

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

MINUTES-REGULAR SESSION

March 12, 2012

Hawai'i County Building, Puna Conference Room  
25 Aupuni Street, Suite #1501  
Hilo, Hawai'i 96720

Present: Chair Wilma Matsumura  
Vice-Chair Steven Hirakami  
Commissioner Gail Byrne Baber (*arrived @ 10:06 a.m.*)  
Commissioner Enock Freire  
Commissioner Searle Grace  
Commissioner Terri Markovich (*arrived @ 10:05 a.m.*)  
Commissioner Sarah Moon  
Commissioner Marilyn Nicholson

Absent: Commissioner Debbie Hecht  
Ken Van Bergen, Property Manager

Others Present: Amy Self, Deputy Corporation Counsel  
Deanna Sako, Deputy Director, Finance  
Alexandra Kelepolo, Clerk III, Finance

**CALL TO ORDER**

The meeting was called to order by Chair Wilma Matsumura at 10:02 a.m.

**STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS**

None.

**APPROVAL OF MINUTES**

**Motion: Commissioner Nicholson moved to approve the minutes of January 9, 2012. Seconded by Commissioner Freire; all members voted aye, motion carried.**

**WRITTEN COMMUNICATION**

Communication No. 12-003: Letter dated January 16, 2012 from Janet R. Britt, Hawaiian Islands Land Trust (HILT), re: Thanks and appreciation for allowing HILT to speak to the Commission and share their presentation on conservation easements

Communication No. 12-004: Letter dated February 23, 2012 to Chair Dominic Yagong and Members of the Hawai'i County Council, from Mayor Billy Kenoi, re: Transmittal of the Public Access, Open Space and Natural Resources Preservation Commissions' 2011 Annual Report to the Mayor

Ms. Matsumura stated that Ms. Kelepolo informed her that the numbering system was off and the communications should be changed to 12-003 and 12-004.

### **DEPARTMENT OF FINANCE REPORT**

Due to the absence of Mr. Van Bergen, Ms. Kelepolo provided an updated acquisition status report for their information. She reported that the County recently closed escrow on the purchase of the three Kingman parcels in North Kona, two of which was purchased with open space funds.

### **OFFICE OF THE CORPORATION COUNSEL'S REPORT**

Ms. Self stated that she will be putting together a power-point presentation on the review of how the Commission functions and sunshine law training. She will do the presentation at the May meeting.

### **CHAIRPERSON'S REPORT**

Ms. Matsumura had nothing to report since Ms. Self already addressed the sunshine law training.

### **NEW BUSINESS**

- **Commission to discuss, review and revise the Suggestion Form and Assessment Criteria Form**

*(the commissioners went into discussion reviewing the Suggestion Form)*

**Motion: Commissioner Moon moved to strike the second bullet point on page 2 of the suggestion form to eliminate the boxes that say no, unknown, yes and if yes, please describe and the question mark. Commissioner Freire suggested that the questions be numbered 1, 2, 3, 4, 5, & 6. Seconded by Commissioner Freire; all members voted aye, motion carried.**

- 2) Describe level of urgency (i.e. is property currently on the market/for how long, has an active re-zoning/subdivision application been filed, high public use, etc.) ~~?  No~~  
 ~~Unknown  Yes If yes, please describe.~~

*(the commissioners continued their discussion)*

**Motion: Commissioner Nicholson moved to revise #3 on page 2 of suggestion form to read: Describe any special opportunities for acquisition that presently exist (i.e. special funding available, landowner willing to participate in process, etc.) and remove the question mark and boxes that say no, unknown and yes. Seconded by Commissioner Moon; all members voted aye, motion carried.**

- 3) ~~Is there a~~ Describe any special opportunities for acquisition that presently exists (i.e. special funding available, landowner willing to participate in process, etc.)? No  
Unknown Yes

(the commissioners continued their discussion)

Motion: Commissioner Moon moved to modify #4 by removing the comma after private and adding “if yes, please describe.” Seconded by Commissioner Nicholson; all members voted aye, motion carried.

- 4) Has partnering with other government agencies, private, or nonprofit entities to leverage resources been identified)? No Unknown Yes If yes, please describe.

(the commissioners continued their discussion)

Motion: Commissioner Markovich moved to modify #5 to read: Do you know if the property or property entitlements (i.e. public access easements, agricultural easements, etc.) are available for acquisition and to remove the box titled unknown. Seconded by Vice-Chair Hirakami; all members voted aye, motion carried.

- 5) Are the land Do you know if the property or property entitlements (i.e. public access easements, agricultural easements, etc.) are available for acquisition? No  
Unknown Yes

(the commissioners continued their discussion)

Motion: Commissioner Nicholson moved to strike #6 and insert as #2 moving all others down to read: Describe any significant historic, cultural or natural resources on the property. Seconded by Commissioner Byrne Baber; all members voted aye, motion carried.

- ~~6) Are there other methods of protection in addition to acquisition that would accomplish protection of resources? No Unknown Yes If yes, please describe.~~

**2) Describe any significant historic, cultural or natural resources on the property?**

(the commissioners reviewed the Assessment Criteria Form and went into discussion)

Motion: Commissioner Byrne Baber moved to change should to could on the second bullet under Criteria 1. Seconded by Commissioner Freire; all members voted aye, motion carried.

- Appropriate access to significant historic sites, buildings, and objects of public interest ~~should~~ could be made available.

(the commissioners continued their discussion)

Motion: Commissioner Nicholson moved to use capital letters to indicate all of these sub-topics under each criteria. Seconded by Commissioner Grace; all members voted aye, motion carried.

*(the commissioners continued their discussion)*

**Motion: Commissioner Nicholson moved that under Criteria 2.A, to strike out site or project and add property. Seconded by Commissioner Markovich; all members voted aye, motion carried.**

- A. Level of community support based upon additional testimony, letters of support and/or suggestion forms received for ~~site or project~~ property.

Ms. Matsumura suggested that Ms. Kelepolo draft the forms with the revisions and have it put on the next agenda for final approval. Ms. Self told Ms. Matsumura that since it's on the agenda today, the Commission can go ahead and approve it now and just allow Ms. Kelepolo to make any non-substantive changes if necessary.

**Motion: Commissioner Markovich moved to approve the Suggestion Form and Assessment Criteria Form as revised today and to allow Ms. Kelepolo to make any non-substantive changes. Seconded by Commissioner Nicholson, all members voted aye, motion carried.**

**Recess: 11:35 a.m.**

**Reconvened: 11:51 a.m.**

- **Discuss and schedule community meetings to provide information to the public and solicit suggestion forms**

Ms. Matsumura asked the commissioners if they will be attending any meetings this year.

*(the commissioners went into discussion)*

Ms. Markovich will do a presentation at the community potluck dinner that is held in Honoka'a.

Ms. Moon will set-up a meeting in the Hilo district and try to coordinate it with the Downtown Improvement Association (DIA). If necessary, she will contact Ms. Kelepolo to schedule an additional meeting in Hilo.

Ms. Byrne Baber stated that she can attend the South and North Kohala Community Development Plan (CDP) Action Committees and North Kohala Access Committee meetings.

Ms. Nicholson said that she will provide information at the Volcano Community Association meeting.

Mr. Freire offered to do presentations at the various Rotary meetings in Kona.

Mr. Grace offered to also attend the Hilo meetings with Ms. Moon.

Mr. Hirakami will attend the Friends of the Future meeting in Puna.

**Motion: Chair Matsumura moved to authorize the representatives of the Commission to distribute or read the flyer, distribute suggestion forms, mention the deadline and the web-site, encourage people to nominate properties and to advise the public to serve on the Commission referring them to the web-site for forms and information. The people they are authorizing would be: Ms. Markovich for the Honoka‘a community dinner, Ms. Moon to the Hilo DIA meeting or a general public meeting with Mr. Grace; Ms. Byrne Baber to North Kohala CDP, South Kohala CDP and North Kohala Access; Ms. Nicholson to VCA, Mr. Freire to Rotary meetings in Kona and Mr. Hirakami to Friends of the Future meeting. Dates and times are to be given to Ms. Kelepolo so that she can prepare the hand-outs, revise the flyer and the suggestion forms for distribution. Seconded by Commissioner Byrne-Baber; all members voted aye, motion carried.**

- **Strategize and discuss various ways to publicize for submittal of suggestion forms from the public**

*(the commissioners went into discussion)*

Ms. Matsumura told the commissioners that a PSA will be sent to the newspapers and radios to remind the public of the deadline to submit suggestion forms.

*(the commissioners continued their discussion)*

Ms. Matsumura stated that instead of having their Commission meeting originally scheduled for June 11<sup>th</sup> in Hilo it will be moved to July 9th instead.

**Motion: Commissioner Markovich moved to change the suggestion form and publicity deadline for the public to the last business day of June. Seconded by Commissioner Moon; all members voted aye, motion carried.**

### **ANNOUNCEMENTS**

The next meeting is scheduled for Monday, May 14, 2012, 10:00 a.m. in the Department of Liquor Room, Hawai‘i County Building, 25 Aupuni Street, Suite #1501, Hilo, Hawai‘i 96720.

### **ADJOURNMENT**

Chair Matsumura adjourned the meeting at 12:53 p.m.

Respectfully submitted,

Alexandra Kelepolo, Clerk III