

HAWAI'I COUNTY PUBLIC ACCESS, OPEN SPACE AND NATURAL RESOURCES
PRESERVATION COMMISSION

MINUTES-REGULAR SESSION

November 13, 2007

Department of Liquor Control Conference Room
75-5722 Hanama Place, Suite 1107
Kailua-Kona, Hawai'i 96740

Present: Chair Kenneth Kaneshiro
Commissioner E. Kalani Flores (*left at 10:37 a.m.*)
Commissioner Paul Campbell (*arrived at 10:30 a.m.*)
Commissioner Kim Garcia
Commissioner Bill Gilmartin
Commissioner Benedict Yung

Absent: Vice-Chair Hannah Springer
Commissioner Laura Schuster

Others Present: Amy Self, Deputy Corporation Counsel
Harry Yada, Property Manager, Finance
Alexandra Kelepolo, Clerk III, Finance

CALL TO ORDER

The meeting was called to order by Chair Kenneth Kaneshiro at 10:05 a.m.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

None.

APPROVAL OF MINUTES

Commissioner Flores moved for approval of the minutes of October 8, 2007 regular session, seconded by Commissioner Garcia and carried unanimously by voice vote.

WRITTEN COMMUNICATION

Communication No.: 07-073: Memo received from Eileen O'Hara, re: Request for the withdrawal of the Suggestion Form for Ocean Park (Communication No. 07-070).

Communication No.: 07-074: Letter received from Andre & Toni Robert, re: Comments and concerns in regards to the Suggestion Form for Ocean Park (Communication No. 07-070).

Chair Kaneshiro noted that these communications have been received and filed.

DEPARTMENT OF FINANCE REPORT

Mr. Yada addressed the Commission that escrow has closed for Waipi'o and the first purchase under the open space fund has been completed. Mr. Yada noted that the County submitted grant applications with the State Department of Land and Natural Resources (DLNR) Legacy Land Fund for 1.5 million and U.S. Fish and Wildlife for 1 million to acquire the Kawa'a properties owned by Mr. Olson.

Escrow has opened for the Kawa'a parcels owned by Marcia Johnson and the County is hopeful that it will close despite property title issues. Mr. Yada did mention that if we close escrow on Kawa'a next year, the funds from the open space fund will be used up through 2008.

Ms. Garcia asked if there was anymore grant sources which could be used. Mr. Yada replied that you cannot use two Federal grant sources together at the same time and noted that at this point the County has applied for both State and Federal funds to acquire Kawa'a (Olson properties).

Mr. Yada mentioned the concern for management and maintenance of properties acquired by the County and suggested to the Commission that they submit a request in writing to the Mayor and the Hawai'i County Council to possibly use a portion of the two percent fund to go towards management and maintenance.

Mr. Kaneshiro asked if the County approached the Waipi'o non-profit group, Friends of the Future for help. Mr. Yada replied that the County wants to initiate a community effort and noted that it needs to be an open selection process. Ms. Garcia added that she spoke with a lady who lives down in Waipi'o who assists people in writing grants and can help the County in looking for non-profit groups who can bring in their own funding sources.

Mr. Flores mentioned that it will be difficult if it's an existing County facility whereas if it's new it will be easier to bring in a community group to take care of the area. He further added that a good model for Waipi'o would be the Koke'e Museum in Kaua'i since it's self-sustaining whereas providing educational information along with a ranger program similar to Waipi'o.

Mr. Kaneshiro noted that this would be a good opportunity for the Commission to write a letter to the Hawai'i County Council and the Mayor. He further added that now that the Commission has gained success it's an important time to move forward and make it operational.

Mr. Yada stressed that since the County does not have the adequate staff to handle management, he and Lea Hong of the Trust for Public Lands met with DLNR Division of Forestry and Wildlife in regards to certain conditions being met after the grant has been obtained which he feels is a critical component. Ms. Garcia mentioned that the Commission will have to work closely with individuals in the community who may have specialized expertise in those areas.

OFFICE OF THE CORPORATION COUNSEL'S REPORT

None.

CHAIRPERSON'S REPORT

Mr. Kaneshiro thanked the Commissioners and Ms. Kelepolo for preparation of the draft annual report to the Mayor and noted the Commission's success with the first purchase of Waipi'o.

COMMITTEE REPORT

Ms. Garcia noted that she attended a grant writing course and also wanted to include additional websites on the listing of potential funding programs for the draft annual report.

UNFINISHED BUSINESS

- **Discussion of 2007 Annual Report to the Mayor (Commission to review draft annual report)**

(The commissioners went into discussion regarding the 2007 Annual Report to the Mayor)

Recess: 12:28 p.m.

Reconvened: 12:40 p.m.

- **Discussion of 2007 prioritized list and procedures.**

(The commissioners went into discussion regarding the 2007 prioritized list and procedures)

Ms. Self recommended to the Commission that if they're going to reconsider certain properties on the '06 prioritized list versus the '07 list, the Commission needs to do something in writing to back them up showing how the properties are evaluated if using a different method or different form. She further added that they make sure to have a legitimate system in place so when questioned by the Hawai'i County Council the Commission can respond. It doesn't matter how they review the lists, it just needs to be explained in the annual report.

The Commissioners came to the conclusion that they will remove all properties listed on the "draft" prioritized list for '07 which already have resolutions passed and approved by the Hawai'i County Council for authorization to purchase. Mr. Kaneshiro will be providing the write-up to include in the annual report explaining the change.

NEW BUSINESS

- **Discussion on procedures for conducting site visits (Commission to review legal recommendation provided by Office of the Corporation Counsel)**

Ms. Self commented on the legal opinion that was circulated to the Commission in regards to site visits. She addressed the Commission that according to the legal opinion, the time and place of the site visit would have to be agendized. The regular meeting could occur right after the site visit, but it would have to be indicated on the agenda as well.

Mr. Yada did a visual presentation to the Commission showing the map and area of the properties tentatively listed on the draft prioritized list for 2007.

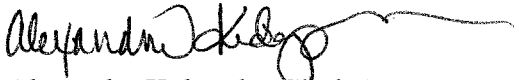
ANNOUCEMENTS

The next meeting is scheduled for Monday, December 10, 2007, 10:00 a.m., at the Department of Liquor Control Conference Room, 101 Aupuni Street, Suite 230, Hilo, Hawai'i.

ADJOURNMENT

The meeting was adjourned at 2:05 p.m. by Chair Kaneshiro.

Respectfully submitted,



Alexandra Kelepolo, Clerk III