

**MOLOKAI PLANNING COMMISSION
REGULAR MINUTES
JULY 24, 2024**

A. CALL TO ORDER AND ROLL CALL

The special meeting of the Molokai Planning Commission was called to order by Chairperson Zhantell Lindo at 11:01 a.m., on Wednesday, July 24, 2024, at the Department of Planning's Molokai Office, 100 Ainoa Street, Kaunakakai, Molokai, Hawaii 96748 and via WebEx Meeting No.: **2661 850 3097**.

Ms. Lindo: Okay, thank you so much. Okay, um if staff is ready?

Ms. Kelly: Sorry, I'm trying to get my video on.

Ms. Lindo: Okay, Okie Dokie. I wonder if Keomailani is still on here. Keo did you get kicked off?

Ms. Hanapi Hirata: Can you hear me?

Ms. Lindo: Yes. I can.

Ms. Hanapi Hirata: Okay. Okay. I just tried to find service.

Ms. Lindo: Oh okay. So, what is...

Ms. Hanapi Hirata: Is my camera working?

Ms. Lindo: No oh Yes, right now. Okay, there we go. And then who are we missing? Aunty? Aunty where are she? Aunty did your... Oh there she is. Okay.

Ms. Lindo: Alright. Okay, Aloha Mai Kakou. My name is Zhantell Lindo, I am the Chair of the Moloka'i Planning Commission, and I welcome you to our commission meeting today. We have all of our commissioners here. Let me take a roll call so that we can be sure that we have quorum. Commissioner Louella Albino? Aunty, your mute is on, and then when you guys state your name, please tell us where you're at, and if there is anyone in the room with you.

Ms. Albino: Okay. Oh, kala mai I'm here. No one's in the room with me.

Ms. Lindo: Commissioner Debbie Kelly?

Ms. Kelly: I'm in my office, I have one coworker, but I have my earphones on.

Ms. Lindo: Commissioner Kananikala. Bishaw-Juario?

Ms. Bishaw-Juario: Aloha, I am here at home alone.

Ms. Lindo: Commissioner Keomailani Hanapi Hirata?

Ms. Hanapi Hirata: Ah Aloha Aina Kakou. Um Keomailani Hanapi Hirata. I am calling in from Vancouver, Washington, and there is currently nobody in the hallway of this hotel. Thanks.

Ms. Lindo: And Aloha again, my name is Zhantell Lindo and I'm the chair of the Moloka'i Planning Commission, and I am sitting in my rental van with nobody else in the van with me. Okay, so we do have a quorum and can oh sorry go ahead.

Mr. Nunokawa: Just one thing ah, Commissioner Kelly, do you think you could name the coworker in the room with you? Just for the record?

Ms. Kelly: Her name is Donna Carrie.

Mr. Nunokawa: Thank you. Okay.

Ms. Lindo: Thank you, seen that we have quorum and able to conduct business. Aloha everyone to our public, and our applicants and participants. Mahalo to our staff, to our Deputy Director Ana, and also to our Corporation Council Nahulu.

Chair Lindo conducted a roll call of the Commissioners. A quorum of the Commissioners was present (see Record of Attendance).

Ms. Albino: Kala Mai. there's some kind of feedback coming back from, from me.

Ms. Lindo: From me?

Ms. Albino: Like an echo.

Ms. Lindo: Okay. Is that from me? You hearing it from me only?

Ms. Albino: I don't know.

Ms. Nomura: I think It's because you're logged on two times, yeah?

Ms. Lindo: Who?

Ms. Nomura: Ah Commissioner Louella Albino. She's logged on 2 times.

Ms. Lindo: Oh. Do you have two things on?

Ms. Albino: Oh, I hope not. What do I have to do?

Ms. Lindo: Your phone, and your um, do you have your phone and your thingy aunty?

Mr. Nunokawa: Based on my camera looks like it might be both, she might have the application open twice on her computer.

Ms. Albino: You want to a go off, and the come back on? Cause I see two of me.

Mr. Nunokawa: Oh, if you see two of you, is, do you think you can close one of those windows?

Ms. Albino: Okay. Okay. Hey let me. Let's see.

Ms. Lindo: Uh, Shantel is there a way to just ah log out one of her off from our side?

Ms. Nomura: Yeah, we're trying to do that now.

Ms. Lindo: Okay. All right, well they're doing that... Aloha everyone and thank you so much for joining us today. I just want to go.

Ms. Nomura: Okay, I think she did it.

Ms. Lindo: Okay, I just want to go over some rules, and Nahulu can let me know if any of the commissioners are not on view, so that we not violating any sunshine rules. Okay, we are here at the Moloka'i Planning Commission today. It is July 24, 2024, and we would like to invite you to turn off all of your noise making devices, and if you're joining us on social media, I'm sorry on the

social platform here on our meeting platform online, please mute yourself, and keep your cameras off until such time as you're called on to speak. We also would like to let you know that there is several ways to be able to provide testimony for our meeting. You can do so online, you can call in or you can be there in person at our Kaulana O Maui, if I'm mistaken, you can let me know but you can testify in person there too. Oh, sorry, at One Main Plaza. Okay, all commissioners on and accounted for?

Mr. Nunokawa: Ah we just lost one.

Ms. Lindo: Louella?

Mr. Nunokawa: Yeah.

Ms. Lindo: Well, I want me to call her back or is somebody on it?

Ms. Nomura: I'm trying to call her, but it's going to voicemail.

Ms. Albino: Mahalo.

Ms. Lindo: Is that better aunty?

Ms. Albino: Yes.

Ms. Lindo: All right, guys. Okay, so we're on to our first agenda item, and anyone wishing in the public could testify on any agenda item is welcome to do so at the beginning of this meeting. Again, your testimony is limited to any agenda item currently on our July 24 agenda meeting agenda. So, at this time if there's anyone in the general public wishing to testify on any agenda item, sorry commissioner Kelly.

Ms. Kelly: Sorry. For, just so you know, the first item that we're supposed to discuss contested case for the Hawaii Pacific Teleport, I need to recuse myself yeah. I just wanted to put that up. Yeah.

Ms. Lindo: Okay, we can get to that. Okay, anyone wishing to testify on any item staff?

Ms. Nomura: Chair? There's two people online wanting to testify. One is Walt Pacheco and the second one is Shanna Willing.

Ms. Lindo: Okay, And, if they wanted to wait, would you like to ask them if they're testifying on just, and they would like to talk after the presentation, I can open up public testimony for each agenda item after the presentation.

Ms. Nomura: Okay, got it. Shanna Willing wants to testify on the MCHC SMA, and Walt Pacheco wants to testify on the Hawaii Pacific Teleport.

Ms. Lopez: And Chair, just for the record, Shanna Willing is the applicant on the second agenda item. Yeah.

Ms. Lindo: So, we will give the can you let her know that we will give the applicant a chance to state so she doesn't have to testify as a testify.

Ms. Lopez: Yes. I believe I emailed her letting her know that she can do her PowerPoint Presentation.

Ms. Lindo: Okay.

Ms. Lopez: So, she will be following the on the second item. Thank you.

PUBLIC TESTIMONY: 1 PERSON- WALT PACHECO

Ms. Lindo: Okay. We can take Mr. Pacheco if you would like to go before the presentation.

Mr. Pacheco: Good morning Chair, and members.

Ms. Lindo: Mr. Pacheco?

Mr. Pacheco: Hi,

Ms. Lindo: Sorry, do you have, do you have your camera on?

Mr. Pacheco: I just turned it, I just turned it on. Hang on, there it is.

Ms. Lindo: Okay, and then do you swear to tell the truth?

Mr. Pacheco: Yes ma'am.

Ms. Lindo: Alright, go ahead. Thank you.

Mr. Pacheco: Good morning, everyone. Um Walt Pacheco, I'm the Communications Coordinator for the Maui Police Department, and part of my duties includes the role as Communications Unit Lead, for disasters and during the um, the Maui wildfires. We were that communications lead handling communications support for responders as well as portions of the community. The Hawaii Pacific Teleport, and Star link played a significant role in that response, so much so that in one shipment to Maui, there were 500 units that were delivered Star link units. They became the initial communications for so many people until we're able to produce or connect better wider band communications to the community and the responders. The Teleport is significant in that it is the closest location and provides the best response for everything within our event and con would continue to do this for those remote communities who also, ah do not receive that type of communication support as the communications lead. We directly managed 12 units. However, as I expressed earlier, there were 500 that showed up on the island for delivery not only to respondents, but also the majority going to the community as a whole. So, this was the initial means of communications wideband communications for the community who were cut off with absolutely nothing. So, they're, their ongoing operations.

Ms. Nomura: You have 1-minute left.

Mr. Pacheco: Would be most valuable to the community, not specifically anyone, anywhere in Hawaii, including Moloka'i for those people who do not have that means today. Happy to answer any questions.

Ms. Lindo: All right. commissioners, thank you Mr. Pacheco. Commissioners, do you have any Sorry, do you have any questions clarifying questions for, for the testifier for Mr. Pacheco? If so, please let me know. Okay, seeing no questions, thank you. Do we have any more testifiers? Staff?

Ms. Nomura: I see none online.

Ms. Lopez: Aloha Chair. This is Sybil in the Moloka'i office, there's no one here wishing to testify. Thank you.

B. CONTESTED CASES

Pursuant to Chapter 91-10, Hawaii Revised Statutes, and Subchapter 4 of the Molokai Planning Commission Rules of Practice and Procedure, any individual wishing to testify

on these items is required to do so under oath, and may be asked questions by the applicant and members of the Commission. The applicant may provide comments in response to each testifier and should notify the Commission if it wishes to do so.

1. UNFINISHED BUSINESS

MS. LEEANA SMITH-RYLAND, on behalf of HAWAII PACIFIC TELEPORT, is requesting a County Special Use Permit to operate a new satellite antenna site within an easement at the Molokai Landfill, TMK (2) 5-2-011:027 (por.), in Hoolehua, island of Molokai Hawaii. (CUP20220003) (T. Furukawa)

The Commission held the public hearing on this item on September 28, 2022, and the Commission closed the public hearing. The Commission voted to defer this item at its September 28, 2022 meeting. This item was scheduled for the Commission's June 14, 2023 meeting and was deferred due to a noticing error. The item was scheduled for the January 10, 2024 meeting, which was canceled.

Ms. Lindo: Thank you. Thank you so much. All right. Great ladies and gentlemen, on this subject matter, just let me read it in for the record. Miss Leeana Smith-Ryland on behalf of Hawaii Pacific Teleport is requesting a County Special Use Permit to operate a new satellite antenna site within an easement at the Moloka'i Landfill. TMK (2)5-2-011:027 in Hoolehua, Island of Moloka'i. The Planner is Tara Furukawa. At this time, the commission will be taking no further action in accordance with HRS 46-89. We have found and verified with our Corporation Council that we do not have jurisdiction over this matter anymore. Um, so if any of the commissioners have any questions, or would like to clarify the department and the chair stance on this matter, I'll give you the opportunity to say so, to talk right now.

Ms. Hanapi Hirata: Hi Chair. This is Commissioner Hanapi Hirata. I just wanted to make a comment.

Ms. Lindo: Um, do you want me to? I was gonna I was just asking on the clarification on the no action, and then I'm gonna give you guys an opportunity to clarify, and make comments after I allow the applicant to speak. So, up to you. I, I was just wanting to know if there's any legal um, clarification that you needed on HRS 46-89, or on this commissions, inability or no jurisdiction to deal with this matter right now. Commissioner Hanapi Hirata, you wanted to wait till after the applicant or you get one clarifying question on this HRS?

Ms. Hanapi Hirata: No, no clarifying question, just one comment so I'll wait till after.

Ms. Lindo: Okay, Sure. Maybe Nahulu for the record, would you be able to read on the record HRS 46-89?

Mr. Nunokawa: Ah...

Ms. Lindo: Or will you be able to summarize it for us?

Mr. Nunokawa: Sure, so essentially there's areas of law, that there's two areas of law, one is Federal, one is State that, say that applications need to be done in a certain amount of time, otherwise it is under State jurisdiction for the approval. This is one of those situations.

Ms. Lindo: Alright. Okay, so at this time, again, the commission we have no further action that we will be taking on this matter, and I would like to offer the applicant to say a few words if they had anything that they wanted to say at this time.

Mr. Chipchase: Thank you Chair, Commissioners. Cal Chipchase for the applicant Hawaii Pacific Teleport, understand the, the statute and the, the commission's role at this point. I, I wanted to say that this is certainly not how we intended to move through the approval, but I understand the operation of the Statute. The applicant has, authorized me to commit to the commission and, and adhere to the public attendance that notwithstanding the effect of the Statute, and the deemed approval that the applicant will hold a public meeting after this meeting to be scheduled with. With notice and, and inclusion of as many people as possible to solicit input on benefits that the applicant maybe able to provide to the community such as; a service terminal at the Health Center or potentially at the College or potentially other benefits to be discussed with the community. So, I, I thank you, and the commission both past, and former members for the time that you sat through, make 5 hearings on this matter, and please know that, that we will follow through with that commitment to meet with the community. Thank you.

Ms. Lindo: Thank you, Mr. Chipchase. Okay, commissioners, any discussion? You can just unmute, and let me know if you guys have any comments or discussion. Commissioner Hanapi Hirata?

Ms. Hanapi Hirata: Aloha, and Mahalo Chair. So, I just wanted to state on the record and just make a comment about this. This is one of those cases that is super un that is unfortunate for Island of Moloka'i that things like this happened, and that there's no clear transparency. There was a lot of things that went wrong in this process for this particular case, and I one Keiki O Ka Aina of

Moloka'i. I'm just gonna state this for the record. Every single person who is a part of this, whether you're from Moloka'i or not, should feel ashamed that you folks did not do the correct process, and follow through with this. It's very unfortunate. I hope that this never happens again. But that's all I have to say. Mahalo, Chair.

Ms. Lindo: Thank you Commissioner Hanapi Hirata. Anyone else? Commissioner Albino, are you on? Okay, did you have something aunty, that you wanted to share? Okay, can unmute.

Ms. Albino: I just wanted to make a comment, regarding Mr. Pacheco's statements of fact that when this happened, it was during that, that firestorm that hit Lahaina. So, it while it is not the usual procedure that we, we use in situations like this that was an emergency beyond anyone's control, and so that tower presented a way, and means to communicate when everything else failed. And so that's just my comment.

Ms. Lindo: Thank you Commissioner Albino. Any other Commissioners? Okay, my, my, my comment is that sometimes the best things come from us having hard lessons and this was one of them. So, it makes us better equipped to be guardians, and Kia'i for our islands in one better ways. I want to believe that Hawaii Teleport will do its best to become good partners to us, because as an emergency disaster response responder for 20 years, I do understand what a great game changer this kind of service can make for remote areas like Halawa, and, and those things when it comes to emergency response. But in saying that I also would like to for the record, make a plea to my community that technology, and advancements it's not all we need to exercise, and get better at. We also need to invoke common sense, and exercise the muscle of real true Aloha Aina, and being able to live and thrive as islanders. And sometimes technology make us weak, and dependent, and that's not resiliency for island. So, in saying that I just would like, I appreciate everybody's work, the whole staff, our Corporation Council, Hawaii Teleport. Like I said, I don't like the way that this ended up, but I do understand that we're not all perfect, and I hope that the proof will be in the pudding of what Hawaii Teleport does going forward from here. And what Mr. Chipchase does as their legal representation with full authority to speak for Hawaii Teleport does from this point on. And then I would like to ask our community to please show up at the community meetings, and to ensure that we give our Mana'o, and we make sure that whatever is here, whether it is a common sense, makes sense to us, always benefits our, our island, our Aina, our people, and our future generations. So, that's, that's all I wanted to say, and I want to Mahalo everybody for this. So, if no commissioners has any more that they want to say, I wanna open up time for this matter for public testimony one more time for anybody wishing to testify on item number one for a pacific

teleport. Again, the commission will be taking NO further action. So, staff, if you have anybody signed up, we can take them now. If not, I will close public testimony.

Shantel N: Hi Chair, this is Shantel. I see no one online wanting to testify.

Mr. Lopez: Hi Chair, this is the office, there's no one here wishing to testify, thank you.

PUBLIC TESTIMONY: NONE

1. SPECIAL MANAGEMENT AREA (SMA) EXEMPTION

MOLOKA'I COMMUNITY HEALTH CENTER requesting a Special Management Area (SMA) permit for after-the-fact (ATF) ground sign approximately 28 sq. ft. located at 30 Oki Place, Kaunakakai, Island of Moloka'i, Hawaii; TMK: (2) 5-3-006:029 (SMX 2018/0082) (SM6 2022-00002) (Valuation \$4,323) (S. Lopez)

Pursuant to Section 12-302-13.1 of the Molokai Planning Commission's SMA Rules, the Commission may vote to issue an SMA exemption, not issue an SMA exemption, or defer.

Ms. Lindo: Alright. Great, thank you so much. Okay, that's probably testimony without objection is closed for this item. Alright, so just to let the commissioners know we will be losing commissioner Kelly between 12:00 and 12:15, so I'm just giving you guys a time shift there. Item 2. Special Management Area SMA exemption. The Moloka'i Community Health Center requesting a Special Management Area Permit for after the fact ground sign approximately 28 sq. ft located at 30 Oki Place in Kaunakakai, TMK (2)5-3-006:029. Valuation of this project \$4,323, and our Staff Planner is Sybil Lopez. Sybil?

Ms. Lopez: Aloha Chair, Aloha Commissioners. I'm Sybil Lopez for the record. I'm the staff planner on the project that is before you today, and the applicant is the Moloka'i Community Health Center, and they are seeking an SMA exemption on the scope of work is an after the fact, ground sign, which is approximately 28 sq. ft. The Moloka'i Health Center is located in the Kaunakakai Ahupua'a. Um right outside of town, and located at 30 Oki Place, and I do have the applicant that is here today. She is Shanna Willing. They do have a PowerPoint presentation, and I, at this time would like to turn that time over to her, and she can introduce herself and the chair. Absolutely.

Ms. Lindo: Can I ask something? Sybil. This seems like a pretty straightforward sign thing. Is it necessary to have a presentation?

Ms. Lopez: No. Actually, I was just gonna let you guys know that the PowerPoint presentation was provided to you, and it's on, it's on the agenda as in lay as a link. So, if, if the commission, and the chair is okay with moving forward with it, I'm ok unless the applicant has something to say. Thank you.

Ms. Lindo: Yeah. I'll give her a chance to say something. Actually, she can say it now if she wants to, and then we can ask the, we can get some testimony, and ask the, you know, the community and, and our commissioners if they need a, presentation. If she just wants to do an introduction.

Ms. Willing: Eh Kala Mai Chair. Aloha Mai Kakou, I'm Shanna Willing, the interim Chief Executive Officer here at the Community Health Center.

Ms. Lindo: Shanna do you swear to tell the truth?

Ms. Willing: I do swear to tell the truth.

Ms. Lindo: Thank you. Okay, thank you.

Ms. Willing: And so basically, I'm not gonna give a presentation, but cause you guys kind of presented everything about the sign, but basically what happened at that time was there was some confusion whether or not the sign was needed. As we moved on, we found out that there is a need for us permit for the sign, and so we have submitted the application for that. We've also paid the fine for that, and we're really here to get that SMA for the sign for the after the fact.

Ms. Lindo: Okay. Um.

Ms. Willing: Thank you.

Ms. Lindo: Commissioners, I'm going to open up for public testimony at this time. If there are any persons in the community wanting to testify on this matter, you can let our staff know by typing your name in the chat and letting them know. Staff do we have any testifiers for Item 2 Molokai Community Health Center?

Ms. Nomura: Hi Chair, I see none online.

Ms. Lopez: Aloha Chair. This is Sybil. I'm in the office and there's no one here wishing to testify. Thank you.

Ms. Lindo: Well commissioners, with no object...

Ms. Hanapi Hirata: Is Zhan still on?

Ms. Lopez: I think we lost the Chair.

Ms. Nomura: I think she's trying to log in, but she's signed under two different logins.

Mr. Nunokawa: There we go.

Ms. Lindo: Can you see me now? Can you hear me?

Mr. Nunokawa: Yes Chair.

Ms. Lindo: Okay, sorry. Sorry my phone overheated. Too much business. Okay, alright, no further objections, we're gonna close public testimony. Okay, commissioners, any questions? Any discussion?

PUBLIC TESTIMONY: NONE

Ms. Hanapi Hirata: Chair, this is Commissioner Hanapi Hirata, I just wanted to make a comment for the record.

Ms. Lindo: Go ahead.

Ms. Hanapi Hirata: Ah, Mahalo Shanna for your presentation and coming to talk. Um, Moloka'i Community Health Center is important and it's a vital organization on the island of Moloka'i that services are people, and it is very important. It is sad to know that soon there will be people who are not from Moloka'i running the center. However, sticking to what's on our agenda, I just wanted to say that in further, if anything else further is going to happen on the property for Moloka'i Community Health Center that they actually, the new leadership will be told about this process, especially because it's in an SMA zone and especially due to the. The low lands of where it's located at along the shorelines for cultural, and historical significance. That they go through the process. So, I just wanted to state that on the record. Mahalo Chair.

Ms. Lindo: Thank you Commissioner Hanapi. Anyone else? Aunty? Commissioner Albino? Do you have anything you'd like to add on? You can unmute aunty.

Ms. Albino: Okay, can you hear me?

Ms. Lindo: Yes.

Ms. Albino: Okay. I want to concur along with Commissioner Hanapi that, that is an important part of the process of purchasing the property, any property that is ocean front, and that they be aware that the process will include. Along with this application form SMA permit, that we would want to know that if they do proceed, we would like to see archaeological, and cultural data. That they have in their hands, so that we don't have any confusion about what was and what will be before they proceed with future plans. Mahalo.

Ms. Lindo: Thank you Anake. Commissioner Bishaw-Juario or Kelly? Okay, Shanna for the record, I just had, I wanted a clarification... Um, are we to understand that like you realized by some chance that you needed a permit for this, and so you guys came in on your own to get the permit? Or did somebody complain, and cause you to have like a complaint filed against you?

Ms. Willing: No, so this original permit was part of, there was a bigger portion to this, and during that was for the Cultural Healing Center that we wanted to do as phase three of the project. During that process we did do our due diligence, and then we found out that the sign actually needed a permit, so we went ahead, and added that into. Since then, though, we have had um, just kind of more pressing issues in terms of the need for dental medical services on the island, so the board and leadership has decided to kind of put that project on hold. But we still want to go ahead, and do the signed portion of it. So, we're not pursuing the, the whole SMA that it was originally included in, but we do know that the permit is needed. We've paid the fine for that and we do wanna proceed forward for that. And I just want to make a comment with Commissioner Hirata and Albino that duly noted, we are aware of the SMA process. And so going forward that is the first things we do now is work with Sybil, and the County and, and asking whether or not what we're doing on campus needs a permit to move forward.

Ms. Lindo: Okay, ah commissioner Albino, we need you to turn on your video, please aunty. Okay and then so, the signage was part of a permit for an entire like project going on, and so the project started sign went up, but building didn't.

Ms. Willing: No, so that sign was originally on this campus from 2016.

Ms. Lindo: Oh, got it. Got it.

Ms. Willing: Yeah, was, was originally...

Ms. Lindo: So, in order to you to move forward on your, on your new project, you have to take care of the stuff that was done without a permitting.

Ms. Willing: Correct, Correct. Yeah.

Ms. Lindo: Oh, got it, ok. So, I just wanted to get that on the record. So, thank you. Thank you so much for that, and uh...

Mr. Nunokawa: Sorry to jump in at least at least on my screen I'm still not seeing Commissioner Albino.

Ms. Albino: Okay. I'm not sure what's going on if I can see myself here. Hold on, I'm sorry. Trying to get myself in view. I'm very sorry about that. Let me see I'm okay, Am I there?

Ms. Lindo: There you are.

Mr. Nunokawa: There you Go.

Ms. Albino: I'm sorry.

Ms. Lindo: Okay, thank you. So. So, I was just saying that I'm I think this is a good opportunity for our commission and our community to take a look at sign ordinances that affect, and how they affect our community. The fact that Community Health Center who needs to have a sign out for the benefit of our community. Is going through this process, and has to pay an extra one thousand dollars for the after the fact. I think it is I know that that's something that we need to do, but then I see signs all over the place that. Not only messy up, and are in critical wetland areas, and river beds, and all kind places and, and uncontrollable signs especially during election that I'm, I'm unsure of why they're not paying fines and how come they're not getting permits. So, I think that is a great opportunity to put that on the record, and encourage our commission, our community, our leaders, our, um planners to relook at how we deal with signs and... Those important aspects of like pays, and who does it pay, and how do we track down on the people who are not paying their fines. Or getting their permit, and not a real benefit to our community versus those who are trying to do due diligence, and coming forward... And try to do the right thing. Okay. So, I don't have anything else... Ah the Chair will entertain a motion to approve. With the conditions stated by Commissioner Hanapi on cultural assessment and, you know, findings, and the standard

findings should anything happen going forward with new parts of the project. So, I'll... I'll... the Chair entertain a motion to approve this SMA permit.

Sybil Lopez: Sorry chair, just for clarification. Pursuant to Section 12-302-13.1. The Moloka'i Planning Commission SMA Rules will state that this request is to waive, to waive the exemption, to waive it and that the, that the commission will be ok that the department can issue the exemption.

Ms. Lindo: Okay, um Nahulu. I need a clarification, because on the agenda it says requesting a Special Management Area of permit for after the fact ground sign. So, let's just make sure we get this technically right. So, Sybil is saying that this is for us to waive. Um... Okay. What's our motion to be?

Mr. Nunokawa: Did you want to say something, Candace?

Ms. Thackerson: And this is Candice Thackerson Environmental Planning Supervisor. Sybil? At the last and, and commissioners at last time Moloka'i meeting when we announced what was going to be on the agenda for the future meeting, did we discuss this Sybil?

Ms. Lopez: Yeah.

Ms. Lindo: Yes. We

Ms. Thackerson: So, I at that meeting, we had asked them already, would they like to waive their review or see the project? And at the end, I believe the commission said we do not want to waive the review. We'd like to review the project, and that's why it's listed the way it is on the agenda. So, they've already stated at the last one that they did not want to waive. And that's why we're reviewing it, and they're going to grant the exemption. Or what we're moving towards granting an exemption. Am I correct?

Ms. Lindo: Yeah. I just wanted to make sure we were all on the same page. Okay, so the Chair will entertain a motion to approve the Moloka'i Community Health Center, a Special Management Area Permit for after the fact ground sign at Oki Place, Kaunakakai, island of Moloka'i. Would anyone like to make that motion? Motion made by commissioner Kelly. 2nd? Anybody want a 2nd?

Ms. Hanapi Hirata: Me. Sorry Commissioner Hanapi Hirata.

Ms. Lindo: 2nd by Commissioner Hanapi Hirata. I gonna make a roll call because I still cannot see everybody on my screen, but all those in favor are Commissioner Kelly?

Ms. Kelly: Aye.

Ms. Lindo: Commissioner Bishaw-Juario?

Kananikala Bishaw-Juario: Aye?

Ms. Lindo: Commissioner Hanapi Hirata?

Ms. Hanapi Hirata: Aye.

Ms. Lindo: Commissioner Louella Albino?

Ms. Albino: Aye.

Ms. Lindo: And then... I am an Aye. and I so motion is passed. Um, Mahalo Shanna.

Ms. Willing: Thank you, guys.

It was moved by Commissioner Kelly, seconded by Commissioner Hanapi Hirata, then unanimously.

VOTED: To approve the SMA exemption with conditions.
(Assenting: L. Albino; K. Bishaw-Juario; K. Hanapi Hirata; D. Kelly; Z. Lindo)

Ms. Hanapi Hirata: Thank you Shanna.

Ms. Lindo: Okay. Moving on to Item C. Directors report, um, the TIG or the temporary investigation group which consisted of Commissioner Kelly, Commissioner Poepoe, and myself is looking to amend the Moloka'i Planning Commissions manage... I'm sorry to that was set up to look at the rules, and make amendments. Never really got off the ground. And so, one of our members, which cannot be me, so gotta be commissioner Kelly, has to make an approve, just acknowledge that we did it, we weren't able to get the TIG off the ground, and so we will just be dissolving it. And that's our report. So, commissioner Kelly, is that what you were, you will be stating?

Ms. Kelly: Yes. I will.

Ms. Lindo: Okay, on Corporation Counsel, is that good enough?

Mr. Nunokawa: Maybe just say that this is our, our presentation on, our findings which is no findings because it never got off the ground, and then it automatically is it dissolves.

Ms. Lindo: Okay Commissioner Kelly...

Ms. Kelly: Okay. So yes, I agree, this is our report with no findings for the TIG. Does that suffice?

Ms. Lindo: Yeah, because it could not get off the ground, yeah. Sounds good. And just as a side note, we will be taking this matter of at a later time. Okay, sorry. Are there any testimonies for item C on the agenda? Anyone in the community wishing to testify for item C on the agenda staff?

PUBLIC TESTIMONY: ONE

Mr. Poepoe: Me. I am.

Ms. Lindo: Everybody staff? Oh, I see one testifier. Okay, do you Mr. Poepoe, do you swear to tell the truth?

Mr. Poepoe: Let me try. I hope I didn't.

Ms. Lindo: Yeah. Okay.

Mr. Poepoe: Yes, I will, I will tell the truth. Yeah, I'm looking forward. To this being recorded the, the TIG. So, that issues such as Contested item 1 can be mitigated before it becomes full blown problem, as well as Contested item 2. Really does benefit everyone for being written into policy before it's gets out of control. Not sure exactly wherein policy would fit, but just having the discussion would be where the benefit comes from. Yeah, and I. Like join the next TIG if can. I.

Ms. Lindo: I say yes.

Mr. Poepoe: Yeah, maybe the next one gets off the ground and go into outer space. Yeah. Never come back. Okay.

Ms. Lindo: All right. Thank you. Anybody get questions for the testifier? Okay seeing none any more testimony testifiers, I'm wishing to testify on Item C Director's Report either 1, 2 or 3?

Ms. Nomura: Hi Chair, Candace is raising her hand.

Ms. Thackerson: Hey I'm I don't need to testify so you can close that, that testimony and then I just have something to say.

Ms. Lindo: Okay. Well staff any testifiers looking to testify on items 1, 2 or 3?

Ms. Lopez: Aloha Chair, this is Sybil Lopez in the Moloka'i office and there's no one here wishing to testify. Thank you.

Ms. Nomura: Hi Chair this is Shantel, and I see no one online wishing to testify.

Ms. Lindo: Awesome. Okay thank you at this time, testimony for Item C is closed to public testimony. Okay, so we were on the TIG, Candace, is that where you wanted to talk about?

Ms. Thackerson: No, I just wanted to just quickly talk about I, we closed it but B2 I just wanted to restate and Nahulu if you wanna click on this is an SM6, so this one is a Minor, it's not an Exemption, and that's why we were able to put that condition that you, that the commissioners wanted on it about future projects having, the cultural awareness. So, I just wanted to state that for the record, cause we had talked about oh waive, not waive, but it was deemed a development and you guys had said you did not wanna waive it at the last meeting. So, you all voted to granted the its approval with that condition. I just wanted to clarify that because I believe I had said the word exemption incorrectly. Thank you.

Ms. Lindo: Yep.

Ms. Lopez: And there are con and there are conditions to that approval, so yeah.

Ms. Lindo: Yep. I, I just want to make sure that we're looking over the agenda and that Nahulu heard the motion that was made on the approval, and that all those things are in order before we close up this meeting, so that we make sure we did this the proper way. So...

Mr. Nunokawa: Yeah

Ms. Lindo: . Ensuring that, ok, ok. Okay. Alright, so we're on a TIG report, we talked about that. Okay an Item 2 agenda items for future meetings, Sybil or Candace?

Ms. Thackerson: Aloha commissioners, um after meeting with Sybil... Um, staff does not have any items for the meeting, not any permit items, but I believe that at the next meeting we may be discussing the formation of the TIG, and Chair, I'll turn it over to you for any special requests by from the commission.

Ms. Lindo: Sure. I've requested that staff take a look at possibly working together with planning staff and Corp. Council, to give us a workshop on fines, and fees. Especially as it relates to after the fact permits and, yeah. So basically, just looking at our rules, and trying to take bite sized pieces for us as commissioners to talk about, and get legal simple, simple language from all those legal terms, and what's written in our rules. To be able to understand them clearly as much as possible each part. And then I think that as we form the TIG, and we start talking about rule changes and amendments, it will be easier for us once we understand what's already in place, and then can work on the things that need to be improved for our island and our community. So that would be it. Okay, Item number 3, completed Moloka'i Applications Report generated by Planning Department with the July 24, 2024 is none. So next scheduled regular meeting date is August 14, 2024. Hopefully we can get some new commissioners on pretty soon. Mahalo, for those of you who did make the time to come and take time. Director Ana or Nahulu, do you have anything else that you need to discuss?

Mr. Nunokawa: Not me, maybe just to introduce, Andrew. Okay. I have been assigned to the Department of Planning, so Andrew will be, the attorney now, working with you folks.

Mr. Nelson Good morning everyone.

Ms. Lindo: Hi. Morning, Andrew, welcome to our commission.

Mr. Nelson: Thank you.

Ms. Lindo: Um, yep. Candice maybe or Anna maybe on the next agenda we can officially put him down and welcome him to our commission. Okay, alright guys, next schedule meeting, August 14, 2024 at 11:00 AM. Without any further business, this meeting is adjourned. Mahalo, everyone.

Ms. Hanapi Hirata: Mahalo. A hui hou.

Mr. Nunokawa: Thank you.

Chair Lindo adjourned the meeting at 12:00 p.m.

Submitted by,

Shantel Nomura
Secretary to Boards & Commissions I

RECORD OF ATTENDANCE:

Present:

Zhantell Lindo, Chairperson
Louella Albino
Kananikala Bishaw-Juario
Keomailani Hanapi Hirata
Debra Kelly

Others:

Ana Lillis, Deputy Director, Planning Department
Candace Thackerson, Supervising Environmental Specialist, Current Division Department of Planning
Sybil Lopez, Staff Planner, Current Division, Department of Planning
Tara Furokawa, Staff Planner, Current Division Department of Planning
Chris Nahulu Nunokawa, Deputy Corporation Counsel, Department of the Corporation Counsel
Andrew Nelson, Deputy Corporation Counsel, Department of the Corporation Counsel
Shantel Nomura, Secretary to Boards & Commissions II, Current Division, Department of Planning
Brailey Gonsalves, Staff Planner, Current Division, Department of Planning