

**COUNTY OF HAWAII
SALARY COMMISSION
December 17, 2004**

MINUTES

Chair Sanborn called the meeting to order at 1:33 p.m. in the Conference Room of the Department of Liquor Control, 101 Aupuni Street, Suite 230, Hilo, Hawaii.

Present:

**Mr. J. William Sanborn, Chair
Mr. Joel Nye, Vice Chair
Mr. Yoshiichi "Joe" Tanaka, Secretary
Mr. Tsukasa Ishii, Member
Mr. Jeffrey Judd, Member**

Excused:

Mr. Paul Mann, Member

Absent:

Mr. Gerald Kita, Member

Others present:

**Mr. Gerald Takase, Deputy Corporation Counsel
Mr. Michael R. Ben, Director of Personnel
Ms. Joney Nitahara, Personnel Program Specialist
Ms. Velma Y. Menezes, Secretary-Reporter**

MINUTES OF JULY 16, 2004

MOTION: Mr. Nye moved that the minutes of July 16, 2004 be approved as circulated. The motion was seconded by Mr. Judd and unanimously carried.

COMMUNICATIONS

A) Communication No. 04-12, dated July 30, 2004, from Lincoln S. T. Ashida, Corporation Counsel, regarding a reminder on campaign restrictions for County officials and employees.

B) Communication No. 04-13, dated August 6, 2004, from Lincoln S. T. Ashida, Corporation Counsel, regarding temporary assignments.

C) Communication No. 04-14, dated August 9, 2004, from Lincoln S. T. Ashida, Corporation Counsel, distributing an outline on the Sunshine Law.

D) Communication No. 04-15, dated August 25, 2004, from Joseph K. Kamelamela, Deputy Corporation Counsel, regarding service and acceptance of a subpoena.

E) Communication No. 04-16, dated November 3, 2004, from Lincoln S. T. Ashida, Corporation Counsel, regarding the Office of Information Practices Training on December 1, 2004.

The above communications were received and filed.

NEW BUSINESS

A) Study on pay schedule for commission-appointed department heads (Police Chief, Fire Chief, Director of Liquor Control, Director of Personnel).

Chair Sanborn stated that he would like to appoint a subcommittee that will interact with the Police and Fire Commissions, Liquor Commission, and Civil Service Commission to get recommendations from the commissions on their particular department head. The subcommittee would then report back to the Salary Commission.

Mr. Nye asked what that subcommittee would be trying to accomplish. Is the Salary Commission trying to put those four commission-appointed department heads, in different pay levels? Are they unhappy with their compensation? Mr. Nye stated that the Commission just tiered them out in past meetings. He asked why the Commission is tiering them again.

Chair Sanborn stated that because those positions have a commission that is responsible for that department head, they should know better what the pay scale should be, what the measurements are, and what the comparisons are between the Police Department on this island and Police Department in other areas. Instead of spending the full Salary Commission's time in trying to hear all of the data, the subcommittee can work with representatives of these various commissions to see if there should be any recommendations different than the schedule in existence.

Mr. Tanaka, Mr. Judd, and Mr. Ishii were willing to serve on the subcommittee when asked by Chair Sanborn and were thus appointed.

Chair Sanborn recommended that the Commission write a letter to the other commissions to inform them they've appointed a subcommittee and ask them for comments and information.

MOTION: Mr. Nye moved to approve the appointments of Mr. Tanaka, Mr. Judd, and Mr. Ishii to the subcommittee. The motion was seconded by Mr. Judd and unanimously carried.

Mr. Takase advised that any communications from the commissions can go directly to the subcommittee.

Chair Sanborn added that the Commission can take action on it (receive and file) when the Commission meets.

The subcommittee will meet on Friday, January 21, 2005, at 1:30 p.m., in the conference room of the Department of Liquor Control.

Mr. Nye questioned whether the subcommittee meetings would meet the criteria of the sunshine.

Mr. Takase opined that the subcommittee would only be making recommendations, which would have to come back to the full Commission for any action. The commissions would just be providing input by making presentations to the subcommittee as what they think the schedule should be and their reasons why. The subcommittee itself can really take no action. All the Commission members are also welcomed to go to the subcommittee meeting if they want to.

Mr. Nye asked whether, in the letter to the commissions, they are going to outline exactly what kind of information the commissions should provide to the Salary Commission. What he's leaning towards is that when the Fire Commission came in several months ago, they had their expectations of what they wanted the Fire Chief to do--this is what he's doing now; this is what he's expected to do in a six-month period or one-year period; and the Fire Chief had to meet those expectations to deserve the amount of money that they were asking for him. That was the best proposal that Mr. Nye had heard from anybody that came here. They had requirements for the Chief.

If the Police Commission is going to come before the Salary Commission and say they want more money for the Police Chief, they need the same kind of plan that the Fire Commission had with expectations of what their Police Chief is going to do to earn that money rather than just coming in here.

The last time the Police Commission came before the Salary Commission, they wanted \$91,000, stating they couldn't hire anybody, when the point was that they couldn't hire the person they wanted. They had four applications for Police Chief, but they didn't have the application of the person that they wanted, so they came in here and wanted more money. At that particular time, Mr. Nye questioned why they'd allot the full amount rather than incremental pay increases to keep the "carrot" out there to keep him on board. But the Commission granted the full amount, and now the

Police Commission is back needing more money to keep the Police Chief on board.

Chair Sanborn agreed that Fire's presentation trumped everything else they had to go through, but the Commission can suggest that there be certain criteria that they would like to look at. The Commission can ask the other commissions for any information they want, but to get started, they just need some background information for the to look at.

Mr. Takase agreed that the Commission can ask for supporting information or rationale as to why the commissions would want an increase for their department heads. With Police, they were already behind the gun because the assistants were above the Chief. It was also explained that SHOPO increases were going through, so by the time the Salary Commission acted on Police's request, the deputies were going to be bumping up right on the Chief again so the Police Commission had planned to return again later with another request. Their primary rationale was to keep the Chief above the deputies.

Mr. Nye noted that the Fire Commission reported the same situation in the Fire Department with that one employee making \$120,000 a year with all that overtime. The Fire Commission came before the Salary Commission with their plan to eliminate all that overtime, and Mr. Nye understood that the employee who was making \$120,000 retired.

If there is a situation like that in the Police Department, then the Police Commission needs to deal with it because that one person is dictating how much money they have to pay the Police Chief. The Fire Commission had a plan; they had a proposal and wanted it implemented, but the Police Commission didn't come the Salary Commission with that kind of plan. They just come in here saying they need this much money.

Chair Sanborn stated that the Police and Fire commissions may not be the only commissions coming before the Salary Commission. The reason for the subcommittee is to have some discussion as to whether the salary fits for that particular department head or not. The Salary Commission's job is to look at the positions, to look at the information, and make sure that the salary levels that they are setting for the positions, not the people in the positions, are commensurate with private industry and other counties, and various things like the operating budget, the number of personnel, the degree of sophistication that that particular department head needs, etc. The subcommittee will provide one more layer in the Salary Commission so that they can get this information out in a more rapid, timely manner and be able to get to the real facts and not all the clutter that comes along with it.

Mr. Tanaka recalled a concern that was raised earlier, which was the career orientation with the commission-appointed positions that the Commission decided could be addressed later. Therefore, his understanding as far as this subcommittee is concerned is that it's to see whether indeed those commission-appointed positions are legitimately different from those that are not. For instance, because those positions

don't change with the administrations, that would make them different and, therefore, perhaps some rationale could be offered to differentiate their salaries. That's a legitimate thing for the Commission to address, then determine the numbers if it's so determined that they are different.

Mr. Ben referred to the January 16, 2004 minutes. "The recommendation is that with the adoption of the tiered system and the proposed schedule, the above commission-appointed department heads receive salary increases along with other department heads except for Police and Fire as they already got theirs, however, a committee of this Commission should be established to study a separate pay schedule or schedules recognizing longevity and career-track issues for these department heads for future implementation. In other words, get them up to speed, learn from what the Commission has done so far, and see if they can tailor those departments' pay requirement more towards what happens to their appointees. The TRC suggests that a joint committee be established for this purpose consisting of representatives from each of the commissions to serve on the joint committee. The TRC also recommends that the same commissioners be charged with studying the Council salaries. The motion was voted on and carried with Mr. Nye voting no."

So the idea was to consider if there is a need for separate pay schedule or schedules to recognize the longevity and career-track issues for the commission appointees.

Chair Sanborn requested that Ms. Menezes prepare a package of information for the subcommittee to review, especially Fire's presentation.

B) Election of Chair, Vice Chair, Secretary for Calendar Year 2005

Mr. Takase noted that Chair Sanborn and Mr. Nye, whose terms expire December 31, 2004, can hold over for up to 90 days or until a replacement is appointed.

Ms. Menezes informed them that the Mayor's Office will be sending letters to both Chair Sanborn and Mr. Nye next week regarding the carry over.

Mr. Takase recommended that the Commission elect its officers at this meeting, because the Commission doesn't know when it'll get new members. If Chair Sanborn's and Mr. Nye's terms expire before the new members are sworn in, it could tie up the Commission from meeting.

Mr. Tanaka expressed his willingness to continue to serve as the Commission's Secretary.

MOTION: Mr. Nye moved that nominations be closed. The motion was seconded by Mr. Judd and carried unanimously.

Mr. Tanaka was elected Secretary.

Mr. Tanaka nominated Mr. Mann for the position of Chair of the Commission.

MOTION: Mr. Nye moved to close the nominations. The motion was seconded by Mr. Judd and unanimously carried.

Mr. Mann was elected Chair.

Mr. Tanaka nominated Mr. Judd to serve as Vice Chair.

MOTION: Mr. Tanaka moved that nominations be closed. The motion was seconded by Mr. Ishii.

Discussion:

Mr. Tanaka explained that he nominated Mr. Judd because the office of Vice Chair is a good place to gain some experience.

The motion was voted on unanimously carried.

Mr. Judd was elected Vice Chair.

NEXT MEETING DATE

The Commission scheduled a subcommittee meeting for January 21, 2005, at 1:30 p.m. at the conference room of the Department of Liquor Control in place of a full Commission meeting.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

Respectfully submitted,

J. William Sanborn, Chair

vym