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

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held remotely via BlueJeans interactive conference technology and in person at the Department of Liquor Control Conference Room, 110 Alaihi Street, Suite 212A, Kahului, Hawaii 96732, commencing at 9:01 a.m., on July 13, 2022.

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

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APPEARANCES

COMMISSION MEMBERS PRESENT:

CHAIRPERSON: BRUCE U'U
VICE CHAIR: STANLEY RUIDAS
COMMISSIONERS: JAMIE BECRAFT
AARON BOSWELL
JERRYBETH DE MELLO
SYLVIA HO
PATRICE MATSUMOTO
SNEHAL PATEL
WILLIAM RICHARDS

STAFF PRESENT:

DEPUTY CORPORATION COUNSEL: CHRISTIE TRENHOLME
DIRECTOR: LAYNE N. SILVA
DEPUTY DIRECTOR: JARRETT KAHOOHANOHANO
LIQUOR CONTROL OFFICER: GENE SILVA
COMMISSION SECRETARY: MARIA KHANGSENGSING
PRIVATE SECRETARY: LIANNE SUZUKI

1 (July 13, 2022, 9:01 a.m.)

2 * * *

3 CHAIR U'U: Good morning. This is the regular
4 meeting of the Liquor Control Commission. It is Wednesday,
5 July 13th, and the time is 9:01. I am Bruce U'u, the chair of
6 the commission, and I call this meeting to order.

7 (Deputy Director Kahoochanohano entered the room.)

8 CHAIR U'U: Good cue, buddy, good cue.

9 At this time, we're gonna do roll call. Pursuant to
10 the new Sunshine Law, please also indicate who, if anyone, is
11 present with you at your location.

12 Vice Chair Ruidas.

13 VICE CHAIR RUIDAS: Present. Home and alone.

14 CHAIR U'U: Commissioner Becraft.

15 COMMISSIONER BECRAFT: Present. I'm alone at home.

16 CHAIR U'U: Commissioner De Mello.

17 COMMISSIONER DE MELLO: Present, and I'm alone in my
18 office at home.

19 CHAIR U'U: Thank you.

20 Commissioner Boswell.

21 (No response.)

22 CHAIR U'U: Not present at the time.

23 MS. KHANGSENGSING: He is. I don't -- he's not --

24 CHAIR U'U: Oh. Commissioner Boswell.

25 (No response.)

1 CHAIR U'U: Moving on, Commissioner Ho.

2 (No response.)

3 CHAIR U'U: Commissioner Ho.

4 Is Commissioner --

5 MS. KHANGSENGSING: Commissioner, you've gotta
6 unmute yourself. Can't hear you.

7 CHAIR U'U: Commissioner Ho, please unmute yourself.

8 (No response.)

9 CHAIR U'U: I'll go back to her.

10 Commissioner Patel.

11 COMMISSIONER PATEL: Present and currently alone
12 driving to my office.

13 CHAIR U'U: Thank you.

14 Commissioner Richardson.

15 COMMISSIONER RICHARDSON: I'm alone in my office.

16 CHAIR U'U: Thank you.

17 Commissioner Matsumoto.

18 COMMISSIONER MATSUMOTO: I'm at work in my office
19 alone.

20 CHAIR U'U: And going back to Commissioner Ho.

21 COMMISSIONER HO: Sorry, yes, I am alone. Sorry, I
22 actually muted my laptop. Sorry.

23 CHAIR U'U: Thank you.

24 Commissioner Boswell, are you there?

25 COMMISSIONER BOSWELL: Yes. I'm at home alone in my

1 room.

2 CHAIR U'U: Thank you very much.

3 And I am Bruce U'u, and I'm present with everyone
4 else here.

5 I'm gonna continue roll call. Corporation Counsel
6 Kristine Trenholme.

7 CORP COUNSEL TRENHOLME: Hello. Present in my
8 office alone.

9 CHAIR U'U: Thank you.

10 Director Layne Silva.

11 DIRECTOR LAYNE N. SILVA: Present.

12 CHAIR U'U: Deputy Director Jarrett Kahooohanohano.

13 DEPUTY DIRECTOR KAHOOHANOHANO: Present.

14 CHAIR U'U: Commission secretary Maria
15 Khangsengsing.

16 MS. KHANGSENGSING: I'm here.

17 CHAIR U'U: And secretary to liquor director Lianne
18 Suzuki.

19 MS. SUZUKI: Present.

20 CHAIR U'U: And Gene Silva, staff.

21 LCO GENE SILVA: Present, and I'm here with Keri.

22 CHAIR U'U: Thank you very much.

23 Moving on to the first item of the agenda, I will
24 entertain a motion for approval of today's agenda. Do I have
25 a motion?

1 COMMISSIONER DE MELLO: I make the motion for the
2 agenda, today's agenda. De Mello.

3 CHAIR U'U: I have a motion made by Commissioner De
4 Mello. Do I have a second?

5 COMMISSIONER HO: Yes, I second.

6 CHAIR U'U: Second by Commissioner Ho. Any
7 discussion?

8 (No response.)

9 CHAIR U'U: Seeing none, I'll call for the vote.
10 Say aye. Say aye, and those opposed say nay.

11 Commissioner -- Vice Chair Ruidas.

12 VICE CHAIR RUIDAS: Aye.

13 CHAIR U'U: Commissioner Becraft.

14 COMMISSIONER BECRAFT: Aye.

15 CHAIR U'U: Commissioner De Mello.

16 COMMISSIONER DE MELLO: Aye.

17 CHAIR U'U: Commissioner Boswell.

18 COMMISSIONER BOSWELL: Aye.

19 CHAIR U'U: Commissioner Ho.

20 COMMISSIONER HO: Aye.

21 CHAIR U'U: Commissioner Patel.

22 COMMISSIONER PATEL: Aye.

23 CHAIR U'U: Commissioner Richardson.

24 COMMISSIONER RICHARDSON: Aye.

25 CHAIR U'U: Commissioner Matsumoto.

1 COMMISSIONER MATSUMOTO: Aye.

2 CHAIR U'U: And the chair votes aye.

3 Motion passes.

4 Moving on to public testimony, with regard to
5 written testimony, the commissioners should have received
6 written testimony if there were any submitted. For oral
7 testimony, each testifier will be limited to two minutes on
8 each agenda item with one minute to conclude. Testifiers via
9 video may sign up to testify by sending a direct message in
10 the chat function to the commission staff signifying their
11 intention to testify and noting the agenda item number.
12 Testimony should not be submitted within the chat function,
13 and the chat function may not be used to contact commissioners
14 or the -- or other meeting participants or comment on the
15 agenda items or other matters. Individuals may be
16 disconnected from the meeting for breaking decorum.
17 Testifiers are asked to mute their video and audio when they
18 are not testifying. Video testifiers will be called first,
19 followed by phone testifiers, and then in-person testifiers.

20 Maria, first testifier, please.

21 MS. KHANGSENGSING: We have none.

22 CHAIR U'U: Seeing none, anybody want to testify?
23 Now would be your time.

24 (No response.)

25 CHAIR U'U: Hearing no one else out there wishing to

1 testify, with no objections, I will now close public
2 testimony.

3 (No response.)

4 CHAIR U'U: Public testimony is now closed.

5 (Gavel.)

6 We're moving on for minutes. Moving on to approve
7 the -- moving on to approve the minutes, I'll entertain a
8 motion to approve the minutes of June 8th. Do I have a
9 motion?

10 COMMISSIONER DE MELLO: I'll make the motion to
11 accept the minutes for June 8th. De Mello.

12 CHAIR U'U: I have a motion made by Commissioner De
13 Mello to accept the June 8th meeting minutes. Do I have a
14 second?

15 VICE CHAIR RUIDAS: Vice Chair Ruidas. Second.

16 CHAIR U'U: Thank you, Vice Chair.

17 I have a motion made by De Mello, seconded by Vice
18 Chair Ruidas. Any discussion?

19 (No response.)

20 CHAIR U'U: Seeing none, I'll call for the vote.

21 Vice Chair Ruidas.

22 VICE CHAIR RUIDAS: Aye.

23 CHAIR U'U: Commissioner Becraft.

24 COMMISSIONER BECRAFT: Aye.

25 CHAIR U'U: Commissioner De Mello.

1 COMMISSIONER DE MELLO: Aye.

2 CHAIR U'U: Commissioner Boswell.

3 COMMISSIONER BOSWELL: Aye.

4 CHAIR U'U: Commissioner Ho.

5 COMMISSIONER HO: (Inaudible.)

6 CHAIR U'U: Commissioner Ho.

7 COMMISSIONER HO: Sorry. Aye.

8 CHAIR U'U: Commissioner Patel.

9 COMMISSIONER PATEL: Aye.

10 CHAIR U'U: Commissioner Richardson.

11 COMMISSIONER RICHARDSON: Aye.

12 CHAIR U'U: Commissioner Matsumoto.

13 COMMISSIONER MATSUMOTO: Aye.

14 CHAIR U'U: And the chair votes aye.

15 Motion passes.

16 Moving on to General Licensing Matters, the next
17 item on the agenda is General Licensing Matters. May I have a
18 motion for confirmation for General Licensing Matters, Items A
19 to BB?

20 VICE CHAIR RUIDAS: Vice Chair Ruidas. I make a
21 motion to approve General Licensing Matters A through BB.

22 CHAIR U'U: I have a motion made by Vice Chair
23 Ruidas. Do I have a second?

24 COMMISSIONER DE MELLO: De Mello. Second.

25 CHAIR U'U: I have a motion made by Vice Chair

1 Ruidas, second by Commissioner De Mello for General Licensing
2 Matters A through BB. Is there any discussion on this matter?

3 COMMISSIONER HO: Yes, Chair.

4 CHAIR U'U: Yes. Go ahead.

5 COMMISSIONER HO: Yeah. I would like to ask, Items
6 A, B, and C, there's no description. There's only a list on
7 the agenda, but there's no description on the three items.
8 Just wondering.

9 (Inaudible comment.)

10 CHAIR U'U: At this time, I'm gonna turn 'em over to
11 Director Silva.

12 UNIDENTIFIED SPEAKER: Hold on for one second.

13 DIRECTOR LAYNE N. SILVA: Yes. For Items A, B, and
14 C, I believe it was A and B were license applications that had
15 been issued a permanent license that were operating on a
16 temporary license prior to. So there is no report based on
17 that; it's just notifying the commission of the fact that they
18 did receive their permanent liquor license on the dates stated
19 as the effective dates. Item No. C is Academy of Hospitality
20 and Tourism is a special license that had been issued to that
21 applicant also on the stated effective date.

22 COMMISSIONER HO: Thank you.

23 CHAIR U'U: Thank you. Any more discussion?

24 (No response.)

25 CHAIR U'U: Seeing none, I'll call for the vote.

1 Again, I'm gonna do a roll call vote. All those in favor of
2 the motion say aye, and those opposed say nay.

3 Vice Chair Ruidas.

4 VICE CHAIR RUIDAS: Aye.

5 CHAIR U'U: Commissioner Becraft.

6 COMMISSIONER BECRAFT: Aye.

7 CHAIR U'U: Commissioner De Mello.

8 COMMISSIONER DE MELLO: Aye.

9 CHAIR U'U: Commissioner Boswell.

10 COMMISSIONER BOSWELL: Aye.

11 CHAIR U'U: Commissioner Ho.

12 COMMISSIONER HO: Aye.

13 CHAIR U'U: Commissioner Patel.

14 COMMISSIONER PATEL: Aye. And I'll update my
15 location. I'm in my office alone.

16 CHAIR U'U: Thank you for the update. Sorry about
17 that.

18 Commissioner Richardson.

19 COMMISSIONER RICHARDSON: Aye.

20 CHAIR U'U: Commissioner Matsumoto.

21 COMMISSIONER MATSUMOTO: Aye.

22 CHAIR U'U: And the chair votes aye.

23 The vote is unanimous, and the motion passes.

24 Next up, Preliminary Hearings. The next item on the
25 agenda is Preliminary Hearings starting with Application No.

1 TA-02, Big Sur Management, LLC. Would the applicant please
2 step forward and state your name and position?

3 MR. NAKAMURA: Good morning, Mr. Chair and Members
4 of the Commission. It's Craig Nakamura, attorney on behalf of
5 the applicant. And I see on the call with us today is Jon
6 Benson, who is the general manager.

7 CHAIR U'U: Thank you.

8 MR. BENSON: Good morning.

9 CHAIR U'U: Good morning.

10 At this time, I will turn it over to staff. Gene,
11 will you please provide the details of this new application?

12 LCO GENE SILVA: TA-02, TR Big Sur Management, LLC,
13 doing business as Hana Gas, applying for a transfer of a
14 retail beer and wine license from Champagne, Inc. doing
15 business as Hana Gas.

16 Managers, members, organizer, primary decision-
17 maker, and agent of the manager-managed limited liability
18 company are listed in the investigator's report.

19 Applicant has submitted a copy of a Second Amendment
20 to Hotel Services Agreement by and between TR Big Sur
21 Management LLC, manager, a California limited liability
22 company, and Mani Hana Resort (DE), LLC, owner, a Delaware
23 limited liability company, dated March 24th, 2021.

24 Applicant has submitted a copy of a Transferrer's
25 Endorsement of Transfer signed by Matthew Jason Karp,

1 president and director Champagne, Inc. doing business as Hana
2 Gas, dated April 26, 2021.

3 A single-story standalone dwelling containing
4 approximately 1,500 square feet of floor space is located at
5 5170 Hana Highway, Hana, Maui, Hawaii.

6 There are no schools located -- there are no schools
7 within a radius of 500 feet.

8 St. Mary's Roman Catholic Church and Wananalua
9 Congressional -- Congregation Church are located within a
10 radius of 500 feet.

11 Hang on one second.

12 There are 21 licenses of this class and kind
13 currently issued within Maui County.

14 The original license was issued to Champagne, Inc.,
15 doing business as Hana Gas on January 7th, 2011.

16 Applicant plans to be open Monday through Saturday,
17 7:00 a.m. to 8:30 p.m., and Sunday, 7:00 a.m. to 6:00 p.m.

18 A site inspection was conducted on June 13th, 2022.

19 Past history is noted in the investigator's report.

20 The applicant appears to meet the statutory
21 requirements to hold a license.

22 Those items are listed in the investigator's report.

23 Oh. And there are three retail general licenses
24 located within a radius of 500 feet. There's one restaurant
25 general located within a radius of 500 feet. I had to

1 backtrack because I missed that line earlier.

2 CHAIR U'U: Anything else, Gene?

3 (No response.)

4 CHAIR U'U: Okay, awesome.

5 Does the applicant have any additional comments to
6 make? Now would be your time.

7 MR. NAKAMURA: Yeah, just very quickly.

8 Thank you, Gene. Good to see you.

9 Some of the commission members --

10 LCO GENE SILVA: Likewise.

11 MR. NAKAMURA: Yeah. Some of the commission
12 members, at least the ones that were on the commission at the
13 time, might recall that we were -- had previously applied for
14 a hotel and related licenses for the Hana Maui Resort Hotel
15 out in Hana. We are now applying for the gas station, a
16 license for the gas station, and the next hearing, you will
17 see another application for a second part of the hotel. And
18 we'd be happy to answer any questions that you ask.

19 CHAIR U'U: Okay. Thank you very much. At this
20 time --

21 We have echoing, trying to figure out how that
22 works.

23 At this time, any questions from the commissioners?
24 Questions from the commissioners?

25 (No response.)

1 CHAIR U'U: If not, I'll entertain a motion to
2 approve Application No. TA-02.

3 MR. NAKAMURA: We're just -- we're getting a lot of
4 feedback.

5 CHAIR U'U: Can you guys hear me okay? Hang on one
6 second. Small kine technical difficulties. Okay.

7 COMMISSIONER BECRAFT: You gotta get everybody to
8 put themselves on mute. We've got someone who has a kid in
9 the background talking; we've got someone's dog.

10 CHAIR U'U: Anybody out there, if you're not
11 involved, put yourself on mute to help us out here. Thank
12 you.

13 At this time, I'll entertain a motion to approve
14 Application No. TA-02. Do I have a motion?

15 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft. I
16 make a motion to approve Application No. TA-2.

17 CHAIR U'U: The motion was made by Commissioner
18 Becraft. Do we have a second?

19 COMMISSIONER PATEL: Commission Patel. I'll second,
20 Chair.

21 CHAIR U'U: We have a motion made by Commissioner
22 Becraft, seconded by Commissioner Patel for Application No.
23 TA-02. Is there any discussion?

24 (No response.)

25 CHAIR U'U: Seeing none, I'll call for the vote.

1 Again, I'm gonna do a roll call vote. All those in favor of
2 the motion say aye, and all those opposed say nay.

3 Vice Chair Ruidas.

4 VICE CHAIR RUIDAS: Aye.

5 CHAIR U'U: Commissioner Becraft.

6 COMMISSIONER BECRAFT: Aye.

7 CHAIR U'U: Commissioner De Mello.

8 COMMISSIONER DE MELLO: Aye.

9 CHAIR U'U: Commissioner Boswell.

10 COMMISSIONER BOSWELL: Aye.

11 CHAIR U'U: Commissioner Ho.

12 COMMISSIONER HO: Aye.

13 CHAIR U'U: Commissioner Patel.

14 COMMISSIONER PATEL: Aye.

15 CHAIR U'U: Commissioner Richardson.

16 COMMISSIONER RICHARDSON: Aye.

17 CHAIR U'U: Commissioner Matsumoto.

18 COMMISSIONER MATSUMOTO: Aye.

19 CHAIR U'U: And the chair votes aye.

20 The vote is unanimous, and it passes.

21 Congratulations.

22 MR. NAKAMURA: Thank you very much.

23 MR. BENSON: Thank you.

24 CHAIR U'U: Thank you.

25 Again, next up on Preliminary Hearings, Application

1 No. 17, Big Sur Management, LLC. Again, would the applicant
2 please step forward and state your name and position.

3 MR. NAKAMURA: Yep. Excuse me. Again, Mr. Chair,
4 Craig Nakamura, attorney on behalf of the applicant. And I
5 see Jon Benson, general manager, also on the line.

6 CHAIR U'U: Will some -- will you guys mute your
7 audio, please? I still hear background noise. If possible.

8 COMMISSIONER BECRAFT: Chair, I believe we have the
9 ability to mute everyone else also if we can get our secretary
10 to do that.

11 MR. NAKAMURA: I think they just did that.

12 COMMISSIONER PATEL: Chair, I believe you're muted.

13 MR. NAKAMURA: Yeah, everybody was muted.

14 COMMISSIONER BECRAFT: Well, not everyone. I can
15 hear you two.

16 CHAIR U'U: Hang on one second.

17 Aloha, Gene. You're muted. Can you guys hear me?

18 MR. NAKAMURA: Yep, we can hear you.

19 CHAIR U'U: Okay. Take it away, Gene.

20 LCO GENE SILVA: Okay. Application No. 17, TR Big
21 Sur Management, LLC, doing business as Hana Maui Resort,
22 applying for a hotel general license.

23 Managers, members, organizers -- organizer, primary
24 decision-maker, and agent of the manager-managed limited
25 liability company are listed in the investigator's report.

1 Applicant has submitted a copy of a Hotel Service
2 Agreement by and between Mani Hana Resort (DE), LLC, owner, a
3 limited liability company organized and existing under the
4 laws of Delaware, and TR Big Sur Management, LLC, manager, a
5 California limited liability company, dated June 8th, 2020.

6 The premises is located on the makai side of Uakea
7 Road. The proposed premises containing 12.75 acres, 47 guest
8 rooms, a swimming pool, snack bar, kitchen, and a yoga studio
9 is located at Uakea Road, Hana, Maui, Hawaii.

10 There are no schools within a radius of 500 feet.

11 St. Mary's Roman Catholic Church and the Wananalua
12 Congressional -- Congregational Church are located within a
13 radius of 500 feet.

14 Hana Maui Resort is a license of the same class and
15 kind located within a radius of 500 feet.

16 There are three retail general and one restaurant
17 general license located within a radius of 500 feet.

18 There are 28 licenses of this class and kind
19 currently issued within Maui County.

20 Applicant plans to be open seven days a week, 24
21 hours a day.

22 A site inspection was conducted on June 13th, 2022.

23 Past history is noted in the investigator's report.

24 The applicant appears to meet the statutory
25 requirements to hold a license.

1 All documents necessary for the issuance of a liquor
2 license have not been submitted. Those items are listed in
3 the investigator's report.

4 CHAIR U'U: Thank you. Thank you, Gene.

5 At this time, does the applicant have anything else
6 to add?

7 MR. NAKAMURA: Just as previously mentioned, Mr.
8 Chair, this is just the application for the second part of the
9 hotel.

10 CHAIR U'U: Thank you.

11 Any questions from the commissioners?

12 (No response.)

13 CHAIR U'U: Seeing none, at this time, I'll
14 entertain a motion to approve Application No. 17. Do I have a
15 motion?

16 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft. I
17 make a motion to approve Application No. 17.

18 CHAIR U'U: We have a motion made by Commissioner
19 Becraft for Application No. 17. Do we have a second?

20 COMMISSIONER RICHARDSON: Commissioner Richardson.
21 I'll second that.

22 CHAIR U'U: We have a -- thank you for the second.
23 We have a second made by Commissioner Richardson. Motion made
24 by, again, Commissioner Becraft and a second by Commissioner
25 Richardson. I'll call for the vote. Any discussion on the

1 item?

2 (No response.)

3 CHAIR U'U: Seeing none, again, I'll call for the
4 vote. I'm gonna do a roll call vote. All those in the
5 motion -- in favor of the motion say aye, and all those
6 opposed say nay.

7 Vice Chair Ruidas.

8 VICE CHAIR RUIDAS: Aye.

9 CHAIR U'U: Commissioner Becraft.

10 COMMISSIONER BECRAFT: Aye.

11 CHAIR U'U: Commissioner De Mello.

12 COMMISSIONER DE MELLO: Aye.

13 CHAIR U'U: Commissioner Ho.

14 COMMISSIONER HO: Aye.

15 CHAIR U'U: Commissioner Patel.

16 (No response.)

17 CHAIR U'U: Commissioner Patel.

18 COMMISSIONER PATEL: Oh, aye. Sorry.

19 CHAIR U'U: Thank you.

20 Commissioner Richardson.

21 COMMISSIONER RICHARDSON: Aye.

22 CHAIR U'U: Commissioner Matsumoto.

23 COMMISSIONER MATSUMOTO: Aye.

24 CHAIR U'U: And the -- the chair votes aye.

25 The vote is unanimous; the motion passes 9-0. Thank

1 you.

2 MR. NAKAMURA: Thank you very much.

3 CHAIR U'U: Thank you.

4 The next item on the -- the next item for
5 Preliminary Hearings is Application No. 18, Salty Dog Maui.
6 Would the applicant please step forward and state your name
7 and position?

8 MS. KHANGSENGSING: Chair, you skipped C.

9 CHAIR U'U: Okay. Hang on one second.

10 MR. JORGENSEN: Oh, wow, Chair.

11 CHAIR U'U: I'm sorry, I'm sorry. Application No.
12 18, Hayduke LLC. My bad, I'm jumping the gun. Okay.
13 Application No. 18, Hayduke LLC. Thank you very much. Would
14 a representative please step forward and introduce yourselves?

15 MR. JORGENSEN: Thank you very much, Chair. Good
16 morning, Chair, Members of the Commission, and Staff. My
17 name's Dave Jorgenson. I'm the authorized agent and attorney
18 representing applicant Hayduke LLC dba The Parlay. With me
19 this morning is Suzanne Navarro --

20 MS. NAVARRO: Good morning.

21 MR. JORGENSEN: -- who is the member of -- one of
22 the members of the applicant.

23 CHAIR U'U: Thank you.

24 At this time, I'll turn it over to staff. I
25 guess -- is that you again?

1 LCO GENE SILVA: Yeah.

2 CHAIR U'U: Gene, you're on a roll, buddy. Take it
3 away, Gene.

4 LCO GENE SILVA: Application No. 18, Hayduke LLC
5 doing business as The Parlay applying for a Restaurant General
6 License, Category B(ii).

7 Members, managers, organizer, and agent of the
8 limited liability company are listed in the investigator's
9 report.

10 Past history is noted in the investigator's report.

11 Applicant has submitted a copy of a lease agreement
12 entitled 2086 Main Street Lease by and between 2086 Main
13 Street LLC as landlord, a Hawaii limited liability company,
14 and Hayduke LLC, tenant, a Hawaii limited liability company,
15 dated November 30th, 2021.

16 The proposed premises is in a cement and steel
17 single-story building with indoor and outdoor seating located
18 at 2086 Main Street, Wailuku, Maui, Hawaii.

19 There are no schools located within a radius of 500
20 feet.

21 There are two churches, Episcopal Church in Hawaii
22 and the Pentecostal Missionary Church of Christ is located
23 within 500 feet.

24 There are two dispenser general licensees and one
25 retail general licensee within a radius of 500 feet from the

1 premises.

2 There are 90 licensees of the same class and kind
3 currently issued within Maui County.

4 Applicant plans to open seven days a week from 8:00
5 a.m. to 2:00 a.m.

6 A site inspection was conducted on June 17th, 2022.

7 The applicant appears to meet the statutory
8 requirements to hold a license.

9 All documents necessary for the issuance of a liquor
10 license have not been submitted. Those items are listed in
11 the investigator's report.

12 CHAIR U'U: Thank you, Gene.

13 Does the applicant want to make any additional
14 comments? Now would be your time.

15 MR. JORGENSEN: Just real briefly, and so the record
16 is correct, in the Past History section, it says Maui Rum
17 Society LLC dba Esthers Fair Product. Suzanne is the manager
18 of the location, the bar that's a couple doors down, but
19 the -- it's Esters with no H, and it's Fair Prospect, not Fair
20 Product, just so the record's clear.

21 CHAIR U'U: Thank you. Anything else from the
22 applicant?

23 MR. JORGENSEN: On the -- just want to mention, we
24 put down 8:00 a.m. to 2:00 a.m., that's the max hours.

25 Suzanne is, again, involved in Esters, and they usually close

1 by 10:00. So they're not planning on being open all the time
2 till 2:00, but they do want to have that ability. Other than
3 that, we are available for any questions. Well, I would
4 mention this is the location across from Texaco in Upper
5 Wailuku. It used to be a gas station; then it was a crystal
6 shop, then it was a food truck. If you drive by there, you
7 may have seen a lot of work which Suzanne and her partner and
8 friends are feverishly scrambling, are throwing a lot of dirt
9 around, but there's a lot of activity going on over there so
10 they're working hard to get it going. And we are available
11 for any questions.

12 CHAIR U'U: Thank you.

13 Any questions from the commissioners?

14 (No response.)

15 CHAIR U'U: Seeing none, at this time, I'll
16 entertain a motion to approve Application No. 18. Do I have a
17 motion?

18 COMMISSIONER PATEL: Commissioner Patel. I make a
19 motion, Chair, to approve Application 18, Hayduke LLC.

20 CHAIR U'U: We have a motion made by Commissioner
21 Patel. Do we have a second?

22 COMMISSIONER BECRAFT: Commissioner Becraft. I
23 second.

24 CHAIR U'U: We have a second made by Commissioner
25 Becraft. I'll call for the vote. Again, I'm gonna do a roll

1 call vote. All those in favor of the motion say aye, and all
2 those opposed say nay.

3 Vice Chair Ruidas.

4 VICE CHAIR RUIDAS: Aye.

5 CHAIR U'U: Commissioner Becraft.

6 COMMISSIONER BECRAFT: Aye.

7 CHAIR U'U: Commissioner De Mello.

8 COMMISSIONER DE MELLO: Aye.

9 CHAIR U'U: Commissioner Boswell.

10 COMMISSIONER BOSWELL: Aye.

11 CHAIR U'U: Commissioner Ho.

12 COMMISSIONER HO: Aye.

13 CHAIR U'U: Commissioner Patel.

14 COMMISSIONER PATEL: Aye.

15 CHAIR U'U: Commissioner Richardson.

16 COMMISSIONER RICHARDSON: Aye.

17 CHAIR U'U: Commissioner Matsumoto.

18 COMMISSIONER MATSUMOTO: Aye.

19 CHAIR U'U: And the chair votes aye.

20 The vote is unanimous, and it passes. The motion
21 passes 9-0. Thank you very much, and congratulations.

22 MR. JORGENSEN: Thank you very much.

23 MS. NAVARRO: Thank you. I'm very excited. Thank
24 you.

25 MR. JORGENSEN: Have a great day.

1 CHAIR U'U: You too.

2 MS. NAVARRO: Aloha.

3 CHAIR U'U: Aloha.

4 Again, back onto Preliminary Hearings, and we are
5 with Application No. 19 for the second time, Salty Dog Maui,
6 Incorporated. Would the applicant or their representatives
7 please step forward and introduce yourselves?

8 MR. NAKAMURA: Yes. Good morning, Mr. Chair,
9 Members of the Commission. It's Craig Nakamura again,
10 attorney on behalf of the applicant. And with us on the phone
11 is Payam, also known as Pat, Kashani, who is the officer and
12 director of the applicant.

13 MR. KASHANI: Aloha.

14 CHAIR U'U: Aloha. Thank you.

15 At this time, I'll turn it over to Gene.

16 LCO GENE SILVA: Application No. 19, Salty Dog Maui,
17 Inc. doing business as Salty Dog Tacos & Tequila, applying for
18 a Restaurant General License, Category B(ii).

19 Officer, director, incorporator, and stockholder of
20 the corporation are listed in the investigator's report.

21 Applicant has submitted a copy of a Retail Lease
22 Agreement by and between Maui Outlets Associates, LLC, a
23 Delaware limited liability company, as landlord, and Salty Dog
24 Maui, Inc., tenant, dated June 26, 2021.

25 The proposed premises is in a two-story building

1 with wood/steel framing consisting of an interior dining area
2 of approximately 6,489 square feet and 450 square feet of
3 exterior space located at 900 Front Street, Space A-3,
4 Lahaina, Maui, Hawaii.

5 There are no schools located within a radius of 500
6 feet.

7 Lahaina United Methodist is located within a radius
8 of 500 feet.

9 There is one brew pub and one dispenser general
10 licensee within a radius of 500 feet from the premises.

11 There are two licenses of the same class and kind
12 located within a radius of 500 feet.

13 And there are 90 licensees of the same class and
14 kind currently issued within Maui County.

15 Applicant plans to be open seven days a week from
16 11:00 a.m. to 1:00 a.m.

17 A site inspection was conducted on June 16th, 2022.

18 The applicant appears to meet the statutory
19 requirements to hold a license.

20 All documents necessary for the issuance of a liquor
21 license have not been submitted. Those items are listed in
22 the investigator's report.

23 CHAIR U'U: Thank you, Gene.

24 Does the applicant want to make any additional
25 statements? Now would be your time.

1 MR. NAKAMURA: Thank you. Thank you, Mr. Chair.
2 Thank you very much, Gene.

3 Yeah, as you can probably tell from the name of the
4 company and the restaurant, this is gonna be a new Mexican
5 restaurant in -- located in Lahaina at the Outlets of Maui
6 Shopping Center right on Front Street. As you can tell from
7 Mr. Kashani's personal history statement, he has quite an
8 extensive background in operating and managing restaurants in
9 Hawaii, and we're really looking forward to him opening this
10 new restaurant here. Thank you. We'd be happy to answer any
11 questions you have.

12 CHAIR U'U: Thank you.

13 Any questions from the commissioners?

14 COMMISSIONER PATEL: Chair, Commissioner Patel.

15 CHAIR U'U: Go ahead, Commissioner Patel.

16 COMMISSIONER PATEL: Just wanted -- I'm looking at
17 the map here or the -- the kind of drawing of the space. This
18 is -- this is the old Ruth's Chris Steak House, I believe,
19 correct?

20 MR. NAKAMURA: I believe that's correct. It's right
21 on Front Street right next to -- I think that's Annabelle's.

22 COMMISSIONER PATEL: Okay. On there there is a
23 private room slash game room. Is there -- is that more like
24 different activities or what is that going to kind of entail
25 over there?

1 MR. NAKAMURA: I believe that's just a private
2 dining area, but I'll refer to Mr. Kashani; maybe you can
3 answer that question.

4 MR. KASHANI: Yes. Previously for -- for Ruth's
5 Chris, it was like a private dining room that they used for
6 private parties and that kind of stuff. We're gonna use it
7 for general seating. We might have a pool table -- we'll
8 probably have a pool table and some TVs there to view sports
9 and that kind of stuff, and maybe occasionally a private party
10 or something in that room.

11 COMMISSIONER PATEL: Thank you.

12 No further questions, Chair.

13 MR. NAKAMURA: Thank you.

14 CHAIR U'U: Any more questions from the
15 commissioners?

16 (No response.)

17 CHAIR U'U: Seeing none, at this time, I'll
18 entertain a motion to approve the Application No. 19. Do I
19 have a motion?

20 COMMISSIONER BECRAFT: Mr. Chair, Jamie Becraft. I
21 make a motion to approve Application No. 19.

22 CHAIR U'U: Motion made by Commissioner Becraft. Do
23 we have a second?

24 COMMISSIONER PATEL: Commissioner Patel, Chair.
25 I'll second that.

1 CHAIR U'U: And a second was made by Commissioner
2 Patel. Any discussion on this item?

3 (No response.)

4 CHAIR U'U: Seeing none, I will call for the vote.
5 Again, I'm gonna do a roll call vote. All those in favor of
6 the motion say aye, and any opposed say nay.

7 Vice Chair Ruidas.

8 VICE CHAIR RUIDAS: Aye.

9 CHAIR U'U: Commissioner Becraft.

10 COMMISSIONER BECRAFT: Aye.

11 CHAIR U'U: Commissioner De Mello.

12 COMMISSIONER DE MELLO: Aye.

13 CHAIR U'U: Commissioner Boswell.

14 COMMISSIONER BOSWELL: Aye.

15 CHAIR U'U: Commissioner Ho.

16 COMMISSIONER HO: Aye.

17 CHAIR U'U: Commissioner Patel.

18 COMMISSIONER PATEL: Aye.

19 CHAIR U'U: Commissioner Richardson.

20 COMMISSIONER RICHARDSON: Aye.

21 CHAIR U'U: Commissioner Matsumoto.

22 COMMISSIONER MATSUMOTO: Aye.

23 CHAIR U'U: And the chair votes aye.

24 The vote is unanimous, and it passes 9-0. Thank you
25 very much, and congratulations.

1 MR. KASHANI: Aloha. Mahalo.

2 MR. NAKAMURA: Commissioners, appreciate it. Thank
3 you.

4 MR. KASHANI: Thank you.

5 CHAIR U'U: Aloha.

6 Moving on to Application No. 21, Beach House Brewing
7 Corp. Would the applicant please step forward and state your
8 name and position?

9 MR. PRESTAGE: Hi. My name is Don Prestage. I'm
10 president.

11 CHAIR U'U: Thank you for stepping forward. We have
12 someone live.

13 At this time, I'll turn it over to staff. Gene.

14 LCO GENE SILVA: Application No. 21, Beach House
15 Brewing Corp, a registered Hawaii corporation doing business
16 as Beach House Beer Co. Applying for a Dispenser General
17 License, Category C(ii).

18 Officer, director, agent, and stockholders of the
19 corporation are listed in the investigator's report.

20 Applicant has submitted a copy of the -- of an
21 Indenture of Lease by Beach House Brewery Corp, lessee, and
22 lessor Ray M. Properties LLC dated January 26, 2021.

23 Applicant has submitted a copy of a Lease Amendment
24 dated April 12th, 2022, which amends the Lease Agreement that
25 began on January 26, 2021, and 1st Amendment on December 16th,

1 2021, and 2nd Amendment on March 25th, 2022.

2 The proposed premises contains approximately 1,758
3 square feet. It's located at 121 Dickenson Street, Lahaina,
4 Maui, Hawaii.

5 Lahaina Shingon Mission of Hokoji is located within
6 a radius of 500 feet.

7 There are no schools located within a radius of 500
8 feet.

9 There's one hotel general, seven restaurant general,
10 and three retail general licenses located within a radius of
11 500 feet.

12 Amigo's Authentic Mexican Food III is a licensee of
13 the same class and kind located within a radius of 500 feet.

14 There are 102 licenses of this class and kind
15 currently issued within Maui County.

16 Applicant initially plans to be open seven days a
17 week from 8:00 a.m. to 2:00 a.m.

18 LCO 1 Leslee-Ann Barclay conducted an inspection of
19 the premises on April 22nd, 2022.

20 Past history is noted in the investigator's report.

21 The applicant appears to meet statutory requirements
22 to hold the license.

23 All documents necessary for the issuance of a liquor
24 license have not been submitted. Those items are listed in
25 the investigator's report.

1 CHAIR U'U: Thank you, Gene.

2 At this time, would the applicant make any
3 additional comments or statements? Now would be the time.

4 MR. PRESTAGE: I have no additional comments.

5 CHAIR U'U: Thank you.

6 Any questions from the commissioners?

7 (No response.)

8 CHAIR U'U: Any questions?

9 (No response.)

10 CHAIR U'U: Seeing none, at this time, I'll
11 entertain a motion to approve Application No. 21. Do I have a
12 motion?

13 VICE CHAIR RUIDAS: Vice Chair Ruidas. I make a
14 motion to approve Application 21.

15 CHAIR U'U: We have a motion made by Vice Chair
16 Ruidas. Do we have a second?

17 COMMISSIONER RICHARDSON: Commissioner Richardson.
18 I'll second that.

19 CHAIR U'U: And a second made by Commissioner
20 Richardson. Any discussion?

21 (No response.)

22 CHAIR U'U: Seeing none, I will call for the vote.
23 Again, I'm gonna do a roll call vote. All those in favor say
24 aye; all those opposed say nay.

25 Vice Chair Ruidas.

1 VICE CHAIR RUIDAS: Aye.

2 CHAIR U'U: Commissioner Becraft.

3 COMMISSIONER BECRAFT: Aye.

4 CHAIR U'U: Commissioner De Mello.

5 COMMISSIONER DE MELLO: Aye.

6 CHAIR U'U: Commissioner Boswell.

7 COMMISSIONER BOSWELL: Aye.

8 CHAIR U'U: Commissioner Ho.

9 COMMISSIONER HO: Aye.

10 CHAIR U'U: Commissioner Patel.

11 COMMISSIONER PATEL: Aye.

12 CHAIR U'U: Commissioner Richardson.

13 COMMISSIONER RICHARDSON: Aye.

14 CHAIR U'U: Commissioner Matsumoto.

15 COMMISSIONER MATSUMOTO: Aye.

16 CHAIR U'U: And the chair votes aye.

17 The vote is unanimous, the vote is 9-0, and the
18 motion passes. Congratulations.

19 MR. PRESTAGE: Thank you.

20 CHAIR U'U: Thank you.

21 At this time, we're gonna move on to Public Hearings
22 with Application No. TA-01 -- 03, Honu Oceanside LLC. Would
23 the applicant please step forward and state your name and
24 position? Again, we are live.

25 MR. UEOKA: Good morning, Mr. Chair and Members of

1 the Commission. Robert Ueoka on behalf of Honu Oceanside.
2 Also, present to my right is Mr. Kyle Turner; he is
3 (inaudible).

4 CHAIR U'U: Please have a seat.

5 At this time, I will turn it over to the staff.
6 Will you please provide the details of this application, Gene?

7 LCO GENE SILVA: Application No. TA-03, the
8 applicant is Honu Oceanside LLC doing business as Honu
9 Oceanside. The proposed premises is located at 1295 Front
10 Street, Lahaina, Maui, Hawaii. This is a public hearing for a
11 transfer of a Restaurant General License, Category B(ii).

12 Notice of public hearing was published in the Maui
13 News on June 15th, 2022.

14 The department did not receive any protests.

15 The documents necessary for completing the remaining
16 application requirements for a liquor license are listed in
17 the summary report.

18 CHAIR U'U: Thank you, Gene.

19 At this time, would the applicant make any
20 statements, comments. Now would be the time.

21 MR. UEOKA: No changes in the investigator's report.
22 We are a seafood and steak restaurant located along the ocean
23 on Front Street across Lahaina Cannery Mall. We've been
24 operating under a temporary license, and no issues.

25 CHAIR U'U: Thank you very much.

1 Is there any questions from the commissioners?

2 (No response.)

3 CHAIR U'U: Seeing none, at this time, I'll
4 entertain a motion to approve Application No. TA-03. Do I
5 have a motion?

6 COMMISSIONER PATEL: Chair, Commissioner Patel. I
7 make a motion to approve Application No. TA-03.

8 CHAIR U'U: Motion made by Commissioner Patel. Do
9 we have a second?

10 VICE CHAIR RUIDAS: Vice Chair Ruidas. Second.

11 CHAIR U'U: We have a motion made by Commissioner
12 Patel, a second made by Vice Chair Ruidas. Any discussion?

13 (No response.)

14 CHAIR U'U: Seeing none, I'll call for the vote.
15 Again, a roll call vote. All those in favor say aye, any
16 opposed say nay.

17 Vice Chair Ruidas.

18 VICE CHAIR RUIDAS: Aye.

19 CHAIR U'U: Commissioner Becraft.

20 COMMISSIONER BECRAFT: Aye.

21 CHAIR U'U: Commissioner De Mello.

22 COMMISSIONER DE MELLO: Aye.

23 CHAIR U'U: Commissioner Boswell.

24 COMMISSIONER BOSWELL: Aye.

25 CHAIR U'U: Commissioner Ho.

1 COMMISSIONER HO: Aye.

2 CHAIR U'U: Commissioner Patel.

3 COMMISSIONER PATEL: Aye.

4 CHAIR U'U: Commissioner Richardson.

5 (No response.)

6 CHAIR U'U: Commissioner Richardson.

7 (No response.)

8 CHAIR U'U: Commissioner Matsumoto.

9 COMMISSIONER MATSUMOTO: Aye.

10 CHAIR U'U: I believe we've lost Commissioner
11 Richardson.

12 And the chair votes aye.

13 The motion passes, 8-0. Thank you for your guys'
14 time. Congratulations.

15 MR. UEOKA: Thank you, Gentlemen, Ladies and
16 Gentlemen.

17 CHAIR U'U: Next item is -- up for Public Hearings
18 is Application No. 16. Would the applicant -- Maui Kuia
19 Estate Chocolate, Incorporated. Would the applicant please
20 step forward and state your name and position.

21 MR. VALKIRS: Aloha. It is Gunars Valkirs. I'm the
22 chief executive officer and also a trustee of the Valkirs
23 Family Trust, which is the majority shareholder in the
24 company.

25 CHAIR U'U: Thank you.

1 At this time, I'll turn it over to staff. Will you
2 please provide the details of this application?

3 LCO GENE SILVA: Application No. 16, the applicant
4 is Maui Kuia Estate Chocolates, Inc. doing business as Maui
5 Kuia Estate Chocolate. The proposed premises is located at 78
6 Ulupono Street, Suite 1, Lahaina, Maui, Hawaii. This is a
7 public hearing for a new Dispenser General, Category C(ii)
8 license.

9 The documents necessary for completing the remaining
10 application requirements for a liquor license are listed in
11 the summary report.

12 Notice of public hearing was published in the Maui
13 News on May 18th and 25th of 2022.

14 There are a total of 86 owners and lessees situated
15 within 500 feet of the proposed premises.

16 The department did not receive any protests.

17 Also, the applicant has submitted a request for the
18 following conditions to be placed on the license:

19 Condition 1. Minors shall be allowed within an area
20 designated as a nonconsumption area between the hours of 10:00
21 a.m. to 5:00 p.m.

22 Condition 2. Condition 1 shall be immediately
23 revoked if the premises is found guilty of 281-78(b)(1)(A) of
24 the Hawaii Revised Statutes and Section 08-101 --
25 08-101-60(b)(1)(A) of the Rules of the Liquor Commission,

1 County of Maui.

2 The applicant -- oh, no, that's it. Yeah, yeah,
3 that's all.

4 CHAIR U'U: Thank you. Thank you, Gene.

5 Does the applicant have anything to add at this
6 time? Now would be the time.

7 MR. VALKIRS: No, but I'd be happy to answer any
8 questions.

9 CHAIR U'U: Thank you.

10 Is there any questions from the commissioners?

11 COMMISSIONER BECRAFT: (Gesturing.)

12 CHAIR U'U: Commissioner Becraft.

13 COMMISSIONER BECRAFT: Yes, Mr. Chair, I have a
14 question. I guess it's for Layne. This is the first time
15 I've ever seen an applicant be -- have this type of conditions
16 put on prior to, you know, getting a liquor license or
17 whatever. Is there a reason, Layne, that we have this?

18 DIRECTOR LAYNE N. SILVA: Yes. The reason -- I
19 believe the applicant is requesting these conditions because
20 of the -- their mode of operation. They allow, or they do
21 tastings that include families and minors. As a dispenser
22 general, the minor rule is very strict as far as the minors,
23 so we're talking about a 20-year-old couple would not be able
24 to enter unaccompanied by a parent or legal guardian for the
25 tastings, which is why they would designate a nonconsumption

1 area for those minors to enter.

2 There is one other premises that have these
3 conditions placed on them, which is the Island Art Party,
4 which is in Kihei, which kind of has the same business plan as
5 far as allowing for minors to enter the premises to
6 participate in the activities inside.

7 COMMISSIONER BECRAFT: Okay. I guess I need further
8 clarification. So what's the difference between them and,
9 say, one of our local little food places where --

10 DIRECTOR LAYNE N. SILVA: Dispenser general, the
11 minor rule does not allow for a minor to enter unaccompanied
12 by parent or legal guardian.

13 COMMISSIONER BECRAFT: What does Koho's have? Is it
14 a dispenser general?

15 DIRECTOR LAYNE N. SILVA: Koho's is a restaurant
16 general.

17 COMMISSIONER DE MELLO: And they're closed.

18 COMMISSIONER BECRAFT: I guess I'm just trying --

19 DIRECTOR LAYNE N. SILVA: A restaurant general -- a
20 restaurant general does have a more lenient allowance for
21 minors to enter -- as long as there's food available and
22 they're ordering, waiting for their food, or eating, they can
23 enter the premises unaccompanied by parent or legal guardian.

24 COMMISSIONER BECRAFT: Okay.

25 DIRECTOR LAYNE N. SILVA: In order for a premises to

1 apply as a restaurant general, from day one, they would have
2 to provide 30 percent gross revenue derived by food sales,
3 which Kuia -- sorry, the Maui Kuia Estate Chocolate, Inc.
4 would not be able to accomplish, which is why they're
5 requesting for this commission for this condition for that
6 allowance.

7 COMMISSIONER BECRAFT: Okay. I guess -- I guess my
8 next question, then, revolves on is this a must that by law
9 they're gonna have to have this condition in there where
10 they're taking away the -- the adjudication board's -- I don't
11 know what word to use, but if they were found guilty -- any
12 other company that's found guilty of, you know, making a
13 mistake and serving an underage drinker, whether it be a
14 mistake or not, would be determined by the adjudication board
15 and then the punishment would be handed out by them. In this
16 situation, if I'm reading it correctly, they're being required
17 to say if they were to serve an underage drinker, they would
18 lose their license automatically, and it takes the discretion
19 out of the hands of the adjudication board.

20 DIRECTOR LAYNE N. SILVA: They would have to go
21 through the same adjudication process to be found guilty, and
22 all that would be affected is the condition; there would be no
23 revocation of liquor license at that time. This is a request
24 by the applicant in order to allow that particular demographic
25 to enter their premises to participate in their activities.

1 COMMISSIONER BECRAFT: Okay. I'm still confused.
2 I -- if I'm hearing you correctly, you're saying that this was
3 all the idea of the -- of the party that's requesting the
4 license, this wasn't a suggestion made by your office?

5 MR. VALKIRS: Excuse me, I -- it was a suggestion
6 made by -- by Gene -- not by Gene, but by Layne and with the
7 intent that we do have families that visit during the day and
8 those families want to taste chocolate together and in order
9 to have an area where we have adults that are being served
10 alcoholic beverages, we have to separate those two areas. So
11 there's a consumption and a nonconsumption area that would
12 be -- have a barrier between them and have signage indicating
13 that no one under 21 can be in the consumption area. And that
14 was -- that is --

15 Jamie, actually, you have been to our pavilion, you
16 know the setup. You have actually been to a chocolate
17 tasting, so I think you understand the layout of that upstairs
18 area where we can -- we can basically barricade using portable
19 barricades like they do at the airport for TSA, we can
20 barricade off the consumption from a nonconsumption area and
21 so minors would not be allowed in the consumption area.

22 But in order for us to operate during normal
23 business hours up until about 5:00 -- we do get a lot of
24 families coming in wanting to taste chocolate, and in order
25 for us to operate, the only license we could get was a

1 dispenser license which does not allow, you know, minors to be
2 present. In fact, it doesn't even allow minors to be in the
3 consumption area under any circumstances, to my knowledge. So
4 you can't -- a minor can't walk into a bar that has a
5 dispenser license if they're not serving food and be seated.
6 That's my understanding. And apparently, serving chocolate is
7 not serving food, so that's -- that's my dilemma is that I'm
8 trying to satisfy my overall business operation and the need
9 to serve chocolate and to offer chocolate to everyone that
10 comes in the door, whether it's a minor or adults or adults
11 with minors, but in order to do that, I need the
12 nonconsumption area separated from the consumption area.

13 I did not understand this -- what you're bringing up
14 about the adjudication process and revocation of the license.
15 I understand what the requirement is that I cannot serve to
16 anyone -- anybody under 21, but I didn't understand the
17 process of what happens if that actually happens, right? If
18 there's a mistake made and that happens, what happens from
19 that point on. So that part of the restriction I'm not sure I
20 understood, but that was suggested by Layne, not me. I
21 didn't -- I don't have the knowledge that would have even
22 brought that forth in my mind, right? So Layne suggested
23 that; I agreed to it. If that's a requirement for this
24 license, I agree to it.

25 COMMISSIONER BECRAFT: Thank you for your input, and

1 I do appreciate it, but I was directing it at Layne because
2 the representation we've been receiving so far is that you are
3 the one requesting it, and it seemed very odd to me that you
4 would be that one. It does seem more likely that it's what
5 you just said and what I did believe from the beginning that
6 this is a requirement being suggested or put upon you by the
7 department. So I'm gonna go back to Layne, and I'm gonna ask
8 the question again. Is this a requirement of law that that --
9 that we predetermine what the punishment would be should he
10 have an error occur, however, we want to word that? Because
11 with my background, Layne, I know that these errors do occur.
12 Some of them are more blatant than others. But those
13 decisions are always left to the adjudication board to
14 determine if it were -- you know, how blatant and what the
15 appropriate punishment shall be. So the question is, is I
16 don't understand why he's having this stipulation put upon
17 him. If it's a requirement of law, then I get that. If not,
18 then I want to know that it's not a requirement of law, and if
19 that's the suggestion put forth by your office, I want to know
20 why.

21 DIRECTOR LAYNE N. SILVA: Okay. Just to clarify the
22 situation, again, the requirements of a dispenser general
23 license does not allow for a minor to enter unaccompanied by
24 parent or legal guardian. In order to allow for minors to
25 enter the premises unaccompanied by parent or legal guardian,

1 the suggestion was made that there be the creation of a
2 nonconsumption area to allow for these minors to enter,
3 understanding that a 20-year-old individual is still
4 considered a minor. There has to be some way to designate the
5 areas that are consumption as compared to nonconsumption.
6 This condition does not remove the authority of the
7 adjudication board. They are the sole entity that has that
8 authority when it comes to a license. What the applicant is
9 agreeing to is that if there is a violation of sale to a minor
10 or any one of the rules that were read in by Gene in the
11 report, that the condition placed on the license that allows
12 for these minors to enter upon being found guilty by the
13 adjudication board of sale or service to a minor will be
14 revoked. The license itself would not be revoked. These are
15 the same conditions that exist for Island Art Party in Kihei,
16 that have a similar business plan and activities that take
17 place within where they allow minors to come in and do the
18 paintings and be -- do groups and stuff like that where they
19 go in there. This was a way to allow for these minors to come
20 into the premises. And, of course, it's entirely up to the
21 applicant whether they agree to it or not, whether they want
22 to have that on there or not. It was a suggestion made by
23 myself, by the department, based on my experience and my
24 knowledge in a way to adapt to the business plan that was
25 being presented. Hopefully, that clarifies it enough as to

1 say that the adjudication board has sole authority over the
2 result and what happens during the adjudication process.

3 COMMISSIONER BECRAFT: I'd like to clarify.

4 CHAIR U'U: Mr. Becraft.

5 COMMISSIONER BECRAFT: Yeah, I'd like to clarify
6 what I believe I may have just heard. It all seems to be
7 wrapped into one so he can blur the lines. I think that the
8 definitive black and white answer if I've heard it correctly,
9 is, one, there has to be by law a separation for the people
10 that are under the age of 21.

11 DIRECTOR LAYNE N. SILVA: Yes.

12 COMMISSIONER BECRAFT: Is that correct?

13 DIRECTOR LAYNE N. SILVA: Yes.

14 COMMISSIONER BECRAFT: Okay. And then the second,
15 which seems to be lumped into it without separation, kind of
16 blurs the line, it kind of implies, from what I heard, that
17 that same law requires that stipulation be put in there that
18 should there be a violation, there will be an automatic
19 revocation, but from listening to all the words, I do believe
20 the -- to be more accurate about it, that that is something
21 that is not required by law. Is that correct?

22 DIRECTOR LAYNE N. SILVA: That is based on precedent
23 that had been set prior to when a similar license had been
24 issued.

25 COMMISSIONER BECRAFT: Okay. So, again, that didn't

1 answer my question. Did -- is it required by law, yes or no?

2 DIRECTOR LAYNE N. SILVA: I couldn't quote you the
3 law. All I can tell you is that that is a way to create an
4 allowance to allow for that to happen.

5 COMMISSIONER BECRAFT: Allow for what to happen?

6 DIRECTOR LAYNE N. SILVA: Minors to enter the
7 premises unaccompanied by parent or legal guardian.

8 COMMISSIONER BECRAFT: Are we talking about the
9 separation now, or are we talking about the -- the automatic
10 revocation of that if he should have a violation?

11 DIRECTOR LAYNE N. SILVA: I guess at this point,
12 Jamie, what I'll do is I'll -- do you have a suggestion as far
13 as how to remedy this?

14 COMMISSIONER BECRAFT: I can't make a suggestion if
15 you're not gonna tell me -- from what I -- from what I'm
16 hearing from you, it's not a requirement of law, that's the
17 simple answer. If you're saying it's up to me for a
18 suggestion, then that means I'm not gonna be violating any
19 law. Of course, I'm gonna suggest that we don't put any --
20 you know, that we don't take any powers away from the
21 adjudication board, and it shouldn't be a requirement placed
22 upon any applicant, pressure from the -- from the commission
23 or from the -- or from the director or anybody else from
24 liquor to make them have to agree to stipulations that
25 predetermine the outcome of any violation they may have if

1 it's not a requirement of law. If that were something that --

2 DIRECTOR LAYNE N. SILVA: (Inaudible.)

3 COMMISSIONER BECRAFT: -- for some reason, this
4 gentleman should be subject to and not any other liquor
5 establishment that I knew of, but you're saying Island Art
6 Party or whatever, they have it, that would be only one other
7 example I can think of and I wouldn't know why they would have
8 to have it either if the rest of our licensees don't have that
9 requirement. I mean, no other bar that I know of has an
10 automatic determination of some form of -- you know, any, you
11 know, punishment that may occur.

12 So if you're leaving it up to me, then I'm gonna say
13 I'd make a motion to approve Application No. 16 without any
14 further requirements put down upon them.

15 DIRECTOR LAYNE N. SILVA: Well, keeping in mind --
16 and you are well within your rights to make that motion, but
17 if that motion is approved, minors will not be allowed within
18 the premises unaccompanied by parent or legal guardian, but,
19 however, that is within your purview, yes.

20 COMMISSIONER BECRAFT: Hang on. I'm sorry. Maybe I
21 should reword it because I said either of them. If you're
22 saying that they need to have the requirement for separation
23 so that they can obtain their license and if I heard you
24 correctly, that's a requirement of law, but what you did say
25 or did not say, never agreed to, is the second part. And

1 that's the part I want removed is the part where there's an
2 already predetermined punishment on some level should there be
3 a violation. So if I were to make the motion to have -- you
4 know, only remove that, then they would still be able to
5 obtain their license, is that correct, and be able to do what
6 they're requesting?

7 DIRECTOR LAYNE N. SILVA: There's nothing preventing
8 them from obtaining their license with or without the
9 condition.

10 COMMISSIONER BECRAFT: Okay. That was just
11 rewording what I said. You're saying they can get a liquor
12 license, but you also left out that it -- that you wouldn't
13 approve them to be able to have people upstairs -- I mean,
14 children upstairs. I want them to get what they want out of
15 this, and that's getting the -- where their presentation room
16 is. So the question is: Are you saying that even though it's
17 not part of law, that he has to agree to losing his privilege
18 up there should he have a violation? If I remove that, are
19 you saying he will not be able to have children up there in
20 the designated separated area that's already been discussed?

21 DIRECTOR LAYNE N. SILVA: Well, see, the process
22 that we're trying to go through will eliminate the need for
23 the applicant to apply for a special permit every time they
24 wanted to allow for minors to enter their premises
25 unaccompanied by parent or legal guardian. By placing this

1 condition on their license, it allows for minors to enter
2 their premises unaccompanied by parent or legal guardian
3 without having to obtain a special permit for each event or
4 each function that would allow for that. In order to -- which
5 is required by law. Minors are not allowed within a dispenser
6 general premises unaccompanied by parent or legal guardian.
7 By having that condition placed on their license, it does
8 allow that to happen with the agreement that -- and there is
9 no predetermined penalty other than what will be found by the
10 adjudication board in their deliberations if it ever comes to
11 that as far as what the final result would be.

12 COMMISSIONER BECRAFT: Okay. So if I heard you, we
13 just -- we just did the same thing. You start about number
14 one, and number one is that there has to be a separation for
15 it to be applicable for the license, and then you -- so I
16 agree with that. What I'm saying is: Does that also have to
17 be your second stipulation? Must he agree to a predetermined
18 partial -- partial finding, which is -- I don't have it in
19 front of me because it was emailed afterwards, but the
20 secondary spot -- the secondary part of where he loses that
21 privilege to have them in that upstairs area?

22 So you keep not answering one question at a time.
23 You keep putting the two together, so it's very convoluted and
24 confusing. Number one, if he -- if he abides by having a
25 separation in his upstairs area, does he qualify to have

1 children up there during the -- you know, in that separate
2 area? Will he be able to do that if we remove the No. 2
3 requirement?

4 DIRECTOR LAYNE N. SILVA: The conditions are
5 basically the responsibility of the commission. It depends --
6 however you want to make the motion and however you want to
7 move it forward, it is entirely in your purview. That was the
8 recommendation of the department; however, based on that
9 recommendation, the commission has the authority to place the
10 condition however you see fit.

11 COMMISSIONER BECRAFT: Okay, I'm sorry. Because at
12 one point when I made my motion, you said if I do that, then
13 he will not be allowed to have children in there.

14 DIRECTOR LAYNE N. SILVA: If you want to change the
15 conditions, that is within your authority.

16 COMMISSIONER BECRAFT: And so if we change it and
17 remove just No. 2 on a motion and if that were to be approved,
18 would he have any difficulty getting what he's trying to do,
19 which is, obviously, having children up -- underage, you know,
20 anybody under 21 upstairs while he's doing chocolate
21 presentations or whatnot, having alcohol served as long as the
22 people under 21 were in a separate designated area? Would he
23 be okay if it were just that?

24 DIRECTOR LAYNE N. SILVA: Yes.

25 COMMISSIONER BECRAFT: Okay. I do believe that

1 answers -- I guess -- and the last is just for the
2 clarification -- and I think it's clear, although we'd heard
3 differently from you and Gene, this wasn't his suggestion,
4 this was the department's suggestion, correct?

5 DIRECTOR LAYNE N. SILVA: It was a recommendation
6 made by the department, which was agreed to by the applicant,
7 yes.

8 COMMISSIONER BECRAFT: I wish that had been told to
9 us immediately, but thank you.

10 CHAIR U'U: Any other discussion for -- or any other
11 questions by commission members?

12 Anything from the applicant? Do you want to have
13 anything -- oh, Commissioner Patel, sorry.

14 COMMISSIONER PATEL: Yeah. I've also been to the
15 space that Jamie has visited upstairs. It's a really nice
16 space, and I think you'll do a great job of blocking off like
17 you said to the two different areas. There is -- there is no
18 food that would be associated with the tastings or with the
19 consumption of alcohol, it's just -- that's what I want to
20 kind of also discuss here is, you know, what is gonna be
21 consumed.

22 MR. VALKIRS: Well, mostly what's going to be
23 consumed are chocolate-tasting plates. So chocolate I
24 consider to be a food, but I understand that liquor control
25 doesn't necessarily agree with that. But in any case,

1 chocolate will be the primary food consumed in conjunction
2 with the beverages that are served. We may also add at some
3 point things like cheese plates. We do have a complete food
4 service license for the area. We're, you know, regulated by
5 the department of health so we can make other -- other foods.
6 We have -- downstairs, we have brownies, and we have various
7 other chocolate creations that we sell, and they're served
8 upstairs. So we do serve food; it's just that what is served
9 and consumed on the premises does not constitute 30 percent of
10 the revenue or more. Right? So my understanding is because
11 of that, we don't qualify for a restaurant license, and that's
12 why this was moved toward a dispenser license and not a
13 restaurant license. I mean, overall, this is a food
14 manufacturing establishment, almost 90 plus percent of what we
15 sell is food, but most of it is to carry out, not to be
16 consumed on the premises.

17 COMMISSIONER PATEL: I understand.

18 CHAIR U'U: Thank you.

19 COMMISSIONER PATEL: And what -- what specifically
20 would be the alcohol that would be served? Is there --

21 MR. VALKIRS: A variety, a variety of alcohols.
22 Mostly beer and wine, but there will be some spirits that go
23 well with chocolate. Probably the most prominent of that, of
24 those would be tequila, which goes very well with chocolate in
25 a tasting pairing.

1 COMMISSIONER PATEL: Okay. And there would be --
2 there would be somebody there that would be licensed,
3 obviously, to make sure that there's no overconsumption? Just
4 'cause, you know, my concern is, you know, one that most of
5 the time you have alcohol combined with food, so when there is
6 an alcohol combined with food -- if somebody comes in on an
7 empty stomach, even though there is chocolate, it could be
8 that, you know, two or three shots of tequila add up to be a
9 higher consumption, you know, and somebody walks out of there
10 a bit more inebriated than somebody that's had, let's say,
11 three shots and a full plate of food.

12 MR. VALKIRS: Right. Well, we -- whoever is tending
13 the bar would have a liquor card, and I understand that's part
14 of their responsibility is to monitor that and regulate it.

15 COMMISSIONER PATEL: Okay, great.

16 CHAIR U'U: Any more questions by the commissioners?

17 COMMISSIONER PATEL: One more question. Are you
18 okay with the stipulation as it is in order for you to
19 allowed -- I mean, I wouldn't assume there's gonna be that
20 much of that demographic as part of your business plan to
21 have -- or is it -- do you find that there is a huge need for
22 that twenty-something or eighteen to twenty crowd there?

23 MR. VALKIRS: Well, it's not just that; it's
24 families that come in to do chocolate tours. They're -- you
25 know, they're coming in for the tour, they're not necessarily

1 consuming the chocolate here, but while they're waiting, they
2 may want to have a beer or something.

3 COMMISSIONER PATEL: Okay.

4 MR. VALKIRS: But in case -- in any case, we do get
5 a lot of families or even young -- young groups of, you know,
6 teenagers or twenty-somethings that are not 21, we do get them
7 coming into the store, and they want to go upstairs and taste
8 chocolate.

9 As two of the commissioners have mentioned, it's a
10 beautiful space. You want to be up there if you're tasting
11 the chocolate. And to not have that available during the
12 hours that we're talking about, which is 10:00 a.m. to 5:00
13 p.m. -- those are the only hours I'm asking for this -- this
14 sort of concession to allow the minors to be up there. After
15 5:00 p.m., it's 21 and over only, so it only operates for a
16 certain amount of time under that restriction. But in order
17 to have that, that age demographic come up there, it's very
18 important to the business plan.

19 COMMISSIONER PATEL: Okay.

20 CHAIR U'U: Thank you.

21 Any more questions by the commissioners?

22 COMMISSIONER BECRAFT: (Gesturing.)

23 CHAIR U'U: Commissioner Becraft.

24 COMMISSIONER BECRAFT: Yeah, I have a couple of
25 things. One, I guess I want to share first and ask if it's

1 still the same from what I recall. It's been a while since
2 I've been there, and I'm not really great with time, but I'm
3 gonna say eight months, maybe, to a year someplace I had gone
4 there.

5 MR. VALKIRS: Right. It hasn't changed. The
6 physical layout has not changed. We have two entry points to
7 the upstairs pavilion, one from inside, which is the stairway,
8 and one from outside, which is a stairway. And at both of
9 those entry points, there would be barriers and signage
10 directing anybody -- during the hours of 10:00 to 5:00 p.m.
11 10:00 a.m. to 5:00 p.m., there would be signage directing
12 anybody that's under 21 into the nonconsumption area, and only
13 those over 21 would be allowed to sit or move into the
14 consumption area. And of course, that has to be policed by
15 the person that's up there serving, so that's a -- you know, a
16 responsibility, obviously, that we have to live up to.

17 But the points that you raised about -- about the
18 other restriction, I wasn't, you know, fully aware that, you
19 know, there was an adjudication board, that they ultimately
20 had the power. I would rather that I be treated as a normal
21 licensee in that regard, so I would rather that, you know, if
22 Jamie Becraft's motion is to remove that second restriction, I
23 would -- I would be in favor of that. I'm wholly in favor,
24 and I did suggest, you know, that we separate two areas
25 entirely -- it's entirely consistent with our business plan

1 and allowing us to separate families from those 21 and over.
2 It enables us to run our business plan and serve alcoholic
3 beverages to those that wish to consume them.

4 And we have, over the course of the last two years,
5 gotten quite a lot of requests; when is -- are you ever gonna
6 get a liquor license? When are we gonna have -- you know, be
7 able to enjoy some wine with this chocolate? It's a wonderful
8 pairing. It would be a unique offering. It really isn't
9 offered anywhere else in Maui County because most people are
10 restaurants that have the option of offering food and
11 alcoholic beverages, and we're not.

12 CHAIR U'U: Thank you.

13 COMMISSIONER BECRAFT: How long have you guys
14 been -- when did you start the process of getting your
15 license? How long has it been?

16 MR. VALKIRS: Well, the process was started in
17 February of 2020.

18 COMMISSIONER BECRAFT: Okay. So --

19 CHAIR U'U: Any more questions, Commissioner
20 Becraft?

21 COMMISSIONER BECRAFT: Well, I do have more
22 questions, a couple of them. One, I guess, I'd like to know
23 if you know what the major hang-ups were from --

24 MR. VALKIRS: Sorry, I misspoke. It was February of
25 2021.

1 COMMISSIONER BECRAFT: Okay. So I guess I'm not
2 sure if you want to -- before I ask that last question, I want
3 to go back to just further describing for those who haven't
4 been there. And I've only been to your establishment once.
5 So that they -- I'd like to describe it from my perspective
6 and for you to correct it if it's changed or if that's not
7 what's going on now. The reason I had gone is we were invited
8 there because this pairing you're talking about where you do
9 your presentations, most of that is for local nonprofits. You
10 bring in groups such as -- I forget which group I was invited
11 with -- and then you do your presentation on the chocolate,
12 which is quite extensive and very informative, and then at the
13 end of the day, people have the option of tasting chocolates.
14 They can buy the chocolate if they want it; if not, they can
15 leave; it's no -- no trouble. But then, you know, you do a
16 profit sharing -- not profit sharing, you give the profits to
17 certain chocolates to our local nonprofits, and this is part
18 of your -- as you said, your -- this is a foundation that you
19 guys are funding this all under, right?

20 MR. VALKIRS: Well, it's not -- the company's not
21 owned by a foundation, and let me correct a little bit about
22 what you said. So the mission of the company, which is a
23 for-profit company, is to give a hundred percent of our net
24 profit back to the Maui nonprofit community. So that's why
25 the company exists, that's why I work seven days a week, and

1 that is ultimately the mission. But because of COVID, our net
2 profit has been zero. We may -- we may achieve profitability
3 in the next couple of months, we're very close, but a hundred
4 percent of zero is zero. So for the last two years, we have
5 done these weekend tastings, and that's what you were present
6 at, one of the weekend tastings, and we dedicate the proceeds
7 of those tastings to Maui nonprofits that are in our program
8 that we call Chocolate Laulima. There are about 30 of them,
9 right, so 30 nonprofits benefit from this. And all of the
10 tasting proceeds, meaning the fee that the people pay, which
11 is \$35 a person, all of the proceeds, my time, all of the
12 chocolate is donated so that the nonprofit gets every penny
13 that the people pay to be there. Now, if they buy chocolate
14 after that, we, of course, get the proceeds from the actual
15 purchase of chocolate, but the \$35 per person is given to the
16 nonprofit that's designated for that that day. And so that is
17 not a profit sharing, that is a straight giveaway of
18 everything that we collect and amounts to about a -- if -- you
19 know, typically we have 30, 30 people during one of these
20 tastings, so it amounts to be about a thousand dollars
21 Saturday and Sunday every weekend.

22 COMMISSIONER BECRAFT: Thank you.

23 CHAIR U'U: Any more questions, Commissioner
24 Becraft?

25 COMMISSIONER RICHARDSON: (Gesturing.)

1 CHAIR U'U: Commissioner Richardson.

2 COMMISSIONER RICHARDSON: Well, first off,
3 Commissioner Becraft, thanks for enlightening me with the
4 questions you're asking. It's very important so we can make
5 the right decision for this vendor that's been waiting seems
6 like a year in this process to get what he needs to operate
7 his business, so I appreciate that. That's basically what I
8 wanted to say. It definitely enlightened me, gave me some
9 information on what we need to do to make it right for him and
10 fair, so thanks.

11 CHAIR U'U: Thank you.

12 COMMISSIONER BECRAFT: Thank you.

13 CHAIR U'U: Any other comments, questions,
14 Commissioners?

15 COMMISSIONER BECRAFT: Mr. Chair.

16 CHAIR U'U: Commissioner Becraft.

17 COMMISSIONER BECRAFT: Yeah. I don't have in front
18 of me because I didn't print it -- I guess I'm technologically
19 challenged. I was trying to pull it up so I could read it,
20 but I'd like to make a motion to approve his application and
21 to make sure that we're clear on this; I want to keep in the
22 stipulation that he has a designated area separate for people
23 that are under the age of 21 for consumption and I would like
24 to remove the portion that has the predetermined repercussion
25 shall he violate, and it names laws. But that law is -- I

1 looked it up -- essentially just covering that if he violates
2 service of a minor. I'd like to remove that and leave it in
3 the system which already exists, which is if he violates it,
4 let the adjudication board make a decision on what is
5 appropriate for that particular situation. So I make a motion
6 to approve his application for license; however, just remove
7 the portion of predetermined -- partial predetermination.

8 CHAIR U'U: So, just for clarity, you'd keep
9 Condition 1, which is read, Minors shall be allowed within an
10 area designated as a nonconsumption area between the hours of
11 10:00 a.m. to 5:00 p.m.?

12 COMMISSIONER BECRAFT: That is correct.

13 CHAIR U'U: Okay, that's your motion. Do we have a
14 second?

15 COMMISSIONER RICHARDSON: Chair, (inaudible).

16 COMMISSIONER DE MELLO: I second that motion. De
17 Mello.

18 CHAIR U'U: Okay. We've got a motion made by
19 Commissioner Becraft; we've got a second made by Commissioner
20 De Mello. Discussion? Any discussion? And I got one
21 discussion.

22 Oh, go ahead, Commissioner Patel.

23 COMMISSIONER PATEL: I just wanted to know, is there
24 any legal sort of blowback on us because there's already a
25 license of this sort of status issued with that condition?

1 CHAIR U'U: Thank you for asking that question; that
2 was the same question I was gonna ask. So I'll turn 'em over
3 to Director Silva.

4 DIRECTOR LAYNE N. SILVA: I don't believe so. I
5 think maybe corp. counsel could contribute to that question,
6 but I believe that ultimately the adjudication board has the
7 authority as far as what would become the penalty, whether the
8 condition is there or not. If the adjudication board deems
9 that the penalty would be to remove the allowance based on the
10 condition, that would be entirely in their authority to do so.
11 So whether that condition is placed on or not, it still falls
12 under the authority of the adjudication board. And if I'm not
13 correct, maybe corp. counsel can step in, and if there is any
14 law that I'm not aware of that -- that could be in effect.

15 CORP COUNSEL TRENHOLME: (Inaudible) and a good
16 discussion. I -- thanks for the question, Chair. You know,
17 to kind of -- I understand on one side you want to make sure
18 this condition is -- of the department is followed, and I
19 understand Commissioner Becraft's concern about the language
20 in No. 2. So an option could be to change shall to may,
21 Condition 1 may be revoked.

22 COMMISSIONER PATEL: I like that.

23 CHAIR U'U: Commissioner Becraft. Sorry.

24 COMMISSIONER BECRAFT: I'm sorry. And I don't mean
25 to -- I'm not trying to fight with corporation counsel, but,

1 Corporation Counsel, I think the question is -- it's a yes or
2 no answer. Is it illegal? Are we violating any law by
3 removing No. 2?

4 CORP COUNSEL TRENHOLME: No, I don't think so.
5 That's at the commission's discretion, but noting that, you
6 know, there was things you could take into consideration. How
7 other applicants have been treated under similar
8 circumstances --

9 COMMISSIONER BECRAFT: But the --

10 CORP COUNSEL TRENHOLME: -- is a consideration that
11 the --

12 COMMISSIONER BECRAFT: But the question is: Are we
13 violating a law? I mean, people want to argue whether or not
14 we're being fair across the board, you know, it's a different
15 discussion. But we're not violating a law by -- I wasn't
16 there for the first one. I would have brought this up. If it
17 was brought up for the other entity that had this placed upon
18 them, I would have questioned it the same way. We didn't get
19 an answer from the director when I asked if it was a law
20 violation, but now I believe we're getting an answer from you
21 that it is not a law violation that if we remove No. 2
22 (inaudible), be there for them to be able to receive their
23 license, correct?

24 CORP COUNSEL TRENHOLME: Yes, I believe the
25 commission has the discretion to determine what conditions are

1 attached to the license.

2 COMMISSIONER BECRAFT: Thanks. I appreciate it.
3 And I am not trying to argue with you; I just want clarity
4 because now we've opened another can of worms. Now we start
5 talking about, well, maybe we'll just say may, and we walk
6 down the center of this road somehow to make everybody happy.
7 But in the truth, if we're gonna use the word may, now we've
8 opened that discussion, now we're back to -- well, what we're
9 just saying is leave it to the adjudication board, and they
10 may do what they want to do, which is what their function is,
11 is to look at the circumstances of each violation as they
12 occur and make their determination on how and what they
13 want -- how they want to deal with that and what repercussions
14 are there. So I just want to be clear with all the other
15 board members that the answer is there's no law violation. I
16 think the cleanest way here is to still maintain just remove
17 it, that there shouldn't be a stipulation put upon this
18 vendor; there shouldn't have been one put on the other vendor.
19 If we want to bring that up later, I have no trouble bringing
20 up their license and rectifying their situation. Thank you.

21 CHAIR U'U: Thank you.

22 So currently, we have a motion on the floor made by
23 Jamie Becraft; again, with the Condition No. 1, minors shall
24 be in a designated area as a nonconsumption area between the
25 hours of 10:00 a.m. and 5:00 p.m. We've got a second by

1 Commissioner De Mello. We are on discussion. Any more
2 discussion?

3 VICE CHAIR RUIDAS: Vice Chair Ruidas. What is that
4 second condition?

5 CHAIR U'U: Say that again. I'm sorry.

6 VICE CHAIR RUIDAS: Can you repeat that second part
7 of the condition?

8 CHAIR U'U: The second part of the condition as
9 written, as stated, Condition 1 shall be immediately revoked
10 if the premises is found guilty of Section 281-78(b)(1)(A) of
11 the Hawaii Revised Statutes and a different section of the
12 Rules of the Liquor Commission, County of Maui. That's what
13 it read, Condition No. 2. So the motion is to delete
14 Condition No. 2 and keep Condition No. 1.

15 VICE CHAIR RUIDAS: And what was the --

16 CHAIR U'U: And we're in discussion.

17 VICE CHAIR RUIDAS: Was there an attachment to that?

18 CHAIR U'U: No, that's the conditions.

19 CORP COUNSEL TRENHOLME: Are you able to share the
20 document on the screen? Are we able to do that so everyone
21 can review it?

22 MS. KHANGSENGSING: Yeah, I can do that.

23 CORP COUNSEL TRENHOLME: (Inaudible.)

24 MS. KHANGSENGSING: Yes. This is Maria. Yeah, give
25 me a second. Give me a second; let me see if I can pull it up

1 for you.

2 CORP COUNSEL TRENHOLME: Thank you so much.

3 (Displaying document.)

4 CHAIR U'U: Okay. There it is, guys. I can't see
5 it, but I have it in front of me. Again, we're at a -- we're
6 in discussion for Application No. 16. We've got a motion and
7 a second to keep Condition No. 1 and delete Condition No. 2.
8 Any more discussion by the commissioners?

9 (No response.)

10 CHAIR U'U: Seeing none, we're gonna call for the
11 vote. Did everybody have time to review the conditions?

12 COMMISSIONER BECRAFT: Commissioner Becraft. I have
13 had time.

14 CHAIR U'U: Okay. I have had time too, so --

15 (Document taken off screen.)

16 CHAIR U'U: So moving on, if you guys don't mind, at
17 this time -- if there's any further discussion moving forward?

18 (No response.)

19 CHAIR U'U: Seeing none, I'll call for the vote.
20 I'm gonna do a roll call vote. All those in favor of the
21 motion say aye, and those opposed say nay.

22 Vice Chair Ruidas.

23 VICE CHAIR RUIDAS: Aye.

24 CHAIR U'U: Vice Chair -- Commissioner Becraft.

25 COMMISSIONER BECRAFT: Aye.

1 CHAIR U'U: Commissioner De Mello.
2 COMMISSIONER DE MELLO: Aye.
3 CHAIR U'U: Commissioner Boswell.
4 COMMISSIONER BOSWELL: Aye.
5 CHAIR U'U: Commissioner Ho.
6 COMMISSIONER HO: Aye.
7 CHAIR U'U: Commissioner Patel.
8 COMMISSIONER PATEL: Aye.
9 CHAIR U'U: Commissioner Richardson.
10 COMMISSIONER RICHARDSON: Aye.
11 CHAIR U'U: Commissioner Matsumoto.
12 COMMISSIONER MATSUMOTO: Aye.
13 CHAIR U'U: And the chair votes aye.
14 The vote is unanimous, passes 9-0. Congratulations.
15 MR. VALKIRS: Thank you, Commissioners.
16 CHAIR U'U: At this time, we're gonna take a
17 five-minute recess. Thank you. We'll be back in five.
18 (Pause in Proceedings: 10:29 a.m.-10:34 a.m.)
19 CHAIR U'U: The liquor commission -- we've been
20 planning. The liquor commission is now back in session. It
21 is 10:35, and I will have to do a roll call. And again, I'll
22 do roll call. Please signify by saying aye and if you're
23 present -- if someone's present with you at the time.
24 Vice Chair Ruidas.
25 VICE CHAIR RUIDAS: Present and home alone.

1 CHAIR U'U: Commissioner Becraft.
2 COMMISSIONER BECRAFT: Present and home alone.
3 CHAIR U'U: Commissioner De Mello.
4 COMMISSIONER DE MELLO: Present alone in my office.
5 CHAIR U'U: Commissioner Boswell.
6 COMMISSIONER BOSWELL: Present and alone.
7 CHAIR U'U: Commissioner Ho.
8 COMMISSIONER HO: Present and alone.
9 CHAIR U'U: Thank you.
10 Commissioner Patel.
11 (No response.)
12 CHAIR U'U: Commissioner Patel.
13 (No response.)
14 CHAIR U'U: We'll come back to him.
15 Commissioner Richardson.
16 COMMISSIONER RICHARDSON: Present and alone.
17 CHAIR U'U: Commissioner Matsumoto.
18 COMMISSIONER MATSUMOTO: Present in my office alone.
19 CHAIR U'U: And chair is present right here.
20 And again, going back to Commissioner Patel.
21 (No response.)
22 CHAIR U'U: Not here currently.
23 Moving on to Unfinished Business. Moving to
24 Unfinished A, Continue the Discussion of Funding Underage
25 Drinking Prevention Programs from the Department of Education

1 Fund 2023. The commission received presentations from the
2 applicants at its June meeting.

3 Do we have both parties? We have both parties. Do
4 we have the Boys & Girls Club and Maui Economic Opportunity on
5 board? Can you please state your name for the record please?

6 MR. DAYA: Thomas Daya here with Boys & Girls Clubs
7 of Maui.

8 CHAIR U'U: Thank you, Thomas.

9 MS. PEARSON: Kelly Pearson, Boys & Girls Clubs of
10 Maui. Sorry.

11 CHAIR U'U: Thank you.

12 Mr. KAAE: Dane Kaae with Maui Economic Opportunity
13 Youth Service Department.

14 CHAIR U'U: Thank you very much.

15 Anybody else out there?

16 (No response.)

17 CHAIR U'U: Oh, thank you guys again. First of all,
18 I want to thank you guys for submitting additional information
19 that was requested; we received that. And my second question
20 would be if both parties -- if they read the department's
21 recommendation? Have you guys read the department's
22 recommendation, Boys & Girls Club?

23 MS. PEARSON: I don't think we have, Chair. Sorry.

24 CHAIR U'U: Oh, no, not a problem.

25 What about Maui Economic Opportunity? Have you guys

1 read the recommendation from the department?

2 MR. KAAE: No, I have not.

3 CHAIR U'U: At this time, I'm gonna turn it over to
4 Director Silva, okay, who will read that into the minutes.

5 DIRECTOR LAYNE N. SILVA: Good morning. Thank you
6 guys for coming again. We'll try to make this as painless as
7 possible. I'll read into the record the recommendation of the
8 department.

9 It states, "First and foremost, I want to explain
10 what we are trying to achieve/accomplish.

11 "Referring to the funding as 'grants' may have led
12 to the misconception that the department and the liquor
13 commission is providing a grant to the Boys & Girls Club of
14 Maui, Inc. And to Maui Economic Opportunity, Inc. In reality,
15 the department is only supplementing funds to these agencies
16 who have already received grant approval and will be fully
17 funded by the Department of Housing and Human Concerns.

18 "The ten percent being provided from the liquor
19 education fund will allow DHHC to extract the same amount from
20 the existing grants and utilize those monies for some other
21 program that may be needed within the community that does not
22 meet our statutory requirement.

23 "The agencies have already gone through the
24 application for grant and vetting process through DHHC, who
25 will be managing and operating the grants.

1 "It's the department's recommendation to provide
2 equal funding to both the Boys & Girls Club of Maui, Inc. And
3 Maui Economic Opportunity, Inc. It is the department's
4 opinion that by supplementing the funds to both agencies, the
5 department will be casting a wider net to appeal to a wider
6 variety of underage and at-risk youth within Maui County."

7 That is the recommendation of the department.

8 CHAIR U'U: Thank you, Director Silva.

9 Any comments from the Boys & Girls Club on the
10 department's recommendation?

11 MR. DAYA: No, no comments and, you know, we
12 appreciate any and all support and, you know, we're grateful
13 to always partner with MEO, I'd like to say. So thank you to
14 Dane and everything he does, and thank you for you guys
15 because I believe together that's how change happens. So all
16 of us, I think, is -- we work as a team to support our youth,
17 which is really important. I think the only question I would
18 have is just that that one statement regarding in
19 supplementation of funds, like if I am -- that might be
20 something for Department of Housing and Human Concerns, but
21 just in which supplementation, I guess.

22 DIRECTOR LAYNE N. SILVA: That was the way it was
23 explained to me by the Department of Housing and Human
24 Concerns that it would go towards the already existing grant
25 that is issued to the Boys & Girls Club, the funding.

1 MR. DAYA: Okay.

2 MS. PEARSON: May I add to T.J.'s comment, please?

3 CHAIR U'U: Yes, please.

4 MS. PEARSON: Sorry, we're not in the same office,
5 so it's not like we can talk to each other. Yeah, so just to
6 tag on to that, and I -- and I agree that it's probably a
7 question for the department, we just want to make sure that
8 everybody's aware that we have more, you know, besides the one
9 that's focused on prevention of underage drinking, we have
10 another one, you know, with them. So I just want to make sure
11 that -- we probably will have conversations with the
12 department before we, you know, accept, and we want to make
13 sure we are able to, yeah, accept it. But like T.J. said,
14 thank you so much. We appreciate the consideration and
15 totally support your decision, so thank you.

16 DIRECTOR LAYNE N. SILVA: Yeah, you're very welcome.
17 And, yeah, my understanding is, is that the monies are going
18 to supplement the grants that are already issued. So, yeah,
19 if -- any other questions I think would have to be directed to
20 housing.

21 CHAIR U'U: Question, I got a question for the Boys
22 & Girls Club, are you guys okay with the 50/50 split?

23 MS. PEARSON: (Nodding head.)

24 CHAIR U'U: Okay, awesome. Again, any remarks
25 from -- comments from Maui Economic Opportunity, Inc.? And,

1 again, are you guys okay with the 50/50 split with the
2 recommendation of the planning -- liquor department?

3 MR. KAAE: Yeah. I just want to reiterate, yeah, I
4 agree. As long as we're getting this, you know, education out
5 there, you know, we always team up with Boys & Girls Club. We
6 know we are focused on the youth and, you know, guiding them
7 into, you know, productive, you know, adults and, you know,
8 making the right decisions. And, yeah, whatever we get, split
9 it 50/50 is excellent, you know. We just want support from
10 the liquor commission that we can -- I want to team up with
11 the department and make sure that you guys are -- you know,
12 all you guys, even the commissioners, are, you know, utilizing
13 or, you know, being a voice for underage drinking prevention
14 and definitely want to, you know, invite you guys to events
15 and, you know, things that we do throughout the year. But,
16 yeah, thank you guys for this opportunity.

17 CHAIR U'U: Thank you.

18 At this time, I'll turn 'em over to the
19 commissioners. Any discussion? Any motions --

20 VICE CHAIR RUIDAS: Vice Chair Ruidas.

21 CHAIR U'U: -- this business.

22 VICE CHAIR RUIDAS: Vice Chair Ruidas. I wanted to
23 make a motion to approve the department's recommendation and
24 for the 50/50 equal split.

25 CHAIR U'U: Okay. We've got a motion made by Vice

1 Chair Ruidas. Again --

2 COMMISSIONER HO: And I second. Commissioner Ho.

3 CHAIR U'U: -- accept the department's
4 recommendation. Do we have a second?

5 COMMISSIONER HO: Yes, I second. Commissioner Ho.

6 CHAIR U'U: And we have a second made by
7 Commissioner Ho. Any discussion from the commissioners?

8 COMMISSIONER DE MELLO: I have a question.

9 CHAIR U'U: Question by Commissioner De Mello. Go
10 ahead.

11 COMMISSIONER DE MELLO: On the Boys Club, the youth
12 ages is from 9 to 17, and MEO is from 11 to 18. Do you know
13 the difference on that variance? Will it still cover?

14 CHAIR U'U: That question was directed towards who,
15 I'm sorry, Commissioner De Mello?

16 COMMISSIONER DE MELLO: I'll direct it to Layne.

17 DIRECTOR LAYNE N. SILVA: I'm -- I'm assuming that
18 by funding both agencies, it helps us to reach a wider variety
19 of youth on Maui. As far as what the difference is in the age
20 groups with one going to 18 and one going to 19, from the
21 department's perspective, they're all equally important. The
22 goal is to keep alcohol out of the hands of minors, and one
23 way to achieve that, I believe, is to create a different
24 culture in the way that they look at it themselves, and I
25 think by teaming up with MEO and the Boys & Girls Club is

1 probably the most effective way to achieve that goal.

2 COMMISSIONER DE MELLO: I just wanted to make sure
3 that the age, the bracket, the age bracket from both sides was
4 covering the same years, the starting and the ending. Because
5 it's -- on the form that's given, one is 11 to 18, the other
6 one is 9 to 17.

7 CHAIR U'U: Okay.

8 DIRECTOR LAYNE N. SILVA: I'm not sure. I believe
9 that, you know, both are very important. And I'm not an
10 expert, and maybe I should defer to the experts, but as far as
11 the importance, I believe both are equally important.

12 COMMISSIONER DE MELLO: Oh, definitely.

13 CHAIR U'U: Any more questions from the commission?

14 COMMISSIONER BECRAFT: (Gesturing.)

15 CHAIR U'U: Commissioner Becraft.

16 COMMISSIONER BECRAFT: I think just as
17 clarification, I'm hearing Jerrybeth's question as are people
18 that are 18 and 19 applicable? I think the definition of
19 minor for the liquor department is anyone under the age of 21,
20 am I correct?

21 COMMISSIONER DE MELLO: Correct.

22 DIRECTOR LAYNE N. SILVA: Yes.

23 COMMISSIONER BECRAFT: So I think that -- hopefully,
24 that helps clarify that I think they're both just -- they're
25 applicable equally.

1 CHAIR U'U: Correct.

2 COMMISSIONER DE MELLO: Thank you.

3 CHAIR U'U: Any more discussion? Again, we have a
4 motion made by Vice Chair Ruidas -- oh, Sne. Stan.

5 VICE CHAIR RUIDAS: Yeah. I'd just like to say, you
6 know, I'm familiar with both agencies and, you know, you guys
7 do a lot for the people of Maui County, and you guys are doing
8 a good job, and I'd just like to say I commend you guys.
9 Thank you.

10 CHAIR U'U: Absolutely. I echo the same thought
11 process as Vice Chair Ruidas, as does, I would suppose, most
12 of all in here, so -- or all of us in here.

13 Again, we've got a motion and a second, and the
14 condition is to provide equal funding to both Boys & Girls
15 Club and Maui Economic Opportunity, Inc. If any -- if we
16 don't have any more discussion, I'll call for the vote.

17 (No response.)

18 CHAIR U'U: At this time, I'll call for the vote.
19 Please signify by saying aye, yes, and nay, no.

20 Vice Chair Ruidas.

21 VICE CHAIR RUIDAS: Aye.

22 CHAIR U'U: Commissioner Becraft.

23 COMMISSIONER BECRAFT: Aye.

24 CHAIR U'U: Commissioner De Mello.

25 COMMISSIONER DE MELLO: Aye.

1 CHAIR U'U: Commissioner Boswell.

2 COMMISSIONER BOSWELL: Aye.

3 CHAIR U'U: Commissioner Ho.

4 COMMISSIONER HO: Aye.

5 CHAIR U'U: Commissioner Patel.

6 COMMISSIONER PATEL: Aye.

7 CHAIR U'U: Commissioner Richardson.

8 COMMISSIONER RICHARDSON: Aye.

9 CHAIR U'U: Commissioner Matsumoto.

10 COMMISSIONER MATSUMOTO: Aye.

11 CHAIR U'U: And the chair votes aye as well.

12 The votes are unanimous, 9-0. And I also want to
13 commend you guys for doing a fabulous job for Maui County.
14 Thank you, guys, and congratulations.

15 SPEAKERS: Thank you.

16 CHAIR U'U: Aloha.

17 SPEAKERS: Aloha.

18 CHAIR U'U: At this time, under Administrative
19 Affairs, I'll turn it over to Director Silva.

20 DIRECTOR LAYNE N. SILVA: Okay. Thank you very
21 much, Chair U'u.

22 We'll go over this real quickly. The Director's
23 Monthly Report and Update on the Fiscal Year 2023 Liquor
24 License Renewals. I'll just say that 100 percent of all
25 licensed premises that intended to renew were renewed. We

1 have a total of 13 licensees that had canceled their license
2 prior to the expiration of June 30th, and three that expired;
3 however, the department was aware prior to that that they were
4 gonna allow it to expire. As of right now, there are 429
5 permanent licenses issued in Maui County, with four temporary
6 licenses still active within Maui County.

7 I would like to commend the staff; it was through
8 their hard work and teamwork that everyone in the department
9 came together to help make this a successful renewal season.
10 Everyone from enforcement division to licensing division to
11 front office and administration, everyone had their hands in
12 it, which allowed this to go through as seamlessly as
13 possible. My appreciation to the staff.

14 MR. NAKAMURA: Mr. Chair. Mr. Chair, sorry, it's
15 Craig Nakamura. Can I just make a comment here, please?

16 CHAIR U'U: You know what, go ahead, Craig. We feel
17 like a giving day. Go ahead, Mr. Nakamura.

18 MR. NAKAMURA: Thank you. Thank you. You know, I
19 just want to let the commission know, you know, as someone
20 that represents many, many licensees, as you have seen, this
21 year and last year, the commission, the director, and the
22 staff have made -- have made great efforts to contact the
23 licensees when they weren't renewing their licenses, to work
24 with us, to try and get any issues resolved so that the new
25 licenses could be issued. This is a change from, you know,

1 previous administrations, and it's very, very welcome, and we
2 appreciate it very much. I know they spent, you know, the
3 last month and this coming month as well when they're gonna be
4 collecting the fees, it's a very difficult and challenging
5 time for the staff, and I just want to express my appreciation
6 for all their hard work. Thank you.

7 CHAIR U'U: Thank you. Thank you for the kind
8 words.

9 DIRECTOR LAYNE N. SILVA: Yeah, thank you, Craig.
10 Okay, okay. If there's no comments on that, Item
11 No. 2, the Department's 2021 Annual Report has been
12 distributed. You all should have received the copy in your
13 packets. That's the annual report for fiscal year 2021.

14 And Item No. 3 under Administrative Affairs, you
15 also should have received in your packets the instructions on
16 how to sign up for the News Flash notifications. It's up and
17 running, it is functional and operational, and we are in the
18 process right now of hand-delivering instructions with a memo
19 to each licensed premise where we'll receive a signature from
20 them indicating that they did receive it. This is a long time
21 coming. This came through a lot of suggestions through
22 Commissioner Becraft as well as others that put in their input
23 in trying to find ways to effectively notify the licensees
24 quickly. This is -- this is the -- what is in place as of
25 right now. It is available to everyone. Anyone that has

1 access to the internet can sign up for these notifications,
2 and everything is being processed in real time.

3 And with that, that's all I have for the Director's
4 Monthly Report. If anyone has any questions, I'll be happy to
5 answer.

6 CHAIR U'U: Any questions by the commission?

7 COMMISSIONER BECRAFT: (Gesturing.)

8 COMMISSIONER HO: (Gesturing.)

9 CHAIR U'U: Commissioner Becraft, followed by
10 Commissioner Ho.

11 COMMISSIONER BECRAFT: Yes. Director, thank you
12 for -- for that information on the News Flash notifications.
13 I can't find a paper saying where and what -- how to sign up
14 for that. Is -- was there something in our handout regarding
15 that to where we're supposed to go?

16 DIRECTOR LAYNE N. SILVA: I believe there was an
17 instructions that should have come out in your -- it's a memo
18 dated June 23rd. I'm not sure if you can see this. And on
19 the -- on page 2, there's a yellow attachment.

20 COMMISSIONER BECRAFT: That was in this month's
21 packet?

22 CHAIR U'U: Yeah.

23 DIRECTOR LAYNE N. SILVA: Yes. It's for department
24 of liquor control News Flash (inaudible). It also has a QR
25 code on the bottom where you have that capability you can just

1 hover over that, and you go directly to the -- where you need
2 to sign up for it.

3 COMMISSIONER BECRAFT: Okay. I'm gonna keep looking
4 through my papers. But my last question on that, what exactly
5 is that information, News Flash notifications and instructions
6 address? Does it address people with -- who are making new
7 applications, does it keep them posted on that, or is it some
8 other type of information that's disseminated?

9 DIRECTOR LAYNE N. SILVA: These are -- this is, I
10 guess so, a replacement of your suggested email blast where we
11 can get information out to all the licensees quickly en mass
12 instead of going through an email process which was very
13 difficult. This way, it's available on your portable device.
14 On your laptop, your computer, any electronic device that has
15 the capability, you can receive the notifications via email or
16 via text message. And it's wide-ranging, everything from
17 meeting agendas to rule changes to just basic notifications to
18 the licensees or anyone. The general public, applicants,
19 everyone can receive those -- that information in a very --
20 very quickly.

21 COMMISSIONER BECRAFT: Okay, that's great. Perfect.
22 Thank you very much.

23 CHAIR U'U: Commissioner Ho.

24 COMMISSIONER HO: Hi. Thank you. I would like to
25 say I'm real impressed with the 100 percent renewal by the

1 department and thank you for the director and his staff
2 efforts, yeah. So the thing -- the question that I have
3 really is the public events application; I haven't seen any
4 coming in yet. I think because of the pandemic; there aren't
5 many public events. So I want to know, is the -- is the
6 application open to the public? If they have an event like,
7 for example, fund-raising on a premise that they don't -- they
8 need to acquire the license, so is it open for application for
9 the public to make application? That's my question. Thank
10 you.

11 DIRECTOR LAYNE N. SILVA: Yes, it is. Yes. If
12 someone has a function, they can submit their request for
13 special events license. There is no restriction at this
14 point.

15 COMMISSIONER HO: Thank you.

16 CHAIR U'U: Thank you.

17 Any other questions from the commission?

18 (No response.)

19 CHAIR U'U: Seeing none, moving on.

20 DIRECTOR LAYNE N. SILVA: Well, if there are no more
21 questions, that ends my portion of the Director's Monthly
22 Report.

23 CHAIR U'U: Okay. Going to Item B, the Liquor
24 Control Adjudication Board meeting of Thursday, July 7th,
25 2022, was canceled. There were no cases to be adjudicated.

1 The next liquor commission regular meeting is
2 scheduled for Wednesday, August 10th, 2022, at 9:00 a.m.

3 Any questions or concerns by the commissioners?

4 (No response.)

5 CHAIR U'U: Seeing none, we're moving on to our last
6 item of our agenda, Adjournment. I'll entertain a motion to
7 adjourn the meeting. Do we have a motion to adjourn?

8 COMMISSIONER HO: (Gesturing.)

9 CHAIR U'U: I have a motion made by Sylvia Ho.

10 VICE CHAIR RUIDAS: (Gesturing.)

11 CHAIR U'U: I have a second made by Vice Chair
12 Ruidas. Any discussion?

13 (No response.)

14 CHAIR U'U: Seeing no objections, the meeting is now
15 adjourned. Aloha, and thank you. (Gavel.)

16 (The proceedings were adjourned at 10:57 a.m.)

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