

DEPARTMENT OF THE CORPORATION COUNSEL

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE: (808) 270-7740
FAX: (808) 270-7152

February 18, 2004

MEMO TO: Michael J. Molina, Chair
Public Works and Traffic Committee

F R O M: Cindy Y. Young, Deputy Corporation Counsel

SUBJECT: *Cindy Y. Young*
**AUTHORIZING MAUI ELECTRIC COMPANY, LIMITED, TO REPLACE
AND INSTALL UTILITY POLES ON LOWER MAIN STREET, WAIALE
ROAD, OIHANA STREET AND NAKOA DRIVE, WAILUKU, MAUI
(PWT-20)**

This responds to your memorandum dated February 5, 2004 inquiring whether the County or individual departments maintain records on the status of compliance with infrastructural requirements that the County imposes as conditions of permits or other approvals and requesting that we inform the Committee of any action taken by the County or individual departments to defer or extend deadlines for infrastructural requirements.

Except as may be necessary or required in the context of any pending litigation, the Department of the Corporation Counsel does not ordinarily maintain compliance records. In general, the Department does not monitor compliance with conditions placed upon the issuance of a permit or other approval; rather, the department or office that administers the permit or approval is responsible for determining whether County requirements have been met.

Your memorandum does not specify any particular types of infrastructural improvements or matters that are of concern to you. Given the enormous number and breadth of permits and approvals administered by the County, and in the absence of a comprehensive review of the history and status of all such permits and approvals, it is difficult for us to respond in a definitive manner to your inquiry. Having said that, this Department is not aware of any recent actions taken by the County or individual departments to defer or extend deadlines for major infrastructural requirements.

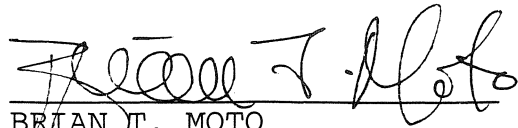
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Should you have any further questions, please do not hesitate to contact this office.

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APPROVED FOR TRANSMITTAL:

A handwritten signature in black ink, appearing to read "Brian T. Moto", written over a horizontal line.

BRIAN T. MOTO
Corporation Counsel