

Bob Jacobson
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Gary Safarik, *Member*

**HAWAI'I COUNTY COUNCIL
COMMITTEE ON PUBLIC SAFETY AND
PARKS AND RECREATION
15th Session**

DATE: March 21, 2006 (Tuesday)
PLACE: Sheraton Keauhou Bay Resort & Spa
78-128 Ehukai St.
Kailua-Kona, Hawai'i
TIME: 1:30 p.m.

(Note: Please turn cell phones, pagers and other mobile communication devices on silent mode.)

CALL TO ORDER

STATEMENTS FROM THE PUBLIC ON COMM. NO. 725

Comm. 725: APPOINTMENT OF FRANCIS I. PACHECO TO THE COUNTY OF HAWAI'I VETERANS ADVISORY COMMITTEE
From Mayor Harry Kim, dated February 27, 2006, submitting for confirmation the nomination of Francis Pacheco of Council District 2 to the County of Hawai'i Veterans Advisory Committee. Mr. Pacheco is a lifelong resident of Hawai'i who is retired. He is a member of the Korean War Veterans Chapter 231. A member of the Democratic Party, if confirmed, he will serve a term to expire on December 31, 2010.

Recommends confirmation of the appointment of Mr. Francis I. Pacheco to the County of Hawai'i Veterans Advisory Committee.

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

REFERRALS

Comm. 740: AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 7, SECTION 15-62(b), HAWAI'I COUNTY CODE 1983 (2005 EDITION), RELATING TO THE VETERANS ADVISORY COMMITTEE (changes Military Order of the Purple Heart to include entire island when filling vacancies and changes one at-large slot to be designated for Korean War Veterans)
From Patricia G. Engelhard, Parks and Recreation Director, dated March 2, 2006, transmitting the above bill. The Military Order of the Purple Heart has changed to an islandwide organization and the Administration would like to include the entire

island when filling vacancies to that slot. Also, an at-large slot has been filled by a Korean War Veteran, and they would like to designate a slot for Korean War Veteran, of the 16 Veterans Advisory Committee slots, 13 will now be filled by Veterans Organizations and three will remain at-large.

[Recommends passage of Bill 241 on first reading.](#)

UNFINISHED BUSINESS

Bill 4
(Draft 5)
(Comm.
22.23):

AMENDS CHAPTER 4 OF THE HAWAI'I COUNTY CODE 1983 (1995 EDITION), ANIMALS {The purpose of this measure is to amend Chapter 4 by adding definitions, increasing licensing and impound fees, increasing penalties, establishing minimum fines, establishing method of resolution for first offense of violations prior to the court date, modify duration and time of day of restrictions regarding noisy dogs, and permitting an animal care center to contract with the County to provide services for animal control and care.};

[Close file on Draft 5 and all previous Drafts of Bill 4, and all related communications.](#)

Approved for first reading by the Council: PSPRC-4, February 1, 2005

Council History:

Introduced: February 16, 2005

Amended to Draft 5 - 2/16/05

Held over for Public Hearings: February 16, 2005

Public Hearings Held: March 10 - Hilo; March 15 - Ocean View;

March 17 - Kailua-Kona; and March 22, 2005 - Waimea

and

Comm. 22.91:
Bill 4
(Draft 6)

AMENDS CHAPTER 4 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION), ANIMALS

From Council Member Bob Jacobson, dated February 1, 2006, transmitting Bill 4, Draft 6. Changes in Draft 6 include: 1) the option of contracting with an "animal care center" for animal control and care services; 2) establishes a spay-neuter special fund, which will include all license, impoundment and kennel fees and adds a new reduced fee for dogs with micro-chips; 3) increases license, impoundment, and kennel fees and establish a new reduced license fee for dogs with an implanted micro-chip; 4) standardizes fines at "not less than \$75 nor more than \$1,000" with the exception of violations regarding dangerous dogs, where fines are set at "not less than \$200 nor more than \$1,000"; 5) clarifies what constitutes a noisy dog violation and procedures for enforcement of same; and 6) broadens powers of enforcement and provide for deputizing livestock owners to prevent attacks on their livestock}; *and*

[Postponed until April 4, 2006 meeting.](#)

Close file on all communications below - Comm. 22.18 through 22.113.

- Comm. 22.18: From David Hammes, dated January 31, 2005; *and*
Comm. 22.19: From Albert Ledergerber, undated; *and*
Comm. 22.20: From Wayne Sakedo, undated; *and*
Comm. 22.24: From Council Member Pete Hoffmann, undated, submitting proposed language to Bill 4, Draft 5; *and*
Comm. 22.25: From Ginger Towle, West Hawai'i Humane Society, dated February 16, 2005; *and*
Comm. 22.26: Hawai'i Island Humane Society "Responsible Pet Ownership" informational sheet, undated; *and*

(Note: Comm. 22.27, also related to Bill 4, continues on the next page.)

- Comm. 22.27: From Matt Hoeflinger, Chair, Conservation and Political Action Committee, Pig Hunters of Hawai'i, dated February 15, 2005; *and*
Comm. 22.28: From Barbara L. Brown, dated February 8, 2005; *and*
Comm. 22.29: From Travis Enoka, dated February 12, 2005; *and*
Comm. 22.30: From Ginger Towle, West Hawai'i Humane Society, dated February 14, 2005; *and*
Comm. 22.31: From Tommy Medeiros, President, Pig Hunters of Hawai'i, dated February 8, 2005; *and*
Comm. 22.32: From Richard Hoeflinger, Founder/President, Big Island Gun Dogs, dated February 14, 2005; *and*
Comm. 22.33: From Steven J. Araujo, dated February 14, 2005; *and*
Comm. 22.34: From M. Van Hove, dated February 10, 2005; *and*
Comm. 22.35: From Nancy Zorn, Chair, Animal Control Task Force, and President, Kona Paradise Property Owners Association, dated January 30, 2005; *and*
Comm. 22.36: From Lilian Beaufriere, Chair, Solutions 2005: Neighborhoods in Action, and Member, Animal Control Task, dated February 15, 2005; *and*
Comm. 22.37: From "Michael", dated February 22, 2005; *and*
Comm. 22.38: From Bob Peck, Director of Covenants, Leilani Homeowners Association, dated December 10, 2004; *and*
Comm. 22.39: From Normand Dionne, dated March 7, 2005; *and*
Comm. 22.40: From Catherine D. Killam, Cat-Care, dated February 16, 2005; *and*
Comm. 22.41: From Steven J. Araujo, undated; *and*
Comm. 22.42: From Council Member Bob Jacobson, dated March 10, 2005, submitting proposed language to Bill 4, Draft 5; *and*
Comm. 22.43: From Steven Hurt, President, Big Island Bird Hunters, dated March 9, 2005; *and*
Comm. 22.44: From Richard Hoeflinger, Founder/President Big Island Gun Dogs, dated March 10, 2005; *and*
Comm. 22.45: AVID FriendChip flyer, undated; *and*
Comm. 22.46: From Ginger Towle, West Hawai'i Humane Society, dated March 17, 2005; *and*
Comm. 22.47: From Lil Beaufriere, Chairperson, Solutions 2005: Neighborhoods in Action, and Member, Animal Control Task, dated March 15, 2005; *and*
Comm. 22.48: From Gail and Joel Loofbourrow, undated; *and*
Comm. 22.49: From Carol R. Campbell, dated March 18, 2005; *and*

- Comm. 22.50: From Jamie Kaniho Langi, undated; *and*
Comm. 22.51: From Gale A. Sansone, dated March 22, 2005; *and*
Comm. 22.52: From Sandy T. Sugiyama and Diane Kimura-Sugiyama, dated March 20, 2005;
and
Comm. 22.53: From Lil Beaufreere, Chairperson, Solutions 2005: Neighborhoods in Action, and
Member, Animal Control Task, dated March 22, 2005; *and*
Comm. 22.54: From Josephine Keliipio, dated March 22, 2005; *and*
Comm. 22.55: From Beatrice Van Wyngarden, dated March 20, 2005; *and*
Comm. 22.56: From Megan Mitchell, dated March 18, 2005; *and*
Comm. 22.57: From Barbara C. Sterne, Coordinator, American Bouvier League (ABRL), dated
March 21, 2005; *and*
Comm. 22.58: Petition signed by 508 individuals; *and*

(Note: Comm. 22.59, also related to Bill 4, continues on the next page.)

- Comm. 22.59: From Josephine Keliipio, dated March 27, 2005; *and*
Comm. 22.60: From Rick Habein, President, Sheep Producer's Association of Hawai'i, undated;
and
Comm. 22.61: From Edward A. Gervais, dated March 28, 2005; *and*
Comm. 22.62: From Richard and Bindy Rushton, dated March 29, 2005; *and*
Comm. 22.63: From Jeffrey B. Judd, dated March 29, 2005; *and*
Comm. 22.64: From Tony and Barbara Tomono, dated March 29, 2005; *and*
Comm. 22.65: From Ed Lewis, dated March 30, 2005; *and*
Comm. 22.66: From Sandy T. Sugiyama and Diane Kimura-Sugiyama, dated April 1, 2005; *and*
Comm. 22.67: From Haroldine Akiona, President, Hilo Obedience Training Club, dated
April 11, 2005; *and*
Comm. 22.68: From Josephine Keliipio, dated April 10, 2005; *and*
Comm. 22.69: From G. Risso and Etsuko Nanashima, dated April 11, 2005; *and*
Comm. 22.70: From Patricia Olson, dated April 12, 2005; *and*
Comm. 22.71: From Roger Dagdag, Sr., and Michelle T. Smith, dated April 16, 2005; *and*
Comm. 22.72: From Frances Pueo, dated June 14, 2005; *and*
Comm. 22.73: From Richard Hoeflinger, undated; *and*
Comm. 22.74: From Ginger Towle, West Hawai'i Humane Society, dated July 18, 2005; *and*
Comm. 22.75: From Nancy Sweatt, dated January 23, 2006; *and*
Comm. 22.76: From Lee Tracy and Mike Galvin, dated January 23, 2006; *and*
Comm. 22.77: From Michael Galvin, dated January 23, 2006; *and*
Comm. 22.78: From Roberta Agre, Vice-President, Advocats, dated January 24, 2006; *and*
Comm. 22.79: From Thalia D. Naidu, Representative, Advocats, Inc., dated January 20, 2006;
and
Comm. 22.80: From OneWahine, dated January 20, 2006; *and*
Comm. 22.81: From Libby Kelson-Fulcher, Reverend, Weddings A La Heart, dated January 21,
2006; *and*
Comm. 22.82: From Joy Banks, dated January 21, 2006; *and*
Comm. 22.83: From Margie Gillman-Wolfe, dated January 21, 2006; *and*
Comm. 22.84: From Tom Shockley, Dive Makai Charters, dated January 22, 2006; *and*
Comm. 22.85: From Kunzang D. Yuthok, dated January 22, 2006; *and*
Comm. 22.86: From Judy Kocon, dated January 22, 2006; *and*

- Comm. 22.87: From Judy Sweatland, dated January 22, 2006; *and*
 Comm. 22.88: From Larann Bergstedt, dated January 22, 2006; *and*
 Comm. 22.89: From Mele U. Spencer, dated January 29, 2006; *and*
 Comm. 22.90: From Ferol Kolons, dated January 25, 2006; *and*
 Comm. 22.92: From Sandra Shelton, dated February 6, 2006; *and*
 Comm. 22.93: From Richard Hoeflinger, President, Big Island Gun Dogs dated February 14, 2006; *and*
 Comm. 22.94: From Mary Clarose, President, Hilo Obedience Training Club, Inc. dated February 14, 2006; *and*
 Comm. 22.95: From Pam Mizuno, dated February 11, 2006; *and*
 Comm. 22.96: From Jeffrey Dias, dated February 13, 2006; *and*
 Comm. 22.97: From Lester & Mary Owen, dated February 15, 2006; *and*

(Note: Comm. 22.98, also related to Bill 4, continues on the next page.)

- Comm. 22.98: From Frances Pueo, undated; *and*
 Comm. 22.99: From David R. Marshall, dated February 15, 2006; *and*
 Comm. 22.100: From Lei Taft, President, Orchid Island Dog Fancier Club dated February 15, 2006; *and*
 Comm. 22.101: From Frances Pueo & Mary Van Hove, dated February 14, 2006; *and*
 Comm. 22.102: From Frances Pueo, dated February 11, 2006; *and*
 Comm. 22.103: From Margaret Blackmer, dated February 15, 2006; *and*
 Comm. 22.104: From Virginia Aste, dated February 13, 2006; *and*
 Comm. 22.105: From Ginger Towle, West Hawai'i Humane Society dated February 15, 2006; *and*
 Comm. 22.106: From Ed Lewis, dated February 6, 2006; *and*
 Comm. 22.107: From Waltham Johansen, dated February 7, 2006; *and*
 Comm. 22.108: From John Lyle, dated February 17, 2006; *and*
 Comm. 22.109: From Chris Hirayama & Joann McCabe, dated February 17, 2006; *and*
 Comm. 22.110: From Frances Moniz, dated February 16, 2006; *and*
 Comm. 22.111: From Drew Ross, M.D., dated February 19, 2006; *and*
 Comm. 22.112: From Paul & Sandra Dias, dated February 10, 2006.
 Comm. 22.113: **PROCESS BY WHICH THE PUBLIC SAFETY AND PARKS AND RECREATION COMMITTEE WILL BE MOVING FORWARD TO CONSIDER BILL 4, RELATING TO ANIMALS**

From Councilman Bob Jacobson, Public Safety and Parks and Recreation Committee (PSPRC) Chair, dated March 8, 2006, transmitting the above memo to explain the above-mentioned process. States that the goal is for work on Chapter 4, piece by piece, across approximately five PSPRC meetings. This process provides an opportunity for public testimony and committee debate to focus on specific issues. Submits a table listing meeting dates and specific Articles to be discussed on the given dates.

ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **March 17, 2006**. Persons using TDDs may call 961-8521.

Copies of this agenda and items listed on the agenda are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; the Kona Councilmembers' Office, Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona; and at the Waimea Council Members' Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea, Hawai'i. For further information, please call 961-8245.

Videoconferencing is not available for this meeting.

Submitting Testimony: Those persons wishing to testify in person must register with the County Clerk's staff. Those testifying in person and submitting written testimony at the meeting should bring sixteen (16) copies of the testimony for distribution at the meeting. Those persons unable to testify in person may submit testimony (1) by mail to the County Clerk's Office in Hilo at the above address, (2) by facsimile to (808) 961-8912, or (3) by e-mail to counciltestimony@co.hawaii.hi.us. Copies will be made and distributed at the meeting when transmitted in a timely manner. In any case, both oral and written testimony will be made a part of the public record.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist { Article 15, Section 2-91.3(b), Hawai'i County Code}. A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code}. Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai'i 96720.

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona) - Public Works & Intergovernmental Relations and Finance Committee meetings - Tuesdays, March 28 and April 4, 2006, at 8:30 p.m.; Public Safety and Parks & Recreation and Planning Committee meetings- Thursdays, March 30 and April 6, 2006, at 8:30 p.m.; and all four Committee meetings - Sunday, April 9, 2006, at 10:30 a.m.

Published: Hawai'i Tribune Herald and West Hawai'i Today - March 16, 2006