

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

ILWU Union Hall
840 Ilima Ave.
Lanai City, Lanai

August 10, 1994

approved
9/8/94

COMMISSIONERS PRESENT: JoAnn Mattson
Lloyd Kawakami (Portion of Proceeding)
Allen K. Hoe
Trudy K. Senda
Eusebio Lapenia, Jr.
Elton Wada (Portion of Proceeding)
Renton L.K. Nip

COMMISSIONERS ABSENT: Allen Kajioka (Excused)
M. Casey Jarman

STAFF PRESENT: Esther Ueda, Executive Officer
Winfred K.T. Pong, Esq.,
Deputy Attorney General
Leo Asuncion, Jr., Staff Planner
Darlene Kinoshita, Chief Clerk
Holly Hackett, Court Reporter

Presiding Officer Hoe called the meeting to order.

ACTION

SP94-386 - DEPARTMENT OF PUBLIC WORKS AND WASTE MANAGEMENT,
COUNTY OF MAUI (Lanai)

Presiding Officer Hoe announced that this proceeding was a continuation of the action on the special use permit which was adjourned yesterday.

Appearances

Gary Zakian, Esq., Deputy Corporation Counsel, County of Maui

PETITIONER'S WITNESS

1. Charles Jencks

MINUTES - August 10, 1994

Page 2

Presiding Officer Hoe determined that the action for the special use permit would be continued until the next Commission meeting so that the Commissioners may review the record and additional evidence that was presented today.

CONTINUED REOPENED HEARING

A92-674 - LANAI RESORT PARTNERS (Manele)

Presiding Officer Hoe announced that this proceeding was a continuation of the hearing which was adjourned yesterday at 9:00 p.m.

Appearances

James T. Funaki, Esq., Attorney for Petitioner

Gary Zakian, Esq., Deputy Corporation Counsel, County of Maui

Clayton Yoshida, Planning Department, County of Maui

Rick Eichor, Esq., Deputy Attorney General, Office of State Planning

Abe Mitsuda, Land Use Division, Office of State Planning

Alan Murakami, Esq., Attorney for Intervenor

Ron McOmber, Intervenor

EXHIBITS

1. Petitioner's Exhibit No. 82 through 97 and 99 were admitted into evidence by the Land Use Commission.

2. County's Exhibit Nos. 10 and 11 were admitted into evidence by the Land Use Commission.

3. Intervenor's Exhibit No. I-195 and I-196 were admitted into evidence by the Land Use Commission.

PUBLIC WITNESSES

1. Donora Yap

2. Betty Kaho'ohalahala

PETITIONER'S WITNESSES

1. Charles Howard Murdock
2. Kevin Shaney

A lunch recess was taken at 11:45 a.m. to reconvene at 1:00 p.m.

- 1:00 p.m. -

INTERVENOR'S WITNESSES

1. Lehua Matsuoka
2. Elaine Kaopuiki
3. Gaylen Kaho'ohalahala
4. Kalia Salangron
5. William Meyer

Commissioner Wada was absent from the proceeding at this time.

6. Kaimi Spigalsky

Commissioner Kawakami was absent from the proceeding at this time.

7. Jon Matsuoka
8. Ron McOmber

Alan Murakami, Esq., Attorney for Intervenor, requested that the Commission receive the written testimony of Butch Gima into the record since Mr. Gima could not be at the meeting to testify today. The testimony to be filed on August 16, 1994. There were no objections from the County and State, but there was an objection by the Petitioner.

Presiding Officer Hoe allowed Intervenor to submit the written testimony of Mr. Gima with service to all parties and the parties have the right to submit cross examination by written interrogatories. Any written interrogatories are to be filed by August 23, 1994.

PETITIONER'S WITNESS

3. Tom Nance

Presiding Officer Hoe instructed all parties of the post-hearing procedures and declared the hearing closed. The proposed findings from the parties are due on August 29, 1994 and the parties have until September 5, 1994 in which to respond.

MISCELLANEOUS

1. ADOPTION OF MINUTES

Commissioner Lapenia moved to approve the minutes for the meeting dates of July 28, 1994 and August 5, 1994. The motion was seconded by Commissioner Kawakami and unanimously approved by voice votes.

2. ADOPTION OF DECISION AND ORDER

Commissioner Nip moved to adopt the Decision and Order for Docket No. A92-674 - Lanai Resort Partners (Manele). The motion was seconded by Commissioner Mattson and unanimously approved by voice votes.

The meeting was adjourned at 5:05 p.m.