

BOARD OF APPEALS
COUNTY OF HAWAI‘I

MINUTES
September 14, 2023

The County of Hawai‘i Board of Appeals met in regular session at 9:30 a.m. in the Hawai‘i County Council Chambers, 25 Aupuni Street, Hilo, Hawai‘i 96720, and via the Zoom online platform. The meeting was called to order with Chair Stacey Aguiar presiding. A quorum was established with six members in attendance. [SEE YOUTUBE TIMESTAMP 9:29]

The full YouTube video of this hearing can be found here:
<https://www.youtube.com/watch?v=gIuE7J4U7FU>

MEMBERS PRESENT (in person): Stacey Aguiar (Chair), Cathy Lewis, Daina “Noe” Saiki, and Lisa McNamarra.

MEMBERS PRESENT (via Zoom): Richard “Ritchie” Henderson (Vice Chair) and Scott Trefethen.

MEMBERS EXCUSED: Scott Martin.

ALSO IN ATTENDANCE: Sherilyn Tavares, Esq. (Deputy Corporation Counsel for the Board); April Surprenant (Staff to the Board); Kim Tanaka (Board Secretary).

There was one member of the public in attendance.

Chair Aguiar reviewed online meeting protocols and procedures. Introductions of board members and staff were made.

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

At 9:32 a.m., Chair Aguiar called for statements from the public. There were no members of the public in attendance to provide testimony.

OLD BUSINESS

1. BOA-21-000300 – COMPREHENSIVE REVIEW OF BOA RULES OF PRACTICE AND PROCEDURES AND PROPOSED AMENDMENTS

The Board of Appeals passed a motion to initiate rule amendment proceedings at its hearing on July 9, 2021, in accordance with Hawai‘i County Board of Appeals Rules of Practice and Procedure, Rule 5 Rulemaking Procedures. The proposed amendments include a comprehensive review and update to provide more consistency and adherence to related statutes and codes. Further in accordance with Hawai‘i Revised Statutes 92-2.5, the Board created a Permitted Interaction Group at its May 12, 2023, hearing to review the rules and make recommendations to the Board. The Permitted Interaction Group will provide a summary report of its findings at this hearing. Review of the Permitted Interaction Group’s

proposed draft rule amendments and Board deliberation will commence at a subsequent hearing.

This item was called to order at 9:33 a.m. There was one member of the public in attendance.

[*SEE YOUTUBE TIMESTAMP 14:15*] Vice Chair Henderson briefly discussed the findings of the permitted interaction group, which consists of Chair Aguiar, Vice Chair Henderson, and Board Member Saiki. Staff that assisted were April Surprenant, Kim Tanaka, and Sherilyn Tavares. They reviewed and adjusted the rules to conform with standard state and county rules, updated names of officials in the government, aligned the dates and times, and removed repetition. The draft, as stands, is in a form that the board and public are now able to view.

[*SEE YOUTUBE TIMESTAMP 19:24*] Chair Aguiar clarified this hearing is for the permitted interaction group presentation of the amended rules and will be disseminated to the board and public. The amended rules will be on the October agenda and will accept public testimony then.

ADJOURNMENT

[*SEE YOUTUBE TIMESTAMP 20:27*] Chair Aguiar requested a motion to conclude the hearing. It was moved by Ms. Saiki and seconded by Mr. Henderson to adjourn the meeting. An all-in-favor voice vote carried the motion unanimously.

The meeting was adjourned at 9:42 a.m.

Respectfully Submitted,

Ashley DeVera, Staff to the Board

A T T E S T :

Stacey Aguiar, Chair
Board of Appeals