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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  
9:03 a.m., on December 8, 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  
SNEHAL PATEL  
BRUCE U'U

STAFF PRESENT:

DEPUTY CORPORATION COUNSEL: JENNIFER OANA  
DIRECTOR: LAYNE N. SILVA  
DEPUTY DIRECTOR: JARRETT KAHOOHANO  
LIQUOR CONTROL OFFICER: GENE SILVA  
COMMISSION SECRETARY: MARIA KHANGSENGSING  
PRIVATE SECRETARY: LIANNE SUZUKI

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(December 8, 2021, 9:03 a.m.)

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CHAIR BOLOSAN: Good morning, everyone. Liquor of the -- meeting of the liquor control commission. It's Wednesday; it's 9:03. I am Leon Bolosan, the chair of the commission, and I call this meeting to order.

We're gonna move on roll call. I'm gonna do a roll call. Commissioners, please also indicate who, if anyone, is present with you at your location. I'm doing a roll call vote.

Vice Chair Becraft.

VICE CHAIR BECRAFT: I am present, and I am alone.

CHAIR BOLOSAN: Okay. Commissioner Andrion.

COMMISSIONER ANDRION: Mr. Chair, I'm present, and I am by myself.

CHAIR BOLOSAN: Commissioner De Mello.

COMMISSIONER DE MELLO: Chair, I am alone. Jerrybeth De Mello.

CHAIR BOLOSAN: Thank you.

Commissioner U'u.

COMMISSIONER U'U: I am here, and I'm alone.

CHAIR BOLOSAN: Commissioner Boswell.

COMMISSIONER BOSWELL: Present and alone.

CHAIR BOLOSAN: Commissioner Ruidas. Commissioner Ruidas?

1 MS. KHANGSENGSING: He is excused today. He will  
2 not be attending the meeting.

3 CHAIR BOLOSAN: Oh, thank you, Maria.  
4 Commissioner Ho.

5 COMMISSIONER HO: Good morning. I'm here. I'm with  
6 my two doggies, Roscoe and (inaudible).

7 CHAIR BOLOSAN: Thank you.  
8 Commissioner Patel.

9 COMMISSIONER PATEL: I am here and alone.

10 CHAIR BOLOSAN: And the chair is present as well.  
11 Deputy Corp. Counsel Oana.

12 CORP COUNSEL OANA: Present, Chair. Good morning.

13 CHAIR BOLOSAN: Good morning.  
14 Director Layne Silva.

15 DIRECTOR LAYNE N. SILVA: Present. Good morning,  
16 everyone.

17 COMMISSIONER DE MELLO: Good morning.

18 CHAIR BOLOSAN: Thank you.  
19 Deputy Director Jarrett Kahooohanohano.

20 DEPUTY DIRECTOR KAHOOOHANO: Present. Good  
21 morning, everybody.

22 COMMISSIONER DE MELLO: Good morning.

23 COMMISSIONER ANDRION: Good morning.

24 CHAIR BOLOSAN: Okay. Maria Khangsengsing.

25 MS. KHANGSENGSING: I'm present.

1 CHAIR BOLOSAN: Lianne Suzuki.

2 MS. SUZUKI: Present.

3 CHAIR BOLOSAN: Marc Weisenfeld. Marc? I guess  
4 he's not here.

5 Is there anyone I missed?

6 LCO GENE SILVA: I'm gonna be sitting in for Marc  
7 this morning.

8 CHAIR BOLOSAN: Oh, okay. Gene Silva.

9 LCO GENE SILVA: Present and alone.

10 CHAIR BOLOSAN: Thank you. Okay.

11 Okay. Moving on to our agenda. For today's agenda,  
12 December 8, 2021, I'd like to entertain a motion to approve.

13 COMMISSIONER DE MELLO: Chair, I make a motion to  
14 approve the agenda for December 8th, 2021. De Mello.

15 CHAIR BOLOSAN: Second?

16 COMMISSIONER ANDRION: Chair, I make the second.  
17 Bobbie Andrion, Roberto Andrion.

18 CHAIR BOLOSAN: Thank you, Bobbie. Moved by  
19 Commissioner De Mello and second by Commissioner Andrion.

20 Okay. Hang on, please.

21 Now I will call for the vote. I am going to do a  
22 roll call vote. Those who are in favor of the motion say aye,  
23 and those opposed, say nay.

24 Vice Chair Becraft.

25 VICE CHAIR BECRAFT: Aye.

1 CHAIR BOLOSAN: Commissioner Andrion.

2 COMMISSIONER ANDRION: Aye.

3 CHAIR BOLOSAN: Commissioner De Mello.

4 COMMISSIONER DE MELLO: Aye.

5 CHAIR BOLOSAN: Commissioner U'u.

6 COMMISSIONER U'U: Aye.

7 CHAIR BOLOSAN: Commissioner Boswell.

8 COMMISSIONER BOSWELL: Aye.

9 CHAIR BOLOSAN: Commissioner Ho.

10 COMMISSIONER HO: Aye.

11 CHAIR BOLOSAN: Commissioner Patel.

12 COMMISSIONER PATEL: Aye.

13 CHAIR BOLOSAN: And the chair votes eye.

14 The vote is unanimous, and the motion passes.

15 We have public testimony, moving on public

16 testimony. With regards to written testimony, the

17 commissioners were all given the written testimony submitted

18 for this meeting. For oral testimony, each testifier will be

19 limited to two minutes on each agenda, with one minute to

20 conclude at the discretion of the chair if necessary. Okay.

21 Public testimony: Members of the public have opportunity to

22 submit oral or written testimony on any agenda item. Written

23 testimony will be -- were distributed to the commissioners

24 prior to the meeting.

25 I would like Maria to give me a hand for letting me

1 know who are the testifiers. Is there any testifiers, Maria?

2 MS. KHANGSENGSING: No, nobody signed up in the  
3 chat.

4 CHAIR BOLOSAN: Okay. Thank you.

5 Anybody on the phone or written testimony on this  
6 item? Maria? No, yeah?

7 MS. KHANGSENGSING: I didn't see anybody.

8 CHAIR BOLOSAN: Okay. Because, you know, with no  
9 objection, I will close public testimony.

10 And moving on to minutes, approval of the minutes  
11 from previous meetings, November 10, 2021. I would like to  
12 entertain a motion for this item.

13 COMMISSIONER ANDRION: Mr. Chair, this is Roberto  
14 Andrion. Just a question before we call for a motion, please.

15 CHAIR BOLOSAN: Yes.

16 COMMISSIONER ANDRION: The -- I guess the minutes  
17 that I got, is this a -- is this a different format? Is this  
18 a format that we're gonna be receiving from now on?

19 CHAIR BOLOSAN: Maybe Deputy Corp. Counsel Oana,  
20 maybe you can help me with this. Jennifer?

21 CORP COUNSEL OANA: I didn't change any minutes  
22 procedure.

23 CHAIR BOLOSAN: Okay, all right. I'm sorry, I have  
24 two footnotes that I'm following, the regular minutes and, of  
25 course, if you recall, I was handed by -- this format by you,

1 so I'm just trying to kind of go on and compare these two, two  
2 notes that I have. So I believe the minutes that I will be  
3 following will be just the regular meeting, am I right, Jenny?

4 CORP COUNSEL OANA: So the minutes you guys are  
5 approving are the minutes of the November 10th meeting.

6 CHAIR BOLOSAN: Yes.

7 CORP COUNSEL OANA: And so, I'm sorry, I'm not  
8 really familiar with how you guys have been doing the minutes;  
9 I believe it's just transcripts --

10 CHAIR BOLOSAN: Okay.

11 CORP COUNSEL OANA: -- that you are calling as the  
12 minutes, right?

13 CHAIR BOLOSAN: Okay. So, all right. Then would it  
14 be okay if some of this will be just decided by -- by me as  
15 long as not -- I'm not going too far away with --

16 COMMISSIONER ANDRION: I'm sorry, Mr. Chair. I just  
17 wanted a clarification. I wasn't questioning the content of  
18 the minutes.

19 CHAIR BOLOSAN: Okay.

20 COMMISSIONER ANDRION: All I was saying is the  
21 format of it because what I have before me is -- it seems like  
22 four -- on one page there's four separate pages with --

23 CHAIR BOLOSAN: Yes.

24 COMMISSIONER ANDRION: -- with all the minutes on  
25 there, and I was used to receiving ones where --



1 CHAIR BOLOSAN: Yes.

2 COMMISSIONER ANDRION: -- where you would have a  
3 full page.

4 CHAIR BOLOSAN: Okay.

5 COMMISSIONER ANDRION: So --

6 CHAIR BOLOSAN: All right, okay. I think the notes  
7 that Counsel Oana gave me would probably just help me to  
8 enhance my -- my meeting. Am I right, Corp. Counsel?

9 CORP COUNSEL OANA: Well, I'm sorry, I'm very  
10 confused at the -- what's going on right now, so --

11 CHAIR BOLOSAN: Okay, all right. Just to refresh  
12 your mind, that is that I was handed, you know, some guideline  
13 to sort of help me and make my meeting looks better, I believe  
14 so.

15 DIRECTOR LAYNE N. SILVA: If you don't mind, maybe I  
16 can -- maybe I can help with this question.

17 CHAIR BOLOSAN: Go ahead.

18 DIRECTOR LAYNE N. SILVA: If it's okay with you,  
19 Chair.

20 CHAIR BOLOSAN: Go ahead, Layne.

21 DIRECTOR LAYNE N. SILVA: Bobbie, yes, you're  
22 correct, yeah, in the past we've always received -- the  
23 minutes were laid out in full-page is how you guys received  
24 them in the past. And I see exactly what you're saying; it  
25 seems like the pages have been broken down to where there's

1 four pages per page is how it's been distributed for this  
2 meeting. You're absolutely right, I've never seen it done  
3 this way, and I don't know -- Maria, do you know, is this the  
4 way it's gonna be going forward or how did this change take  
5 place? Can you answer?

6 MS. KHANGSENGSING: Yes. This is Maria. We were  
7 just trying to save paper. I ran it through Chair Bolosan to  
8 see if we could compress it into four pages in one, and he  
9 said it was fine. If you guys don't like that format, we can  
10 go back to the regular one-page. We were just trying to  
11 conserve paper.

12 COMMISSIONER ANDRION: Commissioner Andrion again.  
13 Thank you for the explanation; that's all I wanted to know.  
14 And if it's saving paper and that's -- for me, that's great,  
15 because I still can read it, that's the reason why I'm wearing  
16 glasses, so we're good. We're good. Thank you.

17 CHAIR BOLOSAN: Thank you, Commissioner.

18 COMMISSIONER DE MELLO: Leon.

19 CHAIR BOLOSAN: Yes.

20 COMMISSIONER DE MELLO: Do we have to vote for the  
21 changes on the minutes?

22 COMMISSIONER ANDRION: No.

23 CHAIR BOLOSAN: I don't think so. Yeah, that was  
24 the idea that we were trying to conserve some papers, you  
25 know. I don't know how many of us go back and actually read

1 the transcript after, you know, the meeting is done, but if  
2 there is any objection -- or maybe I would like to call on the  
3 corp. Counsel to give us a hand on this. Any solution?

4 CORP COUNSEL OANA: Thank you, Chair. So, you know,  
5 this court reporter company that you folks use, it's really  
6 easy for them to either do it on one sheet how you folks are  
7 used to or put it on a sheet with four pages on one. I've  
8 seen it given to me for other boards and commissions in both  
9 forms for the same meeting, the same meeting minutes. I think  
10 it's really easy for her to do it however you guys want it.  
11 You guys can just, you know, discuss it right now how you guys  
12 want it going forward, and Maria can let Sandra Gran know.  
13 It's not difficult at all. So it's up to you guys how you  
14 guys want it.

15 CHAIR BOLOSAN: Okay.

16 COMMISSIONER ANDRION: Mr. Chair.

17 CHAIR BOLOSAN: Yes.

18 COMMISSIONER ANDRION: Mr. Chair, this is Roberto.  
19 I didn't mean to -- to create such a problem. This is fine.  
20 I just wanted to know if this is normal. And basically, I can  
21 agree with -- with what is going on if we are here to save  
22 paper. I think it's readable; it shouldn't be a problem. So  
23 I think this is a moot conversation, and let's move on and  
24 let's just start saving the trees and putting more on a single  
25 sheet of paper. I do agree with what the department -- how

1 they're doing it. Unless there -- anybody objects to that.

2 CHAIR BOLOSAN: Okay. Thank you, Commissioner  
3 Andrion.

4 It seems we're here to address this issue. Is there  
5 any thoughts? Any objection or any -- yes, Commissioner  
6 Patel.

7 COMMISSIONER PATEL: No, I -- I think it's fine. I  
8 think we can just move on, Chair.

9 CHAIR BOLOSAN: Okay. Before I move on, any other  
10 objection, though?

11 (No response.)

12 CHAIR BOLOSAN: If not, then I believe we can move  
13 on to the next item. Okay. We were at -- I believe we were  
14 at approval of the minutes for November 10, 2021. I would  
15 like to entertain a motion for this --

16 COMMISSIONER ANDRION: Roberto Andrion. Motion to  
17 approve the last meeting minutes.

18 CHAIR BOLOSAN: Okay.

19 COMMISSIONER U'U: Bruce U'u. Second.

20 COMMISSIONER DE MELLO: Jerrybeth De Mello. Approve  
21 the second.

22 CHAIR BOLOSAN: Okay. Commissioner Andrion and I  
23 believe Commissioner U'u came before you, Commissioner De  
24 Mello. Motion to approve, I would like to call on for the  
25 vote again. All in favor of the motion, say aye and those

1       opposed, say nay.

2                   Vice Chair Becraft.

3                   VICE CHAIR BECRAFT:   Aye.

4                   CHAIR BOLOSAN:   Commissioner Andrion.

5                   COMMISSIONER ANDRION:   Aye.

6                   CHAIR BOLOSAN:   Commissioner De Mello.

7                   COMMISSIONER DE MELLO:   Aye.

8                   CHAIR BOLOSAN:   Commissioner Boswell.

9                   COMMISSIONER BOSWELL:   Aye.

10                  CHAIR BOLOSAN:   Commissioner Ho.

11                  COMMISSIONER HO:   Aye.

12                  CHAIR BOLOSAN:   Commissioner Patel.

13                  COMMISSIONER PATEL:   Aye.

14                  CHAIR BOLOSAN:   And the chair votes aye.

15                  Motion carried.

16                  Now we're going to move on to General Licensing  
17 Matters, Items A, B, and C.  May I have a motion for  
18 confirmation?

19                  VICE CHAIR BECRAFT:  Mr. Chair, Jamie Becraft.  I  
20 make a motion to approve General Licensing Matters A, B, and  
21 C.

22                  CHAIR BOLOSAN:  Vice Chair Becraft.  Anyone for  
23 second?

24                  COMMISSIONER U'U:  I'll second that.

25                  CHAIR BOLOSAN:  Okay.  Commissioner U'u, you've got

1 the second, and was moved by Vice Chair Becraft.

2 I'm gonna do a roll call vote again.

3 CORP COUNSEL OANA: Excuse me, Chair. May -- can  
4 you ask for any discussion before the vote?

5 CHAIR BOLOSAN: Oh, okay. Yes, I'm so sorry, Corp.  
6 Counsel.

7 Any discussion, Commissioners?

8 (No response.)

9 CHAIR BOLOSAN: If not, I will call for the vote.  
10 Vice Chair Becraft.

11 VICE CHAIR BECRAFT: Aye.

12 CHAIR BOLOSAN: Commissioner Andrion.

13 COMMISSIONER ANDRION: Aye.

14 CHAIR BOLOSAN: Commissioner De Mello.

15 COMMISSIONER DE MELLO: Aye.

16 CHAIR BOLOSAN: Commissioner U'u.

17 COMMISSIONER U'U: Aye.

18 CHAIR BOLOSAN: Commissioner Boswell.

19 COMMISSIONER BOSWELL: Aye.

20 CHAIR BOLOSAN: Commissioner Ho.

21 COMMISSIONER HO: Aye.

22 CHAIR BOLOSAN: Commissioner Patel.

23 COMMISSIONER PATEL: Aye.

24 CHAIR BOLOSAN: And the chair votes aye.

25 Motion passes.

1           Now we're gonna move on -- excuse me, Commissioners,  
2 I have two footnotes over here. Now we're gonna move on to  
3 Licensing Matters, Public Hearings. On this item here, we had  
4 the applicant for No. 03 contacted the department if it's  
5 possible that they could be moved earlier because of a  
6 schedule conflict. Would there be any objection?

7           DIRECTOR LAYNE N. SILVA: Sorry, pardon the  
8 interruption. Leon, I think we're gonna go through General  
9 Licensing Matters first.

10          CHAIR BOLOSAN: Okay.

11          DIRECTOR LAYNE N. SILVA: And then in the Public  
12 Hearings portion is where the applicant requested to be moved  
13 forward.

14          CHAIR BOLOSAN: Oh, okay. Thank you, Director  
15 Silva. I'm going through --

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

17          CHAIR BOLOSAN: I have two footnotes over here that  
18 I'm following, so I have to match these two, so I got all kind  
19 of disoriented on that -- in this section.

20          General Licensing Matters A, and B, and C, may I  
21 have a motion for confirmation? Am I there?

22          CORP COUNSEL OANA: I'm sorry, Chair. May I  
23 interrupt?

24          CHAIR BOLOSAN: Sure.

25          CORP COUNSEL OANA: Commissioner -- Vice Chair

1 Becraft, didn't you just move?

2 CHAIR BOLOSAN: Yeah, I thought so.

3 COMMISSIONER U'U: Yes, he did. Yes, he did. And I  
4 second.

5 VICE CHAIR BECRAFT: And we voted.

6 COMMISSIONER U'U: So we're done with General  
7 Licensing Matters.

8 CHAIR BOLOSAN: Right, yeah. Okay. So I just  
9 wanted to address the director's concern, but here what I  
10 have -- what I received after that General Licensing Matters,  
11 the next thing is 7, right, Licensing Matters, Public  
12 Hearings? Am I right?

13 CORP COUNSEL OANA: Yes, Chair.

14 CHAIR BOLOSAN: Okay. Now, Director Silva, am I at  
15 the right place right now where I did call for the applicant  
16 for --

17 DIRECTOR LAYNE N. SILVA: Yes, you are, Chair. My  
18 apologies; I think I glitched there for a moment, and I didn't  
19 realize that you guys voted on that.

20 CHAIR BOLOSAN: Okay.

21 DIRECTOR LAYNE N. SILVA: But, yes, you are  
22 absolutely right.

23 CHAIR BOLOSAN: Yes.

24 DIRECTOR LAYNE N. SILVA: We're on public hearings;  
25 yes, that's where the contact was made by the applicant.



1 CHAIR BOLOSAN: Okay, all right. Now, because of  
2 the applicant for 03 -- applicants in 03 requested because of  
3 a schedule conflict, now I'm asking the members if there is  
4 any objection to moving Application 03 to be first? If there  
5 isn't any objection, then I can move on and call on  
6 Application 0 -- 03. Is there any objection?

7 (No response.)

8 CHAIR BOLOSAN: If not, okay, Application 03.  
9 Applicant, will you move forward and state your name and  
10 position?

11 MR. JORGENSEN: Good morning, Chair Bolosan. My  
12 name is Dave Jorgensen. Can you hear me?

13 CHAIR BOLOSAN: Yes, I can.

14 MR. JORGENSEN: Can you hear me? For some reason,  
15 it's saying I'm still muted audio, but it's definitely -- it's  
16 not letting me unmute video, so I apologize.

17 Anyway, my name's Dave Jorgensen. I'm appearing on  
18 behalf of applicant Grab & Go Market, LLC dba Grab & Go  
19 Market. The principal of Grab & Go Market, Derek Larson, is  
20 also on the Zoom. I do apologize for requesting to move up,  
21 but I -- I was called to a hearing in court at ten o'clock.  
22 So I very, very much appreciate being allowed to go first and  
23 apologize to the other applicants. But we are here today and  
24 available for any questions.

25 CHAIR BOLOSAN: Okay. For the applicant, okay, I

1 just wanted to note here that -- okay. Hang on.

2 All right. Then I have to call on Gene Silva to  
3 give information about the application. Gene Silva, will you  
4 take it away?

5 VICE CHAIR BECRAFT: You're muted, Mr. Silva.  
6 You're muted. You have to unmute.

7 CHAIR BOLOSAN: Gene.

8 DIRECTOR LAYNE N. SILVA: You've gotta take off your  
9 muting, Gene.

10 LCO GENE SILVA: Oh, something's up with my  
11 computer. Can you hear me now?

12 VICE CHAIR BECRAFT: Yes.

13 CHAIR BOLOSAN: Yes.

14 LCO GENE SILVA: All right. Thanks.

15 Okay. Application No. 3, the applicant is Grab & Go  
16 Market, LLC doing business as Grab & Go Market. The proposed  
17 premises is located at 1993 South Kihei Road, Bays 10 and 11,  
18 Kihei, Maui, Hawaii. This is a public hearing for a retail  
19 general.

20 The documents necessary for completing the remaining  
21 application requirements for a liquor license are listed in  
22 the summary report.

23 Notice of public hearing was published in the Maui  
24 News on October 13th and 20th of 2021.

25 The department received one letter of protest and

1 one letter in support.

2 CHAIR BOLOSAN: Okay. Thank you, Gene.

3 For the applicant, is there anything that you want  
4 to add, Dave?

5 MR. JORGENSEN: Yes. Thank you for the question.  
6 We did receive the letter in support from the association, the  
7 board of directors. We also did receive a letter in  
8 opposition from one of the residents. Primarily, she's  
9 concerned about additional noise and lights and problems. My  
10 client is very cognizant of all that. Was not aware of it but  
11 is very supportive of her request. He is already -- after he  
12 got that letter, he's, you know, turned down the lights,  
13 turned off the lights at night that might be blinking. So he  
14 very much wants to be a good neighbor and will do everything  
15 he can to kind of avoid the problems that this owner has  
16 pointed out. We would, though, also note that the letter from  
17 the association does, we believe, represent the opinion of  
18 the -- of most of the owners there at that -- at the Island  
19 Surf Building.

20 Other than that, my client is working through the  
21 process of getting final sign-offs from the different county  
22 departments, and we believe he is close to being able to do  
23 that. For those of you who don't know, this is a very small  
24 store in the, let's say, Wailea makai corner of the Island  
25 Surf Building on the first floor.

1 Other than that, we are available for any questions.

2 CHAIR BOLOSAN: Thank you, Dave.

3 Before I open for public testimony, just for the  
4 record that the department received two written testimony, one  
5 is for, and one is against. As you noticed, it's in -- within  
6 your packet. Okay?

7 So I'm gonna open the floor for public testimony.  
8 Maria, can you help me look at your chat? I don't see  
9 anything.

10 MS. KHANGSENGSING: Yeah, I don't see anybody signed  
11 up.

12 CHAIR BOLOSAN: Okay, all right. If there's any  
13 questions, Members of the Commission?

14 COMMISSIONER U'U: I've got a question for Dave.

15 CHAIR BOLOSAN: Yes. Go ahead, Commissioner U'u.

16 COMMISSIONER U'U: So applicant and Dave, how's it  
17 going? Bruce. You know, I read the letter from, I guess,  
18 Diane Dooley and -- I read both letters, support and against.  
19 What do you think of -- I know it's allowed, I know  
20 everything's legal, I just wanted to put myself if I'm living  
21 there, Dave, and, you know, I try for put myself in the  
22 situation as both a tenant and somebody visiting I guess the  
23 same. So you took down the neon lights, anything else you  
24 guys negotiated or talked about to help alleviate some of the  
25 concerns for the residents, the permanent residents in there,

1 Dave?

2 MR. JORGENSEN: Well, the building, you know, as far  
3 as security for the building, we -- my client will certainly  
4 be working with them if there is -- you know, it's an issue  
5 that the whole building, obviously, needs to deal with, but my  
6 client will be part of that as well as my client's landlord.  
7 Ed Bello owns the unit, and he's a very -- if any of you know  
8 Mr. Bello, he's a very active gentleman. The -- the letter  
9 talks about, you know, 24/7 -- implies 24/7 problems. My  
10 client is seeking to be open only until 10:00, so there would  
11 not be -- if there's an unsavory element coming around, the  
12 store will be closed at 10:00, so we would not be attracting  
13 those kinds of people.

14 We will do everything we can to prevent people from  
15 hovering, you know, hanging out. You know, we're not gonna  
16 allow people to come in, buy a six-pack, go sit on the  
17 sidewalk in front of the store and drink it. So my client was  
18 a bit unaware of concerns until we got this letter, so to that  
19 extent, we're grateful for the letter. My client is willing  
20 to do whatever he can do to help address the different  
21 problems.

22 As far as some of the comments about, you know,  
23 Foodland's down the road, and there's other stores and other  
24 licensees, many people in the building have approached my  
25 client since he took over several months ago in running the

1 convenience store, asking him if it was possible that he could  
2 sell wine or sell beer as a convenience to them. So even  
3 though, yes, there may be other places to buy, we feel there  
4 is a -- a need or a desire by many of the owners and residents  
5 to have this store be able to sell beer and wine and liquor  
6 there.

7 But as far as the concerns, yes, I mean, we're  
8 willing to do whatever we can. And due to some confusion at  
9 the department, we just got this letter yesterday, so my  
10 client hasn't really had a chance to talk to people too much,  
11 but he will be doing that.

12 CHAIR BOLOSAN: Thank you, Dave.

13 COMMISSIONER U'U: Yeah, Dave, whatever you can do  
14 to remedy -- I know it's last minute, but to alleviate the  
15 concerns, and, you know, I guess some of the -- I take with  
16 some consideration of that person writing the letter, and I'll  
17 take yours also, Dave, in what you said what the applicant is  
18 going to do. So thank you.

19 MR. JORGENSEN: Thank you for the question.

20 CHAIR BOLOSAN: Thank you, Dave, and thank you,  
21 Commissioner U'u.

22 Any more discussion by the commissioners? If not, I  
23 would like --

24 VICE CHAIR BECRAFT: Chair.

25 CHAIR BOLOSAN: Yes, Vice Chair Becraft. Yes, go

1 ahead.

2 VICE CHAIR BECRAFT: (Inaudible) Sne, I believe he  
3 wanted to speak.

4 Sne, if you want to go first, I'm fine with that.

5 COMMISSIONER PATEL: No. Go ahead.

6 VICE CHAIR BECRAFT: Okay. Thank you.

7 Yeah, I'm familiar with the area. I've worked that  
8 area; I also am gonna after this meeting head down there and  
9 get my hair cut. My person who cuts my hair works out of  
10 the -- that Surf Building on the adjacent street on the other  
11 side by the -- by the surf place. And I read the letter of  
12 complaint, and it covered a lot of wide spectrum of things. I  
13 can speak for that that area does have parking in the front  
14 and on the side. I've never had a problem finding parking.  
15 And like I said, I'm gonna be going there for a 1:30 haircut  
16 again today, so I'm -- I feel like the complaint is -- the  
17 concern is something that is always gonna be there for some  
18 people, they just don't -- they may not want more liquor  
19 sales.

20 I don't know that it's gonna cause a lot of  
21 congestion or a lot of more people or unsavory types.  
22 Generally, convenience stores are not the cheapest place to  
23 buy liquor; it's gonna be more expensive. I can't be a  
24 hundred percent on that, but I think I'm 99.9 that it's gonna  
25 be cheaper to go to Foodland, and a lot of people will be

1 doing that. I do believe that it's gonna be more directed  
2 toward the building itself, which is -- does have a mixture of  
3 residents and tourism and the bread and breakfasts or however  
4 they're called. I don't know what they're called. But it's a  
5 mixture, and that's known when you move there, it's been like  
6 that for my entire career, you know, when I was -- I've known  
7 that building since 1990. I'm not sure how long it's been up,  
8 but it's -- it's geared towards tourism and some full-time  
9 residents. So I don't know that it has -- is gonna have that  
10 much effect, I don't know that it's gonna be bringing in  
11 unsavory types, but I personally don't believe it's gonna be  
12 that much of a problem, so I'm in support of it.

13 That's all I have. Thank you.

14 MR. JORGENSEN: Thank you.

15 CHAIR BOLOSAN: Thank you, Vice Chair Becraft.

16 Commissioner Patel, you have the floor.

17 COMMISSIONER PATEL: I think Commissioner Becraft  
18 alleviated the concern I had, which was the parking and  
19 addressing that. And so I agree, I think -- I think most  
20 people that will most likely patronize it for the use that --  
21 for liquor or purchasing would be purchasing at a higher  
22 dollar amount and possibly not even to park, that have already  
23 parked there. Mainly it would be patronized by those  
24 individuals that are residing there and -- and so, yeah, I  
25 think if there is ample parking there and it's not gonna be an



1 issue with the local -- the majority of the residents, I don't  
2 have any issues on that parking that it looks like  
3 Commissioner Becraft pointed out wasn't an issue, so --

4 CHAIR BOLOSAN: Thank you, Commissioner Patel.

5 Is there any more for this application from the  
6 commissioners? Okay. If not --

7 VICE CHAIR BECRAFT: Mr. Chair, I believe Roberto's  
8 trying to speak. He's gonna need --

9 CHAIR BOLOSAN: Okay.

10 VICE CHAIR BECRAFT: He needs to unmute.

11 CHAIR BOLOSAN: All right. Commissioner Andrion.

12 COMMISSIONER ANDRION: I'm sorry, Mr. Chair.

13 CHAIR BOLOSAN: I apologize.

14 COMMISSIONER ANDRION: This is a question for --  
15 I've got a question for Dave. I think he says that that  
16 particular area is gonna be closed at 10:00 p.m.?

17 MR. JORGENSEN: The request for license, our hours  
18 of operation are proposed to be till 10:00 p.m., yes.

19 COMMISSIONER ANDRION: So that's the proposed, and  
20 that's -- if that's the proposed, then I believe that it's  
21 well where we are gonna approve from 10:00. Did you see  
22 anything that's gonna come up to where those hours will be  
23 extended?

24 MR. JORGENSEN: At this time, no, no. It's a  
25 convenience store and, yeah. No, my client intends on being

1 closed by 10:00.

2 COMMISSIONER ANDRION: Then I think that is -- then  
3 I think that is a very fair way of operating business,  
4 especially in an area where the limited traffic would be  
5 basically done at 10:00. Thank you.

6 CHAIR BOLOSAN: Thank you, Commissioner Andrion.

7 MR. JORGENSEN: Thank you for the question, sir.

8 CHAIR BOLOSAN: Okay. Thank you, Dave.

9 Any more questions to the applicant?

10 (No response.)

11 CHAIR BOLOSAN: If not, I'm gonna call the motion to  
12 approve this application.

13 VICE CHAIR BECRAFT: Mr. Chair, Jamie Becraft. I  
14 make a motion to approve Application No. 3.

15 CHAIR BOLOSAN: Thank you, Commissioner -- Vice  
16 Chair.

17 COMMISSIONER PATEL: (Gesturing.)

18 CHAIR BOLOSAN: Second by Commissioner Patel.

19 COMMISSIONER PATEL: Yes.

20 CHAIR BOLOSAN: Then I'm gonna call this for a vote.  
21 Vice Chair --

22 CORP COUNSEL OANA: Can you ask -- excuse me. Can  
23 you ask for any last discussion before the vote?

24 CHAIR BOLOSAN: Okay. I'm sorry, Jenny.

25 Any discussion before I call on -- for the vote?

1 (No response.)  
2 CHAIR BOLOSAN: If not, I'm gonna call for the vote.  
3 Vice Chair Becraft.  
4 VICE CHAIR BECRAFT: Aye.  
5 CHAIR BOLOSAN: Commissioner Andrion.  
6 COMMISSIONER ANDRION: Aye.  
7 CHAIR BOLOSAN: Commissioner De Mello.  
8 COMMISSIONER DE MELLO: Aye.  
9 CHAIR BOLOSAN: Commissioner U'u.  
10 COMMISSIONER U'U: Aye.  
11 CHAIR BOLOSAN: Commissioner Boswell.  
12 COMMISSIONER BOSWELL: Aye.  
13 CHAIR BOLOSAN: Commissioner Ho.  
14 COMMISSIONER HO: Aye.  
15 CHAIR BOLOSAN: Commissioner Patel.  
16 COMMISSIONER PATEL: Aye.  
17 CHAIR BOLOSAN: And the chair votes aye.  
18 Motion carried.  
19 We're gonna go on --  
20 MR. JORGENSEN: Thank you all very much. Happy  
21 holidays.  
22 COMMISSIONERS: Happy holidays.  
23 CHAIR BOLOSAN: Thank you very much. Thank you,  
24 Dave.  
25 I'm gonna move on to Application 01. May I have the

1 applicant to come forward? Please state your name and  
2 position.

3 MS. COX: Hello, my name is Cady Cox, and this is my  
4 husband, Kyle Flemming, James Kyle Flemming. We're members of  
5 our LLC, Maui Beverage Company, LLC.

6 CHAIR BOLOSAN: Welcome. Thank you very much.

7 MS. COX: Thank you.

8 CHAIR BOLOSAN: So may I have Gene Silva to read the  
9 information for this application, please?

10 LCO GENE SILVA: Application No. 1. Can you guys  
11 hear me?

12 CHAIR BOLOSAN: Yes.

13 LCO GENE SILVA: Okay. Application No. 1, the  
14 applicant is Maui Beverage Company, LLC doing business as  
15 Pauwela Beverage Company. The proposed premises is located at  
16 375 West Kuiaha Road, Haiku, Maui, Hawaii. This is a public  
17 hearing for a Small Craft Producer Pub, Category B(ii).

18 The documents necessary for completing the remaining  
19 application requirements for a liquor license are listed in  
20 the summary report.

21 Notice of public hearing was published in the Maui  
22 News on October 13th and 20th, 2021.

23 The department did not receive any protests.

24 CHAIR BOLOSAN: Okay. Thank you, Gene.

25 To the applicant, do you want to add to anything

1 else?

2 MR. FLEMMING: No. Thank you, though.

3 MS. COX: No.

4 CHAIR BOLOSAN: Okay. Thank you. Did I say thank  
5 you, Gene, for reading?

6 Okay. Now, the floor is open for public testimony.  
7 I don't see any -- anyone in the chat area, not unless you  
8 have anything there that you see, Maria.

9 MS. KHANGSENGSING: No, I don't see anybody signed  
10 up.

11 CHAIR BOLOSAN: Okay. Now the floor is open for the  
12 commissioners to -- for any discussion.

13 VICE CHAIR BECRAFT: Mr. Chair.

14 CHAIR BOLOSAN: Yes, Vice Chair Becraft.

15 VICE CHAIR BECRAFT: I make a motion to approve  
16 Application No. 1.

17 CHAIR BOLOSAN: Okay. We have a motion. Second?

18 COMMISSIONER ANDRION: Chair, Roberto Andrion. I  
19 second the motion.

20 CHAIR BOLOSAN: Commissioner Andrion seconded.  
21 Motion was made by Vice Chair Becraft. I'm gonna move on to  
22 the votes.

23 CORP COUNSEL OANA: I'm sorry, Chair. Can you ask  
24 for any further discussion?

25 CHAIR BOLOSAN: Okay. I'm sorry, I keep on

1 forgetting that area.

2 CORP COUNSEL OANA: No problem.

3 CHAIR BOLOSAN: Thank you, Jenny.

4 Any discussion?

5 (No response.)

6 CHAIR BOLOSAN: If not, I'm gonna go on for the  
7 vote. We'll call on for the vote.

8 DIRECTOR LAYNE N. SILVA: Excuse me, Chair. I just  
9 have a quick question for corporation counsel, if that's okay.

10 CHAIR BOLOSAN: Okay. Go ahead.

11 DIRECTOR LAYNE N. SILVA: Jennifer, I believe this  
12 applicant, when they went through their preliminary hearing,  
13 there was a supplementary report based on a nighttime site  
14 inspection that was addressing the use of an outside restroom.  
15 I believe the department was requesting for conditions to be  
16 placed on the license regarding the nighttime use of those  
17 outdoor restrooms. Does that need to be brought up in this  
18 motion and included in this motion? I believe it was a motion  
19 that was made during preliminary hearing. Would that need to  
20 be addressed here as well, or does the motion that was stated  
21 during preliminary hearing will suffice?

22 CORP COUNSEL OANA: I think the condition should be  
23 placed on the license that you approve today. So if you, Mr.  
24 Director -- or Mr. Silva, can inform us a little bit about  
25 that, because the meeting materials that I received didn't

1 have anything about conditions. So the department can inform  
2 me as well as remind the commissioners what those conditions  
3 would be and then if the mover of the motion, as well as the  
4 seconder, wanted to adopt those conditions as a friendly  
5 amendment.

6 DIRECTOR LAYNE N. SILVA: Okay. I believe the -- in  
7 the supplementary report that was read during the preliminary  
8 hearing; there was a mention of the -- the lack of lighting in  
9 the outdoors. I'm not sure if you guys remember that or are  
10 familiar, Pauwela Beverage Company is the one at the old  
11 cannery out in Haiku, out in Pauwela. We were asking that the  
12 hours of operation be restricted to during daylight hours due  
13 to the unsafe conditions of accessing the restroom after dark,  
14 the distance of the restroom as well as uneven ground to get  
15 there.

16 Cady, you know, I'm thinking -- because I remember  
17 we discussed this with you guys, and you agreed to those  
18 conditions as well, so --

19 MS. COX: Yeah.

20 DIRECTOR LAYNE N. SILVA: So am I missing anything  
21 or --

22 MS. COX: I agreed to those conditions. I submitted  
23 a letter stating that we were fine with those conditions. And  
24 it is in -- I have the paper from the preliminary hearing, and  
25 it says that we will do business from 8:30 a.m. (inaudible),

1 so we wouldn't be open after dark.

2 DIRECTOR LAYNE N. SILVA: I'm sorry, can you repeat  
3 the closing time again?

4 MS. COX: Well, it says the applicant initially  
5 plans to manufacture kombucha seven days a week from 8:00 a.m.  
6 to 6:30 p.m. 6:30 is about when it gets dark, but we can --

7 DIRECTOR LAYNE N. SILVA: Yeah.

8 MS. COX: But we aren't really even here that late,  
9 so --

10 LCO GENE SILVA: That's the letter that we got.

11 MS. COX: Yeah, yeah.

12 DIRECTOR LAYNE N. SILVA: So, yeah, just to clarify,  
13 for this particular license, that that was introduced during  
14 the preliminary hearing and that's what was approved to go  
15 forward for public hearing. And, you know, now it's up to you  
16 guys how you're gonna amend the motion to go forward for  
17 approval based on those conditions.

18 VICE CHAIR BECRAFT: Mr. Chair, Jamie Becraft.

19 CHAIR BOLOSAN: Yeah. Thank you, Layne.

20 And go ahead, Vice Chair Becraft. Go ahead.

21 VICE CHAIR BECRAFT: Mr. Chair, I would like to  
22 amend my motion for it to be approval of Application No. 1  
23 with the operation hours from 0830 hours to 1830 hours  
24 Monday -- seven days a week.

25 CHAIR BOLOSAN: Okay. Thank you, Commissioner --



1 Vice Chair Becraft.

2 Now, you guys all understood that motion? Anyone to  
3 second that motion?

4 COMMISSIONER ANDRION: Mr. Chair, I second. I  
5 second the motion with the stipulated conditions.

6 CHAIR BOLOSAN: Okay. Motion was seconded by  
7 Commissioner Andrion, moved by Vice Chair Becraft. I'm gonna  
8 call for the vote. Oh, any discussion?

9 (No response.)

10 CHAIR BOLOSAN: If not, I'm gonna move on to call  
11 for the vote.

12 Vice Chair Becraft.

13 VICE CHAIR BECRAFT: Aye.

14 CHAIR BOLOSAN: Commissioner Andrion.

15 COMMISSIONER ANDRION: Aye.

16 CHAIR BOLOSAN: Commissioner De Mello.

17 COMMISSIONER DE MELLO: Aye.

18 CHAIR BOLOSAN: Commissioner U'u.

19 COMMISSIONER U'U: Good luck and aye.

20 CHAIR BOLOSAN: Commissioner Boswell.

21 COMMISSIONER BOSWELL: Aye.

22 CHAIR BOLOSAN: Commissioner Ho.

23 COMMISSIONER HO: Aye.

24 CHAIR BOLOSAN: Commissioner Patel.

25 COMMISSIONER PATEL: Aye.

1 CHAIR BOLOSAN: And chair votes aye.

2 Motion carries.

3 VICE CHAIR BECRAFT: Good luck, you guys.

4 MR. FLEMMING: Thank you.

5 MS. COX: Thank you.

6 CHAIR BOLOSAN: Thank you for your patience.

7 MS. COX: Thank you.

8 CHAIR BOLOSAN: Okay. Now we move on to Application  
9 02, MKR, Inc. DbA Dollies North Shore. May I have the  
10 applicants to come forward?

11 MR. ANDERSON: Hello. This is Jim Anderson, MKR,  
12 Inc. Managing partner --

13 CHAIR BOLOSAN: Go ahead. Good morning.

14 MR. ANDERSON: -- of Dollies North Shore.

15 CHAIR BOLOSAN: Good morning.

16 MR. ANDERSON: Good morning.

17 CHAIR BOLOSAN: Okay. Thank you for showing up.

18 May I have Gene Silva go ahead and read the  
19 information on this application? Gene, take it away.

20 LCO GENE SILVA: Application No. 2, the applicant is  
21 MKR, Inc. Doing business as Dollies North Shore. The proposed  
22 premises is located at 120 Hana Highway, Units 10 and 11,  
23 Paia, Maui, Hawaii. This is a public hearing for a Restaurant  
24 General, Category B(ii).

25 The documents necessary for completing the remaining

1 application requirements for a liquor license are listed in  
2 the summary report.

3 The notice of public hearing was published in the  
4 Maui News on October 13th and 20th, 2021.

5 The department did not receive any protests.

6 CHAIR BOLOSAN: Thank you, Gene.

7 To the applicants, do you have anything to add?

8 MR. ANDERSON: No, not at all.

9 CHAIR BOLOSAN: Okay. Thank you.

10 Now the floor is open for public testimony, and I  
11 don't see no one at the chat area, nor any --

12 (Change of chapters.)

13 CHAIR BOLOSAN: So I'm gonna ask --

14 COMMISSIONER PATEL: I'll make a motion, Chair, to  
15 approve the application.

16 CHAIR BOLOSAN: Okay. First.

17 COMMISSIONER U'U: Second.

18 CHAIR BOLOSAN: Okay, all right. Seconded by  
19 Commissioner U'u and moved by -- who did make the motion now?

20 COMMISSIONER U'U: Commissioner Patel.

21 CHAIR BOLOSAN: Okay, all right. Thank you. Thank  
22 you.

23 So, wait a minute now, guys. So we're still  
24 supposed to have the commissioners ask for any discussion on  
25 this application before we vote on -- to approve. From the

1 commissioners, is there any opinion on this application,  
2 Commissioners?

3 (No response.)

4 CHAIR BOLOSAN: If not, then we go back to I have a  
5 motion to approve. Do I hear anyone moving this?

6 COMMISSIONER PATEL: I make the motion to approve,  
7 Chair.

8 CHAIR BOLOSAN: Okay, Commissioner Patel. You've  
9 got the motion. Second by?

10 COMMISSIONER U'U: I'll second.

11 CHAIR BOLOSAN: Who's that? You, Bruce?

12 COMMISSIONER U'U: Yes.

13 CHAIR BOLOSAN: Okay. Commissioner U'u seconded.  
14 And I'm gonna call on for the vote. Hang on.

15 Vice Chair Becraft.

16 VICE CHAIR BECRAFT: Aye.

17 CHAIR BOLOSAN: Commissioner Andrion.

18 COMMISSIONER ANDRION: Aye.

19 CHAIR BOLOSAN: Commissioner De Mello.

20 COMMISSIONER DE MELLO: Aye.

21 CHAIR BOLOSAN: Commissioner U'u.

22 COMMISSIONER U'U: Aye.

23 CHAIR BOLOSAN: Commissioner Boswell.

24 COMMISSIONER BOSWELL: Aye.

25 CHAIR BOLOSAN: Commissioner Ho.

1 COMMISSIONER HO: Aye.

2 CHAIR BOLOSAN: Commissioner Patel.

3 COMMISSIONER PATEL: Aye.

4 CHAIR BOLOSAN: And chair votes aye.

5 Motion carries.

6 Okay. We're moving on to Application No. 04. May I  
7 have the applicants to come forward, please?

8 MR. NAKAMURA: Good morning, Mr. Chair, Members of  
9 the Commission. This is Craig Nakamura. Can you hear me  
10 okay?

11 CHAIR BOLOSAN: Yes, I can.

12 MR. NAKAMURA: Okay, great. Great. Thank you.  
13 Craig Nakamura, attorney for the applicant. And with me, you  
14 can see on the screen there's Tyler Amina, who is representing  
15 the applicant. Thank you.

16 MR. AMINA: Good morning.

17 CHAIR BOLOSAN: Thank you, Craig.

18 Okay. May I ask Gene Silva, again, to read the  
19 information for this Application 04, WMW Liquor Services, LLC  
20 doing business as Waicoco at the Westin? Gene, take it away,  
21 please.

22 LCO GENE SILVA: Application No. 4, the applicant is  
23 WMW Liquor Services, LLC doing business as Waicoco at the  
24 Westin. The proposed premises is located at 2365 Kaanapali  
25 Parkway, Lahaina, Maui, Hawaii. This is a public hearing for

1 a Restaurant General, Category B(ii).

2 The documents necessary for completing the remaining  
3 application requirements for a liquor license are listed in  
4 the summary report.

5 Notice of public hearing was published in the Maui  
6 News on October 13th and 20th, 2021.

7 The department did not receive any protests.

8 CHAIR BOLOSAN: Thank you, Gene.

9 To the applicant, do you have anything to add,  
10 Craig?

11 MR. NAKAMURA: Just really quickly, you know, you  
12 might recall a couple months ago at the preliminary hearing,  
13 this is an application for a new liquor license at the hotel.  
14 This Waicoco restaurant is on the ground floor on the makai  
15 side of the hotel. It's got a beautiful setting. And we'd be  
16 happy to answer any questions that you have. Thank you.

17 CHAIR BOLOSAN: Thank you, Craig.

18 Okay, Commissioners, hang on. I want to open for  
19 public testimony. I do not see no one at the chat section.

20 I'm gonna call on the commissioners. Do you have  
21 any take on this application, Commissioners?

22 (No response.)

23 CHAIR BOLOSAN: If not, I will -- I would entertain  
24 a motion to approve.

25 COMMISSIONER U'U: I'll make a motion to approve.

1 CHAIR BOLOSAN: Okay. Commissioner U'u, you got the  
2 motion. Who wants to second?

3 COMMISSIONER DE MELLO: Second. De Mello.

4 CHAIR BOLOSAN: Okay. Commissioner De Mello, you've  
5 got it. I'm gonna call on -- for the vote.

6 Vice Chair Becraft.

7 VICE CHAIR BECRAFT: Aye.

8 CHAIR BOLOSAN: Commissioner Andrion.

9 COMMISSIONER ANDRION: Aye.

10 CHAIR BOLOSAN: Commissioner De Mello.

11 COMMISSIONER DE MELLO: Aye.

12 CHAIR BOLOSAN: Commissioner U'u.

13 COMMISSIONER U'U: Aye.

14 CHAIR BOLOSAN: Commissioner Boswell.

15 COMMISSIONER BOSWELL: Aye.

16 CHAIR BOLOSAN: Commissioner Ho.

17 COMMISSIONER HO: Aye.

18 CHAIR BOLOSAN: Commissioner Patel. Commissioner  
19 Patel?

20 COMMISSIONER PATEL: Aye. Aye.

21 CHAIR BOLOSAN: Thank you.

22 And chair votes aye.

23 Motion carried. Congratulations.

24 MR. NAKAMURA: Great. Thank you very much,  
25 everyone. Happy holidays.

1 COMMISSIONER: Thank you.

2 MR. NAKAMURA: Thank you.

3 CHAIR BOLOSAN: Thank you very much.

4 Okay. Hang on, guys.

5 Now we're moving on to Administrative Affairs. I  
6 would like to call on our Director Silva to cover these Items  
7 1, 2, 3, and 4. Director Silva.

8 DIRECTOR LAYNE N. SILVA: Thank you very much, Chair  
9 Bolosan and Commissioners. The Director's Monthly Report,  
10 Item No. 1 is an Update on the Public Health Emergency Rules  
11 effective December 1st, 2021. Basically, the changes are, if  
12 you're not aware, that indoor activity within licensed  
13 premises has been allowed to go back to 100 percent capacity  
14 with no physical distancing with the requirement of a -- being  
15 proof of full vaccination or a letter stating -- from the  
16 doctor stating that you were -- you have been healed from  
17 COVID-19 or a negative COVID-19 test within the past 48 hours.  
18 So the licensed premises are now allowed to operate to normal  
19 operating hours and 100 percent capacity inside meeting the  
20 mandate. If you are not vaccinated or do not meet the  
21 criteria, you are supposed to be restricted to dining --  
22 outdoor dining only, which is defined by the Public Health  
23 Emergency Rules that was released by the mayor's office. So  
24 if there's any questions on the Public Health Emergency Rules,  
25 I'll be happy to answer. Those are basically the changes and



1 where we're right now with the pandemic.

2 COMMISSIONER PATEL: (Gesturing.)

3 DIRECTOR LAYNE N. SILVA: Sne.

4 COMMISSIONER DE MELLO: Question.

5 COMMISSIONER PATEL: Yeah, Layne.

6 CHAIR BOLOSAN: Go ahead.

7 COMMISSIONER PATEL: So for the -- for the outdoor  
8 dining, that goes to 100 as well without showing any proof of  
9 vaccination, is that correct, how I read it?

10 DIRECTOR LAYNE N. SILVA: Yes. Outdoor activities  
11 are basically reinstated to full, full use.

12 COMMISSIONER PATEL: Okay. So if a restaurant was  
13 already fully outdoors or considered outdoors, then it just  
14 goes to 100 percent --

15 DIRECTOR LAYNE N. SILVA: Yes.

16 COMMISSIONER PATEL: -- as normally? Okay.

17 COMMISSIONER DE MELLO: (Gesturing.)

18 CHAIR BOLOSAN: Jerrybeth.

19 COMMISSIONER DE MELLO: Yes. Layne, you have some  
20 restaurants that you have to go inside to be seated, but you  
21 don't have your vaccination, so you'll be seated outside, but  
22 they've still gotta go into the restaurant, so is that a  
23 problem?

24 DIRECTOR LAYNE N. SILVA: Yes. Technically, by  
25 rule, you're not supposed to be allowed within the premises

1 unless you are fully vaccinated or meet the criteria based on  
2 the mandate. So it's a -- if it's a situation where you have  
3 to cross through an indoor area to get to an outdoor,  
4 technically, based on the rules, that's not supposed to be  
5 happening.

6 COMMISSIONER DE MELLO: So the -- the vendor, they  
7 would have to put out another welcome counter to accommodate  
8 those who don't have the card?

9 DIRECTOR LAYNE N. SILVA: If they are able to, yes.  
10 Yeah, that would be the only way to be able to access the  
11 outdoor area is through an outdoor entrance.

12 COMMISSIONER DE MELLO: Yeah. Gotcha.

13 DIRECTOR LAYNE N. SILVA: Okay. If there are no  
14 more questions about that subject, we'll go on to Item No. 2.  
15 It's an Update on the online certification exam and training  
16 class. And I will actually hand that over to Deputy Director  
17 Jarrett Kahooohanohano, and he'll briefly go over and let you  
18 guys know where we're at with that. Jarrett.

19 DEPUTY DIRECTOR KAHOOHANOHANO: Good morning. Just  
20 to let you know that we have started our online classes. We  
21 had ten of the initial emails for the first 25 participants.  
22 As of right now, all 25 have received it, and we have nine so  
23 far that have passed it, so I've sent them an email giving  
24 them instructions on how and when they need to come and pick  
25 up their -- their identification cards. So as long as it goes

1 the way it's going, we're targeting 100 people this month.  
2 And hopefully, it goes well because this is -- we're still in  
3 the beginning stages of this.

4 DIRECTOR LAYNE N. SILVA: Thank you very much,  
5 Jarrett.

6 And if there are no more questions on that, we can  
7 move to Item No. 3.

8 (No response.)

9 DIRECTOR LAYNE N. SILVA: Item No. 3, again, just an  
10 update. The enforcement section is going through their annual  
11 training this week. I believe there was an agenda placed in  
12 your packets. Basically, it's a -- it's refresher training.  
13 They're going through a week-long session just to update, make  
14 sure that everybody is fully aware of all the changes as well  
15 as the continued practices and moving forward to, you know,  
16 increased better public presence within the licensed premises  
17 and the public. And if there's any questions on that? If  
18 not, we can move on to No. 4.

19 VICE CHAIR BECRAFT: (Gesturing.)

20 CHAIR BOLOSAN: Yes, Jamie.

21 VICE CHAIR BECRAFT: Yes, thank you. I have a  
22 question. I didn't see the syllabus for that, but this  
23 updated training, does this -- does this include like -- I  
24 don't know what to call it other than like Verbal Judo or, you  
25 know, the ways of speaking, addressing the public to make sure

1 that we've got everybody with a "hey, how can I help you"  
2 attitude, you know, such that -- is there communications  
3 training in this?

4 DIRECTOR LAYNE N. SILVA: You know, not specifically  
5 other than the supplementals from the Reid techniques.  
6 They're going through the supplementals because they went  
7 through the certification training with the Reid techniques  
8 earlier this year. We are planning and scheduling ongoing  
9 periodic training where we are gonna actually bring in  
10 specialists and talk about, like you said, similar to Verbal  
11 Judo, public relations and dealing more with the public, but  
12 that is the central focus of the training that's taking place  
13 now. We have the prosecuting attorney is coming in, speaking  
14 to the guys and discussing the rules as well as the HRS and,  
15 you know, trying to help them to get a clearer understanding  
16 of their side of things and what they're doing out there at  
17 night as far as state law and the proper way to approach it.

18 VICE CHAIR BECRAFT: Okay. And I understand. Just  
19 to make sure everybody else understands, the Reid technique is  
20 an interrogation technique. That's law enforcement side,  
21 yeah? That's to teach them --

22 DIRECTOR LAYNE N. SILVA: Yes.

23 VICE CHAIR BECRAFT: -- how to get confessions, how  
24 to get, you know, information that's required to help the  
25 prosecution portion, but --

1           DIRECTOR LAYNE N. SILVA: How to obtain statements  
2 from the -- from the witnesses, yeah.

3           VICE CHAIR BECRAFT: Right. And so -- so I think  
4 you answered my question and that's what I'm interested in, is  
5 the -- looking for the change from just the prosecution, that  
6 we do training also for, you know, get on the phone to people  
7 or saying, Hey, this is Commissioner Smith. How may I help  
8 you? Oh, I see the problem. Let me see what I can do about  
9 that. So that we're -- you know, we're changing that image.  
10 So if I've heard you correctly, we are looking to schedule  
11 some of that; it's just not gonna be in this training.

12           DIRECTOR LAYNE N. SILVA: Absolutely, yeah.

13           VICE CHAIR BECRAFT: Okay. Thank you.

14           DIRECTOR LAYNE N. SILVA: But that will be ongoing  
15 periodic training throughout the year.

16           VICE CHAIR BECRAFT: Yeah, that's just something  
17 important for me. I think that's what's gonna curb our  
18 public -- you know, help to change our image. But I  
19 appreciate what you're saying that it sounds like we're moving  
20 forward on that. Thank you.

21           DIRECTOR LAYNE N. SILVA: You're welcome. Yeah,  
22 that is the collective goal.

23           COMMISSIONER ANDRION: (Gesturing.)

24           DIRECTOR LAYNE N. SILVA: Commissioner Andrion.

25           COMMISSIONER ANDRION: Yes. Thank you, Director

1 Silva. I'm looking at your agenda, and it seems -- well, this  
2 is the one-week agenda that I look at before me looks like  
3 it's going on this week.

4 DIRECTOR LAYNE N. SILVA: Yes.

5 COMMISSIONER ANDRION: Is this the only type of  
6 training that you have on an annual basis, or do you have  
7 ongoing refreshers throughout the year?

8 DIRECTOR LAYNE N. SILVA: We do have ongoing -- like  
9 I refer to it as our periodic training that we do. This is  
10 the only time of year that we'll dedicate an entire week to  
11 that -- this type of training. Other than that, with the  
12 periodic training and with the rotating shifts and schedules,  
13 those trainings happen on a little more of the sporadic type  
14 of setting to be able to allow for everyone to participate in  
15 it more than likely not all at the same time, but when their  
16 shifts allow. But this particular training is the only time  
17 we'll come together for an entire week and dedicate it to  
18 training.

19 COMMISSIONER ANDRION: Okay. Thank you. That  
20 answers some of my other questions, then. Thank you, Director  
21 Silva.

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

23 VICE CHAIR BECRAFT: Mr. Silva.

24 DIRECTOR LAYNE N. SILVA: Yes. Oh, I'm sorry,  
25 Aaron. Did you have your hand up, Aaron?

1 COMMISSIONER BOSWELL: (Shaking head.)

2 VICE CHAIR BECRAFT: I just wanted to compare this.  
3 Do you guys call this recall training? Is this something that  
4 happens every year to help make sure that we're maintaining  
5 standards? Is that what this is about?

6 DIRECTOR LAYNE N. SILVA: You know, I don't  
7 necessarily refer to it as recall training. Maybe, yeah, kind  
8 of like refresher training just to make sure that -- you know,  
9 because throughout the course of a year, especially in the  
10 environment we're in right now with the pandemic and things  
11 changing so rapidly, is to make sure things don't get lost in  
12 the mix. So it's kind of an opportunity for us to get back  
13 together, make sure we're on the right page that everybody  
14 needs to be on at the time we're in because throughout the  
15 course of a year, you know, it's easy to get off track a  
16 little bit. So I think refresher training and at the same  
17 time, we also are looking for -- always looking for new  
18 training to include in it as well.

19 VICE CHAIR BECRAFT: I guess that was where I was  
20 headed is if this is refresher training, as we're calling it,  
21 and it's to keep people on track, just maybe we want to  
22 consider adding to that training. I think it needs to be done  
23 more than once a year, though, but definitely to change --  
24 change how we approach people. But we may want to add --  
25 consider, anyway, adding in the communications because

1     although the Reid tech is needed, I mean, the enforcement side  
2     is absolutely needed, we can't -- we can't avoid that or go  
3     away from it because we need to do our job properly, but also  
4     more proficiently with the "can do" attitude type of thing.  
5     Just updated training we might want to consider adding to a  
6     yearly. But for now, I think it's gonna need multiple  
7     throughout the year. And that -- that is all I have. Thank  
8     you. Thank you, Director Silva.

9             DIRECTOR LAYNE N. SILVA: Absolutely. And just to  
10     add one thing, we also do -- which has been very sporadically  
11     throughout COVID, but typically there is also an annual  
12     investigators workshop that happens where we -- we come  
13     together with investigators from throughout the state.  
14     Normally, it's a few days of a week where we get together, and  
15     that -- I guess that could be considered also another time  
16     similar to this where everybody goes in on one -- one schedule  
17     for that type of training. But, yeah, you're absolutely  
18     right, that is our goal to implement the -- at least periodic  
19     training until we can get it worked out, you know, to move  
20     towards proficiency as well as attitude, I guess is a good way  
21     to put it, from the department.

22             VICE CHAIR BECRAFT: Yeah, I would -- I don't know  
23     that everybody has a -- it's just forms of speaking, so --

24             DIRECTOR LAYNE N. SILVA: Yeah.

25             VICE CHAIR BECRAFT: Right. So I'm not saying



1 anybody has a bad attitude; I'm just saying that forms of  
2 speaking just simply can be how you answer the phone or answer  
3 questions. Instead of it being, Well, you have a problem?  
4 Well, we've complied with the law. That's not an answer that  
5 comes across --

6 DIRECTOR LAYNE N. SILVA: Well, I'm referring more  
7 to good attitudes than bad.

8 VICE CHAIR BECRAFT: Yeah. I don't know that it's a  
9 bad attitude, I just -- look, I think it's a communication  
10 issue, you know.

11 DIRECTOR LAYNE N. SILVA: Yeah, absolutely.

12 VICE CHAIR BECRAFT: If we (inaudible) the right and  
13 more practice and we have meetings on proper communication on  
14 when you're presented a problem, the answer normally should  
15 be, Let me look into that. I don't have the answers, let me  
16 look into that for you, and I'm gonna get right back to you,  
17 and let's see what I can do to help, you know. Sometimes you  
18 cannot help, but it's just a better way of communicating. And  
19 that's what I was looking for, is the communication classes.

20 DIRECTOR LAYNE N. SILVA: Yeah.

21 VICE CHAIR BECRAFT: Thanks.

22 DIRECTOR LAYNE N. SILVA: Thank you. Okay.

23 CHAIR BOLOSAN: I see. I see Sylvia raising your  
24 hand? Are you --

25 COMMISSIONER HO: (Gesturing.)

1 CHAIR BOLOSAN: Okay. My eyes are not that good.

2 Okay. I'm so sorry to interrupt. Go ahead.

3 DIRECTOR LAYNE N. SILVA: If there are no more  
4 questions, we'll move on to Item No. 4 and, you know, it says  
5 Presentation, but I believe it's more of a discussion. I  
6 believe you guys all should have received in your packet a  
7 copy of the proposed budget for fiscal year 2023, and, you  
8 know, if you like, we can go through this. If you have any  
9 questions, I'd be more than happy to answer. This is the --  
10 that opportunity. You know, the budget, it's basically a flat  
11 budget. If anything, I think it had -- we went down a bit  
12 based on there's no move this year. The move last year was an  
13 increase on our end. But if you go through comparatively to  
14 fiscal year 2021 and 2022, basically everything is equal to.  
15 Other than there is a request for a new vehicle and some new  
16 furniture equipment for the department.

17 You guys have your packets in front of you?

18 COMMISSIONER ANDRION: Yep, I got it.

19 VICE CHAIR BECRAFT: Mr. Chair.

20 CHAIR BOLOSAN: Director Silva, I see Vice Chair  
21 raising his hand. Go ahead.

22 DIRECTOR LAYNE N. SILVA: Yes, Jamie.

23 VICE CHAIR BECRAFT: Okay. So I was looking at the  
24 car replacement vehicle. Are we -- are we looking to get an  
25 SUV or -- or are we looking to replace it with a car? And if

1 we're looking for an SUV, what's the reason we would need an  
2 SUV over a car?

3 DIRECTOR LAYNE N. SILVA: Basically, the request for  
4 the SUV, it was -- it was determined by the -- there was a  
5 listing that was put out as far as vehicles and as far as  
6 cost-effectiveness for -- what we're requesting is a  
7 gas-powered, regular gas SUV, price per unit, \$30,000. That  
8 was comparative to what was being offered as far as a sedan.  
9 So it seems like we do have a few SUVs in the fleet right now  
10 and sometimes to -- you know, some of the places we have to go  
11 when we're going to Hana or we're going back Kaupo,  
12 Ulupalakua, and areas like that, we think the SUV is just  
13 safety-wise for our personnel being out at all hours of the  
14 day and night was -- and comparing the prices that were being  
15 stated, would be -- would be a good thing to have.

16 VICE CHAIR BECRAFT: So, yeah, I guess I -- I guess  
17 I would just consider going with a car for -- you know, for  
18 safety. SUVs have a tendency to flip, so -- I mean, I did  
19 fatal traffic investigation for probably 15 years of my  
20 career, so I don't find -- SUVs are not safer on the road than  
21 sedans, in my experience. Maybe the newest ones are; you can  
22 look at the crash ratings, I suppose. I haven't looked at the  
23 brand -- you know, I've been out for a while, but --

24 DIRECTOR LAYNE N. SILVA: You know, and I think  
25 there may be somewhat a misnomer. SUV implies -- maybe

1 implies that it's like a lifted vehicle. It's really not.  
2 All it is is better handling and better size availability.  
3 Now, I am aware that at high speeds, they do have -- the  
4 rollover rate is probably higher than a sedan; however, the  
5 vehicles are also all equipped with the GPS, so the speed is  
6 monitored on these vehicles as well.

7 VICE CHAIR BECRAFT: Yeah. I don't want to get in a  
8 full debate about the thing. The reason that -- any reason --  
9 the moment you say any vehicle has more of a propensity to  
10 roll than another, it's because the center of gravity is  
11 higher. An SUV, center of gravity is higher, and that's why  
12 in any situation, they're more -- there's a higher probability  
13 of rolling. So it doesn't have anything to do with speed;  
14 it's just what it is, a higher center of gravity thing.

15 But then the other is, is that I just find, you  
16 know, sedans are more economical. They burn less gas. So I  
17 don't know what -- if we needed an SUV for, you know,  
18 transporting things. And then I would just look -- I don't  
19 know what the price -- I'm assuming the price difference  
20 between an SUV and a sedan is about half, but I could be  
21 wrong. I -- what are -- haven't -- I don't think I've ever  
22 bought a new car in my life, actually, but maybe somebody else  
23 can help me out with that. Because in my mind, it's just --  
24 it's just much more costly to buy an SUV, and the cost of  
25 maintenance and gas is a lot higher. Maybe somebody else can

1 jump in and give some of their knowledge.

2 CHAIR BOLOSAN: Sne, go ahead.

3 COMMISSIONER PATEL: Yeah. I would just like to say  
4 that, you know, if the cost is the same, I would defer to what  
5 the staff prefers, and I think to, you know, fulfill their  
6 duties the most efficiently they can. You know, I think we're  
7 grasping at straws here whether one price is gonna be more  
8 efficient or not. You know, what's the overall cost if  
9 somebody isn't able to get down from Hana, has to stay  
10 overnight? I don't know all of these variables. If the SUV  
11 provides a bit more versatility, and that's what the staff  
12 prefers -- I don't do this job day to day, but if the cost is  
13 the same, I don't have any issues with whether it's a sedan or  
14 an SUV. Just state to that, defer to the -- your staff,  
15 Layne, and what you feel will get the job done.

16 COMMISSIONER U'U: I got one.

17 DIRECTOR LAYNE N. SILVA: As far as maintenance,  
18 I -- it seems like the SUV -- I was just handed this document  
19 by Lianne. I think this was the price list that was -- was  
20 being used where it seems like the sedans were leaning more  
21 towards the hybrids and the plug-ins that were actually  
22 pricing out in the area of like 35,000 to 45,000. It looks  
23 like the regular -- the regular gas sport utility vehicle is  
24 actually the cheapest one on the list.

25 VICE CHAIR BECRAFT: Yeah, that list is -- if I

1 heard you correctly, you compared it to a hybrid plug-in.

2 DIRECTOR LAYNE N. SILVA: Well, what I'm looking at  
3 right now is -- came to us from the department of public works  
4 and these are -- I'm taking this as this is the list that was  
5 put out to the county as far as options for us to choose from.  
6 And I'll put -- and it's going anywhere from sport utility  
7 vehicles to Ford Ranger, Chevy Colorado, Nissan Frontier,  
8 full-size regular cab pickup, heavy-duty, regular. And then  
9 on the front page, we have the sedans, which is very limited.  
10 In this entire document, the regular gas SUV is the cheaper  
11 vehicle on that entire document. So that's basically -- that  
12 was the resource that we used to come up with that.

13 COMMISSIONER ANDRION: Director Silva.

14 DIRECTOR LAYNE N. SILVA: Yes, Bobbie.

15 COMMISSIONER ANDRION: On your department proposal,  
16 which is 30,000, is that a very -- that seems to be a very  
17 conservative figure for -- for a newly acquired vehicle. Is  
18 that -- is that 30,000 the delivered or -- I mean, 'cause,  
19 you're quoting something like 45,000 for a hybrid, are you  
20 more the conservative side or is that -- is that what you guys  
21 are already looking for, is that 30,000?

22 DIRECTOR LAYNE N. SILVA: Well, to tell you the  
23 truth, that was our preference as well. The fact that it --  
24 you know, the -- it seemed to be cost-effective, you know,  
25 just helped the case. But the SUV-type vehicle, you know, as

1 I'm -- well, maybe you're not aware, but there's not a whole  
2 lot of electronic access and being here at the service center,  
3 there is no plug-in station anywhere around here that I'm  
4 aware of to go towards a hybrid or an electric vehicle. I  
5 know that that ultimately is the goal for the future, but as  
6 of now, just feasibility-wise, the SUV seemed to be the more  
7 feasible vehicle.

8 COMMISSIONER ANDRION: Okay. I was just -- I was  
9 just looking at if this is the budget, your 30,000 is what's  
10 printed on there, I don't know if you can buy a thing for  
11 30,000 nowadays. That's just my thought.

12 DIRECTOR LAYNE N. SILVA: And, you know, and like  
13 Jamie -- Commissioner Becraft mentioned earlier, I honestly  
14 couldn't tell you how much a brand-new vehicle would cost  
15 right now if we had to purchase it. We're going solely on the  
16 document that was provided, and that's where that cost came  
17 from.

18 COMMISSIONER PATEL: And it could be -- sorry,  
19 Layne. Could that be like a bulk rate that the county is  
20 getting, probably, right?

21 DIRECTOR LAYNE N. SILVA: I'm assuming that that  
22 probably is the case.

23 COMMISSIONER DE MELLO: Can I jump in?

24 DIRECTOR LAYNE N. SILVA: Absolutely.

25 COMMISSIONER DE MELLO: I just -- I just wanted to

1 comment, Sne, from what he said, yeah, that that is correct.  
2 And -- and Layne received the notice from the department of  
3 works to make a choice to choose what vehicle you need to  
4 service your department, and I know that the -- the police  
5 have gotten new vehicles and, yeah, some of the SUV is not on  
6 top of the line for them because you cannot -- the power on  
7 that SUV doesn't help them one bit, but that's what they got.  
8 But if that's the list that the department had sent over to  
9 you to choose what you need to take care of your department,  
10 yeah, you make the choice, you know. And you want to make  
11 sure that your men, right, and your women are taken care of  
12 when they're out in the fields. Especially now, with the  
13 weather changing, we want to make sure they have a safe --  
14 good safe vehicle. Thank you.

15 DIRECTOR LAYNE N. SILVA: Thank you very much,  
16 Jerrybeth.

17 Yeah, and, you know, that's kind of the -- that's  
18 kind of the way we're looking at this, you know, safety is  
19 priority number one. And I do -- I fully understand what  
20 Commissioner Becraft is saying because, yeah, that is true,  
21 when you hear of these rollover accidents, you know, the  
22 lifted vehicles, lifted trucks, SUVs, things of that nature.  
23 But the SUVs that we have in the fleet right now, I don't know  
24 that I would consider them high in comparison. If you look at  
25 it next to maybe a Honda Accord or something like that, it is



1 a bit higher, maybe a little bit more clearance, but I don't  
2 know that I would compare it to possibly a Jeep or something  
3 that would -- you know, if you saw it driving down the road,  
4 your thought process may be, Well, yeah, that's a -- that's a  
5 lifted vehicle.

6 But, again, that's kind of one of the things we were  
7 looking at that was an add-on as well as if you look at the  
8 next page, the equipment expansion budget request was  
9 requesting for a few additional workstations, furniture for  
10 within the department. The reason for that is over the course  
11 of the year -- and actually, we've been here almost six months  
12 now -- we were able to get a better feel of the actual layout  
13 and where we're at, and how to utilize it more properly. And  
14 I think the -- that additional furniture will definitely help  
15 us to achieve our goal. Any questions on that?

16 (No response.)

17 DIRECTOR LAYNE N. SILVA: So are there --

18 COMMISSIONER ANDRION: Director Silva.

19 DIRECTOR LAYNE N. SILVA: Yes. Yes, Bobbie.

20 Commissioner Andrion.

21 COMMISSIONER ANDRION: I'm looking -- so we're  
22 looking to fixtures, the furniture and fixtures, I see a  
23 quantity of three --

24 DIRECTOR LAYNE N. SILVA: Yes.

25 COMMISSIONER ANDRION: -- 25,000 plus some change,

1 is that what we're referring to?

2 DIRECTOR LAYNE N. SILVA: Yes. That's what I was  
3 just speaking about, yes.

4 COMMISSIONER ANDRION: That quantity, when you say  
5 three, is that three pieces of furniture?

6 DIRECTOR LAYNE N. SILVA: No, it's not. It's  
7 actually three separate workstations.

8 COMMISSIONER ANDRION: Oh, all right.

9 DIRECTOR LAYNE N. SILVA: Yeah.

10 COMMISSIONER ANDRION: Yeah, 'cause after I break it  
11 up, it's about 8,000 apiece. I was thinking, What kind of  
12 furniture are you -- you buying? So if it's a workstation, I  
13 do understand.

14 DIRECTOR LAYNE N. SILVA: Yes, yeah.

15 COMMISSIONER HO: Hi, Chair. I have a question.

16 DIRECTOR LAYNE N. SILVA: Yes, Commissioner Ho.

17 CHAIR BOLOSAN: Yes. Go ahead.

18 COMMISSIONER HO: Hi. I have a question in terms of  
19 the -- in the budget, cellular phone, I mean, I look at fiscal  
20 year 2020, 2021, and then '22 has 24,000, so that was a big  
21 jump. But, of course, you know, for the 2023 proposed budget,  
22 you stay the same, so should that be a concern that we have a  
23 big jump for the -- I think that should be okay, it shouldn't  
24 be a question anymore, because it has been adopted for 2022  
25 and (inaudible) moving forward in 2023, it's the same. So I

1 apologize. No question. Thank you.

2 CHAIR BOLOSAN: Thank you, Commissioner Ho.

3 DIRECTOR LAYNE N. SILVA: Thank you.

4 VICE CHAIR BECRAFT: (Gesturing.)

5 DIRECTOR LAYNE N. SILVA: Commissioner Becraft.

6 VICE CHAIR BECRAFT: Director Silva, just one more  
7 on the -- on the copier.

8 DIRECTOR LAYNE N. SILVA: Yes.

9 VICE CHAIR BECRAFT: We doubled our costs for the  
10 2023. What -- it looks like compared to the other years. The  
11 other years we've only gone up, you know, minimally, maybe  
12 like \$400 or 450 or something like that, 440.

13 DIRECTOR LAYNE N. SILVA: The copier is actually an  
14 ongoing lease; however, we're looking at our lease is ending  
15 with the vendor that we're -- we've been with for the past  
16 five years. We're looking at going with a different vendor  
17 this coming year. But what it is is it's an ongoing lease for  
18 the copy machine.

19 VICE CHAIR BECRAFT: And is it correct that we --  
20 that we have to lease? Do they not sell those, or is it just  
21 cost prohibitive to buy one?

22 DIRECTOR LAYNE N. SILVA: It is cost-prohibitive  
23 because what it is is you -- when we go with the lease, it  
24 comes with the service package as well and the maintenance on  
25 the machine. And, you know, over the course of a five-year

1 lease, instead of buying a new machine every five years,  
2 it's -- it gives us the opportunity to five years from now  
3 shop around and make sure that the equipment we have is still  
4 up to standards and if it is not, it gives us the opportunity  
5 to bring ourselves up to standards then. It's like a five-  
6 year commitment.

7 VICE CHAIR BECRAFT: Okay. And just making sure, so  
8 the 5,000 is the going rate now for leasing a regular machine?  
9 I mean, are -- we're not -- just making sure we're not buying  
10 some Cadillac that makes, you know, that ace printing or  
11 ace -- you know what I mean.

12 DIRECTOR LAYNE N. SILVA: Right.

13 VICE CHAIR BECRAFT: That we get what we need, but  
14 not some --

15 DIRECTOR LAYNE N. SILVA: Right. Like I said, it's  
16 an ongoing lease, so I think what it is, it's an estimate in  
17 order to basically move from one to the other and continue  
18 with the same type of service plan as well as meeting the  
19 department's needs. To tell you the truth, that copy machine,  
20 it takes -- it gets a lot of work, we put some miles on it.  
21 We print our own rule books through our copy machine, so in  
22 the course of five years, yeah, we run a lot of reams of paper  
23 through that machine.

24 Are there any more questions or (pause) --

25 (No response.)

1           DIRECTOR LAYNE N. SILVA: Okay. If not, then  
2 basically that is what is being proposed as our -- gonna be  
3 proposed for our -- as our budget.

4           I'm not sure what happens at this point. If  
5 corporation counsel -- yeah. So, Jenny, what happens now?

6           CORP COUNSEL OANA: So, Director, can I just confirm  
7 that your department's already submitted the budget to the  
8 mayor's office?

9           DIRECTOR LAYNE N. SILVA: Yes, you can confirm it  
10 has been.

11           CORP COUNSEL OANA: Okay. So, Commissioners, you  
12 know, under the charter, the charter's language says that the  
13 liquor control commission shall prepare and submit a request  
14 for an annual appropriation for the operation of the  
15 department. Throughout the years, that has not been the  
16 practice of the commission. There's similar language in the  
17 board of water supply, fire commission, police commission that  
18 the commission prepares the budget and submits it to the  
19 mayor, but as you folks all realize and know that there's no  
20 one on the commission who does this, it's the department who  
21 does the budget, of course. And so at this point, I would  
22 suggest that you guys write a letter to the mayor to kind  
23 of --

24           I've done a quick little draft just now for your  
25 consideration and discussion, and it could go: Dear Mayor,

1 and, you know, Michelle Yoshimura, the budget director. The  
2 liquor commission received the presentation by the liquor  
3 department on the department's proposed fiscal year 2023  
4 budget at its meeting on December 8th, 2021. The liquor  
5 commission supports the department's request for its annual  
6 appropriation for the operation of the department as  
7 presented. And then it could be signed, Sincerely, Leon  
8 Bolosan.

9 The contents of what I just said, you know, you guys  
10 can play with and decide for yourselves what you want to put,  
11 but that would be my suggestion, is that the commission write  
12 a letter through the chair to the mayor and the budget  
13 department saying you guys support it or you guys would  
14 recommend changes to -- you know, list suggestions in the  
15 letter.

16 VICE CHAIR BECRAFT: So, Ms. Oana, so that we make a  
17 motion for that, vote on it, or do we just let our chair sign  
18 that letter?

19 CORP COUNSEL OANA: Let's make a motion on that, a  
20 motion and votes.

21 VICE CHAIR BECRAFT: Mr. Chair, I make a motion that  
22 we approve the proposed budget and that you submit a letter on  
23 behalf of the board that we support the proposed budget.

24 CHAIR BOLOSAN: Okay.

25 COMMISSIONER DE MELLO: I second the motion.

1 CHAIR BOLOSAN: All right. Moved by Vice Chair  
2 Becraft and seconded by Commissioner De Mello. I'm gonna go  
3 on for a roll call vote.

4 VICE CHAIR BECRAFT: Any discussion?

5 CHAIR BOLOSAN: Okay. Any discussion?

6 COMMISSIONER ANDRION: Chair, Mr. Chair.

7 CHAIR BOLOSAN: Yes.

8 COMMISSIONER ANDRION: Before we go to vote, I just  
9 want to clarify, so the total liquor control program on the  
10 budget, is that the one that's depicted on -- I don't know  
11 what page this is, but it says 1,498,069. Is that the  
12 proposed budget that's being submitted, Director Silva?

13 DIRECTOR LAYNE N. SILVA: Yes, that is the B  
14 account. The operations is \$1,498,069, yes.

15 COMMISSIONER ANDRION: Okay. So that is what we're  
16 approving to be forwarded to the mayor?

17 DIRECTOR LAYNE N. SILVA: The total budget, which  
18 includes salaries and overhead -- which I don't believe I can  
19 share -- to include the B account operations, C account  
20 equipment, the total budget will be \$3,099,343, which is  
21 approximately \$1,645 less than fiscal year 2022.

22 VICE CHAIR BECRAFT: I have a question for  
23 corporation counsel.

24 CHAIR BOLOSAN: Go ahead, Vice Chair Becraft.

25 VICE CHAIR BECRAFT: And it's a follow-up to -- to

1 Roberto's question. I didn't realize our -- not -- I'm not  
2 saying that it's wrong, but I didn't realize we had all that.  
3 So, yeah, it's like \$1.4 million, I thought it was pretty  
4 good, but the -- so there -- so for corporation counsel, is  
5 there -- is that not public information, salaries and  
6 overhead? 'Cause I believe -- I thought it was public  
7 information.

8 CORP COUNSEL OANA: I don't believe the individual  
9 salaries are public, are public information. You know, if the  
10 director wanted to give you the total or something, that's  
11 fine, but I'm not aware that any of the salaries are public  
12 information throughout the county. It's all -- it's always  
13 been redacted, at least to the public.

14 COMMISSIONER ANDRION: So I'm sorry, this is Roberto  
15 Andrion again, Corporate Counsel. So is there -- I'm sorry,  
16 is there some sort of figure that we can get so that we know  
17 what's being sent to the mayor? I mean, it doesn't have to be  
18 by item. We can say this is the total package to include  
19 this, this, and this, and this is what we're approving so that  
20 we know what we're approving.

21 CORP COUNSEL OANA: You know, I'm not sure.

22 Is that something you can provide, Director Silva,  
23 like the total?

24 DIRECTOR LAYNE N. SILVA: Well, I do have a total,  
25 yeah, of the combined salaries. If you're telling me that's



1 okay to share, then I'll share it; yeah, absolutely.

2 COMMISSIONER ANDRION: Or, I'm sorry, it doesn't  
3 have to -- it doesn't have to say this is the salary, we're  
4 saying this is the budget in total, X amount of --

5 DIRECTOR LAYNE N. SILVA: That is that number that I  
6 just gave, is the \$3,099,343 is the proposed budget for fiscal  
7 year '23, the total.

8 COMMISSIONER ANDRION: And that is the number  
9 that -- and that is the number that we're gonna be sending  
10 forward to the mayor's office for approval?

11 DIRECTOR LAYNE N. SILVA: Yes.

12 COMMISSIONER ANDRION: Okay. I'll -- I'm okay with  
13 that.

14 CHAIR BOLOSAN: Oh, I have a question to corp.  
15 Counsel. You know, I believe you had mentioned that this move  
16 here has never been done in the past. Is this the first time  
17 that we do this to, you know, make a motion, prepare all these  
18 and write to the mayor, or have been done before?

19 CORP COUNSEL OANA: No, I think that that has been  
20 done before.

21 CHAIR BOLOSAN: Okay.

22 CORP COUNSEL OANA: And maybe Maria can correct me  
23 if I'm wrong, even Director Silva. But I was just trying to  
24 point out that the charter does say that the commission  
25 prepares the budget, and I really don't see how the commission

1 can prepare the department's budgets.

2 CHAIR BOLOSAN: Yes.

3 CORP COUNSEL OANA: So in practice, as far as I know  
4 forever, you know, the department prepares the budget, gives  
5 you folks a presentation, and then I believe you guys -- or  
6 the commission has in the past written a letter to the mayor  
7 to express your support or just inform the mayor that the  
8 department has presented to you folks the budget.

9 So that's my recommendation today is you guys send a  
10 letter to the mayor to say that you've been shown the budget  
11 as well as whether you support it, whether you are  
12 recommending any changes to it, or whatever. But I think  
13 that's the process that this commission has operated in the  
14 past is you guys get your presentation, and then you inform  
15 the mayor of your support or opposition.

16 CHAIR BOLOSAN: Okay. Yeah, 'cause I just recall  
17 that I've been in the commission for more than four and a half  
18 years now, I don't recall I've participated in one of those  
19 processes.

20 VICE CHAIR BECRAFT: So, Mr. Chair.

21 CHAIR BOLOSAN: Yes.

22 VICE CHAIR BECRAFT: I'll remind you, I think I  
23 remember actually being on it already, but -- yeah, here, this  
24 might jar your memory.

25 CHAIR BOLOSAN: Okay.

1           VICE CHAIR BECRAFT: They were trying to get their  
2 own counsel, and it was in the budget. We had a big  
3 discussion on that, and we had it removed. So we did vote on  
4 their budget last year. I know that we have in the past,  
5 they've presented it in the same fashion --

6           CHAIR BOLOSAN: Okay.

7           VICE CHAIR BECRAFT: -- last year or the year  
8 before. I know we were still in -- we were still meeting live  
9 and then -- when that one happened, so maybe it was the year  
10 prior, but I do know that we see the budget and that we have  
11 voted in the past; it's common practice.

12          CHAIR BOLOSAN: Thank you, Vice Chair Becraft, to  
13 refresh my memory. Thank you.

14          Okay. Any thoughts? Comments?

15          COMMISSIONER DE MELLO: There's a motion on the  
16 floor.

17          CHAIR BOLOSAN: Okay. Well, I think that motion --  
18 Commissioner De Mello, I don't think so. It has to be  
19 rephrased again, am I right, Corp. Counsel Oana?

20          CORP COUNSEL OANA: So the motion was to approve the  
21 proposed budget and submit a letter from the commission  
22 through the chair to the mayor that the liquor commission  
23 supports the department's request. Is that correct, Vice  
24 Chair Becraft?

25          COMMISSIONER DE MELLO: Yeah, yeah.

1 VICE CHAIR BECRAFT: Yes, that's (inaudible).

2 CORP COUNSEL OANA: And Commissioner De Mello?

3 Okay. And so you're in discussion, and then you  
4 guys can vote on that and then I can work with the chair on  
5 actually the draft of the letter for his signature.

6 CHAIR BOLOSAN: Thank you, yeah.

7 Okay. We are on any discussion?

8 (No response.)

9 CHAIR BOLOSAN: If not --

10 COMMISSIONER ANDRION: Chair, call for the question.

11 CHAIR BOLOSAN: Come again, Commissioner Andrion.

12 COMMISSIONER ANDRION: Call for the question.

13 CHAIR BOLOSAN: Yeah. Okay, asking for the  
14 question. Before I would call for a vote, Commissioners, is  
15 there any other discussion?

16 (No response.)

17 CHAIR BOLOSAN: Okay. If not, I think that motion  
18 that corp. Counsel just read, is that clear enough for us to  
19 move on to vote, Corp. Counsel?

20 COMMISSIONER ANDRION: (Gesturing.)

21 CHAIR BOLOSAN: Go ahead, Commissioner Andrion.

22 COMMISSIONER ANDRION: Yeah, I believe -- do we need  
23 to call for the question one more time or to establish the  
24 motion? 'Cause we could -- we could vote on the motion right  
25 now, right?

1 CHAIR BOLOSAN: Okay. The legality would come from  
2 the corp. Counsel.

3 Counsel Oana, are we ready to go on to the vote?

4 CORP COUNSEL OANA: Yeah, you can vote. The motion  
5 is sufficient; you guys would be approving the budget and  
6 authorizing you, Chair, to submit a letter to the mayor  
7 stating that the commission supports the department's proposed  
8 budget.

9 CHAIR BOLOSAN: Thank you, Corp. Counsel Oana.  
10 Without no objection, then, I'm gonna go call for  
11 the vote.

12 Vice Chair Becraft.

13 VICE CHAIR BECRAFT: Aye.

14 CHAIR BOLOSAN: Commissioner Andrion.

15 COMMISSIONER ANDRION: Aye.

16 CHAIR BOLOSAN: Commissioner De Mello.

17 COMMISSIONER DE MELLO: Aye.

18 CHAIR BOLOSAN: Commissioner U'u. Commissioner U'u?  
19 Okay. Commissioner U'u is not there for the vote for on the  
20 record.

21 Commissioner Boswell.

22 COMMISSIONER BOSWELL: Aye.

23 CHAIR BOLOSAN: Commissioner Ho.

24 COMMISSIONER HO: Aye.

25 CHAIR BOLOSAN: Commissioner Patel.

1 COMMISSIONER PATEL: Aye.

2 CHAIR BOLOSAN: And the chair votes aye.

3 Motion carried.

4 Okay. Hang on. We're gonna move on to Charter  
5 Commission, Proposed Charter Amendments, No. 1, Discussion and  
6 Recommendation For Charter Amendments. Any from the  
7 commissioners?

8 Go ahead, Counsel Oana.

9 CORP COUNSEL OANA: Thank you, Chair.

10 I asked that we put this on the agenda because the  
11 charter commission is currently reviewing charter amendment  
12 proposals, and in the last couple meetings, this commission  
13 has -- has been brought up with some of these proposals, and I  
14 asked Maria to email you folks all. I think -- I think what I  
15 received from the charter commission is the latest on the --  
16 on some of the proposals. I hope you guys got a chance to  
17 look at that. It's kind of confusing to me where they are.  
18 I'm only sometimes logging on to their meetings, but if you --  
19 if you saw that those -- those attachments in the email that  
20 Maria gave to you as well as it is on -- posted online.

21 Hold on just a sec. Let me bring this up.

22 So one of the attachments that was in your email  
23 kind of shows you a chart on where they are, whether they  
24 adopted those proposals or not. They've adopted a lot. But  
25 one of the other attachments is the actual language to some of

1 their proposals, and if you look at I think starting from  
2 Proposal I-11, I believe, I-11, they start talking about the  
3 fire and public safety commission, civil service commission,  
4 police commission, and you folks. And you guys are kind of  
5 grouped together because you have similar duties, which is  
6 review, you know, the department's budget every year, annually  
7 evaluate the director, some of you guys have powers with  
8 regard to either the chief the police or mission -- fire  
9 similar as the director.

10 So they -- they are considering some changes. You  
11 folks -- and some, like I said, have already passed. Like how  
12 we were just reviewing the budget, you know, the current  
13 language as I read to you, it says you guys have to prepare  
14 and submit a request for an annual appropriation for the  
15 operation of the department, but realistically, the commission  
16 can't prepare the department's budget. I think only personnel  
17 in the department really knows exactly what they need in all  
18 aspects of the department, so it's really the department who  
19 should prepare it. And so there's been, you know, proposed  
20 changes to take out the prepare language and take out the  
21 submit to the mayor language 'cause it's submitting the budget  
22 to the mayor, not the letter approving, right? So they have  
23 considered that, and I believe that that has passed as  
24 something to go on the ballot.

25 Another thing that has passed, the I-12 matter with

1 regard to all of the four commissions that are similar --  
2 similarly situated is so that it gives you guys the power to  
3 determine the director's good standing for purposes of  
4 retirement. Basically, I think every county employee, when  
5 they retire, their hiring authority has to determine whether  
6 the person has retired in good standing or not. It does  
7 affect some of your retirement benefits. And so there was a  
8 proposal to add that kind of duty to you folks as well as the  
9 other similarly situated commissions to allow you folks to  
10 determine the good standing of the director upon retirement.

11 Another thing that has passed unanimously is I-13,  
12 it looks like. And I'm sorry, it's not really from personal  
13 knowledge, but just from some of the -- some of these  
14 materials that I asked the charter commission for. So I-13,  
15 if you look at your -- your materials, you know, in your -- in  
16 the charter with regard to your jurisdiction over the director  
17 of liquor control, you know, it does say that the director may  
18 be removed from the liquor commission by the liquor commission  
19 only after being informed of -- in writing of the charges that  
20 are resulting in the director's dismissal and after being  
21 given a hearing before the commission. So what's been changed  
22 for all of the four commissions is basically the word charges,  
23 and the word is -- it changed from charges to reasons. So  
24 after being informed of the -- in writing of the reasons for  
25 the director's dismissal -- and I believe the change is



1 because the word charges sounds like criminal matters, you're  
2 being charged criminally, and that may not be what's going on,  
3 that may be just a reason or two for the commission's wanting  
4 to remove the director or the chief.

5 And let's see, something that failed is I-14 for the  
6 four commissions. I think someone proposed that -- you know,  
7 as you folks all know, you guys are selected by the mayor but  
8 confirmed by the council to be commissioners, right? Somebody  
9 proposed taking out the selected by the mayor part and just  
10 have it all be appointed by the council, and it looks like  
11 that motion failed for the four.

12 Let's see, what other things pertain to you folks?

13 And I'll just recommend that you guys kind of read  
14 through this, and if you want to testify to the charter  
15 commission individually, support, or in opposition to any of  
16 their proposals, please, you know, feel free to testify as an  
17 individual. Don't say you represent the commission unless  
18 today you guys decide on, you know, someone representing the  
19 commission to testify in front of the charter commission on  
20 behalf of all of you guys as, like, a collective body.

21 The -- I wanted to also talk to you about one other  
22 thing. Just a moment. Okay. And then something that looks  
23 like it passed December 2nd, this is I-26 --

24 DIRECTOR LAYNE N. SILVA: Jennifer, if I could maybe  
25 comment a little bit on I-26?

1           CORP COUNSEL OANA: Sure, yes.

2           DIRECTOR LAYNE N. SILVA: I actually attended that  
3 meeting. I testified on that -- that item. I also want to  
4 point out that Commissioner U'u also attended and testified on  
5 that item as well as the Adjudication Board Member Lahela  
6 Aiwohi also attended and testified on that item. That one was  
7 in regards to eliminating the adjudication board and making  
8 the commission into the sole entity that would handle all the  
9 items that the commission handles already as well as the items  
10 that go before the adjudication board. I believe that the --  
11 what happened with that one is they actually changed the  
12 language to instead of eliminating the adjudication board,  
13 they kept the board and inserted a condition that in order to  
14 transfer from the liquor commission to the adjudication board  
15 or vice versa, that there would be a two-year waiting period  
16 in between the possibility of doing that. And that's how that  
17 one ended up on that day, so that's where that one got -- went  
18 to.

19           CORP COUNSEL OANA: Thank you, Director.

20           And just one last thing with regard to the director.  
21 I think on November 18th a motion passed with the commission  
22 to add with regard to the requirements for the director --  
23 currently, it says the director of the department of liquor  
24 control shall have had a minimum of five years experience in  
25 law enforcement. Now it says at least five years of

1 experience in law or law-enforcement-related fields.

2 Now I want to turn your attention to the other  
3 attachment that Maria emailed you folks with regard to county  
4 hearings officers, and this is like a brand-new proposed  
5 section to go into the charter. And what they're proposing is  
6 to establish a county hearings officer office and so basically  
7 for all of the boards and commissions in the county who do  
8 adjudicatory matters or, you know, hear contested case  
9 hearings, they are wanting the hearings officer to be the one  
10 who does that procedure and process with regard to the actual  
11 hearing. They are -- their language does propose that the  
12 commission or board does have the final say once the hearings  
13 officer conducts the hearing and writes a, you know,  
14 recommended proposed finding of fact and conclusion of law,  
15 they would give it to you guys to adopt or reject.

16 If you see in your packet, also, the chair of the  
17 police commission wrote to you guys. The police commission  
18 feels very strongly against this -- the hearings officer  
19 language with respect to the hearings officer taking away the  
20 police commission's jurisdiction to hear, you know, hearings  
21 where the police commission wants to dismiss or discipline the  
22 chief. The hearings officer would basically be taking that  
23 process and hearings away from the police commission and will  
24 hear it, you know, in a separate, you know, time away from any  
25 commission meeting, and the hearings officer will be

1 hearing -- will be conducting the hearings. So the police  
2 commission is very kind of upset about that. They don't want  
3 that duty taken away from them. And so the chair of the  
4 police commission wrote to you folks as well as the fire  
5 commission and civil service commission kind of informing you  
6 guys of their stance on it.

7           So, you know, I just -- I wanted to bring this to  
8 your attention. There's a lot of movement going on at the  
9 charter commission; it's moving very fast. Honestly, like I'm  
10 hearing from the police commission and other commissions too,  
11 you folks, you know, the liquor commission, the police  
12 commission, you guys aren't giving -- being given, you know,  
13 notice on when your commission is coming up for proposed  
14 amendments. So it's really like we're kind of trying to  
15 figure out what the charter commission's doing and determining  
16 whether we have to testify, you know, that day. And it's  
17 really difficult for you guys because you don't -- by the time  
18 we agendize our meeting to be able to put some kind of  
19 discussion of charter commission proposals on our agenda for  
20 your guy's proper discussion, you know, we don't even have  
21 that time to do that because we don't know what the charter's  
22 gonna be talking about at their meeting at the time when we're  
23 agendizing our meeting.

24           So I would, one, suggest that you guys discuss these  
25 charter proposals, especially the hearings officer proposal,

1 today, and if you guys want to write a letter to the charter  
2 commission as written testimony for their next meeting,  
3 however you guys decide, whether you support it or you oppose  
4 it, but individually also I would probably suggest that you  
5 guys kind of monitor those meetings and then testify  
6 individually whether you support or don't support their  
7 proposals.

8 VICE CHAIR BECRAFT: Mr. Chair.

9 CHAIR BOLOSAN: Yes. Go ahead, Vice Chair Becraft.

10 VICE CHAIR BECRAFT: Corporation Counsel Oana,  
11 the -- if I'm hearing everything correctly and from what I've  
12 seen, they did not put this same hearings officer requirement  
13 upon liquor, is that correct?

14 CORP COUNSEL OANA: You know, no, I think it will be  
15 for -- you mean liquor adjudication board?

16 VICE CHAIR BECRAFT: For the -- in the situation --  
17 from what I'm hearing, like -- and I'm against it, I'm gonna  
18 get to that, but the -- from what I'm hearing is they're  
19 saying to the commission, the police commission, if you decide  
20 to terminate the chief of police, it's gonna have to go  
21 through yet another commission or another hearings officer  
22 process. Did they put -- I would assume they were gonna try  
23 to, but have they put that stipulation on us yet?

24 CORP COUNSEL OANA: You know, as far as I know, this  
25 will go -- this will apply to all county boards and

1 commissions who do contested case hearing type matters, and  
2 then in your jurisdiction for the commission, your contested  
3 case matter might come up if you do want to discipline or  
4 dismiss your director and similar for the police commission if  
5 they want to discipline or dismiss their chief, that could be  
6 a contested case hearing that would be taken away from you and  
7 be heard by a hearings officer.

8 VICE CHAIR BECRAFT: So, so to me, that's just -- I  
9 mean, duplicitous comes to mind. It doesn't -- it doesn't  
10 make any sense to me to -- for that. And I would like some  
11 discussion and submitting a letter and knowing, like you said,  
12 if we can -- we can address this now because this has been  
13 agendized. So we can maybe address -- discuss now for the  
14 future if we're all in agreement to write a letter not  
15 supporting that? I mean, what -- what's the point of what  
16 we're doing if we're -- I mean, we're the ones that are gonna  
17 see what's going on firsthand, right? I mean, why would we  
18 want a third party to make that decision for us? So my  
19 thought pattern is I would like to -- for us to continue  
20 discussion, and maybe discuss writing a letter in opposition  
21 of that explaining that it's duplicitous, that we would be --  
22 I mean, we're gonna be going through corporation counsel  
23 anyway to get our legalities, ducks in a row before making  
24 such a decision anyway. And I'm assuming that there would be  
25 some -- you know, it's gonna be up to us, but I would assume

1 we'd already have some egregious acts that we -- you know, we  
2 would have our reasons, we wouldn't need a third party. It  
3 kind of seems really strange to me.

4 So that would be my things I'd like to know what  
5 everybody else feels about if we can just go ahead and get in  
6 front of this now, support the police commission, support all  
7 the other commissions, get our -- get our position in a row  
8 and that way if they decide to calendar this for -- next, for  
9 us to go. We've already talked about it, and then we can go  
10 and testify and say, I'm representing liquor.

11 CORP COUNSEL OANA: Yeah. And, Chair, if I may, I  
12 would actually suggest you guys appoint one of you folks to  
13 give public testimony at the meeting. With my experience with  
14 the police commission's letter to the charter commission, it  
15 gets lost. Not like it's lost, but whether commissioners read  
16 it or not, it's questionable. And I've watched a meeting  
17 where commissioners -- a commissioner was there; Where is it?  
18 I didn't get it. Well, you know, he did get it; he just  
19 didn't read it. And so I -- and I've been told that more  
20 powerful testimony comes through oral testimony. So, for  
21 example, if you wanted to, you know, authorize Vice Chair  
22 Becraft to testify on behalf of the commission with regard to  
23 your position, you know, you -- that is -- I recommend that to  
24 get your point across very loud and clear to the charter  
25 commission.

1           VICE CHAIR BECRAFT: Well, yeah, although I am very  
2 loud, I don't know that one person actually carries as much  
3 punch as -- I mean, I would -- I'm fine with that if we name  
4 one, but I actually wouldn't want to limit it to that. I  
5 think it's just stronger the more they have to listen to  
6 because my understanding is they -- even if they have 17  
7 amendments to us, they're only gonna give us two minutes or  
8 three minutes, not for each item. I've already testified on  
9 other stuff, so -- so it's -- to me, I would encourage that we  
10 go ahead and -- we can do that like to make sure that we at  
11 least have one person that's gonna be there, but like I would  
12 think that the strongest -- if we're all in agreement, the  
13 strongest is that if we talk about it now and then authorize  
14 all of us to be able to jump on and speak for each other and  
15 as one unit all for or against this. I'm strongly against it,  
16 but I'd like to hear from everyone else on how they feel.

17           CHAIR BOLOSAN: Go ahead, Commissioner Ho.

18           COMMISSIONER HO: Thank you. I agree with  
19 Commissioner Becraft's analysis. I definitely I am against  
20 this, but at the same time, I would like to just ask some  
21 question about, are they gonna create a group of hearing  
22 officers or just how many -- I mean, who would -- who the  
23 hearing officer -- who are they going to report to? I'm just  
24 curious to know. I mean, just give us some sort of  
25 background. So how -- so I think that the commissions



1 actually like police commission, liquor commission, we  
2 actually perform really well on decision-making, so I'm just  
3 curious to know who does this hearings officer report to? I  
4 mean, yeah.

5 CORP COUNSEL OANA: I was trying to read here  
6 that -- that thing really quickly. I can't see it now, but  
7 maybe it was because I heard rumors that it might be under the  
8 county clerk's office, but I'm not sure. But that first  
9 provision where it says county hearings officer established,  
10 it says there shall be two or more hearings officers, each  
11 shall be appointed by the mayor and confirmed by the council  
12 from a list of not less than three and not more than five  
13 nominees presented to the mayor by the independent selection  
14 commission.

15 And then I think they have this part wrong, 'cause  
16 it doesn't make sense. The next line basically is the  
17 corporation counsel shall be an attorney licensed to practice  
18 and in good standing before the supreme court of the state,  
19 blah, blah. I think they meant the hearings officer shall be  
20 an attorney licensed to practice. Term of office shall be six  
21 years, provided that among the first two hearings officers  
22 appointed, one shall serve for three years, the term shall be  
23 staggered -- I'm not sure but -- I'm not sure what -- where  
24 the hearings officer office will be. I thought I heard it was  
25 gonna be under the county clerks, but that still might be up

1 for debate.

2 COMMISSIONER U'U: Chair.

3 CHAIR BOLOSAN: Go ahead, Commissioner U'u.

4 COMMISSIONER U'U: And that's exactly the problem  
5 with this, everything is being done on a whim, so the  
6 clarity -- you get no clarity when you do things on a whim,  
7 and I think Jamie knows that and most people. They -- I have  
8 no idea where it's coming from or what they're doing. And you  
9 know what, I know this, they have no idea. All I know, it's  
10 moving, and I caught wind of it. I testified, you know, on --  
11 they wanted get rid of the adjudication, wanted it to us to  
12 handle it to a certain degree with a hearings officer. And  
13 none of them even knew what we did or what was involved in the  
14 work -- the process, and yet they're making decisions that,  
15 you know, potentially could go on the ballot for -- for  
16 even -- for even less people who really know about it would  
17 vote on it.

18 So I agree with Jamie, and I agree what was said by  
19 corp. Counsel when there's not clarity because there is none.  
20 There is absolutely no clarity. So if someone could keep us  
21 abreast -- and I know we all busy, and if we have an option to  
22 testify, I'm willing. And, again, I think Jamie has a strong  
23 voice and is the vice chair, so, you know, again, if you need  
24 help, brother, kokoo me and give me a ring, because they're  
25 making decisions on a whim that could affect us long term. So

1 that's my two cents. But, Jamie, you get three, brother.

2 Aloha.

3 CHAIR BOLOSAN: Thank you, Commissioner U'u.

4 Any other comments from the commissioners?

5 COMMISSIONER ANDRION: (Gesturing.)

6 CHAIR BOLOSAN: Go ahead, Commissioner Andrion.

7 Bobbie.

8 VICE CHAIR BECRAFT: You're muted. You're muted,

9 Bobbie. You're muted.

10 COMMISSIONER ANDRION: I'm sorry, I was trying to  
11 talk silent there for a minute.

12 But it is true, you know, we -- we are the  
13 commission, we have dealt with this, and we already go through  
14 scrutiny just to be on this commission. And I think now that  
15 we have established things going forward and to throw this --  
16 this idea that now they need somebody else to oversee  
17 anything, then that just basically defeats the purpose of even  
18 having us as a commission.

19 VICE CHAIR BECRAFT: Yeah.

20 COMMISSIONER ANDRION: So, yes, I do strongly agree  
21 that there is no need for this to take away what we are  
22 already doing and say -- you know what, it's just like sending  
23 a message to us and saying, Well, you guys are not doing you  
24 guys' job, so, therefore, we're gonna hire somebody else,  
25 okay, that basically, we're gonna spend money on or whatever

1 the case may be, that -- to do your guys job that you guys  
2 are -- you know, are not doing. And I think that that puts a  
3 sour taste in my mouth to look at it from that perspective.

4 So, yes, I agree with -- with Jamie and Commissioner  
5 U'u that this is our jurisdiction and it shouldn't be taken  
6 away from us, being that we are doing it already. And who  
7 knows more as far as what's happening and the particular  
8 department of liquor if not for the commissioners? Okay. To  
9 have somebody from the outside that has no idea what they're  
10 doing to come back and say, Well, you know what, I will  
11 oversee and provide a discipline, and, of course, you, the  
12 commissioners, will take that recommendation or not, that  
13 really doesn't make sense to me. So, yes, I am also opposed,  
14 strongly opposed to this whole idea of putting it to a  
15 hearings officer. I'm done.

16 CHAIR BOLOSAN: Thank you, Commissioner Andrion.

17 I would like to hear from Commissioner Boswell. Do  
18 you have any opinion on this matter?

19 COMMISSIONER BOSWELL: I agree with Jamie, you know,  
20 what's the point of the commission if we don't carry all of  
21 its authorities? It's unnecessary. I think by having one  
22 sole individual, you open yourself up for favoritism or  
23 retaliation as opposed to the board system where there's nine  
24 of us, and there's a vote. I think it just keeps things fair,  
25 it keeps things level, and I'm against the county hearings

1 officer as well.

2 CHAIR BOLOSAN: Thank you, Aaron.

3 Commissioner De Mello, what is your take on this  
4 issue?

5 COMMISSIONER DE MELLO: Yes, I agree with the board,  
6 nobody knows our job, you know, exactly what we do, and yeah,  
7 it's been well said by the commission.

8 CHAIR BOLOSAN: Thank you, Commissioner De Mello.

9 Commissioner Ho, what is your take on this?

10 COMMISSIONER HO: I'm opposed to their -- the  
11 amendments to have a hearing officer as all of us understand,  
12 you know, we commissioners, we know what we're doing, and  
13 everyone has been going such a great job. So I oppose having  
14 a hearing officer, and I support Jamie's suggestion either we  
15 go in to testify, or we can submit a letter, I mean, from the  
16 group.

17 CHAIR BOLOSAN: Thank you, Commissioner Ho.

18 Your take on this, Commissioner Patel?

19 COMMISSIONER PATEL: I think we're all in consensus  
20 here. It's, you know, like Robert said, almost like a slap in  
21 the face in the sense that we're doing this, you know, taking  
22 time away from work right now for three hours, you know, we're  
23 not getting paid. So, I mean, it's like you create a paid  
24 position to oversight -- I don't know, you know, it's the  
25 inefficiency that sometimes this is the kind of thing deters

1 you from getting involved sometimes, right, and discourages  
2 you. But yeah, we keep on, like, you know, everyone says,  
3 we -- I think we -- we should write a letter, definitely write  
4 a letter, Leon, coming from you, that, you know, this is how  
5 the board feels and solidarity with the other commissions that  
6 have already addressed their concerns. And then, yeah, I'd be  
7 willing to testify.

8 I'd love, Jamie, if you, you know, also kind of  
9 went. You have a great voice and presence, I feel, and so,  
10 yeah, you know, I think we need to -- we need to let the  
11 commission know, the charter commission, that this is how we  
12 feel both in letter and in person.

13 CHAIR BOLOSAN: Thank you, Commissioner Patel.

14 VICE CHAIR BECRAFT: (Gesturing.)

15 CHAIR BOLOSAN: Go ahead. You have the floor, Vice  
16 Chair Becraft.

17 VICE CHAIR BECRAFT: And I'd just like to reiterate,  
18 I appreciate everyone's support, and I'm glad we're all on the  
19 same page on this. I'll -- I mean, I think we all feel the  
20 same. It's like kind of a -- to me, it's a no-brainer, it  
21 doesn't make any sense what they're doing, but -- and I would  
22 encourage that we all go ahead and testify. Like I said, if  
23 you've done any of this so far, they're not giving -- like for  
24 us, if we have five agenda items, you're gonna get your two  
25 minutes plus one on each agenda item that you testify on.

1 They're not doing that; they're giving you the three minutes  
2 flat. They don't care if they've got seven items they want to  
3 switch for us; they're giving you three minutes, that's all  
4 you get. So to get the point across, I think it's really  
5 important that if we have the time, that we all have the --  
6 you know, that we take the time, and we all testify. And that  
7 way we, you know, really get our point across.

8 So I would like to make a motion. I'd like to make  
9 a motion that we write a letter in opposition of the hearings  
10 officer, that that be -- letter be in opposition and signed  
11 and moved forward through our Chair Bolosan and that we also  
12 authorize each one of our commission members to testify,  
13 should they desire, and to be able to testify as representing  
14 the commission, not just as a private citizen.

15 CHAIR BOLOSAN: Okay. Thank you, Chair Becraft.  
16 That motion was --

17 COMMISSIONER U'U: I'll second for discussion also.  
18 I'll second.

19 CHAIR BOLOSAN: Okay, okay. We've got the first and  
20 second. Prior to that, I just wanted to let you know as the  
21 chair, I'm -- I heard you all, and I'm with you, okay, a  
22 hundred percent. So those motion and the second, go ahead,  
23 I'm gonna call on for the vote.

24 VICE CHAIR BECRAFT: We need discussion.

25 COMMISSIONER U'U: Discussion.

1 CHAIR BOLOSAN: Any discussion? Any discussion?  
2 Jennifer.

3 CORP COUNSEL OANA: Okay. First of all, can I just  
4 see like maybe a show of hands who would be wanting to  
5 testify? If -- you know, I know we're all meeting virtually,  
6 and I know charter commission is meeting virtually, but  
7 ultimately, we can't gather more than quorum without it being  
8 a meeting. If four is willing to, and if you guys are okay  
9 with just authorizing four, it would like, you know, relieve  
10 some of my heartache right now. Not to say that you guys are  
11 gathering together, but I just don't want anyone to complain  
12 that all nine commissioners gathered at a charter commission  
13 meeting. It's silly, I know, but would you guys be okay with  
14 just four of you?

15 VICE CHAIR BECRAFT: Hang on. I have a question on  
16 that. I don't -- I thought we can't do three or more, so I  
17 don't know how we would be able to do four.

18 CORP COUNSEL OANA: I'm sorry, four. Four or more,  
19 four.

20 VICE CHAIR BECRAFT: Isn't four already a violation?  
21 I thought we could only have a max of three.

22 CORP COUNSEL OANA: No. Four is okay. Four is less  
23 than quorum.

24 CHAIR BOLOSAN: Yeah.

25 CORP COUNSEL OANA: Five is quorum, five is a



1 meeting.

2 VICE CHAIR BECRAFT: I see.

3 CORP COUNSEL OANA: So four is okay.

4 VICE CHAIR BECRAFT: And so then -- then are we able  
5 to circumvent that if we add into this if we agendize this  
6 already and make it -- because, I mean, it's impossible if  
7 they're gonna be -- if they're gonna be making a last-minute  
8 thing, I mean, is it -- are they gonna give us more than a  
9 week?

10 CORP COUNSEL OANA: No. I mean, I can't even tell  
11 you what they're gonna agendize next and anything. I have  
12 absolutely no idea.

13 CHAIR BOLOSAN: Okay.

14 CORP COUNSEL OANA: But if there's only four of you,  
15 then, you know, that could work without me, you know,  
16 worrying.

17 COMMISSIONER U'U: I've got a question. Put it this  
18 way, I come on onto the -- if I show up and I see four guys, I  
19 just back out, you know what I'm saying? If that's the case,  
20 that's what I would do. But I just wanted to add that we  
21 should let the charter commission know that they should not do  
22 anything to the commission or anything of that sort without  
23 consulting with us first, period. I mean, other than that,  
24 moving -- for everything they put up, we're gonna show up,  
25 Hey, moving forward, being you guys have no clue on what we're

1 doing -- and I would say just like that -- you guys shouldn't  
2 be making the decisions. I mean, we got -- like for anything,  
3 right, because when I -- they was comparing Oahu commission to  
4 Maui commission. Oahu commission gets paid, so that's how far  
5 off they are, so -- and I think other commissions hopefully  
6 take the same stance we take and say, Hey, guys, you guys  
7 shouldn't make any decisions without consulting us because  
8 that's poor decision-making, that is zero transparency. What  
9 we trying for bring and achieve here fully is transparency.  
10 They have zero. So I think we all should let them know, You  
11 guys have zero transparency; we object to anything you guys do  
12 to the commission without consulting us as a whole. And I  
13 think that would be clear across the board because it is  
14 absolutely BS what they're doing, and we -- I cannot keep up,  
15 nobody can. I mean, who can? And they're doing it like --  
16 like that. So my -- my two cents. I don't need to testify,  
17 but if you guys willing, I'll tell them worse than how I just  
18 said it.

19 VICE CHAIR BECRAFT: I'd like to add to that for  
20 Bruce's -- and I think Bruce is a hundred percent on this and  
21 then just one more thing, when -- when Oahu's liquor got in  
22 trouble with the feds and all the arrests, their audit came  
23 out, and they said separate, there's too much power, you know,  
24 there's too much corruption. And it's written that they said  
25 you need to separate. They didn't, they -- but they were

1 told, You need to separate those powers. So, again, back to  
2 what Bruce is saying, these guys are just shooting from the  
3 hip and not knowing.

4 So to address corporation counsel's concerns, I can  
5 make an amendment to my -- well, I'll make an amendment to my  
6 motion and say that we can do four, vote up to four names can  
7 go to the -- this, and then -- so I'm adding that to my motion  
8 and on the side of that part of my discussion is to -- should  
9 we -- if we can watch it, please, Ms. Oana, if we can watch  
10 and if they do post it and it's more than the six days if we  
11 can just get on it immediately and just, hey, contact Leon and  
12 say agendize this right now. And if we agendize it, if they  
13 give us at least six days and we can agendize, and that way  
14 everybody can be free to go, you know. So we can be limited,  
15 but yet hopefully, they give at least six days' notice, and  
16 then we can unlimit it. I know not everybody can go, but I --  
17 I encourage every single one because no way we can get Bruce's  
18 story out, no way we can get my -- all these stories out too,  
19 we can -- right? We can all kind of take a piece of this pie  
20 and then keep showing how ludicrous their thought pattern is.

21 CORP COUNSEL OANA: With regard to us agendizing a  
22 meeting so we can all be at the charter commission meeting, I  
23 think it is just gonna be very difficult because we're gonna  
24 have to open a meeting and then we all have to be in a  
25 different BlueJeans meeting to be watching the charter

1 commission, so that's just gonna be way too difficult.

2 I would -- I would -- if more than four of you want  
3 to testify, I would do what Commissioner U'u said, basically,  
4 you know. When you log on, if there's already four of you,  
5 then go ahead and shoot the, you know, charter commission  
6 secretary a chat that you want to testify, but you'll need to  
7 be contacted when to, you know, log back on because there's  
8 already four of your commissioners on.

9 VICE CHAIR BECRAFT: Okay. That makes sense.

10 CORP COUNSEL OANA: Or something like that.

11 VICE CHAIR BECRAFT: I like that.

12 CHAIR BOLOSAN: Okay.

13 VICE CHAIR BECRAFT: Thank you (inaudible).

14 CORP COUNSEL OANA: And I'm sorry, I know this is  
15 silly, but I just don't want you guys to get in trouble. I  
16 don't want heat on us at all. That's my job, right?

17 VICE CHAIR BECRAFT: No. And that's a good  
18 solution. I missed what Bruce was saying on that, so thank  
19 you for the clarification.

20 CHAIR BOLOSAN: Okay. Thank you --

21 COMMISSIONER DE MELLO: Leon.

22 CHAIR BOLOSAN: -- Vice Chair.

23 Yes. Do I hear you, Commissioner De Mello?

24 COMMISSIONER DE MELLO: Yes.

25 CHAIR BOLOSAN: Go ahead.

1           COMMISSIONER DE MELLO: This is -- this goes out to  
2 Corporate Counsel Oana. Is this gonna be virtual, or it's  
3 gonna be presence?

4           CORP COUNSEL OANA: The charter commission meets  
5 just like you folks, all on BlueJeans. So just like how you  
6 folks take public testimony, that's how they take it, although  
7 they -- they take their testimony as the separate item comes  
8 up. So it's not like all public testimony at the beginning of  
9 the meeting, it's -- for example, you know, they have these  
10 letter themes, Theme A, Theme B, Theme C. The stuff we're  
11 talking about was Theme I; that's why it was always like I-26  
12 we're talking today. So, you know, if they're talking about  
13 Theme J first, they'll take testimony, then they'll discuss  
14 all of that amendments. And then only after they're finished  
15 with that, they'll go on to the next thing. For example,  
16 Theme I, then they'll take testimony, and then they'll discuss  
17 the Theme I. So I can't really tell you that you'll be --  
18 you'll be able to -- to be done at -- you know, in the  
19 beginning of the meeting. You might have to kind of hang on  
20 and watch and wait for your theme to come up to testify.

21           CHAIR BOLOSAN: Okay. Thank you, Jenny.

22           COMMISSIONER DE MELLO: Thank you.

23           CHAIR BOLOSAN: Commissioner U'u, I've seen your  
24 hands were up prior.

25           COMMISSIONER U'U: No, I was going -- and I guess I

1 get clarification from corp. Counsel. I'm wanting to know  
2 if -- if testifying as an individual would be too gray, I'm  
3 assuming, correct?

4 CORP COUNSEL OANA: No. Go ahead. If you want to  
5 testify as an individual, especially if it's something outside  
6 of the scope of what you guys are agreeing to testify when  
7 you're saying you're representing the commission. You know,  
8 if you want to testify in your -- as an individual, go ahead,  
9 you can do that.

10 COMMISSIONER U'U: So, for clarification, so I could  
11 testify on behalf -- as myself, an individual, and bring up  
12 certain aspects about liquor?

13 CORP COUNSEL OANA: Yeah, yeah.

14 COMMISSIONER U'U: Perfect.

15 CORP COUNSEL OANA: But please separate it out so  
16 they're clear --

17 COMMISSIONER U'U: Okay.

18 CORP COUNSEL OANA: -- when you're speaking that  
19 you're speaking on behalf of the commission for this thing,  
20 and then I'm moving on to I'm speaking on behalf of, you know,  
21 myself for this thing.

22 COMMISSIONER U'U: Just for clarity, I was gonna --  
23 I was meaning if there's four commissioners that I see in --  
24 who's attending, I would say -- and I'm the fifth, I would say  
25 I am speaking as individual only, not part as the commission,

1 and I would -- I would say something on basically what I see  
2 and not on like the commission's behalf. In other words,  
3 separate myself prior to giving testimony 'cause the potential  
4 of having four people there prior would not be -- suffice with  
5 my five. Is that -- is that --

6 CORP COUNSEL OANA: So, basically, like the rule is  
7 to gather, to gather and meet on board business, and so it's  
8 the gathering thing. So the testifying individually doesn't  
9 really help the situation because then there's still five of  
10 you there.

11 COMMISSIONER U'U: Okay, okay.

12 CORP COUNSEL OANA: So I would see if you can  
13 basically shoot a chat to the board secretary saying you want  
14 to testify, but then you can't be on right now because there's  
15 four commissioners already on if she wouldn't mind giving you  
16 a call when you can log back on.

17 COMMISSIONER U'U: Okay, okay. Okay, okay. I can  
18 work like that. Thank you.

19 CORP COUNSEL OANA: So, you know, your motion --

20 COMMISSIONER U'U: Thank you.

21 CORP COUNSEL OANA: So your motion, Commissioner  
22 Becraft made the motion to write a letter in opposition of the  
23 hearing officer to be signed by the chair on behalf of the  
24 commission, and then authorizing each one of you testify as a  
25 representative of the commission in opposition to the hearings

1 officer proposal as discussed today in this meeting, and then  
2 it was seconded by Commissioner U'u.

3 I quickly just drafted something; if you guys wanted  
4 me to just read this to you, that way we can kind of have the  
5 language of the letter taken care of, and then Chair Bolosan  
6 can just sign it after.

7 I wrote: Dear Chair Collins and Commissioners, The  
8 liquor control commission reviewed the charter amendment  
9 proposal for hearings officers at its meeting on December 8th,  
10 2021. First, the commission would appreciate advance notice  
11 from the charter commission on its -- on its proposals  
12 regarding the liquor department as well as the commission in  
13 the future. Second, the commission objects to the proposal  
14 for hearings officers as the commission should retain its full  
15 powers and process to take action with regards to any charges  
16 against the director and contested case hearings.

17 That's just something you guys can talk and tell me  
18 to change words and wordsmith.

19 CHAIR BOLOSAN: Go ahead, Vice Chair Becraft.

20 VICE CHAIR BECRAFT: I'd like to expound a little  
21 bit upon, you know, not just being we don't like it, I'd like  
22 to expound upon saying, you know, who would know better than  
23 us, something in that regard. Explain why, why we don't want  
24 that person. And I think the last -- and we haven't really  
25 talked about it, but if we're gonna put into a letter, the



1 last is, is that this process, you know, we already are gonna  
2 go through corporation counsel, we're already gonna make the  
3 search legal. We're gonna be the ones that are gonna know  
4 what the reasons are that, you know, we feel that the director  
5 needs to leave. We don't need a third party to make that  
6 decision.

7 And, further, the third-party decision, if it should  
8 be needed, is the courts, the courts of Hawaii, that's --  
9 they're gonna have to take it to court, you know, that's --  
10 and that's the person that would see the whole totality of a  
11 trained professional, which we call a judge, not somebody who  
12 every three years is gonna be somebody different. So I don't  
13 know. Personally, I'd like to expound upon -- and have it in  
14 writing, you know, the deficits of their thought pattern, you  
15 know.

16 CHAIR BOLOSAN: Thank you, Jamie.

17 Commissioner Patel, go ahead; you have the floor.

18 COMMISSIONER PATEL: Yeah, I mean, do we want to put  
19 in there in its current form, Jennifer, that we're opposing  
20 it?

21 CORP COUNSEL OANA: No, it's really up to you folks  
22 how you want to --

23 COMMISSIONER PATEL: Okay.

24 CORP COUNSEL OANA: You know, how your position  
25 should be.

1           VICE CHAIR BECRAFT: And your current form kind of  
2 implies that we're open to it; you just have to reword it.

3           COMMISSIONER PATEL: All right.

4           CHAIR BOLOSAN: Okay.

5           COMMISSIONER PATEL: Yeah, I agree.

6           CHAIR BOLOSAN: Commissioner Andrion, you have the  
7 floor.

8           COMMISSIONER ANDRION: Yeah, I think -- I think  
9 when -- when we do write the letter, it's clear that we're  
10 opposed to any type of takeaways. We don't want to leave the  
11 door open so that they can insert another language in there  
12 that says, Well, this is what you guys' intent was. I want  
13 intent to be; You know what, we opposed to any type of  
14 takeover on our jurisdiction. And I think that's -- I believe  
15 that is the consensus of this commission at this point, is  
16 that we don't want to give away anything we -- if we are gonna  
17 clean our own house, it is us, the commission, the  
18 commissioners that is gonna do it, no one else.

19           CHAIR BOLOSAN: Thank you, Commissioner Andrion.  
20 Commissioner U'u.

21           COMMISSIONER U'U: I wouldn't say take over because  
22 they could use it some other way. Like to make any changes to  
23 what currently has, we should be notified, and we're strongly  
24 against making any decisions without contacting this body or  
25 the body of the adjudication, you know, the -- I think that's

1 a blanket coverage. And we'll be strongly opposed would be  
2 something of the word I'd like to use because, you know, just  
3 to get here, we had to -- I read the whole audit. Part of the  
4 selection of -- of being on the TIG with Jamie and going  
5 through this whole process was in hopes to upgrade, update,  
6 enhance transparency, that's the end goal when -- you know, I  
7 think we're getting to that place and this place would just --  
8 all that -- all that daily/monthly work that we do would --  
9 would go.

10 And I said at the commission meeting, absolute -- if  
11 we handled the adjudication and what we do now, that's abuse,  
12 'cause we're going in the wrong direction. So something -- I  
13 like what corp. Counsel said, Jennifer, awesome. I want  
14 stronger language, if possible so that they're not taking it  
15 as an insult, they take -- they're insulting us and -- and we  
16 should be -- we should be a part at the discussion of what you  
17 guys proposing of anything. Right? And this is how -- you  
18 know, that's what I wanted, to give a red light. So that's my  
19 two cents. Sorry for going on and on.

20 CHAIR BOLOSAN: Thank you, Bruce.

21 All right. Any more discussion before we go back to  
22 the vote?

23 (No response.)

24 CHAIR BOLOSAN: If not, then --

25 CORP COUNSEL OANA: Chair, since we're still in

1 discussion and -- and, you know, we've talked about the  
2 letter, I think this is a good time to iron out the wording of  
3 the letter if you guys can provide me with additional  
4 language. I did add something from what I read to you last,  
5 but basically, you know, where it says, First, the commission  
6 would appreciate notice from the charter commission on its  
7 proposals regarding the liquor department as well as the  
8 commission in the future. And then I put, The commission  
9 strongly objects to the charter commission adopting proposals  
10 without seeking our commission's input first. I think this is  
11 Commission U'u's thing. Do you want to -- me to add something  
12 else over there?

13 COMMISSIONER DE MELLO: Very good.

14 CHAIR BOLOSAN: Would it be a part of the letter  
15 stating that we don't need any other entity to, you know,  
16 actually do this job besides the commission? Just my thought.

17 CORP COUNSEL OANA: So then the second part of that  
18 letter, you know, Second, the commission objects to the  
19 proposal for hearings officers as the commission should retain  
20 its full power and process to take action with respect to any  
21 charges against the director and contested case hearings.

22 Do you want to provide me with additional language?

23 COMMISSIONER PATEL: I would say that, you know, the  
24 commission is fully capable of, you know, making that decision  
25 should the need arise, right? Something like along that line.

1 We're a pretty capable commission as it stands and don't  
2 really see spending taxpayers' dollars on additional support.  
3 Kind of how I feel, at least, that we're just gonna be wasting  
4 money on something that isn't gonna get a better end result  
5 than what we already have. Right?

6 CORP COUNSEL OANA: I added, The commission is fully  
7 capable of hearing these types of actions and making the  
8 decisions.

9 VICE CHAIR BECRAFT: And maybe add we will have all  
10 the necessary information available to us to make such a  
11 decision, including that we already have a licensed attorney,  
12 i.e., corporation counsel, that will be involved, you know,  
13 that will be there for the legal -- I don't know words to use  
14 on that, to guide us in the legal process of such a decision.

15 COMMISSIONER U'U: I'd like to just add one thing,  
16 Jennifer. I think you're doing a good job there, by the way.

17 CORP COUNSEL OANA: Thanks.

18 VICE CHAIR BECRAFT: Yeah, that is true. Yes,  
19 Bruce.

20 CHAIR BOLOSAN: Yes, good.

21 VICE CHAIR BECRAFT: I don't know how you talk to us  
22 and write at the same time, by the way. She's like, Oh, yeah,  
23 and I've already drafted something.

24 CORP COUNSEL OANA: Okay. So I added, The  
25 commission is fully capable of hearing these types of actions

1 and making decisions. We have all of the necessary  
2 information to make these decisions as well as we have a staff  
3 attorney on board to assist us.

4 VICE CHAIR BECRAFT: Now, do we add something in --

5 COMMISSIONER DE MELLO: What would be bittersweet --  
6 sorry.

7 VICE CHAIR BECRAFT: And do we add something like  
8 Sne was saying too? Do we add at the next line saying to do  
9 it again -- I don't know; I don't want to say anything  
10 insulting like bureaucracy or whatever. I mean, you're just  
11 adding another layer of -- you know what I mean? Why are we  
12 adding one more area of paid? What kind of wording can be  
13 used for that, that it doesn't make sense? Maybe not use the  
14 word --

15 CORP COUNSEL OANA: Okay.

16 VICE CHAIR BECRAFT: -- (inaudible) to this.

17 CORP COUNSEL OANA: I missed Commissioner Patel's  
18 thing on the taxpayer dollars. Can you repeat that? 'Cause I  
19 actually wasn't really paying attention to that part.

20 COMMISSIONER PATEL: Yeah, I think that -- yeah, I  
21 think that in the end, the redundancy of adding this, you  
22 know, position will just, you know -- as I said, the  
23 redundancy is going to make this, you know, overall system  
24 inefficient by spending additional tax dollars that are not  
25 really warranted, right?

1 VICE CHAIR BECRAFT: Maybe clarify that wording  
2 saying taking a volunteer position, you know, something like  
3 that, right, addressing that the redundancy --

4 COMMISSIONER PATEL: Yes.

5 VICE CHAIR BECRAFT: -- is saying, and that  
6 you're -- you're redundant, and now we're using taxpayer money  
7 for redundancy for one person to make a decision that nine  
8 people with the -- you know, with the already supplied  
9 information and the supplied attorney have -- make for free.

10 COMMISSIONER PATEL: Yeah. That's great, Jamie.

11 CORP COUNSEL OANA: You want me to read it all back  
12 to you or --

13 CHAIR BOLOSAN: Yes, please.

14 VICE CHAIR BECRAFT: I'm sure it'll make a lot more  
15 sense than what I said.

16 CORP COUNSEL OANA: Well, not like I always do.

17 Dear Chair Collins and Commissioners, The liquor  
18 control commission reviewed the charter amendment proposal for  
19 hearings officers at its meeting on December 8th, 2021.  
20 First, the commission would appreciate advance notice from the  
21 charter commission on its proposals regarding the liquor  
22 department as well as the commission in the future. The  
23 commission strongly objects to the charter commission adopting  
24 proposals without seeking our commission's input first.  
25 Second, the commission objects to the proposal for hearings

1 officers as the commission should retain its full powers and  
2 process to take action with respect to any charges against the  
3 director and contested case hearings. The commission is fully  
4 capable of hearing these types of actions and making the  
5 decisions. We have all the necessary information to make  
6 these decisions as well as we already have a staff attorney on  
7 board to assist us. The redundancy of adding this position  
8 will make the overall system inefficient and spend additional  
9 tax dollars for that redundancy.

10 COMMISSIONER U'U: Jennifer, what school you went?

11 VICE CHAIR BECRAFT: Yeah, it doesn't sound like  
12 anything I said, but that's what I wanted to say.

13 CORP COUNSEL OANA: Maui High.

14 COMMISSIONER U'U: What school now?

15 CORP COUNSEL OANA: Maui High.

16 CHAIR BOLOSAN: I'm going to ask Vice Chair Becraft  
17 a stamp of approval on that?

18 VICE CHAIR BECRAFT: Yeah, that's exactly what I  
19 thought I said.

20 (Laughter.)

21 CORP COUNSEL OANA: Okay. So we're at the motion  
22 stage to write this letter and for all of you to testify. You  
23 guys knowing if you see, you know, four people already, then,  
24 you know, log off and contact the charter commission secretary  
25 for help on that. Okay? So if there's -- is there any more



1 discussion on that?

2 CHAIR BOLOSAN: Any more discussion?

3 (No response.)

4 CHAIR BOLOSAN: If it's no, then --

5 CORP COUNSEL OANA: Then I think you can call for  
6 the vote, Chair.

7 CHAIR BOLOSAN: Okay. We'll call for the vote.  
8 Vice Chair Becraft.

9 VICE CHAIR BECRAFT: Aye.

10 CHAIR BOLOSAN: Commissioner Andrion.

11 COMMISSIONER ANDRION: Aye.

12 CHAIR BOLOSAN: Commissioner De Mello.

13 COMMISSIONER DE MELLO: Absolutely aye.

14 CHAIR BOLOSAN: Commissioner U'u.

15 COMMISSIONER U'U: Aye.

16 CHAIR BOLOSAN: Commissioner Boswell.

17 COMMISSIONER BOSWELL: Aye.

18 CHAIR BOLOSAN: Commissioner Ho.

19 COMMISSIONER HO: Aye.

20 CHAIR BOLOSAN: Commissioner Patel.

21 COMMISSIONER PATEL: Aye.

22 CHAIR BOLOSAN: And the chair votes aye also.

23 Motion carried.

24 Okay. Now, Corp. Counsel Oana, the charter  
25 commission proposed charter amendments, I did read only 1, but

1 it seems like some of the discussion was -- we covered some of  
2 it for No. 2.

3 CORP COUNSEL OANA: Correct, Chair. You covered No.  
4 1 and -- 1 and 2 already.

5 CHAIR BOLOSAN: Yeah, yeah. I just wanted to make  
6 sure that I don't pass No. 2.

7 All right. So we're moving on to C, Distribution of  
8 Financial Disclosure Statement. Forms are due between January  
9 1st, 2022, and not later than April 15, 2022. So this is an  
10 annual thing for everyone, and to those of you who are brand  
11 new to the commission, this is something that we do this  
12 annually. Okay? So --

13 CORP COUNSEL OANA: Chair, may I -- may I add  
14 some -- something to this item?

15 CHAIR BOLOSAN: Of course.

16 CORP COUNSEL OANA: I was asked to address all of my  
17 boards and commissions with regard to financial disclosure  
18 forms. They are online now, and so it's easier for you guys  
19 to fill them out. It's also easy for you guys to make changes  
20 throughout the year if, you know, there's a change in  
21 circumstance. So you wouldn't have to fill out a fully new  
22 one, you know, if there's a change in circumstance because I  
23 think it's saved or something automatically. But please, I  
24 encourage you guys to all submit this in a timely manner. If  
25 you can do it, like, in the next week or two, that would be

1 awesome. I do talk to the board of ethics secretary  
2 frequently, and she's always chasing boards and commissioners.  
3 Not to say you guys at all, but, you know, there are slackers  
4 that they keep having to chase and to remind and remind and  
5 remind. It's kind of wearing on them. So if you guys can get  
6 yours in, then they don't have to worry about us at all. So,  
7 thank you.

8 CHAIR BOLOSAN: Thank you, Counsel Oana.

9 Okay. So Summary of Liquor Control Adjudication  
10 Board Meeting on December 2nd, 2021. I don't know what  
11 happened on that but could ask Maria or Corp. Counsel Oana to  
12 give us a little bit brief on this item. Maria or --

13 CORP COUNSEL OANA: Sorry. Is the director able to  
14 do that?

15 DIRECTOR LAYNE N. SILVA: Yeah.

16 CHAIR BOLOSAN: Okay.

17 DIRECTOR LAYNE N. SILVA: Chair, I believe  
18 Commissioner Andrion had his hand up also, but yeah, I can  
19 elaborate on that one.

20 COMMISSIONER ANDRION: Yeah, just a -- just a  
21 follow-up question on what counsel was saying. You said that  
22 this is online, Jennifer, the financial statement?

23 CORP COUNSEL OANA: Yeah. They just put it online.  
24 So you can go to the board of ethics --

25 COMMISSIONER ANDRION: And we can -- and we can do

1 corrections online?

2 CORP COUNSEL OANA: Yes.

3 COMMISSIONER ANDRION: Okay.

4 CORP COUNSEL OANA: And submit it online. So it's  
5 just a one-stop shop, pretty much.

6 COMMISSIONER ANDRION: Yeah. So one more quick  
7 question, being that I'm old school and very -- not very  
8 akamai with the -- all that. Could you give me the link on  
9 that? Or just go to the website?

10 CORP COUNSEL OANA: Yeah. So --

11 MS. KHANGSENGSING: Commissioner Andrion, the  
12 website is on the form. It's on the first page. Do you see  
13 it?

14 COMMISSIONER ANDRION: Okay, I got it. I gotta  
15 look. I do have it here.

16 MS. KHANGSENGSING: The form that I sent in, on the  
17 first page, it gives you the link where you can go.

18 COMMISSIONER ANDRION: Okay, all right. I see it.  
19 I see it. Thank you. Thank you very much.

20 CHAIR BOLOSAN: Thank you, Commissioner Andrion and  
21 Maria.

22 All right. I think we got enough information from  
23 that and I'm gonna move on to Item E, the next liquor control  
24 commission meeting --

25 DIRECTOR LAYNE N. SILVA: Leon, I'm sorry to

1 interrupt.

2 CHAIR BOLOSAN: Oh, go ahead.

3 DIRECTOR LAYNE N. SILVA: We can go over Item D now,  
4 the Summary of the Liquor Control Adjudication Board Meeting  
5 of December 2nd, 2021.

6 CHAIR BOLOSAN: Okay.

7 DIRECTOR LAYNE N. SILVA: Okay. You guys should  
8 have received -- in your packets, there's a summary of the  
9 board hearing that took place on December 2nd. The -- based  
10 on Complaint and Accusation No. 2021-01, after the licensee's  
11 plea of no contest, the board assessed a penalty of \$500 fine  
12 with 250 suspended provided that the licensee is not found  
13 guilty of the same offense for a period of one year from  
14 December 2nd, 2021. That took place -- that was last  
15 Thursday. That was actually also the same day as the  
16 commission, the charter commission meeting. If you have any  
17 questions on that, I'd be happy to answer.

18 CHAIR BOLOSAN: Any question?

19 VICE CHAIR BECRAFT: (Gesturing.)

20 CHAIR BOLOSAN: Go ahead, Vice Chair Becraft.

21 VICE CHAIR BECRAFT: Sorry, I couldn't find it. So  
22 just out of curiosity, Layne, if you can't answer, that's  
23 fine. What was -- what was the actual violation?

24 DIRECTOR LAYNE N. SILVA: The violation was the  
25 dispenser general licensee failed to post all beverage prices,

1 alcoholic or nonalcoholic, and any other price for services or  
2 commodities that may be charged to the patrons, contrary to  
3 the Rules of the Liquor Commission, County of Maui, Section  
4 08-101-86B. Based on extenuating circumstances of the case,  
5 that was the finding of the adjudication board. Those are the  
6 charges.

7 VICE CHAIR BECRAFT: Okay. So not putting how much  
8 the drinks cost?

9 DIRECTOR LAYNE N. SILVA: Yeah.

10 VICE CHAIR BECRAFT: Thank you.

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

12 MS. KHANGSENGSING: Chair, this is Maria again.  
13 Commissioner Becraft, the summary was emailed to you guys  
14 'cause the packet was mailed before the meeting, the  
15 adjudication board meeting, so the summary was emailed to you  
16 guys.

17 VICE CHAIR BECRAFT: Okay. And does that cover -- I  
18 know you don't have to, but does that cover whether there was,  
19 like, warnings prior to that or any of that, or is it just the  
20 summary as this is the charge and this is the result?

21 DIRECTOR LAYNE N. SILVA: That's -- the summary is  
22 based solely on that -- the hearing.

23 VICE CHAIR BECRAFT: Okay. I guess my follow-up  
24 question to that is, I don't know, is -- and you can answer  
25 this, Director. If I'm overstepping, I'll just withdraw my

1 question. That just was there -- is this like a -- was there  
2 something else going on? Was there warnings given prior to  
3 that or -- or is that --

4 DIRECTOR LAYNE N. SILVA: Well, to be perfectly  
5 honest with you, without consulting with corp. Counsel, with  
6 the prosecutors, I'm not really 100 percent how much of this I  
7 can divulge at this state other than what was placed on the  
8 summary of board hearing. But other than just to say that the  
9 extenuating circumstances involving in this case is what --  
10 why it went the way it went.

11 VICE CHAIR BECRAFT: I think that was kind of the  
12 answer I was looking for. That's enough for me. Thank you.

13 CHAIR BOLOSAN: Thank you, Vice Chair Becraft.  
14 There's some feedbacks on our line. Can you --  
15 okay. Now it's gone.

16 (Change chapters.)

17 CHAIR BOLOSAN: So, okay, thank you, Vice Chair  
18 Becraft.

19 Any more question on this issue to -- for the  
20 director? We still have the feedback.

21 COMMISSIONER HO: I have a question.

22 CHAIR BOLOSAN: Go ahead, Commissioner Ho.

23 COMMISSIONER HO: Okay. So actually, I'm going  
24 through my email from Maria. So I was actually looking for  
25 the summary of the liquor control adjudication board meeting

1 December 2nd; I couldn't find the attachment either if I look  
2 at the email from Maria, so could you -- Maria, could you  
3 please clarify when it was sent to us?

4 MS. KHANGSENGSING: The summary of the adjudication  
5 board meeting?

6 COMMISSIONER HO: Mm-hmm.

7 MS. KHANGSENGSING: It was sent to you guys on the  
8 3rd.

9 COMMISSIONER HO: On December the 3rd, okay.

10 MS. KHANGSENGSING: Yeah, right after the meeting.

11 CHAIR BOLOSAN: Okay. Does that satisfy your  
12 question, Commissioner Ho?

13 COMMISSIONER HO: I apologize, I still can't find  
14 it, but that's okay; maybe you can just resend it to us again.  
15 Is that okay?

16 CHAIR BOLOSAN: Maria?

17 MS. KHANGSENGSING: Yeah, I can resend it.

18 COMMISSIONER HO: Thank you.

19 COMMISSIONER U'U: Thank you.

20 CHAIR BOLOSAN: Thank you.

21 Okay. Any more on this item, Commissioners?

22 COMMISSIONER DE MELLO: Leon.

23 CHAIR BOLOSAN: Go ahead, Commissioner De Mello.

24 COMMISSIONER DE MELLO: Yeah, I -- I've been hearing  
25 a lot that the commissioners have not been receiving their



1 packets or additions, so maybe when Maria sends it out, that  
2 she can send out to the commissioners to submit a confirmation  
3 that they received the packets. They can do that online, so  
4 it's easier, so there's no problem.

5 CHAIR BOLOSAN: Okay. Any comment from that,  
6 Commissioners?

7 COMMISSIONER DE MELLO: Did you get that?

8 CHAIR BOLOSAN: All right. Maria, did you hear what  
9 Commissioner De Mello just said?

10 MS. KHANGSENGSING: I'm getting feedback. Can you  
11 repeat that?

12 CHAIR BOLOSAN: Yeah. If you need to overhear --  
13 somebody's mic is not muted, someone outside the commission.  
14 Someone probably -- you know, look, I'm pretty sure it's not  
15 coming from the commissioners, but there's feedbacks on my  
16 computer, too, either.

17 Go ahead, Maria.

18 VICE CHAIR BECRAFT: Is it possible to mute  
19 everyone? Who has the -- who has the --

20 MS. KHANGSENGSING: Okay. Commissioner De Mello,  
21 can you repeat your question again?

22 COMMISSIONER DE MELLO: Yes. Since we've been  
23 having some problem about receiving documents, Maria, maybe  
24 when you send out the documents to the commissioners, that  
25 they can send back to you a confirmation they received it. It

1 will save the time instead of resending, resending, makes it  
2 easier.

3 MS. KHANGSENGSING: Are you talking about the  
4 packets that I send out emailed --

5 COMMISSIONER DE MELLO: Yes.

6 MS. KHANGSENGSING: -- and mail to you guys, or are  
7 you talking about additional documents that are emailed to you  
8 guys?

9 COMMISSIONER DE MELLO: Well, all of it. All of it.  
10 It would be the responsibility of the commissioners to send  
11 back to you on a confirmation we received it.

12 MS. KHANGSENGSING: With the emails that I send out,  
13 I could ask for acknowledgment when you guys received it.

14 COMMISSIONER DE MELLO: Yeah.

15 MS. KHANGSENGSING: But as far as the packets,  
16 usually I ask to make sure that you guys receive it when I  
17 call for attendance, confirmation of attendance.

18 COMMISSIONER DE MELLO: Okay. But that's why  
19 somewhere along the line, some commission -- well, that's why  
20 I just brought that up. I'm done. Go ahead, Leon.

21 MS. KHANGSENGSING: Leon, you're muted.

22 VICE CHAIR BECRAFT: Chair, you're muted. Chair, we  
23 can't hear you.

24 COMMISSIONER DE MELLO: Oh, can you hear me now?

25 VICE CHAIR BECRAFT: We can hear you, Jerrybeth, but

1 we can't hear the chair. You have to unmute, Chair Bolosan.

2 CHAIR BOLOSAN: I never mute.

3 VICE CHAIR BECRAFT: There you go.

4 CHAIR BOLOSAN: Okay. Am I on now?

5 VICE CHAIR BECRAFT: Yes, you're good now.

6 CHAIR BOLOSAN: Okay. Thank you, Vice Chair

7 Becraft.

8 Okay. Where did we left off? I seen Commissioner  
9 Patel raise his hand prior.

10 COMMISSIONER PATEL: Oh, I was just gonna verify  
11 that; yeah, Maria checks with me every time, makes sure I got  
12 the packet, so --

13 CHAIR BOLOSAN: Okay, all right.

14 COMMISSIONER PATEL: By the call, so I thought that  
15 was the confirmation with that.

16 CHAIR BOLOSAN: Okay. Thank you, Commissioner  
17 Patel.

18 Did you want to say anything, Vice Chair Becraft?

19 VICE CHAIR BECRAFT: Yeah, I just want to support,  
20 too, what Commissioner De Mello had to say is that we -- I  
21 don't think it's any fault of anyone's, but we seem to have  
22 this commonly that not all of us receive everything, so I  
23 think it's a good -- one more layer if we can -- if Maria's  
24 willing to just, you know, send out there -- if we can all  
25 cooperate also, not make her chase us down. But when we get

1 emails from her, you know, just reply with "Got it. Thank  
2 you." Then that way -- and if she doesn't get that back, then  
3 she can, you know, start chasing us down. It can be -- who  
4 knows why we don't get everything every time, but like I too  
5 sometimes don't get, you know, different things. So I'd like  
6 to add that in if that's not too much for Maria.

7 Maria, are you good with that?

8 MS. KHANGSENGSING: Yeah, I can -- next time moving  
9 forward, I'll just add another paragraph to make sure that you  
10 guys acknowledge and email me back to make sure that you got  
11 it.

12 VICE CHAIR BECRAFT: Yeah, terrific, that should be  
13 helpful. Thanks.

14 CHAIR BOLOSAN: Thank you, Jamie. Thank you, Maria.  
15 Okay. Any more before we move on?

16 (No response.)

17 CHAIR BOLOSAN: Okay. Now I'm going go on E, Next  
18 Liquor Meeting. The Liquor special meeting regarding the  
19 evaluation of the director is scheduled for December 14, 2021,  
20 at 10:00 a.m. The next regular meeting is scheduled for  
21 January 12, 2022, at 9:00 a.m.

22 Before I call on -- for adjournment, this is just  
23 friendly --

24 COMMISSIONER ANDRION: Mr. Chair.

25 CHAIR BOLOSAN: Yes.

1           COMMISSIONER ANDRION: I'm sorry. Sorry to butt in,  
2 but looking at the chat, there's someone there that basically,  
3 I guess -- you guys can take a look at the chat. Has that  
4 been addressed, or is that something we should be conscious  
5 of?

6           VICE CHAIR BECRAFT: No. That's not legal. They  
7 have to only during public testimony. They're not supposed to  
8 be using the chat at all.

9           COMMISSIONER ANDRION: Yeah, 'cause that was 41  
10 minutes ago, and I just --

11          VICE CHAIR BECRAFT: Yeah.

12          CHAIR BOLOSAN: Thank you, yeah. Thank you,  
13 Commissioner Andrion. I was aware of that, but when I look  
14 at -- I think what it says over there does not concern our  
15 commission, so I just kind of ignored that. But, thank you,  
16 Vice Chair Becraft, by saying that is -- we don't have nothing  
17 to do with that there.

18                 But, yeah, am I reading the same thing, Commissioner  
19 Andrion, about -- what about employees, is that what --

20          VICE CHAIR BECRAFT: Mr. Chair, Mr. Chair.

21          COMMISSIONER ANDRION: That's the one. I'm just  
22 making sure that we don't -- we don't go outside and that  
23 we're gonna have a complaint that we're not (inaudible).

24          CHAIR BOLOSAN: Okay. Thank you, Commissioner  
25 Andrion.

1           Go ahead, Vice Chair Becraft.

2           VICE CHAIR BECRAFT: Yeah, just -- just for  
3 clarification, we -- and it's a great question, but, you know,  
4 we're not doing anything wrong by not addressing it. We're  
5 not to address it. It's not appropriate; it's not legal. The  
6 only thing they're to put in the chat is, you know, I request  
7 to testify on Item No. 3, and then we address that. You know,  
8 then when the Item 3 comes up, then they're given the  
9 opportunity to testify. If they want to do written testimony,  
10 they can write in written, but people aren't supposed to be  
11 using the chat feature for anything other than expressing they  
12 wish to testify, so we would -- we wouldn't talk about what  
13 they write either.

14           CHAIR BOLOSAN: Okay. Thank you both, Commissioner  
15 Becraft and Commissioner Andrion.

16           Okay. So after I read that, I was just about to say  
17 just a friendly reminder, I went to the office the other day,  
18 and I seen all the good-looking pictures that the  
19 commissioners have, and it's ready to be hung. Commissioner  
20 Boswell, we're still missing your good-looking picture that is  
21 gonna go on the Wall of Fame. Okay? So if you kindly could,  
22 you know, send a good-looking picture of yours to the  
23 department and then they can be hung. Believe me; the  
24 settings are very beautiful, I was so amazed, and it was done  
25 by Maria. Very beautiful pictures for the board and

1 commission. Okay?

2 So by saying, is there any more other stuff that we  
3 missed before I call on to adjourn?

4 COMMISSIONER HO: (Gesturing.)

5 CHAIR BOLOSAN: Commissioner Ho.

6 COMMISSIONER HO: Thank you. I have a question. So  
7 for next week Tuesday, the December 14, we have the special  
8 meeting.

9 CHAIR BOLOSAN: Yes.

10 COMMISSIONER HO: Do we need to do anything?  
11 Because I think we're gonna rate our evaluation form, so,  
12 Maria, do we need to submit anything to you prior to the  
13 meeting?

14 MS. KHANGSENGSING: I don't think so. I have  
15 documents for you guys, but it would probably be mailed out  
16 today. It would just have the minutes for you guys to  
17 approve, and also, the director's self-evaluation will be  
18 included in the packet. Again, the packet will be mailed out  
19 later today.

20 COMMISSIONER HO: Thank you.

21 CHAIR BOLOSAN: Okay. Did that answer your  
22 question, Commissioner Ho?

23 COMMISSIONER HO: Yes, thank you.

24 CHAIR BOLOSAN: Okay. Any more before I call on for  
25 adjournment?

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(No response.)

CHAIR BOLOSAN: If not, I would like to have someone make a motion for adjournment.

COMMISSIONER DE MELLO: Adjournment. De Mello making the motion for adjourn.

CHAIR BOLOSAN: Okay. Commissioner De Mello motioned. Second by?

COMMISSIONER ANDRION: I'll second.

CHAIR BOLOSAN: Commissioner Andrion seconded. Meeting adjourned. Thank you very much for being patient today.

(The proceedings were adjourned at 12:04 p.m.)



