



County of Hawai'i PLANNING DEPARTMENT

HĀMĀKUA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

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Tuesday, November 15, 2022

DRAFT Meeting Minutes

CALL TO ORDER

Chair Tawn Keeney called the Hāmākua Community Development Plan (HCDP) Action Committee (AC) to order at 5:42 P.M. This was an Action Committee hosted meeting held at the Kula'imano Community Center Picnic Bench. Quorum was established at this meeting.

ROLL CALL

AC Members Present: Tawn Keeney (*Chair*); Niki Hubbard (*Vice-Chair*); Brad Kurokawa; Rhonda Pollard; Robert Nishimoto; Crystal Kua.

AC Members Absent-Excused: Carol Ignacio; Desiree Moana Cruz.

Corporation Counsel: Suzanna Tiapula, Deputy Corporation Counsel.

6 members of the public attended the meeting in person.

ADDITIONS TO THE AGENDA: None

ANNOUNCEMENTS:

1. This is a Hāmākua Action Committee hosted meeting. There was no County staff in attendance.
2. Chair Keeney shared that Bill 238 was being heard by County Council regarding changes to the Building Permit approval process. *Please note, this announcement was made at the end of this meeting.
Please see more information about Bill 238 here: [BIL 238 Draft 01 2020-2022 - Laserfiche WebLink \(hawaiicounty.gov\)](#)
3. Chair Keeney reported back on the discussion he had with Deputy Corporation Counsel, Suzanna Tiapula, regarding the Sunshine Law as it relates to communications of members across the Action Committees. An Action Committee member may contact members of other Action Committees so long as they do not start a chain communication amongst members of the same committee. Action Committee members cannot discuss business via reply-all emails. It was understood that information can be shared with all members if it is made a public communication in a meeting packet.

4. Chair Keeney announced that the testimony from the October 18th meeting will be addressed at the December Hāmākua Action Committee meeting:

- Communication No. 2022-18: Meizhu Lui's Testimony
- Oral Testimony provided by community member, Richard Bidleman regarding sidewalks and a possible presentation by the Department of Public Works.

At this point, Vice-Chair Niki Hubbard moved to change the order of the agenda due to the meeting being held outside on a picnic bench. The Action Committee prioritized Administrative Matter item #1 and Business Agenda Item #4.

ADMINISTRATIVE MATTER:

1. Action Committee Meeting Calendar for 2023:

Vice-Chair Niki Hubbard moved to approve the Action Committee Meeting Calendar for 2023. Seconded by Action Committee member Crystal Kua.

Discussion centered around the Action Committee's scheduling conflict with the County Council meetings. She stated that Councilmember Heather Kimball cannot attend in-person meetings on Tuesdays due to Council meetings in Kona. If meetings were held on Zoom, there's a possibility that she could attend. A recent County directive has made it uncertain if planning staff can attend meetings at night.

Vice-Chair Niki Hubbard amended her motion to approve the calendar, meeting on the 3rd Tuesday of every month, to revise the physical location of the meetings to be at the Honoka'a People's Theatre for the next year. Seconded by Action Committee member Crystal Kua. Motion passed with votes 6 aye, 0 no.

2. Election for Action Committee Secretary Position:

Action Committee moved this matter to the next Hāmākua Action Committee meeting in December.

BUSINESS:

4. Zoom-Hybrid Meeting Discussion:

Chair Tawn Keeney moved to switch to a Zoom-hybrid meeting format going forward. Seconded by Action Committee member Crystal Kua. Discussion included logistics and the required equipment. Chair Keeney has a computer with a camera and the Honoka'a People's Theatre will be used as the courtesy site. A Zoom link will be in the next meeting announcement. The meeting will be recorded, not live-streamed. Recordings will be posted to Facebook or YouTube within a day of the meeting. *Motion passed with 6 votes aye, 0 no.*

3. Subcommittee Report Back to Action Committee:

- **Waipi'o Wahi Pana** – Report given by Action Committee member Brad Kurokawa. He explained that the subcommittee met with Councilmember Heather Kimball on Monday, November 14th, 2022, who provided a brief history of Waipi'o's management attempts that began in the 1990s with Friends of the Future and Waipi'o Circle; leases ran for 20-years at that time. Informational signs and education officers came out of that work and there was high visitor impact. Former Councilmember Valerie Pointedexter got involved when she was in office in the 2000s, as well as Kamehameha School, The Department of Land & Natural Resources (DLNR), the County of Hawai'i and local farmers. During that

time, there was a bill to ban pedestrians and community members wanted action. The community also did not favor The Hawaii Visitor Bureau's effort. He explained that a Steering committee was eventually organized and in February 2022 an Emergency Proclamation was issued and a lawsuit was filed. A later revised proclamation was issued after mediation, in which the outcome opened the Waipi'o road; the mayor created and led 2 advisory committees: 1. To deal with the road and 2. To oversee the long term plan. Overall, mistakes were made along the way and some organizations were biased towards visitors. The hope now is for community input and a more thorough process. The goal is for the Action Committee and Waipi'o Wahi Pana Subcommittee to assist from a zoning standpoint and gain community input. This will allow transparency and for the community to have a voice in the process.

Action Committee member Nishimoto asked if he could hear from community on what the definition of Wahi Pana was. (Vice-Chair Hubbard reference page 73 of CDP section 4.9.2 Waipi'o Valley as Wahi Pana).

- **Housing Subcommittee Report-** This report was skipped at this time.

At this time, the Action Committee considered Public Comment on this item.

PUBLIC COMMENT ON AGENDA ITEMS:

Three (3) members of the public provided oral testimony.

1. Community member Lei Brown, representing herself, testified on Agenda item #3. She shared a recap of her position that she does not want to pursue destination management. She shared how a previous community group defined Wahi Pana without government agency involvement, a copy of which was provided to Heather Kimball. She thought inviting Kupuna to come share what Wahi Pana means to them in the future would be a good idea. She reiterated how stewarding the valley is a commitment, that it is a place sustained by the aina's pulse and that it would be managed in that same respect.
2. Community member Mahealani Makui, representing herself, testified on Agenda item #3. She shared that the definition of Wahi Pana is "Legendary Place."
3. Community member Keith Tallet, representing himself, testified on Agenda item #3. He shared that the ocean community wants to be a part of the Wahi Pana conversations and looks forward to inclusiveness. The group will advocate for the right to access the ocean there.

Discussion continued: Action Committee member Kua asked Action Committee member Kurokawa what role the Action Committee will take and if the goal is to bring the groups together here or direct them to Councilmember Heather Kimball or Mayor Mitch Roth? Discussion mentioned an upcoming steering committee meeting scheduled for Thursday, November 22, 2022, with Councilmember Kimball. More information will be provided after that. Community member Brown will relay the Zoom link to Action Committee member Kurokawa.

Community member Brown shared that they look forward to an inclusive process, but that it should be exclusive to those with experiential and lineal connections to Waipi'o. She likened Waipi'o to a Royal Mausoleum and thus it should have an elevated status of protection. People

should not be allowed to wander around a cemetery; even with access to the beach a lot of Heiau's are traversed. She believes people need to understand the protocols and stewardship.

A question was asked who is facilitating the next steering committee meeting. The subcommittee discussed their next steps in working on Wahi Pana and not destination management. They described tasks involving looking at Zoning, Framework, and plan execution within the CDP.

Community member Brown suggested that the subcommittee needed legal counsel, but that there was conflict of interest with one of the recommended attorneys due to the Waipi'o lawsuit. Deputy Corporation Counsel Tiapula could provide a list of others who work pro bono. Counsel was asked why Councilmember Kimball cannot use county legal representation to get quicker responses since this is a community led effort now.

Action Committee member Kurokawa acknowledged that even the terms such as *scenic corridor* would need those management strategies put into code to protect them so that is work that can be done.

5. Discussion on Action Committee Communication to the Public:

This report was skipped at this time.

6. Action Committee Project Prioritization Discussion:

This report was skipped at this time.

7. Status on All Action Committees Discussion:

This report was skipped at this time.

COMMUNICATIONS:

8. Communication No. 2022-19 Brad Kurokawa Letter to the Planning Director Regarding Zoning and Subdivision Code Update Engagement: Action Committee member Kurokawa discussed his Letter to the Planning Director regarding the zoning code changes and the Planning Department's response. He stated how the Planning Department assured him that there will be interaction with the Action Committees throughout the process. He stated that the online open house was ending soon. Action Committee member Pollard encouraged signing up for the alerts on this topic online.

9. Communication No. 2022-21 Planner Heather Bartlett's Email Response to Hāmākua Action Committee Chair Tawn Keeney Answering Questions Related to Action Committee Meetings: This item was skipped.

10. Communication No. 2022-23 Planning Department Community Planning Newsletter: This item was skipped.

11. Communication No. 2021-02 Hāmākua Action Committee Community Group Network Map: This item was skipped.

12. Communication No. 2022-24 Hāmākua CDP Community Implementation Action Matrix: This item was skipped.

149 13. Communication No., 2022-25 Kohala Mountain News September 2022: This item was
150 skipped.

151 14. Communication No. 2022-26 North Kohala Advisory Group Mission Statement: This item
152 was skipped.

153 15. Communication No. 2022-20 Chuck Flaherty Article t the Sierra Club Regarding Planning
154 Department Practices: This item was skipped.

155 **APPROVAL OF MINUTES:**

156 The Action Committee skipped this item. Approval for the October 18th meeting minutes will
157 take place at the December meeting.

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159 **PROPOSED AGENDA ITEMS FOR NEXT MEETING:** December 20, 2022, at the Honoka'a People's
160 Theatre. *Please note, this meeting will be a hybrid meeting and will include a Zoom option.

- 161 1. Subcommittee Report Back to the Action Committee
 - 162 a. Waipi'o Wahi Pana
 - 163 b. Housing Subcommittee- possibly invite a speaker for presentation
- 164 2. Planning Department Presentation on Permitted Uses – To include permitted areas
165 zoned for agricultural and residential along the Hāmākua Coast, as well as enforcement.
- 166 3. Action on Sidewalk Support – Community member Richard Bidleman's written testimony
167 submitted prior to the November 15th Action Committee meeting.
- 168 4. Fire Department Presentation on Fire Prevention
- 169 5. Department of Water Supply Presentation – Discussion centered around water meter
170 placement corresponding to the CDP.
- 171 6. No'eau Peralto from huiMAU Presentation

172 **ADJOURNMENT:**

173 *Action Committee member Crystal Kua moved to adjourn the meeting. A seconded motion was*
174 *not documented. The meeting was adjourned at 6:45pm.*

175 This agenda and all related documents are available in the Planning Department's Hāmākua
176 Community Development Plan Action Committee folder via [the County of Hawai'i Public](#)
177 [Documents Repository](#). These documents may also be requested from the Planning Department
178 by calling (808) 961-8288 or emailing cdp@hawaiiicounty.gov.