor, so it has a beautiful  
7 setting. It's a rather big space, includes a lot of outdoor  
8 dining, as you heard, so I think it's a -- it's a great  
9 location. One of the primary chefs behind this restaurant is  
10 Chris Kajioka. Chris is very well-known in Honolulu, he's  
11 highly acclaimed, he's got all kinds of awards, he has several  
12 restaurants there, and this is gonna be his first venture into  
13 Maui, and we welcome him to Maui. We're happy to answer any  
14 questions that you have.

15           CHAIR BOLOSAN: Okay. Do we have -- I don't see  
16 any -- anyone for or against the application, so I'm gonna  
17 close public hearing.

18           Any question from the members of the commission?

19           (No response.)

20           CHAIR BOLOSAN: Okay. I don't see anyone. Motion  
21 to approve?

22           VICE CHAIR BECRAFT: Mr. Chair, Jamie Becraft. I  
23 make a motion to approve Application No. 4.

24           CHAIR BOLOSAN: Okay. Jamie, you've got it.

25           Second? I seen your hand, Bruce.

1 COMMISSIONER U'U: Second.

2 CHAIR BOLOSAN: Okay, all right, Bruce, you got it.  
3 All in favor, say aye.

4 (Response.)

5 CHAIR BOLOSAN: Okay. Opposed?

6 (No response.)

7 MR. NAKAMURA: Thank you very much.

8 CHAIR BOLOSAN: Opposed?

9 (No response.)

10 CHAIR BOLOSAN: Motion carries. Thank you very  
11 much. Thank you.

12 MR. NAKAMURA: Thank you.

13 CHAIR BOLOSAN: Okay. Next, we have the  
14 Administrative Affairs; it's the Director's Monthly Report.  
15 Layne, will you cover this?

16 DIRECTOR LAYNE N. SILVA: Okay. Thank you, Leon.

17 The Director's Monthly Report Item No. 1 is an  
18 update on the Public Health Emergency Rules that became  
19 effective on September 15th. Also included in the packet is a  
20 copy of the Frequently Asked Questions sheet. That sheet is  
21 provided by the officer of the mayor, and basically, we're  
22 just providing it to you as an informational document. That  
23 is what is available if you go onto the county website where  
24 the PHERs are updated; we also have it on our website. Every  
25 time when they -- it's the most current frequently asked that

1 the public call in and have questions in regard to the Public  
2 Health Emergency Rules. So we've compiled a listing of the  
3 more common questions. Hopefully, I guess the idea is that  
4 it'll be helpful for people that have the same question can go  
5 look at the frequently asked question listing and possibly  
6 find the answer there.

7 Just real quick, just to summarize some of the  
8 changes that took effect on September 15th that affect the  
9 department as I'm sure you all have probably heard on the news  
10 by now, is the vaccination requirement to dine indoors in a  
11 licensed premises. Actually, it's a requirement everywhere,  
12 but as we only regulate the licensed premises, this is how we  
13 identify, and basically, it requires that all customers 12  
14 years of age and older be fully vaccinated to be able to allow  
15 to dine indoors. Fully vaccinated means that you are two  
16 weeks past your second dose of any one of the two-dose  
17 required vaccines. You must provide a copy of either your --  
18 it's your vaccination card or the Hawaii Smart Health Card  
19 Digital Health Pass. Those are required for indoor dining.  
20 The capacity, again, was reduced to 50 percent. You're not  
21 required to be vaccinated for outdoor dining.

22 The way that the department is approaching this and  
23 what is the requirement by the new rule is that the  
24 establishment -- they have to establish a policy. They have  
25 to create a policy on how they're going to enact this mandate.

1 So the department -- we're not walking into premises asking  
2 customers to see vaccination cards or things of that nature.  
3 What we're doing is we're gonna walk into a premises, and  
4 we're gonna ask to see their procedures, we're gonna ask to  
5 see -- they're required to have a written set of procedures on  
6 how they're verifying their indoor dining customers, and  
7 that's what the requirement is, that's what we're looking for.

8 Other than that, 10:00 p.m. closing time still and  
9 not much else has changed.

10 So if you guys have any questions in regards to  
11 that, I'd be happy to answer.

12 CHAIR BOLOSAN: Okay. Anyone?

13 COMMISSIONER PATEL: I have a question, Layne.

14 DIRECTOR LAYNE N. SILVA: Sure.

15 COMMISSIONER PATEL: In terms of what's considered  
16 indoor dining establishments, is it that it has to have a  
17 certain number of walls enclosed? 'Cause I know that some  
18 restaurants are kind of -- you know, if they have two walls  
19 exposed to, like, open air. So just trying to figure out  
20 where the county stands or, you know, our department stands on  
21 that.

22 DIRECTOR LAYNE N. SILVA: Well, as far as -- they  
23 have included, I guess it's a chart, it's kind of a  
24 description. But as I'm sure you're aware, a lot of the  
25 premises on Maui, it's -- it's hard to put them under an

1 umbrella. There's a lot of varying circumstances where you'll  
2 have places that are fully covered but have, you know, wide-  
3 open ventilation. So I believe what's happening is the  
4 premises that have a question whether they're considered  
5 indoor or outdoor are submitting that to the mayor's office.  
6 The mayor's office is making the determination along with the  
7 planning as far as what constitutes indoor as compared to  
8 outdoor. Once they do, then we're receiving notification of  
9 that determination --

10 COMMISSIONER PATEL: Okay.

11 DIRECTOR LAYNE N. SILVA: -- as to what is -- you  
12 know, how we can identify it. Because, yeah, it's a -- it's a  
13 very fine line, there's a lot of, you know, scientific  
14 language that goes into that type of -- making that type of  
15 decision, you know, with the -- determining whether the free  
16 flow of air can disperse the droplets efficiently. So, yeah,  
17 we're falling back on the mayor's office for those  
18 determinations.

19 COMMISSIONER PATEL: So it's not our investigators'  
20 kind of onus, they have -- it's coming from the department so  
21 that when our investigator goes out there, they know clearly,  
22 okay, this is the category?

23 DIRECTOR LAYNE N. SILVA: No. However, I mean, you  
24 know, there are certain circumstances that is obvious that it  
25 is indoor compared to outdoor, but if there is any question in



1 regards to whether it is indoor or outdoor, those questions  
2 are being answered by the mayor's office.

3 COMMISSIONER PATEL: Thank you, Layne.

4 CHAIR BOLOSAN: Any more question? Any comment from  
5 the commission?

6 (No response.)

7 DIRECTOR LAYNE N. SILVA: Okay. Seeing none, we'll  
8 move on. Also, you should have received in your packet --  
9 basically, it was just -- it's an update. I don't know if you  
10 guys remember, I believe it was back in May of last year we  
11 came before you requesting to be able to offer a payment plan  
12 towards our annual percentage fee for the licensees in the  
13 hopes of offering them some kind of relief to being able to --  
14 instead of paying the whole thing all at one time in lump sum  
15 with the COVID and the hardships that everybody was facing  
16 during the closures. We're implementing that now. We're at  
17 the time of year where we are distributing our annual fee  
18 assessment, and that document is included in that. It's an  
19 optional program that anyone that decides to opt-in can have  
20 their payments broken down into three equal payments over the  
21 next three months. Hopefully, that should help alleviate some  
22 of the hardship for anyone who chooses to use that. So that's  
23 just an update on that process that we're in that time of year  
24 right now.

25 So if there's any questions, I'd be happy to answer

1 that.

2 CHAIR BOLOSAN: Anyone?

3 DIRECTOR LAYNE N. SILVA: Okay. And if not, moving  
4 on, the update to the fiscal year '20-'21 annual report. The  
5 annual report, which is required by charter, has been  
6 submitted to the mayor's office for review.

7 And just a little reminder to the commissioners that  
8 if you haven't had your photographs taken, contact Maria so we  
9 can make that arrangement to have that done. And those of you  
10 that have not received your ID cards, also let us know, we can  
11 try and get you into the department. We actually take those  
12 pictures and issue that card right here at the department. So  
13 if you don't have one, if you've never received one, let us  
14 know if and when at your convenience the -- when you can come  
15 in, and we'll arrange to have that taken and issued to you.

16 CHAIR BOLOSAN: Yeah.

17 DIRECTOR LAYNE N. SILVA: And that's all I have as  
18 far as the director's monthly report.

19 CHAIR BOLOSAN: Okay, Layne. I'd like to add on  
20 something on the ID photos. I can have Sylvia to say how easy  
21 to have that ID card. Sylvia, can you explain a little of  
22 that?

23 COMMISSIONER HO: Sure. Yeah, it's actually -- it's  
24 a very fun process. And so they have a very nice -- I think  
25 it's a new camera or something, just they produce a very nice

1 card. It's in my handbag, so -- but, anyway, it's a very  
2 simple process and just walk up there and then take the photo,  
3 and then they will print out the card for you right away. So  
4 for me, it's really -- it's a very nice treat to get a  
5 photograph, an ID card from the department. It's actually a  
6 surprise to me how easy it is. So thank you very much to have  
7 that kind of upgrade. So when you have time, you know, go  
8 visit the building, it's a really nice building, and it's in  
9 time, you know, to do your ID as well. So thank you.

10 CHAIR BOLOSAN: Thank you, Sylvia.

11 Okay. Now --

12 COMMISSIONER U'U: Question.

13 CHAIR BOLOSAN: Yes.

14 COMMISSIONER U'U: Who needs to do it? Just so I'm  
15 clear as to who did it. I don't know if I did, I did it also,  
16 so -- I have no idea. So who needs -- who amongst the  
17 commissioners need to do it?

18 CHAIR BOLOSAN: All.

19 COMMISSIONER U'U: Well, no, I don't --

20 DIRECTOR LAYNE N. SILVA: If you don't have a card,  
21 then you need a card. If what you're asking is you may have  
22 lost your card, and you're not really sure if you did it or  
23 not, then come get a card.

24 COMMISSIONER U'U: All right. So the one from  
25 adjudication, that would be different, I guess?

1 DIRECTOR LAYNE N. SILVA: Yes.

2 COMMISSIONER U'U: I'm assuming, yes. Okay, okay.  
3 Thank you.

4 COMMISSIONER RUIDAS: Layne, do I have to come in to  
5 get the card, or can you guys send one in?

6 DIRECTOR LAYNE N. SILVA: You know, that -- because  
7 the processing machine is here, I believe you would have to  
8 come in so we can take your picture. However, I will look  
9 into -- there may be a possibility of you being able to send  
10 us a picture, and we may be to do it that way. I will look  
11 into that, and I will let you know.

12 COMMISSIONER RUIDAS: Okay. 'Cause I think they  
13 have a photo from the -- the one we had to take for that -- I  
14 think I did that in May for the --

15 DIRECTOR LAYNE N. SILVA: Right. If it can be put  
16 into a digital format, I think it might be able to be done.  
17 But, yeah, I'll definitely look into that and see if we can  
18 use those.

19 COMMISSIONER RUIDAS: Thank you.

20 DIRECTOR LAYNE N. SILVA: You're welcome.

21 CHAIR BOLOSAN: Okay. So just go in at the office  
22 and have a photo and it would take only like not even five  
23 minutes, you have your ID card from the department.

24 DIRECTOR LAYNE N. SILVA: Make sure you bring your  
25 valid government-issued photo ID so we can be sure it's you.

1 CHAIR BOLOSAN: Okay, all right. Thank you, Layne.

2 DIRECTOR LAYNE N. SILVA: You're welcome.

3 CHAIR BOLOSAN: Okay. Now we can move on for the  
4 Item B, and you should have received a packet, a copy of the  
5 draft performance evaluation packet.

6 DIRECTOR LAYNE N. SILVA: Oh, wait, Leon. I'm  
7 sorry, real quick.

8 CHAIR BOLOSAN: Yes.

9 DIRECTOR LAYNE N. SILVA: Also, just to mention, the  
10 liquor control adjudication board meeting of October 7th has  
11 been canceled.

12 CHAIR BOLOSAN: Okay.

13 DIRECTOR LAYNE N. SILVA: And the next regular  
14 meeting of the liquor commission is scheduled for November  
15 10th, 2021, just to finish that up so we can move on to the  
16 unfinished business.

17 CHAIR BOLOSAN: Thank you, Layne.

18 I'm gonna go back on Item B. You should have with  
19 you in your packet the copy of a draft performance evaluation  
20 packet. We will be going over the draft and taking any  
21 suggestion on how to -- and we would like to go forward.

22 Before going further, I would like to ask Mimi, any  
23 suggestion on how to proceed or do -- just open the floor for  
24 a motion or discussion, Mimi?

25 CORP COUNSEL DESJARDINS: Thanks, Chair. You know,

1 the topic's not on the agenda --

2 CHAIR BOLOSAN: Yes.

3 CORP COUNSEL DESJARDINS: -- so you can't take any  
4 action on it. We would have to agendize it for the next  
5 meeting.

6 CHAIR BOLOSAN: Okay.

7 CORP COUNSEL DESJARDINS: If that's what -- we  
8 can -- oh, I'm sorry, I had to get to the next page.  
9 Unfinished Business, okay, here it is. So you could have a  
10 discussion, you can open the floor for discussion, and then if  
11 you folks -- it looks like comments and suggestions from the  
12 commission will be considered for final draft. So based on  
13 that language, you could probably take some kind of action  
14 today, but you may want to just limit the discussion as well  
15 to comments and suggestions --

16 CHAIR BOLOSAN: Okay.

17 CORP COUNSEL DESJARDINS: -- let those comments and  
18 suggestions be incorporated into a document, and then present  
19 it at the next meeting for a final approval.

20 CHAIR BOLOSAN: Okay. Thank you, Mimi.

21 All right. My recommendation goes towards  
22 including -- all nine members to be included in the  
23 decision-making process of all discussions. And I am  
24 requesting for all the members to have a special meeting for  
25 this item just so it allows us enough time to have the

1 commission as a whole to come to a better decision. Would  
2 that settle with members to have a special meeting for this  
3 one?

4 COMMISSIONER U'U: (Gesturing.)

5 CHAIR BOLOSAN: Go ahead, Bruce.

6 COMMISSIONER U'U: I'm okay with that. I mean, that  
7 works for me if you -- if you want to do it that way, all  
8 nine. I mean, I guess the manao sometimes is good, and maybe  
9 somebody can bring something to the table that I definitely  
10 didn't see, you know. It would work for me. I would be okay  
11 with that.

12 CHAIR BOLOSAN: Okay.

13 COMMISSIONER U'U: I missed the last meeting, so I  
14 don't know where we at. I missed the last meeting, so I'm --  
15 I know it was discussed the last meeting, but -- yeah, I mean,  
16 I would be okay with that.

17 CHAIR BOLOSAN: Okay. Any more thoughts?

18 VICE CHAIR BECRAFT: (Gesturing.)

19 CHAIR BOLOSAN: Jamie, go ahead.

20 VICE CHAIR BECRAFT: Mr. Chair, yes, I, as Bruce, am  
21 fine with that process if everybody -- 'cause I want  
22 everybody's opinion also and I really put a -- put some effort  
23 into this. But the one thing that I noticed, and I'm not  
24 ready for that meeting yet, is, you know, last meeting we  
25 talked about getting the performance eval's from, like, the

1 chiefs of police, you know, here, it can be other islands  
2 also, to see how their eval's look. And like fire's and --  
3 and different -- different counties' liquor -- you know, like  
4 Oahu's liquor. I see one here for Kauai and, you know, I  
5 don't see the other ones. I would like to see a bunch of  
6 other evaluations so that we can either adopt and/or maybe  
7 come up with maybe some better suggestions. I don't feel like  
8 I have enough information at this point.

9 MS. KHANGSENGSING: I can answer that, Chair. This  
10 is Maria. I made numerous calls. I called the County of  
11 Hawaii, and according to them, they don't do a written  
12 evaluation. They do a verbal, so they didn't have an  
13 evaluation for us to look at. I called -- we -- I called the  
14 County of Kauai, and they sent us the example which was  
15 included in the packet. I called the Maui Planning  
16 Commission, and they don't do a director's evaluation because  
17 they are -- the director is appointed by the mayor. The same  
18 with the salary commission. I called the police commission  
19 and spoke to the support staff there, and they are in the  
20 middle of hiring their chief, so they were really busy. She  
21 said she would get back to me, but I didn't get a call back.  
22 I tried to call again and left a message. Same thing with the  
23 liquor commission for Oahu; I called them, I spoke to a staff,  
24 they said they will look into it. And I called back, and I  
25 did not get a call back. So the only two that did respond and



1 was willing to provide a form was the two that was included in  
2 the packet.

3 VICE CHAIR BECRAFT: Okay.

4 COMMISSIONER U'U: Are we --

5 VICE CHAIR BECRAFT: Oh, I'm sorry.

6 COMMISSIONER U'U: Go ahead.

7 VICE CHAIR BECRAFT: Go ahead.

8 COMMISSIONER U'U: No. Maria, thank you for the  
9 effort on that.

10 MS. KHANGSENGSING: Sure.

11 CHAIR BOLOSAN: Okay. Thank you, Bruce.

12 Go back to Jamie. Go ahead.

13 VICE CHAIR BECRAFT: So I'm still -- I'm still in  
14 the same position, I still want that information. And I  
15 appreciate Maria's efforts, and I don't know if we need to get  
16 our corporation counsel involved or if we -- or if I should  
17 just file an OIP request because this is all public  
18 information, they're bound to give us this. This isn't  
19 private. So I'm not sure where we go from here, but I don't  
20 want to -- because they haven't responded, to move forward  
21 without all the best information in front of me so that we can  
22 try to come up with the best possible evaluation. So I would  
23 ask corporation counsel what -- what it is -- if she has  
24 suggestions.

25 CHAIR BOLOSAN: Okay. I'd like to have more

1 opinions from the members. I do have three people raising  
2 their hands. We'll get into you. Okay?

3 Robert, go ahead.

4 COMMISSIONER ANDRION: Thank you, Mr. Chair. What  
5 I'm -- you know, we're talking about performance evaluations,  
6 and when there was an application, there was things that that  
7 individual had to qualify for, had to do, things that he had  
8 to go through before even being considered. So can we use  
9 that as a template to say, hey, you know what, these was what  
10 the requirements were, and focus on that instead of trying to  
11 look for something that we don't have? And if the other  
12 counties don't want to share it, or maybe they don't -- I  
13 mean, what other true standards that we could use with --  
14 except for the ones that's already there in front of the  
15 commissioners when the applicants came in?

16 CHAIR BOLOSAN: Okay. Thank you, Robert. Are you  
17 through, Robert?

18 COMMISSIONER ANDRION: I'm done. Thank you.

19 CHAIR BOLOSAN: Okay. Thank you, Robert.

20 I see still Sylvia and Sne. Go ahead, Sylvia.

21 COMMISSIONER HO: I just have a question on the --  
22 this one that I saw that Maria sent to us from Kauai. And I  
23 have the other one that says performance appraisal; where is  
24 this from? I just want to know where does this evaluation  
25 form come from?

1 CHAIR BOLOSAN: Maria, can you answer that question,  
2 please?

3 MS. KHANGSENGSING: The other one is from the Maui  
4 Fire and Public Safety Commission.

5 COMMISSIONER HO: Thank you.

6 CHAIR BOLOSAN: Okay. Did that satisfy your  
7 question, Sylvia?

8 COMMISSIONER HO: Yes. Thank you.

9 CHAIR BOLOSAN: Thank you, Sylvia.  
10 Go ahead, Sne.

11 COMMISSIONER PATEL: Yeah. First, I'd like to thank  
12 Maria for reaching out, you know. I know that's not an easy  
13 task, especially when people aren't responding. And thank you  
14 for the ones you did provide us. You know, the truth of it  
15 may be that these commissions and committees don't have proper  
16 evaluation forms and what they do forward us may not be useful  
17 for us because they're not set up to have something. So, you  
18 know, for us to wait around to get every little piece of  
19 information I don't think is gonna do us perhaps the service  
20 that we're trying to intend. I think, you know, our goal here  
21 is to create something that works for us in Maui County, and I  
22 think, Robert, you know, I think your suggestion is good, and  
23 there's already a criteria that needs to be met for this  
24 position, we should look at that. We also have suggestions  
25 from an audit that was done, right, that gave us

1 recommendations, and this is what, you know, should be  
2 evaluated on. And I think we have the capacity within  
3 ourselves to create this; it's just gonna take the time and  
4 energy. So I agree with hui together, come up with something  
5 that Maria can then, you know, template out, and then work  
6 from there. I think we're just gonna keep going around in  
7 circles if we keep waiting for every, you know, county  
8 commission or, you know, places to send us stuff. I think we  
9 have the capacity to do it, and there is already some examples  
10 put out there, and we have professional recommendations in  
11 front of us as well; just need to put it together, yeah.

12 CHAIR BOLOSAN: Thank you for that opinion, Sne.

13 COMMISSIONER RUIDAS: (Gesturing.)

14 CHAIR BOLOSAN: Okay. Go ahead, Stan.

15 COMMISSIONER RUIDAS: So I was wondering if this  
16 special meeting was gonna be in executive session or not? And  
17 then another thing is, you know, I agree with everyone, you  
18 know, we can go back to what we asked in the interviews. The  
19 TIG was very intense, the questions on the interviews was very  
20 intense, and that would be like the baseline of what -- the  
21 criteria we should be looking for. So I think that that  
22 should be a good start. And, you know, between the nine of  
23 us, I think we're pretty smart to come up with something very,  
24 very good.

25 CHAIR BOLOSAN: Yeah. Thank you, Stan.

1           Because we have three more, might as well ask Bruce,  
2 Aaron, and Jerrybeth to come up with their take on this item.  
3 Go ahead, Bruce.

4           COMMISSIONER U'U: You know, I agree with everybody,  
5 even Jamie, I mean, if we get more coming in and -- that can  
6 work for us too. I mean, maybe, maybe some of the people who  
7 didn't reach out to Maria will. I think -- I think we have  
8 two examples. I think if we have more, even better, we can  
9 make a blend. I did read our commission responsibilities in  
10 the audit that was done a while back, and that could be my  
11 focus on, I guess, coming up with our kuleana and what's  
12 needed to be done as commissioners to come up -- to do our  
13 job. At least the posted jobs including the mayor, including  
14 the council, and I'm just gonna look into our kuleana, which  
15 is the commission. So I'm not disagreeing with anybody, I'm  
16 just agreeing that, yeah, we can make a holistic approach and  
17 garner whatever we can amongst the -- we included amongst with  
18 corp. Counsel and everybody else, I think we can come up with  
19 something that would be -- I think will set the template,  
20 actually, hopefully. That's my two cents. Aloha.

21           CHAIR BOLOSAN: All right. Thank you, Bruce.

22           Aaron, I have to put you on the spot, brother. Can  
23 you -- what is your take on this one? Go ahead, Aaron.

24           COMMISSIONER BOSWELL: Oh, I kind of agree with  
25 everybody as far as that we're able to -- to complete this

1 performance evaluation, and I like everybody's ideas. I know  
2 at my job now, we have a template that we use, and it's fairly  
3 straightforward and simple. The only thing that I struggle  
4 with is, you know, we get a very small glimpse of Layne's  
5 performance in these one- or two-hour meetings --

6 CHAIR BOLOSAN: Yeah.

7 COMMISSIONER BOSWELL: -- once a month. Me  
8 personally, I would like to see input from the customers as  
9 well as subordinates that work under Layne, whether that's  
10 through -- if people are able to submit testimony on his  
11 behalf or -- you know, we hear compliments in some of these  
12 meetings, but if we could take those compliments and put  
13 them -- or recommendations, we hear recommendations as well,  
14 if we could incorporate that into his performance evaluation,  
15 I think that would be the most accurate as opposed to just  
16 nine random people who see Layne one hour every month trying  
17 to evaluate his job performance. I don't know. I just kind  
18 of struggle with it. I guess maybe it's -- might be because  
19 I'm on a completely different island.

20 CHAIR BOLOSAN: Okay. Are you through, Aaron?  
21 Aaron, are you through?

22 COMMISSIONER BOSWELL: Yes.

23 CHAIR BOLOSAN: Thank you very much. You're right,  
24 you know, the direct contact for all the commissioners with  
25 the director is, you know, minimal, but I believe we can, you

1 know, do other ways how we could do this. Okay?

2 I still have you, sister Jerrybeth. What is your  
3 take on this one?

4 COMMISSIONER DE MELLO: Okay. I commend Jamie,  
5 Bruce, for putting in all the hours when they had done the  
6 interview and try to line by line the requirements for the  
7 director. With that, the department had a big turnaround,  
8 and, you know, Layne has done a good job. Now, for the  
9 evaluation, Maria had put out to all the counties, and only  
10 one county had submitted, that shows us the lack of  
11 enthusiastic -- enthusiasm from the other islands. But, you  
12 know, we can -- we can design a -- with everything that we  
13 have in front of us, do an evaluation for us, for Maui County.  
14 Every island is different in the operation, yeah. We've got  
15 Jamie, Bruce, all of us together. That's my take.

16 CHAIR BOLOSAN: Okay. Any more additional opinion?

17 VICE CHAIR BECRAFT: (Gesturing.)

18 CHAIR BOLOSAN: Go ahead, Jamie.

19 COMMISSIONER DE MELLO: Jamie.

20 COMMISSIONER U'U: Jamie.

21 VICE CHAIR BECRAFT: Thank you. Thank you,  
22 Jerrybeth.

23 I just want to clarify why I'm asking it, and this  
24 is gonna be just as honest as -- brutal as I can. I want to  
25 cheat. I don't really know the form. I mean, I've been

1 evaluated my whole career, but I don't remember the evaluation  
2 and how it was set up. I'd even want to see the police  
3 department or -- I want to cheat, that's why I'm asking for  
4 the other ones, you know. I want to -- I'm not saying I'm  
5 gonna take, you know, whatever Kauai or whoever source,  
6 whatever. I might read their thing and go; that doesn't apply  
7 to us at all. But I'd like to see the setup and how they, you  
8 know -- I can say like the one that I remember in the police  
9 department's eval was public speaking, you know, and it said  
10 from 1 to 5 was your eval and so like 1, of course, is like  
11 that you cannot talk in front of anybody, you know, and 5, to  
12 get a 5 was that -- something like can speak to groups of a  
13 hundred or more with great ease, you know. So it kind of gave  
14 this whole outline, and so if you gave somebody a 5 in public  
15 speaking, you would have to give examples like, oh, yeah,  
16 they've given -- you know, you can't just say they can talk,  
17 you know, you'd have to give examples, yeah, like they did a  
18 presentation here, there, and everywhere and whatever of over  
19 a hundred people and they talked with no problem.

20 So that's why, guys. I'm not trying to say we're  
21 gonna use an outside agency's eval or anything; I just want to  
22 cheat. I want to get some more -- some more outline. So I  
23 respect what everybody's saying, and I get that, yeah, we have  
24 the collective intelligence to try to word things and stuff,  
25 but, yeah, I was just looking for an outline 'cause I like



1 cheat. Anyway, that's all I have to offer. Thanks.

2 CHAIR BOLOSAN: Jamie, you used the word  
3 intelligence; look at our screen.

4 VICE CHAIR BECRAFT: No, I agree we all have the  
5 intelligence, but I don't know if any of us have ever written  
6 an eval.

7 CHAIR BOLOSAN: Yeah, yeah.

8 VICE CHAIR BECRAFT: You know, that wording. I'm  
9 not saying we can't do it; I'm just thinking without --

10 CHAIR BOLOSAN: Okay.

11 VICE CHAIR BECRAFT: -- without an outline or  
12 structure that could be a very long meeting. Which I'm for.  
13 Hey, I'm good for it. You know, if that's what everybody  
14 wants to do, I'm a hundred percent.

15 CHAIR BOLOSAN: Yeah.

16 VICE CHAIR BECRAFT: I will support what everybody  
17 wants to do.

18 CHAIR BOLOSAN: Yeah. Thank you, Jamie. That's the  
19 reason why that I -- I'm suggesting that we should have a  
20 special meeting on this one.

21 Okay. Any more opinion?

22 COMMISSIONER PATEL: I believe there was Maria --  
23 sorry, Sylvia, but there was another eval that Maria did send  
24 us, right, last meeting?

25 CHAIR BOLOSAN: You're right, Sne.

1           COMMISSIONER PATEL: It was kind of like a template  
2 to work off of that was put together.

3           CHAIR BOLOSAN: Yes.

4           MS. KHANGSENGSING: That's correct. That was a  
5 draft for some -- for you guys to revise to your liking. That  
6 was just a draft to -- so you can work off of that.

7           COMMISSIONER PATEL: Right. So it's not like we're  
8 starting from scratch.

9           CHAIR BOLOSAN: Yes. Okay. Thank you, Sne.  
10 Sylvia, I seen you raise your hand.

11           COMMISSIONER HO: Thank you. Actually, what I would  
12 like to say is we got -- we have to start somewhere, right?  
13 So with whatever -- I think every commissioner here would have  
14 what they want to see about the director, what -- I mean, like  
15 in different categories. So if everyone will come to a  
16 meeting with, okay, say, for example, what are the things that  
17 we want to see, we want to evaluate. Just an example, his  
18 personality or his ability in communication, communication  
19 among his staff or with the public, right? So I think we just  
20 have to come up with a -- with something that you have in mind  
21 that you want to -- you want to see to evaluate this position.

22           So when I look at the Kauai and also Maria's draft,  
23 there are a lot of similarities. Say, for example, first  
24 thing we want to see is his leadership skills, right, his  
25 leader -- what is his ability to lead the department and his

1 professional abilities, you know? I mean, yeah, he can do the  
2 job, but nowadays, you know, we talk about -- I mean, for  
3 example, myself, we got evaluated every quarter and so become  
4 (inaudible) with the public a lot. And then we also -- I  
5 mean, also have to do annual reviews. I know I have to  
6 evaluate myself, and then my boss will evaluate my  
7 performance, and are we matching? So am I thinking I'm up  
8 here, but actually I'm down here, right, that kind of  
9 differences.

10 So I think the group has to come up with what you  
11 want to see in this evaluation, okay, his personality, his  
12 management skill, his public speaking skill, can he  
13 communicate well, right? So all of those things. And we come  
14 with a framework, an outline; then we can actually expand from  
15 there, right? And then, too, you know, say like what Jamie  
16 mentioned, okay, a 5 is top, and then maybe he's at the bottom  
17 at only 1, but he -- but I think it's always nice to ask him  
18 to give us his evaluation of himself. Okay? I think I do  
19 everything a hundred percent, but maybe, you know, there's  
20 something that he didn't see that he need to improve, right?

21 So I think that maybe we can -- I mean, I don't want  
22 to just keep talking like the last session and then this  
23 month. We still haven't gone to anywhere, so we have no  
24 progress, but -- we can ask him, but I think -- I'm not so  
25 sure can we actually all the commissioner come up with, okay,

1 so here are the things I want to see, and we send -- send it  
2 to even Maria or -- I don't know what the protocol, yeah. So  
3 give her our opinion; I want to see his management skill, his  
4 personality, his -- how he handles the public. I mean, does  
5 complaint come in? So does he take it seriously? Does he  
6 have a way to work to give the staff guidance to resolve the  
7 issue or any improvement on, you know, things like that? So  
8 maybe -- we've got to actually start somewhere and come up  
9 with ideas, get it all together, then we can come up with a  
10 final draft of the evaluation form. So hope that -- my  
11 message is delivered correctly to you guys. Thank you.

12 CHAIR BOLOSAN: Thank you, Sylvia.

13 Robert, I see you. Go ahead.

14 COMMISSIONER ANDRION: Yeah. Mr. Chair, I just want  
15 to clarify something. You know, we talk about evaluation,  
16 we're talking about an individual, okay, so having an  
17 evaluation system, what is this -- what is the exact use of  
18 this evaluation? Is it to discipline? Is it to -- to try to  
19 get somebody out of a job if they're not doing their job?  
20 What is it?

21 CHAIR BOLOSAN: Okay, Robert.

22 COMMISSIONER ANDRION: Can somebody tell me what the  
23 purpose of this evaluation -- if we did put it out there, is  
24 that gonna be something that would be hanging over someone,  
25 say, you have to perform, or this -- or we're gonna take you

1 out of this job? Is that -- is that the intent of this  
2 evaluation? Because I don't mind giving evaluation --  
3 evaluations, I've done it. I don't want to be evaluated  
4 because, like I said at the beginning, sometimes it could be  
5 biased. If I don't like you, guess what? I might not have  
6 seen you doing it, but I'm gonna put bad marks on there. So  
7 what is the purpose of having an evaluation? So that  
8 everybody's clear, okay, what is needed to be put on there?

9 CHAIR BOLOSAN: Okay.

10 VICE CHAIR BECRAFT: Mr. Chair, I think I can answer  
11 that.

12 CHAIR BOLOSAN: Okay. Jamie, I will give you a  
13 chance, but I don't have the answer for that, Robert. Okay.  
14 Jamie, go ahead.

15 VICE CHAIR BECRAFT: Robert, I think I can answer  
16 the first part of that. The first part is that we're required  
17 by county charter that we must do an evaluation, so that's  
18 what the biggest thing is. So I don't know -- I think the  
19 rest of it is -- I get your -- what you're saying is it could  
20 go bad, it could go worse, or whatever. But in the overall,  
21 too, that it is a fact that if we don't have the evaluations,  
22 also, that are good or bad, I mean if we got into a situation  
23 where somebody needed to be disciplined or terminated, you  
24 would need some type of system, an evaluation and/or  
25 corrective discipline documentation to support that. But I

1 don't think that that -- I don't believe that the evaluation  
2 system is based upon that we're gonna be getting -- you know,  
3 to get rid of him. I think our number one and primary is  
4 clearly we have to comply with the charter, and the charter is  
5 the law, and the law requires that we do this every year.

6 COMMISSIONER ANDRION: Okay. So if we were doing it  
7 every year, then what happened to the other evaluations from  
8 before? I think we dig that out and find it. But I'm pretty  
9 sure there are more evaluations prior than two years ago. So  
10 if we were supposed to do this thing every year, where's the  
11 rest?

12 VICE CHAIR BECRAFT: Correct. But that's something  
13 that I've asked. I've requested to see those, and those  
14 are -- apparently, weren't done or whatever. And we're just  
15 moving forward and trying to comply with what the charter  
16 says. And that was also something pointed out in that -- in  
17 that -- the -- what was that called? -- the audit that was  
18 conducted that we weren't doing our job. So this is -- this  
19 is just the law, so that's -- I think that's what the  
20 primary -- you know, what's -- that's the what's what of why  
21 we're doing it.

22 COMMISSIONER PATEL: Chair, I think Mimi has  
23 something to say.

24 VICE CHAIR BECRAFT: Sorry, Mimi.

25 CORP COUNSEL DESJARDINS: No problem. When you're

1 ready to hear this, what I wanted to do was -- it's a really  
2 good question, Commissioner Andrion, what is the purpose of  
3 this? But the charter is very clear; it says you are to  
4 annually review and evaluate the performance of the director  
5 of the liquor control, and then you need to submit a report to  
6 the mayor and the council. So that is the end result of this  
7 evaluation is that a report would be generated based on the  
8 evaluation and then submitted to the mayor. And so that's  
9 another thing to think about when you're thinking about where  
10 you're gonna be getting all your information from. And, you  
11 know, this is a report that's become public, you know,  
12 probably posted on an agenda when you notify council. So lots  
13 of things to think about.

14 And then I wanted to address Commissioner Ruidas's  
15 question about executive session when you are ready to have  
16 that portion of this discussion, but just want to interject  
17 that. Thank you.

18 CHAIR BOLOSAN: Thank you, Mimi.

19 COMMISSIONER ANDRION: Just for -- Mr. Chair, just a  
20 follow-up question to --

21 CHAIR BOLOSAN: Go ahead, Robert.

22 COMMISSIONER ANDRION: So from the -- the standpoint  
23 of the commissioners and we're there to put a template out,  
24 say that, okay, this is how we want to evaluate the  
25 commissioner, what is the -- so what is the criterias, then,

1 that is given before us that we can put an evaluation?  
2 Because if it is the law, then I don't want to go outside of  
3 that to -- to basically put something in there that we can't  
4 evaluate. So do we have guidelines on what we can put in  
5 the -- the appraisal, the performance appraisals?

6 CORP COUNSEL DESJARDINS: Is that directed to me?

7 CHAIR BOLOSAN: Go ahead, Mimi.

8 COMMISSIONER ANDRION: Yes, yes.

9 CHAIR BOLOSAN: Mimi, I think you can answer that  
10 question.

11 CORP COUNSEL DESJARDINS: Okay. Thank you. So that  
12 is the process that you folks are discussing right now is how  
13 do you want to do the evaluation? There are no guidelines;  
14 it's just the charter -- that's what the charter says. Your  
15 rules don't give any further clarification, but I will double-  
16 check that for you. But my understanding is you folks come up  
17 with your evaluation. I'm here to tell you, okay, that might  
18 be a little bit out of, like, discrimination laws or -- but  
19 I'm -- you know, I'll try to help you keep within the bounds  
20 of what's realistic like we did when we came up with the  
21 questions for -- to ask the director, but, otherwise, it's up  
22 to you folks. So part of, I think, compiling all of these  
23 different evaluations is to see what's worked for other groups  
24 that have had to do a similar job to you folks.

25 CHAIR BOLOSAN: Okay. Thank you, Mimi.



1 I want to add on something of what Robert was  
2 talking about, you know, I've been in the liquor commission  
3 for four and a half years now, and he has a point, but we want  
4 to -- from here, we want to improve. For the four and a half  
5 years I've been in the commission, I've been involved in only  
6 one evaluation yet. So from here on, I think we want to start  
7 improving. It's not something that, you know, the commission  
8 has been doing all these years, you know. You understand what  
9 I'm saying? So we can start from here and improve because,  
10 like I said, repeat it again, four and a half years I've been  
11 in the commission, only one time I've been involved with one  
12 director's evaluation yet.

13 Any opinion?

14 VICE CHAIR BECRAFT: I think Aaron, Aaron's raising  
15 his hand.

16 CHAIR BOLOSAN: Okay. I don't see you, Aaron, but  
17 go ahead, braddah.

18 COMMISSIONER BOSWELL: So I actually do quite a bit  
19 of evaluations in my position, and I'm pretty sure that every  
20 single county employee in their position, they have position  
21 numbers as well as position job descriptions. And Layne can  
22 correct me, but I'm sure Layne must have to do performance  
23 eval's as well. All of our performance eval's are based on  
24 job descriptions, so what that does is it takes out the  
25 personal thing, yeah. I don't like this person, so I'm gonna

1 give him one bad eval. All of the eval's from 1 to 5 all have  
2 to be based off of job requirements and job descriptions. The  
3 county actually has a template; it's the one that I use every  
4 year. I'm pretty familiar with it. I thought that all  
5 departments had to use the exact same template. Am I wrong in  
6 this?

7 CHAIR BOLOSAN: Can I direct that question to you,  
8 Mimi?

9 CORP COUNSEL DESJARDINS: You know, I don't know the  
10 answer to that question whether we all use the same template.  
11 I know our department does an evaluation that starts with a  
12 self-evaluation, and then it moves into a discussion off of  
13 that. I know that, for example, the civil service commission  
14 has an evaluation for their director because they pick their  
15 director as well, and then internally, they must have some  
16 template. I can ask Dave Underwood whether there is a  
17 template. That's a really great point. I didn't -- you know,  
18 I don't know the answer to that. But if there is, that would  
19 be something that you might want to see what that looks like.

20 COMMISSIONER BOSWELL: Does Layne use one as the  
21 director to evaluate his subordinates?

22 DIRECTOR LAYNE N. SILVA: Yeah, Aaron, actually  
23 you're -- yeah, you're correct, there is -- there's a  
24 template, there is. And, again, I couldn't say if it's  
25 countywide, but I believe so because it's available on

1 Workday, which is our -- I guess our human resources right  
2 now. And, yeah, you're exactly right, the evaluation -- and I  
3 do believe that it is also based on position description,  
4 yeah, that outlines the job duties. Now, I believe also --  
5 and this -- I guess this kind of goes back to what Bobbie was  
6 mentioning earlier, is that I believe that that's what you  
7 guys use in the interview process was based on that position  
8 description, what would be the responsibilities and the  
9 requirements of the job, the position that you're obtaining.  
10 So, yeah, I think you're exactly right about that, yeah.

11 COMMISSIONER BOSWELL: And then -- and then to  
12 answer one of Bobbie's concerns, in my experience, the  
13 performance evaluations, although they can be used to  
14 terminate somebody, in general, they are a means of informing  
15 the employee where they stand in their job, you know. Okay,  
16 you meet this requirement, you meet this requirement, but  
17 you're lacking in this area, so if you could work on this for  
18 the next round. And it's used for promotions, which doesn't  
19 help Layne at all, but it's also used to give the community  
20 confidence in that we have -- if Layne was to get evaluated  
21 and he comes out with an excellent rating which the commission  
22 would grade him, then it would give the community the  
23 knowledge that they have a very capable person performing this  
24 job where, in general, they wouldn't have any other input.  
25 But because he's a public servant, we owe it to the public to

1 inform them that, yes, we have the best guy in the position at  
2 the time, or he's working on this, you know, whatever it is.  
3 But a lot of it has to do with informing the public on the  
4 performance of somebody who works for them. I don't know if  
5 that makes sense.

6 COMMISSIONER ANDRION: (Gesturing.)

7 CHAIR BOLOSAN: Okay. Aaron, are you through?

8 COMMISSIONER BOSWELL: (Gesturing.)

9 CHAIR BOLOSAN: Thank you, Aaron.

10 I see Robert raised his hand. Go ahead, Robert.

11 COMMISSIONER ANDRION: Before I go, does anybody  
12 else want to say something? I think this is my third time; I  
13 just don't want to --

14 Okay. And that's what I'm -- that's basically what  
15 I'm looking for is if there is a template that we could use  
16 instead of recreating the wheel. Use that, use the job  
17 descriptions that we -- that the person knows that he has to  
18 do, and let's -- let's work with what we have, and we can  
19 always add or delete as we go. But to wait and say, hey, you  
20 know what, let's wait for more, after all, the -- the  
21 evaluation system is what it is, you're evaluating someone so  
22 that you can keep that person on track. Okay? But I just  
23 want to be upfront that, okay, if we're gonna use this  
24 particular evaluation, okay, and that particular evaluation  
25 has already been used, and it's working, let's use that.

1 Let's use that system, and we might have to tweak it a little  
2 bit because it's a different type of -- of a performance level  
3 instead of Layne's one with his subordinates. We have to make  
4 sure that the work that he's doing is what we're evaluating on  
5 and nothing more. That's all I have. Thank you.

6 CHAIR BOLOSAN: Thank you, Robert.

7 Go ahead, Jamie.

8 VICE CHAIR BECRAFT: Yeah, and I just want to  
9 expound or give some background for what Robert just said.  
10 And I'm a hundred percent with you, Robert, and that's where  
11 we started on this when I started. We can't get -- we can't  
12 find that. We're -- we've been unable to locate a former  
13 evaluation either that has been completed and/or is on file  
14 that could be used to make a new one. So there's -- so from  
15 my understanding from my effort so far is zero, that we cannot  
16 find anything at all. So we're not trying to reinvent the  
17 wheel, but we're being forced to.

18 Then that goes in the support of what I was saying  
19 of, well, then, show me everyone else's, because I too don't  
20 want to reinvent the wheel. I want to take -- since we've  
21 gotta start over, let's take the best examples. But we are in  
22 a position where we have to start from scratch because we  
23 don't have anything to draw upon. And we have looked. I have  
24 contacted Layne; Layne's had his secretary check, and cannot  
25 find anything, so that's why we are where we are, just so you

1 have the background on that. Thank you.

2 CHAIR BOLOSAN: Thank you, Jamie.

3 Any more thoughts?

4 MS. KHANGSENGSING: Chair, this is Maria. I could  
5 add some. Jamie is correct; I looked through all the files  
6 and cabinets and stuff, I was unable to locate an old  
7 evaluation, a blank one, or even one that was completed;  
8 that's why this template is being presented to you guys to  
9 review.

10 I also wanted to add that I did contact Ipo Mossman,  
11 who is the board's and commission's liaison for the mayor's  
12 office, so he's in charge of all the boards and commissions  
13 for the County of Maui. I have contacted him to see if there  
14 was a standard director evaluation form that is being used for  
15 the County of Maui, and, unfortunately, they do not. Then the  
16 next step was to create this template for you guys to review.

17 CHAIR BOLOSAN: Okay. Any more from the commission?

18 DIRECTOR LAYNE N. SILVA: Leon, can I add something?  
19 This is Layne.

20 CHAIR BOLOSAN: Yes, Layne, go ahead.

21 DIRECTOR LAYNE N. SILVA: Okay. And just to kind of  
22 reiterate, a lot of the conversation that's already been  
23 taking place, and I just want to point out that Aaron is on  
24 the nose that it's accurate. There is a -- there is a  
25 performance evaluation form that is available that is used

1 countywide. Now, I don't -- it's not in reference to -- I  
2 don't believe it's in reference to the director's position, so  
3 that is something that you guys would probably have to work  
4 together to come up with the language or the questions or  
5 whatever the -- you know, the requirement that you're looking  
6 for to evaluate. You know, I believe using that as well as  
7 the job description and using that performance evaluation  
8 document to see the format that -- basically the way it's laid  
9 out, I think could be helpful in your guys' discussions going  
10 forward when you're looking at this performance evaluation  
11 process. Not to say that it's one size fits all, but I think  
12 somewhere -- it could be somewhere to start.

13           You know, we did make attempts, and there are no  
14 copies of former directors' evaluations. But that template is  
15 basically what it is; it's a template. I don't think it would  
16 be any problem getting ahold of one of those to provide for  
17 you guys. And I just wanted to throw that out there and give  
18 you guys something to think about.

19           CHAIR BOLOSAN: Okay. Thank you, Layne. Are you  
20 finished?

21           DIRECTOR LAYNE N. SILVA: (Nodding head.)

22           CHAIR BOLOSAN: Okay. I see you, Jamie. Go ahead.

23           VICE CHAIR BECRAFT: Mr. Chair, and that leads us  
24 to -- because of Sunshine Law, that leads us to if Layne can  
25 get that, you know, we're not allowed to -- or maybe he -- you

1 know, Corporation Counsel, let me just ask -- maybe I  
2 shouldn't do this, I should just ask corporation counsel this  
3 question. What would be -- hi, Mimi. Sorry. What would be  
4 the best process? If Layne were to get, let's say, that eval  
5 he's speaking of and then, let's say, I want to make a call  
6 and were able to get the police department's evaluation, and  
7 maybe Aaron could help us -- and, of course, making sure it's  
8 through his superiors. But I know it's public information,  
9 but we don't want to get anybody in trouble. You know, a  
10 blank -- not somebody's completed eval, but a blank eval.  
11 What would be the best process to get that to our  
12 commissioners to comply with Sunshine Law prior to our next  
13 meeting? Or do we need to have to be in -- do we have to wait  
14 for our next meeting and distribute it to make sure that we're  
15 still compliant, in compliance?

16 CORP COUNSEL DESJARDINS: You can distribute it six  
17 days in advance. When you post the agenda, you can post all  
18 of the documents that have been compiled. I would suggest you  
19 funnel them all to Maria and then anything that you folks can  
20 gather that you -- that she can then post all of that six days  
21 in advance as part of the board packet, and that way, the  
22 public gets access to it simultaneously with the  
23 commissioners.

24 VICE CHAIR BECRAFT: Okay.

25 CORP COUNSEL DESJARDINS: So you'll have six days



1 prior to look at it, evaluate it.

2 I'm sorry. Go ahead, Commissioner Boz.

3 COMMISSIONER BOSWELL: So the -- if I'm not  
4 mistaken, I believe that this is a countywide thing, if --  
5 which also includes like a packet and a manual on how to do  
6 performance eval's. Like I've had to take classes on how to  
7 do correct performance eval's, and it's a litigation matter.  
8 I would assume that there's no breaking Sunshine Laws. This  
9 is -- this is like a county document with a county policy;  
10 it's not something that's foreign, you know, everybody uses  
11 the exact same document and policy.

12 The only reason I know this is because we had a lady  
13 transfer into our department and -- she was like the county's  
14 HR person, and she transferred to the fire department, and she  
15 was the most knowledgeable person on this subject ever, and I  
16 had to work really close with her to evaluate a couple of  
17 people. But I don't -- you know, this is available to the  
18 public, it's everywhere, and I'm pretty sure they're all  
19 exactly the same. It doesn't differ from each department  
20 to -- public works to liquor commission; they're all the same.

21 CORP COUNSEL DESJARDINS: So if that -- if that  
22 document -- that's a really good point. If that document's  
23 available online and commissioners can look for it. If it's  
24 on Workday, you have to be a county employee and be able to  
25 log in and find it. My point is, though, once the commission

1 considers it, whether something is a public document or not,  
2 if you're gonna include it in your discussion, it needs to be  
3 agendized and posted before it can be disseminated to you  
4 folks as a part of your board business. But you're absolutely  
5 right, people can go out, and if they can dig up stuff and  
6 look at it and consider it ahead of time, that's fine. That  
7 has nothing to do with the board packet. That's all I'm  
8 talking about.

9 COMMISSIONER PATEL: Okay. We don't have to wait.

10 CORP COUNSEL DESJARDINS: Yeah, to try to find that  
11 information in the meantime. If there is a manual on  
12 evaluations -- whatever you folks want to consider, you know.  
13 If you want to take a big broad picture, then we'll get  
14 whatever we can together before the next meeting, so you have  
15 a lot to look at.

16 VICE CHAIR BECRAFT: Mimi, just so I'm clear -- and  
17 I'm with you, Aaron; I've had this discussion already with  
18 Mimi that I've always thought that public information, why  
19 can't we just share that amongst each other? But then, as  
20 I've been explained and learn more about the Sunshine, when we  
21 start communicating amongst each other, therein lies the  
22 problem. Even if it's -- doesn't matter what the -- as long  
23 as it has to do with our business, then I can't communicate  
24 with more -- you know, with three or more or whatever people  
25 ever, even if it's public information or whatever, if we're

1 talking about our business. So that's why I was wondering  
2 what that loophole was and, of course -- not loophole, but how  
3 not to violate. So, of course, there is what Mimi just said  
4 is, is if we -- and Sne said, you know, if we want to do our  
5 own research and go find it, yeah, that's public information,  
6 there's no violation, no foul, and you can use that in our  
7 next meeting and talk about, hey, I've come up with these  
8 ideas.

9 But I was like trying to -- for those who may not be  
10 as computer savvy, and I'm not one of them who's that computer  
11 savvy, if there was like some system where -- like I was sort  
12 of thinking this, like would it be okay if I had a copy of the  
13 MPD's evaluation, that if I send it to Layne, could Layne put  
14 a link up -- 'cause it's public information. If I found the  
15 public link and I sent it to Layne, so he put it up on the  
16 website, and we could all periodically check and go -- you  
17 know, just see if we can pull that up or -- I'm just trying to  
18 get everybody the information before next meeting. Otherwise,  
19 we're waiting a month, or we're into this next special  
20 meeting, and then we're gonna see these forms. 'Cause like I  
21 said and as Roberto -- you know, what Roberto was thinking, if  
22 we have one existing, we can just use it and maybe make it  
23 better or just use it. But, no, we don't have anything. So I  
24 personally am not -- not ready to make a brand-new one. I  
25 don't know that I'm able to make a comprehensive one.

1           And just further on Sylvia's one, I don't believe  
2 we're gonna be able to say, hey, we want to evaluate him on  
3 speech ability and then hand it over to -- to Maria and have  
4 Maria put in the language for that. We're gonna have to do it  
5 all. We're gonna have to put in the language, what qualifies  
6 as good, what qualifies as bad, what's medium, whatever. So I  
7 know there's a lot of work for us, so I don't know what --  
8 that was my point to you, Mimi, of that question of what --  
9 what can we do, or are we just stifled?

10           CHAIR BOLOSAN: Okay. Thank you, Jamie.

11           Sne, go ahead. You have the floor.

12           COMMISSIONER PATEL: Yeah. So where do we go from  
13 here, I guess is -- you know, we're discussing this, we could  
14 just move on. Let's get the one that you guys are talking  
15 about that the county uses. Mimi, if you can dig on your end,  
16 you said the civil service might have one. And then let's  
17 just move forward. Because we -- we're not starting from  
18 scratch, I think Maria has a good starting point with her  
19 evaluation. I mean, did you guys look at that? That was a  
20 good start, I thought.

21           CHAIR BOLOSAN: Yeah.

22           COMMISSIONER PATEL: I don't think we're starting  
23 from scratch, by all means. One other point I want to make  
24 is, guys, we haven't done one as a commission it looks like  
25 for a number of years, we're gonna this year do one, which is

1 a step moving forward. So let's put it together, let's move  
2 forward and do it. And like, you know, Robert says, we can --  
3 we can look at this again and say, hey, this worked or this  
4 didn't work for next year or next time, right? So it can be  
5 something that we can make work for us perfectly, but, you  
6 know, right now it's gonna be good and good is gonna be good  
7 enough, I think, you know, so -- 'cause it's better than  
8 nothing from the last three years.

9 CHAIR BOLOSAN: Okay.

10 VICE CHAIR BECRAFT: That makes -- that makes ours  
11 perfect. I'm with you, Sne. I understand what you're saying.  
12 You know, from zero, we have to have perfect no matter what  
13 our score would be.

14 CHAIR BOLOSAN: (Audio change) commissioners?

15 Well, if not, I guess we can move on. We have C and  
16 D.

17 VICE CHAIR BECRAFT: Mr. Chair, I think we are gonna  
18 try and make a special meeting date.

19 CHAIR BOLOSAN: Okay, yeah. Well, to me, I'm  
20 flexible. So I don't know how we're gonna try to come up with  
21 a perfect date for everybody, but any suggestion? I can meet  
22 almost any day, so --

23 COMMISSIONER PATEL: Tuesday/Wednesday/Fridays are  
24 best for me.

25 CHAIR BOLOSAN: Tuesday/Wednesday, okay, all right.

1 COMMISSIONER PATEL: In the mornings.

2 COMMISSIONER U'U: Tuesday/Wednesday is best for me.

3 CHAIR BOLOSAN: Okay. Maria, can you help us on  
4 this one?

5 VICE CHAIR BECRAFT: Before we fix a number, are  
6 we -- how much do you guys -- is two weeks good for everyone?  
7 Could we just throw a number out there like the 20th that's a  
8 Wednesday in two weeks? Is that enough time for everybody to  
9 put some effort into this and be ready to roll?

10 CHAIR BOLOSAN: Again, Jamie, sometimes there's some  
11 people that work for a certain company that cannot take off  
12 like.

13 Stan, I want to hear from you or Aaron.

14 COMMISSIONER RUIDAS: The 20th is good with me.

15 CHAIR BOLOSAN: Okay. Let's start with that.

16 Aaron?

17 CORP COUNSEL DESJARDINS: Can I throw something at  
18 you before you set the date? Because I've been listening to  
19 this conversation, and I guess the question would be what do  
20 you want to be ready to do at this special meeting and how  
21 long is it gonna take for you to be ready to do whatever it is  
22 that you're trying to do? You have, you know, frankly, a  
23 really good secretary who does a lot of work for you and can  
24 do templates and can do stuff.

25 CHAIR BOLOSAN: Yeah.

1           CORP COUNSEL DESJARDINS: So maybe what you want to  
2 do is by the special meeting, make sure that your secretary  
3 has the time to like firm up a template, for example, that you  
4 could just start -- like Sne said, start rolling on it,  
5 starting adding to that, so that you end that special meeting  
6 with something you're happy with.

7           I also heard people say that they'd like to get  
8 input from the community. Do you want to ask your secretary  
9 to come up with something that could be posted on the website,  
10 four or five questions just for the general community, and  
11 they can submit anonymously or not? What would that look like  
12 so you could start getting public input? Do you want to do an  
13 inside survey? Do you want an anonymous survey within the  
14 department, and do you want her to work on that third thing so  
15 you can disseminate that amongst the workers so that you can  
16 be getting input that you can't get because you don't have  
17 contact with your director every day? If you're looking to be  
18 that ready to roll, then maybe talk about that and give some  
19 direction to Maria about what you'd like to do before this  
20 meeting and how long that should take. Just a suggestion from  
21 listening to your great conversation from the outside.

22           CHAIR BOLOSAN: Okay. Thank you, Mimi. So out of  
23 what Mimi just said, I'd like to hear from all of you, you  
24 know, from -- okay. I see you, Sylvia.

25           COMMISSIONER HO: Yes. My question is, is it going

1 to be in the morning or in the afternoon? Just, let's say, if  
2 you decide to be on October the 20th, would it be in the  
3 afternoon, like three o'clock or something? I'm just asking  
4 so --

5 CHAIR BOLOSAN: Well, that's why we have to come up  
6 with a good date and a good time, yeah. I know everybody's  
7 pretty much busy, I believe, except me and Jamie. We're  
8 retired.

9 VICE CHAIR BECRAFT: Always available.

10 CHAIR BOLOSAN: Yes, I say that too. So go ahead,  
11 Jamie.

12 VICE CHAIR BECRAFT: Yeah, Mr. Chair, I just wanted  
13 to point out -- and, yes, Sylvia, we'll get to that,  
14 definitely. We haven't figured the date because we're trying  
15 to figure out how much work we've got to put up front.

16 CHAIR BOLOSAN: Yeah.

17 VICE CHAIR BECRAFT: And addressing what Mimi said,  
18 I understand what she is saying. It was my take that our next  
19 special meeting would be where we got together, and everybody  
20 said -- and maybe Bruce says, hey, I like -- you know, I like  
21 doing pre or, you know, whatever for that, and then we add  
22 that in too and okay. And Stan has his. Yeah, I've got one  
23 through seven categories that I would like to hear, and we all  
24 talk about it. And then we would finish, and then I thought  
25 at that point we could have Maria put it together. So I do --



1 my thought was that we might be able to get together in two  
2 weeks because that's more of a consolidation of ideas and then  
3 move forward and make it solid at that point.

4 So for me personally, I believe for me that it  
5 doesn't matter. Like Leon said, I'm available any day. So I  
6 was just throwing two weeks out to try to move this along.  
7 And it is on a Wednesday, from what I heard everybody saying,  
8 it sounded like everybody was saying -- whoever spoke up  
9 was -- Tuesday/Wednesday was good for them, so -- so like  
10 that. I would be good personally for a Wednesday morning  
11 session unless somebody wants to have it in the afternoon or  
12 whatever. But that was just -- that's my clarification on  
13 what I thought we'd be doing in two weeks.

14 CHAIR BOLOSAN: Okay. Go ahead, Bruce.

15 COMMISSIONER U'U: And the same thought process of  
16 what Jamie explained is my exact sentiments. It's creating  
17 exactly what Jamie said. I think we -- we create something  
18 that we're looking into, and then we come up with the ideas of  
19 what we're doing, and after that, we kind of pursue the  
20 avenues, you know, I guess to initiate it. But I guess the  
21 first part of this is -- hopefully, is the 20th. And, again,  
22 Jamie, exactly what you said, I think it's the perfect route  
23 to take at this time. And the 20th works for me too and nine  
24 o'clock works. I come in early, and we can do some work and  
25 then get into the meeting, so, you know, kind of stay on track

1 if possible. If not, I'm flexible also. But  
2 Tuesday/Wednesdays work best for me also. Thank you.

3 CHAIR BOLOSAN: Thank you, Bruce.

4 COMMISSIONER RUIDAS: (Gesturing.)

5 CHAIR BOLOSAN: Okay. Go ahead, Stan.

6 COMMISSIONER RUIDAS: Yeah, morning, I think morning  
7 is good. Nine o'clock, I think we have all the key players,  
8 especially the county workers working.

9 CHAIR BOLOSAN: Yeah.

10 COMMISSIONER RUIDAS: What I'd like to see is the --  
11 that's why I was asking executive session or special -- you  
12 know, regular meeting. The questions, Jamie, from the  
13 interview that we did for Layne and all the other applicants  
14 at that time and I think that would be a good baseline because  
15 that was the process, the hiring process was based on the  
16 questions, so that's what I would want to see on -- as a -- as  
17 a tool.

18 VICE CHAIR BECRAFT: Mr. Chair, I can look for that.  
19 I'm not sure -- I hope I kept that on my computer. But if I  
20 did do that, Stan, just so you know, even though -- again,  
21 whatever's code, but because of Sunshine Law, I wouldn't be  
22 able to send that to everybody. It would have to be posted  
23 six days before, minimum before our public meeting for the --  
24 for the community to review. So we wouldn't be able to see  
25 those questions until the meeting because that wasn't

1 agendized for today. So I wouldn't, even if I had them, be  
2 able to show them because of the Sunshine Law.

3 COMMISSIONER RUIDAS: So when we get to -- like I  
4 say, if we go in executive session, then someone like Maria  
5 can read off the questions, and then we can look at it that  
6 way.

7 VICE CHAIR BECRAFT: And we can have verification  
8 from Mimi on this, but I'm a hundred percent that that's not  
9 able to go into executive, that doesn't qualify.

10 CORP COUNSEL DESJARDINS: I think everybody received  
11 the questions that we asked or that you asked, I'm sorry,  
12 during that -- during the interviews. Is that what you're  
13 asking for, is a copy of that?

14 VICE CHAIR BECRAFT: He's asking for that, yes. And  
15 then he's also asking that in our next meeting, that we would  
16 go in executive session to talk about this. So it's my  
17 understanding we wouldn't be able to do this in executive.

18 CORP COUNSEL DESJARDINS: Yeah, so we -- so I want  
19 to -- I just want to briefly talk about the executive session  
20 issue. I don't know if you folks followed the police  
21 commission interview process recently, but that was not done  
22 in executive session, and we are of the opinion that unless  
23 questions of a very personal nature are going to be asked,  
24 evaluations, interviews, etc., will be done in open session.  
25 And then, for example, if there is a question that raises a

1 particular personal matter, the applicant can ask if it would  
2 be okay to go into executive session, but you folks have the  
3 final call by two-thirds vote whether to go into executive  
4 session on that or not. So a little bit different than the  
5 way we did, but we feel strongly that that would be the more  
6 legally appropriate way to conduct evaluations and interviews.  
7 So unless it's gonna get very personal, it's gonna be done in  
8 open.

9 VICE CHAIR BECRAFT: And just as further  
10 clarification, that that's moving it forward to an actual  
11 interview process, but the development of questions, that --  
12 if we wanted to say a personal question, that's gonna be done  
13 in public. We wouldn't be able to go into executive session  
14 to device a question. All of what we're gonna be doing in two  
15 weeks must be in public. Am I correct?

16 CORP COUNSEL DESJARDINS: That's correct. Unless  
17 there's -- unless you need legal advice, which you can do in  
18 executive session, from your lawyer or unless there's  
19 something that's going to raise personal information, but  
20 yeah.

21 CHAIR BOLOSAN: Okay. Thank you, Mimi.  
22 Stan, go ahead.

23 COMMISSIONER RUIDAS: Mimi, I was just thinking  
24 because the interview was done in executive session that we  
25 could use those questions because it wasn't released to the

1 public --

2 CORP COUNSEL DESJARDINS: Right.

3 COMMISSIONER RUIDAS: -- what the interview  
4 questions were. And it's not to evaluate the person during  
5 the executive session; it's just formalizing the questions to  
6 do the evaluation.

7 CORP COUNSEL DESJARDINS: Right. So, again, the way  
8 that our office is interpreting the executive session  
9 exception to open meetings for that purpose, there would have  
10 to be information of a personal nature that's going to be  
11 discussed before you could go into executive. So the idea is  
12 to have the entire formation of the evaluation process as well  
13 as the evaluation process itself done as much in open as  
14 possible, barring those limitations, legal request, you know,  
15 legal advice, or personal -- information of a personal nature.

16 VICE CHAIR BECRAFT: Hey, Stan. In short, if we  
17 were to do it all over again starting today, the interviews  
18 would have been done publicly.

19 CORP COUNSEL DESJARDINS: That's correct.

20 VICE CHAIR BECRAFT: That's what they just did with  
21 the police department.

22 COMMISSIONER RUIDAS: I just -- I just seen that,  
23 and I seen that new chief.

24 VICE CHAIR BECRAFT: Yeah.

25 CORP COUNSEL DESJARDINS: Yeah.

1           COMMISSIONER RUIDAS: Thank you. I got it. I got  
2 it.

3           VICE CHAIR BECRAFT: There's been a change. Yeah,  
4 there's been a change.

5           CORP COUNSEL DESJARDINS: And also, just -- that's a  
6 good point, too, to raise. Remember, this -- your evaluation  
7 is going to result in a report that's gonna be transmitted to  
8 the mayor's office, and it's gonna be transmitted to the  
9 county council, so it's gonna be open. It's an open book,  
10 your evaluation.

11          VICE CHAIR BECRAFT: Yeah, just all the new changes  
12 is what it is.

13          CORP COUNSEL DESJARDINS: Yeah, but, you know, just  
14 doing things better, that's what we're trying to do. So thank  
15 you.

16          COMMISSIONER RUIDAS: Okay. Jamie, can you look for  
17 those questions and then have it written down?

18          VICE CHAIR BECRAFT: Yeah. I'll try to get the --  
19 if I can find the questions, without a doubt, then I'll  
20 forward it to Maria, and then Maria will post it six days,  
21 minimum six days prior. If I can find the questions, without  
22 a doubt, I'll get it to her right away. I'll look for it  
23 today if I still have it.

24          COMMISSIONER RUIDAS: Right on. Right on. Thank  
25 you.

1 VICE CHAIR BECRAFT: Yeah. Gotcha, Stan.

2 CHAIR BOLOSAN: Thank you, Stan and Jamie. Yeah.  
3 Thank you, Mimi.

4 Any more discussion?

5 COMMISSIONER DE MELLO: Leon, so in the meantime, we  
6 are looking at trying to lock in a date?

7 CHAIR BOLOSAN: Yes. Okay. Three people already  
8 have said they can do it on the 20th, I believe, Jamie, Bruce,  
9 and Stan. Yes.

10 COMMISSIONER DE MELLO: I'm okay for the 20th in the  
11 morning, yeah.

12 CHAIR BOLOSAN: Oh, so you're okay. Okay. So we've  
13 got four people now. I see Sne raised your hand.

14 COMMISSIONER PATEL: Yeah, I'm okay.

15 CHAIR BOLOSAN: Okay. So we've got five people now,  
16 Sne.

17 COMMISSIONER BOSWELL: (Thumbs up.)

18 CHAIR BOLOSAN: Okay. Aaron said (thumbs up).

19 COMMISSIONER ANDRION: (Thumbs up.)

20 CHAIR BOLOSAN: Okay. Robert said okay.  
21 Sylvia, you're the last person.

22 COMMISSIONER HO: (Thumbs up.)

23 CHAIR BOLOSAN: Are you okay with that?

24 COMMISSIONER HO: That's okay.

25 CHAIR BOLOSAN: Okay. So we -- okay. We at the

1 same page right now on the 20th. Nine o'clock is okay for you  
2 guys?

3 COMMISSIONER DE MELLO: Yes.

4 CHAIR BOLOSAN: Okay. So our next special meeting  
5 will be on the 20th, 2021, seems like everybody agrees to that  
6 date.

7 So, Mimi, do we have to vote on this? It's not on  
8 the agenda, but if we can all agree and say let's meet on the  
9 20th --

10 CORP COUNSEL DESJARDINS: That's fine.

11 CHAIR BOLOSAN: Fine?

12 CORP COUNSEL DESJARDINS: Yeah, that's fine. Just  
13 remember that if there are things that you would like Maria to  
14 post, she needs them six days prior to the meeting, but I'm  
15 sure she's gonna want more time to get that ready. So I would  
16 say, what do you think, Maria, ten days prior, like by the  
17 13th? That doesn't give you folks a lot of time. But what do  
18 you think, Maria, do you need less time, more time?

19 MS. KHANGSENGSING: Since the meeting is gonna be on  
20 the 20th, I would say the -- Monday the 11th or the latest --  
21 Tuesday the 12th would be the latest, 'cause the agenda needs  
22 to be posted six days from now. It needs to be posted on  
23 Thursday the 14th, so if I could get it maybe on Monday the  
24 11th or Tuesday the 12th, that would be perfect.

25 VICE CHAIR BECRAFT: And, Maria, can we just do some



1 follow-up calls too, please, just to see if the second call --  
2 or what maybe it's the third, I'm not sure, or whatever. Just  
3 to see, we can get some of the ones. Like I said, it's not  
4 that we're gonna follow, but no hurt to have other ones to  
5 look and read and if they have -- if they have them.

6 MS. KHANGSENGSING: Sure, I can make -- I can make  
7 additional calls.

8 VICE CHAIR BECRAFT: Thank you, Maria. I appreciate  
9 it.

10 CHAIR BOLOSAN: Thank you, Maria.

11 Any more?

12 (No response.)

13 CHAIR BOLOSAN: Okay. So I guess our next meeting  
14 will be -- not guess, but our next meeting, special meeting  
15 will be on the 20th, 2021, yeah.

16 All right. Now, Layne, are you there? Layne?

17 DIRECTOR LAYNE N. SILVA: Yes, I am. I'm here.

18 CHAIR BOLOSAN: Okay. Now, I guess we are  
19 temporarily finished with some of the discussion; you want  
20 to -- did you cover C and D already?

21 DIRECTOR LAYNE N. SILVA: Yeah, I -- B and C. Yes,  
22 we already went through B and C.

23 CHAIR BOLOSAN: Yes.

24 DIRECTOR LAYNE N. SILVA: Now, I also see on the  
25 agenda listed under Unfinished Business, I see Item No. 2.

1 CHAIR BOLOSAN: Correct.

2 DIRECTOR LAYNE N. SILVA: That refers to submittal  
3 of a written report of the short- and long-term goals and  
4 objectives. Now, I see on the agenda where it's asking for a  
5 November 10th date, but is that gonna be amended, or are we  
6 looking at -- for that to be prepared by the October 20th  
7 meeting or what? I don't think we discussed that part of it.

8 CHAIR BOLOSAN: Okay. The question would be: Do  
9 you have enough time to comply?

10 DIRECTOR LAYNE N. SILVA: Yeah, yeah, I got --

11 CHAIR BOLOSAN: If -- you know, if the commission  
12 decided to ask you as it is on the agenda, do you have enough  
13 time, yeah, Layne?

14 DIRECTOR LAYNE N. SILVA: Yes, I'd be able to  
15 complete that in time, yeah.

16 CHAIR BOLOSAN: Okay, all right. Any thought on  
17 this from the commissioners?

18 COMMISSIONER PATEL: That would be great. Thank  
19 you, Layne.

20 DIRECTOR LAYNE N. SILVA: You're welcome. Sure.

21 CHAIR BOLOSAN: Okay. Any more?

22 (No response.)

23 CHAIR BOLOSAN: Okay. I guess if that satisfies our  
24 requesting the director, is there any more further questions  
25 or comment by -- comments by the commission before I have a

1 motion to adjourn?

2 (No response.)

3 CHAIR BOLOSAN: If not --

4 MS. KHANGSENGSING: Chair, this is Maria.

5 CHAIR BOLOSAN: Yes. Go ahead, Maria.

6 MS. KHANGSENGSING: Okay. Can somebody clarify what  
7 will be discussed in the special meeting just so I know what  
8 to put on the agenda?

9 CHAIR BOLOSAN: Okay. Now the input would come  
10 from -- let's start off from Jamie down the road so that we  
11 cover everything.

12 VICE CHAIR BECRAFT: So we're looking at pretty much  
13 redoing 4 on our agenda now -- I mean 9 under A, which is:  
14 The continued discussion of the draft performance evaluation  
15 for the director of the department of liquor. You know, I  
16 think that just copying that would probably suffice, you know.  
17 Comments/suggestions will be considered. Just I think that  
18 covers everything that -- just kind of reprint that one.

19 CHAIR BOLOSAN: Okay. Thank you, Jamie.

20 You want to add anything that should be on the  
21 agenda, Robert?

22 COMMISSIONER ANDRION: No, Mr. Chair. I think it  
23 was well said because basically, our special meeting is the  
24 performance evaluation template or outline.

25 CHAIR BOLOSAN: Okay, all right. Thank you. So

1 then we should just get into having that -- having that  
2 special meeting. Is there any more additional from the  
3 commission, from what Robert and Jamie just said?

4 (No response.)

5 CHAIR BOLOSAN: Okay. If not, then I'm gonna call  
6 on the commission to adjourn. May I have a motion to adjourn?

7 COMMISSIONER DE MELLO: I make a motion to adjourn  
8 this meeting.

9 CHAIR BOLOSAN: Okay, Jerrybeth.

10 Second?

11 COMMISSIONER HO: Second.

12 CHAIR BOLOSAN: Okay, Sylvia. Thank you.

13 Okay. All in favor, say aye.

14 (Response.)

15 CHAIR BOLOSAN: Okay. Meeting adjourned. Thank you  
16 all.

17 (The proceedings were adjourned at 11:05 a.m.)

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