LEEWARD PLANNING COMMISSION
COUNTY OF HAWAIʻI

MINUTES
SEPTEMBER 18, 2025

A video recording is made part of these minutes, which can be viewed on the YouTube County of Hawaiʻi Planning Department channel at https://www.youtube.com/live/dStGv7JOpds

Timestamps are provided for reference in accordance with the provisions of Chapter 92, Hawaiʻi Revised Statutes. In the event the video recording becomes unavailable at the above-mentioned URL address, the public can contact the Planning Department for assistance.

The Leeward Planning Commission met in regular session on September 18, 2025, at 9:40 a.m. in the West Hawaiʻi Civic Center, Council Chambers, Building A, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawaiʻi, with Chairperson Dean Au presiding. This meeting was streamed live on YouTube.

Secretary's Note: The meeting began at 9:40 a.m. rather than 9:30 a.m. due to technical difficulties which staff resolved prior to convening.

COMMISSIONERS PRESENT: Vice Chair Donna "Kinuko" Noborikawa, Commissioner Alexandria "Lexie" Ayers, Commissioner Michael Dela Cruz, Commissioner Rebecca "Kawehi" Inaba, Commissioner Armando Rodriguez, and Dean Au (Chairperson).

COMMISSIONERS ABSENT AND EXCUSED: Commissioner Clement "CJ" Kanuha III.

ALSO PRESENT: Diana Mellon-Lacy, Esq. (Deputy Corporation Counsel to the Commission) Jeffrey Darrow (Planning Director), and Planning Department staff.

Approximately three members of the public were in attendance.

The meeting was called to order at 9:40 a.m. by Chair Dean Au, with a quorum present. Commissioners and staff were introduced. Attendees were reminded to silence cell phones, and directions to restrooms and the public testimony sign-up process were provided.
[SEE YOUTUBE TIMESTAMP 00:43]

APPROVAL OF MINUTES

At 9:42 a.m., the Commission addressed the minutes of August 21, 2025, Leeward Planning Commission meeting. No corrections were offered. Vice Chair Donna "Kinuko" Noborikawa moved, and Commissioner Michael Dela Cruz seconded, to approve the minutes as submitted. The motion was carried unanimously by voice vote, with one member absent and excused. *[SEE YOUTUBE TIMESTAMP 02:35]*

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

At 9:43 a.m. the Commission took up this item with approximately three members of the public were in attendance. *[SEE YOUTUBE TIMESTAMP 03:28]*

Chair Au asked if there were in-person testifiers, Planning staff noted that one testifier was present and would provide testimony when the agenda items #1, #2, and #4 were called. *[SEE YOUTUBE TIMESTAMP 03:30]*

Chair Au asked if there were any Zoom testifiers, Planning staff noted that one testifier was on Zoom and wished to provide testimony at the beginning of the meeting. *[SEE YOUTUBE TIMESTAMP 03:53]*

One individual provided testimony via Zoom for **Items #1 Scott F. Church and John Totah (PL-SMA-2025-000080) and Item #2 Scott F. Church and John Totah (SMA 03-000007)**:

1. Janice Palma-Glennie *[SEE YOUTUBE TIMESTAMP 04:41]*

The hearing on the item concluded at 9:47 a.m.

NEW BUSINESS

1. **APPLICANT: SCOTT F. CHURCH AND JOHN TOTAH (PL-SMA-2025-000080)**
Application for Special Management Area Use Permit to construct a two (2) story, single-family residence with a pool and related improvements on a 15,203-square foot shoreline parcel within the Special Management Area. The subject property is located on the makai side of Ali‘i Drive, approximately 0.25 miles south of Lunapule Road, Kahului 2nd, North Kona, Hawai‘i, TMK: (3) 7-5-019:030.

The Commission took this item up at 9:47 a.m. with three members of the public in attendance. *[SEE YOUTUBE TIMESTAMP 07:46]*

Staff presentation was given by Derek Harbaugh. *[SEE YOUTUBE TIMESTAMP 08:33]*

Chair Au opened the floor for Commissioners’ questions to Planning staff. *[SEE YOUTUBE TIMESTAMP 16:56]*

Applicant John Totah gave a presentation. *[SEE YOUTUBE TIMESTAMP 35:05]*

Chair Au opened the floor for Commissioners’ questions to the Applicant. *[SEE YOUTUBE TIMESTAMP 36:13]*

Chair Au opened the floor to public testimony. *[SEE YOUTUBE TIMESTAMP 42:55]*

One individual provided in-person testimony at 10:23 a.m.:

1. Simmy McMichael – *[SEE YOUTUBE TIMESTAMP 43:30]*

Chair Au opened the floor for Commissioners' questions to the public testifier. *[SEE YOUTUBE TIMESTAMP 50:35]*

Chair Au closed public testimony for this agenda item. *[SEE YOUTUBE TIMESTAMP 52:57]*

Action: Vice Chair Noborikawa moved to approve Special Management Area Use Permit PL-SMA-2025-000080 to construct a two-story single-family residence with five (5) bedrooms, five (5) bathrooms, a pool and related improvements on a 15,203 square foot shoreline parcel within the Special Management Area, based on the Planning Director's findings, recommendations and conditions, to be adopted as amended with the change presented earlier by the Applicant. *[SEE YOUTUBE TIMESTAMP 53:16]*

Before the motion was seconded, Vice Chair Noborikawa amended her motion to reflect a two-story single-family residence with three (3) bedrooms, three (3) bathrooms, a pool and related improvements, including a two (2) bedroom garage on a 15,203 square foot shoreline parcel within the Special Management Area. The amendment was further corrected to specify a two-car garage. *[SEE YOUTUBE TIMESTAMP 54:18]*

Commissioner Armando Rodriguez asked to pose a question regarding the Applicant constructing a wider road. Chair Au interjected, stating that questions should relate to the motion on the floor and not lead into further discussion. He noted that if there is no second to the motion, it will fail, and another motion could then be introduced. *[SEE YOUTUBE TIMESTAMP 55:32]*

Commissioner Dela Cruz seconded the motion to open the discussion. *[SEE YOUTUBE TIMESTAMP 56:08]*

Chair Au began the discussion by stating that he does not support the motion. He noted that the applicant initially proposed a 5-bedroom, 5-bath residence and believes it should remain as originally requested. He added that if the applicant decides to downsize it to a one-bedroom, two-bath home, that is their kuleana; however, they would still be subject to the fifteen conditions regardless of any reduction in size. He reiterated that he does not support the motion as currently presented and invited comments from his fellow Commissioners. *[SEE YOUTUBE TIMESTAMP 56:15]*

Vice Chair Noborikawa commented that she could go either way on the motion. She noted that since the applicant provided information indicating a smaller project than originally proposed, the motion could be amended to reflect that. She also expressed agreement with the conditions that would be applied. *[SEE YOUTUBE TIMESTAMP 57:05]*

Commissioner Rebecca "Kawehi" Inaba concurred with Chair Au, stating that whatever comes before the Commission should be clear and what they are voting on. She noted that if the intention was to reduce the size of the home, including the bedrooms and garage, it should have been presented that way, rather than leaving it as originally proposed when the deferral occurred at the previous meeting. She further stated that, at this point, she is unable to support the request as presented. *[SEE YOUTUBE TIMESTAMP 57:39]*

Commissioner Rodriguez expressed concern about public safety and traffic conditions in the area. He referenced a recent tsunami warning during which his family was unable to evacuate safely and noted that infrastructure improvements, such as traffic control measures, should be addressed by the government, not the applicant. He acknowledged that the project was small but pointed out that the Commission had previously approved a 100-room hotel in the vicinity. He stated that approving projects without adequate infrastructure is troubling and, while it may not be legally required, he does not want to support anything that could put people at risk. *[SEE YOUTUBE TIMESTAMP 58:23]*

Chair Au addressed the applicant, Mr. Totah, referring to testimony from Ms. McMichael about families who have lived in the area for generations. He noted that the applicant had already reduced the project from a four-story condominium to a 5-bedroom, 5-bath single-family home and stated he did not want to require further downsizing. He added that limiting the home to 3-bedrooms and 2-baths might be insufficient for larger future families and felt the project should remain at 5-bedrooms and 5-baths. *[SEE YOUTUBE TIMESTAMP 59:43]*

Commissioner Dela Cruz asked Mr. Totah if the decision to downsize to 3 bedrooms was final, noting his agreement with other Commissioners' comments on the changes. Mr. Totah confirmed that it was "100% confirmed" and that preliminary plans were being prepared for permitting. Commissioner Dela Cruz suggested the applicant return with the drawings for Commission review and asked if the matter could be deferred to the next hearing to reflect the recent changes. He also noted that Mr. Totah could present the changes when ready. *[SEE YOUTUBE TIMESTAMP 01:01:27]*

Chair Au followed up, asking if a new application was required. Mr. Totah asked whether the permitting documents reflecting 3-bedrooms and a 2-car garage would suffice. Commissioner Dela Cruz noted it was a comment and was unsure if a new application was needed. Chair Au asked Vice Chair Noborikawa to clarify the motion on the floor, which she confirmed was for a 3-bedroom, 3-bathroom, 2-car garage. Chair Au stated that the motion addressed the question, and another SMA application was not necessary. He then asked Mr. Totah if he agreed with the motion, noting that he personally would like to hear from the applicant. *[SEE YOUTUBE TIMESTAMP 01:03:00]*

Mr. Totah stated they are complying and noted he believed the application was for a single-family home, not realizing the size was a factor. Chair Au advised that SMA permits must specify the project; while building less than approved is allowed, the permit cannot be exceeded. He referenced Vice Chair Noborikawa's motion for a 3-bedroom, 3-bath, 2-car garage and asked Planning staff to confirm. Planning Staff Derek Harbaugh confirmed and explained that if the motion is approved, the Planning Department will ensure the home matches the approved plan. If it does not, the permit will be rejected, and an amended SMA application would be required. Chair Au added that his concern for not supporting the motion was that it remains a single-family residence. He noted that downsizing from the original application is acceptable as long as the conditions are followed. He further stated that if this is the wish of the applicant and the Commission, so be it. *[SEE YOUTUBE TIMESTAMP 01:04:58]*

Commissioner Alexandria "Lexie" Ayers sought confirmation that, even if not stated in writing, the applicant would still be held to the downsized plan particularly the reduced bathroom count when applying for building permits, since the home will connect to the County sewer. *[SEE YOUTUBE TIMESTAMP 01:07:40]* Planning Director Jeffrey Darrow stated that this situation is unusual. Typically, an applicant requests a project and the Commission votes. In this case, the applicant indicated at the hearing that they intended to downsize the project. He explained that the permit language would note both the original request and the downsized approval for a three-bedroom, three-bath, two-car, two-story garage. He added that while it is uncommon, the Department is generally fine if the completed project is smaller than originally proposed, if it does not exceed the approved scope. *[SEE YOUTUBE TIMESTAMP 01:08:18]*

Commissioner Ayers asked if it is safe to assume the square footage of the 2-story home will remain the same. Mr. Totah replied to the square footage will be less and clarified that it is a 3-bedroom, 3 and ½-bath home with an additional powder room. Commissioner Ayers asked about the setback line, whether the home will be farther than 40 feet, moved back, or if the pool will remain in the same area. Mr. Totah replied it will not impact the 40-foot setback; the home is actually over 40 feet. Commissioner Ayers asked if the smaller square footage would change the front location or push the home back toward the highway. Mr. Totah replied the front will remain the same. *[SEE YOUTUBE TIMESTAMP 01:10:11]*

Commissioner Inaba commented that the new information should have been provided earlier. She noted the item was deferred from the previous meeting and assumed the applicant would have made any changes based on public testimony. She expressed concern that changes are being presented verbally rather than in writing, suggesting that the applicant could have worked with the Planning Department to provide a clear, amended plan. She stated that this raises concerns about how construction will proceed and recommended that the SMA permit be amended to clearly reflect what the Commission is being asked to vote on. *[SEE YOUTUBE TIMESTAMP 01:11:35]*

Chair Au asked Planning Director Darrow if submitting another SMA permit would require going through the full process with new fees. Director Darrow replied that it is not necessary, as the SMA review for a 5-bedroom dwelling has been completed. He noted that a smaller dwelling would have fewer impacts and recommended the applicant amend the site and floor plans to show the property layout and garage. He added that the Commission could defer the item, have the applicant submit the amended plans, and place it on a future agenda**.**

Chair Au stated he would support the applicant's choice. He agreed with Commissioner Inaba that the agenda item reflects a 5-bedroom, 5-bath dwelling with 15 conditions, and that the changes would not significantly affect community, wastewater, or road impacts. He noted Mr. Totah is preparing plans for a 3-bedroom, 3½-bath, 2-car garage and could resubmit. Chair Au said the applicant can choose how to proceed, but acknowledged the situation is confusing given the motion on the floor and Planning Department guidance. *[SEE YOUTUBE TIMESTAMP 01:13:12]*

Vice Chair Noborikawa stated she is willing to withdraw her motion and make a new motion to defer, allowing Mr. Totah time to submit a revised site plan and building plan reflecting a 3-bedroom, 3½-bathroom, 2-car garage with a smaller footprint. *[SEE YOUTUBE TIMESTAMP 01:15:56]* Chair Au confirmed that Vice Chair Noborikawa will withdraw her original motion and make a new motion to defer. Vice Chair Noborikawa confirmed. *[SEE YOUTUBE TIMESTAMP 01:16:24]* Chair Au then asked Commissioner Dela Cruz, who seconded the original motion, if he agreed with the change; he replied yes. *[SEE YOUTUBE TIMESTAMP 01:16:40]* Chair Au recapped that the original motion was withdrawn, and the new motion is to defer to allow the applicant to submit updated plans, and the second agreeing. Planning staff Maija Jackson restated the motion is to defer to provide the applicant time to submit a revised site plan, floor plan, and project narrative. Vice Chair Noborikawa confirmed, and Commissioner Dela Cruz seconded. *[SEE YOUTUBE TIMESTAMP 01:16:48]*

Chair Au opened the floor for discussion on the new motion. *[SEE YOUTUBE TIMESTAMP 01:17:47]*

Commissioner Dela Cruz asked if the new motion would include the 15 conditions from the original motion. Chair Au replied yes, and asked Mr. Totah if he agreed. Mr. Totah responded that he raised his hand to be honest, noting he thought downsizing the footprint would be straightforward, but he will abide by the Commission's decision. Chair Au complimented Mr. Totah on his honesty. *[SEE YOUTUBE TIMESTAMP 01:17:54]*

With no further comments or discussion, a roll call vote was taken, and the motion carried with six ayes (Noborikawa, Dela Cruz, Ayers, Inaba, Rodriguez, and Au), no noes, and one absent (Kanuha). *[SEE YOUTUBE TIMESTAMP 01:19:33]*

The hearing on this item concluded at 11:00 a.m.

2. **APPLICANT: SCOTT F. CHURCH AND JOHN TOTAH (SMA 03-000007)**
   Request to revoke Special Management Area Use Permit No. 03-000007, which allowed the development of a twelve (12)-unit multiple-family residential development and related improvements on a 15,203-square-foot shoreline parcel within the Special Management Area. The subject property is located on the makai side of Ali‘i Drive, approximately 0.25 miles south of Lunapule Road, Kahului 2nd, North Kona, Hawai‘i, TMK: (3) 7-5-019:030.

The Commission took this item up at 11:00 a.m. with one member of the public in attendance. *[SEE YOUTUBE TIMESTAMP 01:20:12]*

Planning Staff Maija Jackson stated the second agenda item was a request by Applicants Scott Church and John Totah to revoke the old permit if the new permit is approved. Since the Commission deferred the decision on the new permit, she recommended deferring this item as well. Chair Au concurred and deferred the agenda item. *[SEE YOUTUBE TIMESTAMP 01:20:19]*

There were no testifiers, either in person or via Zoom, for this agenda item.

3. **APPLICANT: SHANHARI SIVAGNANASUNDARAM (PL-SPP-2025-000086)**
Application for a Special Permit to establish and operate an event venue with overnight accommodations, weddings, tours and similar gatherings on an approximately 5-acre portion of a larger 22.347-acre parcel in the State Land Use Agricultural District. The subject property is located at 73-4340 Huehue Street, approximately 0.3 miles from its intersection with Kaloko Drive, Kaloko-Mauka Subdivision, Kaloko, North Kona, Hawaiʻi, TMK: (3) 7-3-048:004 (por.).

This agenda item was deferred at the request of the applicant.

There were no testifiers, either in person or via Zoom, for this agenda item.

3. **DISCUSSION ON ESTABLISHING COMMISSIONER ATTENDANCE STANDARDS IN THE PLANNING COMMISSION'S RULES OF PRACTICE AND PROCEDURE**

The Commission took up this agenda item at 11:01 a.m. There was one member of the public present in the audience. *[SEE YOUTUBE TIMESTAMP 01:20:58]*

Planning Staff, Maija Jackson noted there would be no staff presentation. She informed the Commission that materials were provided, including samples and examples of attendance standards from other commissions and planning commissions in Hawaiʻi and across the country, to help initiate the discussion. *[SEE YOUTUBE TIMESTAMP 01:21:18] [Examples of Commission Attendance Standards from Other Jurisdictions - SEE EXHIBIT A]*

Chair Au explained that the discussion began among a few commissioners regarding maintaining a full seven-member commission. He noted it has been challenging at times to have a quorum, as everyone is busy with work, family, and other commitments. He stated the intent is to start a conversation on how commissioners feel and to consider adding language to encourage greater participation. *[SEE YOUTUBE TIMESTAMP 01:21:42]*

Chair Au opened the floor for Commissioners' comments and discussion. *[SEE YOUTUBE TIMESTAMP 01:22:30]*

Commissioner Inaba thanked staff for the information and noted she reviewed attendance policies from strictest to most lenient, with Hawaiʻi State Boards and Commissions being the strictest (three consecutive unexcused absences). She emphasized the importance of considering what works best for this seven-member commission. She expressed concern about maintaining quorum due to vacations, family, and work commitments, and suggested setting a standard for attendance and improving communication such as notifying others in advance of absences, to ensure sufficient attendance and better serve the community. She noted that the strictest attendance rules are those of the Hawaiʻi State Boards and Commissions, followed by Maui, and said these are good examples. She emphasized that the commission should decide what works best for them and shared her manaʻo to continue the discussion. *[SEE YOUTUBE TIMESTAMP 01:22:36]*

Vice Chair Noborikawa agreed with Commissioner Inaba and thanked Planning staff for the information. She emphasized that members should notify the commission of absences and expressed concern that the current rule only addresses three consecutive unexcused absences. She suggested adding a provision that more than six absences in a one-year period, whether excused or unexcused, could be grounds for dismissal, as frequent absences reduce the commission's effectiveness. *[SEE YOUTUBE TIMESTAMP 01:24:38]*

Deputy Corporation Counsel Diana Mellon-Lacy noted that any changes to attendance rules would require amending the Planning Commission Rules, which under Rule 2.1 must be a joint effort involving both Windward and Leeward commissions. She also referenced County Charter Section 13.4(b), explaining that members are appointed by the mayor, confirmed by the Council, and can only be removed through the mayor's recommendation and Council approval. She added that while removal is a complex process, the commission could still make recommendations regarding non-participating members even without a rule change. *[SEE YOUTUBE TIMESTAMP 01:26:58]*

Chair Au shared that, based on his 15 years serving on boards and commissions, he strives to attend all meetings but recognizes that emergencies and personal obligations can arise. He acknowledged the concerns raised by Commissioners Inaba and Noborikawa but noted that all members are volunteers trying their best. He emphasized the difficulty of imposing strict attendance standards on volunteers while balancing the frustration caused when a lack of quorum prevents meetings and limits public testimony. He concluded that it is a challenging issue but worth discussing. *[SEE YOUTUBE TIMESTAMP 01:28:34]*

Commissioner Rodriguez asked about the number of commissioners and noted that having more members could help maintain quorum. Chair Au replied that both this commission and the Windward Planning Commission have seven members, with four required for quorum. He explained that having an even number of members present could result in tied votes, which is why an odd number of commissioners is preferable. *[SEE YOUTUBE TIMESTAMP 01:30:36]*

Planning Staff Maija Jackson clarified a majority of the entire membership is needed to pass a motion. Therefore, if four members are present, all four must agree. In reference to Commissioner Inaba's concern, she added that the current practice is for commissioners who will be absent to notify the secretary, who then informs the Chair and Vice Chair. She stated the Commission may consider changing this practice if desired. *[SEE YOUTUBE TIMESTAMP 01:31:29]*

Chair Au stated he likes the current process, noting that Kelsie informs him whenever a commissioner reports an absence and whether quorum will be met. He added that it is mainly a matter of commissioners responding in a timely manner and reiterated his support for keeping the current practice. He mentioned it is worth having the discussion for the Windward Planning Commission and believed it may also be on their agenda. He asked if they were going to discuss it, and Maija Jackson replied not yet. She explained the discussion started with this Commission and stated that if they wish to move it to rulemaking, she will then inform the Windward Planning Commission. *[SEE YOUTUBE TIMESTAMP 01:32:14]*

Commissioner Inaba asked to forward the matter to the Windward Planning Commission for discussion, stating it is worthwhile. She noted it would provide some structure on what is expected of commissioners, as there is currently no written guidance. *[SEE YOUTUBE TIMESTAMP 01:33:03]*

Deputy Corporation Counsel Diana Mellon-Lacey commented that if the Commission believed it had quorum, but a member did not show, the Commission could still hear testifiers. While they could not vote, there is no reason to prevent testifiers from presenting, as this falls under the Sunshine Law. *[SEE YOUTUBE TIMESTAMP 01:33:25]*

Chair Au stated he supports placing the item on the Windward Planning Commission agenda for discussion. He noted that if they wish to move forward, this Commission would also be supportive of potentially changing the rules. He added it is positive that the discussion has started and requested that the Windward Planning Commission be informed of their support for a possible rule change. *[SEE YOUTUBE TIMESTAMP 01:34:04]*

Commissioner Inaba asked whether this would be a rule change or the creation of a new rule, and if a rule already exists. Ms. Mellon-Lacy responded that the current rules do not address a minimum attendance requirement. Maija Jackson agreed and stated it would be an amendment to the Rules of Practice and Procedure for both this Commission and the Windward Commission, which operate under the same rules. She explained the amendment would be approved and adopted by the joint commissions and would not require County Council review. Ms. Mellon-Lacy added that changing the rules requires a public hearing and involves more steps than just the commission's decision. Chair Au stated it is worth moving forward and suggested starting the discussion to see what happens. *[SEE YOUTUBE TIMESTAMP 01:34:54]*

Ms. Mellon-Lacy added that prospective board or commission members should be aware of the requirements and commitment involved. She noted this board requires significant work compared to others and suggested developing background materials to help applicants understand the responsibilities and workload. She stated she is unsure what information is currently provided to new applicants but emphasized the importance of ensuring people understand the demands of this commission. *[SEE YOUTUBE TIMESTAMP 01:36:21]*

For clarification, Maija Jackson asked whether the Commission would be making a motion for action on this item or if she should simply contact the Chair of the Windward Planning Commission to inform him of the Leeward Commission's discussion and see if Windward wishes to discuss it, or if the Commission wants to proceed directly to rulemaking. Chair Au stated that based on the discussions so far, he strongly recommends placing the item on the Windward Planning Commission agenda to have a similar discussion. This will allow them to decide if they want to move forward, with the Leeward Commission showing support. He noted it would require a joint meeting to proceed. *[SEE YOUTUBE TIMESTAMP 01:37:29]*

The hearing on this item concluded at 11:19 a.m.

PLANNING DIRECTOR'S REPORT

Report on Special Management Area (SMA) determinations and minor permits issued by the Planning Director.

At 11:19 a.m., Chair Au introduced this item, noting that the Special Management Area (SMA) determination and minor permits issued by the Planning Director for August 2025 report had been emailed to the Commissioners. There were no questions from the Commissioners regarding the report. *[SEE YOUTUBE TIMESTAMP 01:38:56]*

AGENDA ITEMS FOR THE NEXT MEETING

Planning Staff Maija Jackson noted that the October meeting will be canceled due to a lack of agenda items, with the next meeting scheduled for November 20, 2025. Chair Au mentioned a tentative 2026 meeting schedule was provided and advised the Commission to review it and inform Kelsie of any dates they cannot attend. Chair Au stated there will be an election for new officers and encouraged anyone interested in taking on different roles to consider stepping up. Ms. Jackson confirmed the election will take place in December. Chair Au added that he is willing to remain as Chair but is open to others taking the role. *[SEE YOUTUBE TIMESTAMP 01:39:48]*

ANNOUNCEMENTS

As previously announced, the October meeting is canceled, and the next scheduled meeting is scheduled for November 20, 2025. *[SEE YOUTUBE TIMESTAMP 01:40:55]*

Commissioner Inaba requested receiving commission packets earlier, noting that one week does not provide sufficient time, especially for heavy agendas. Chair Au acknowledged the concern, stating staff send packets as they become available and that he sometimes checks online if materials are delayed. He agreed that for heavy agendas, packets should be provided earlier. Maija Jackson confirmed that the practice is to provide packets at least two weeks prior to meetings, with most reports available earlier, though occasionally one or two may arrive later. Chair Au asked that secretaries and staff be reminded to provide materials as soon as possible and noted this issue does not need to be placed on the agenda. *[SEE YOUTUBE TIMESTAMP 01:41:13]*

ADJOURNMENT

There being no further business, it was moved by Commissioner Dela Cruz and seconded by Commissioner Inaba that the meeting be adjourned. The motion was carried unanimously by voice vote, with one member absent and excused. *[SEE YOUTUBE TIMESTAMP 01:43:26]*

Chair Au adjourned the meeting at 11:23 a.m.

Respectfully submitted,

Melissa Dacayanan-Salvador
Melissa Dacayanan-Salvador (Nov 21, 2025 08:34:56 HST)

Melissa Dacayanan-Salvador
Secretary

ATTEST:

Dean Au (Nov 23, 2025 09:58:27 HST)

Dean Au, Chairperson
Leeward Planning Commission

Examples of Commission Attendance Standards from Other Jurisdictions

Provided by the Planning Department to the Leeward Planning Commission for its 9/18/25 meeting, Agenda Item #4

Hawaiʻi State Boards and Commissions (HRS §92-15.5):

(a) Notwithstanding any law to the contrary, the term of a board member shall expire upon the failure of the member, without valid excuse, to attend three consecutive meetings duly noticed to all members of the board and where the board failed to constitute quorum necessary to transact board business. The chair or acting chair of the board shall determine if the absence of the member is excusable. The expiration of the member's term shall be effective immediately after the third consecutive unattended meeting and unexcused absence. The vacancy shall be filled in the same manner as the original appointment.

(b) This section shall not apply to ex officio members of a board.

(c) Notwithstanding the definition of "board" in section 92-2, this section shall apply only to a state board and shall not apply to a board of any political subdivision of the State or whose authority is strictly advisory.

Maui County Planning Commission Rules (§12-201-28):

No member shall be absent for the service of the commission, unless the member is sick or otherwise unable to attend and has so advised the chairperson prior to the meeting. In accordance with subsection 13-2.5 of the revised charter of the County of Maui (1983), as amended, the chairperson shall request that the mayor recommend to the council the removal of any member who misses 50 percent or more of the commission's regular meetings over any 120-day period.

EXHIBIT A

Kauai County Planning Commission Rules (§1-2-24):

No member shall be absent from the service of the Commission, unless the member has so advised the Chair prior to the Meeting or be sick and unable to attend.

Roy City, Utah Planning Commission Rules:

Every member of the Commission shall attend the meetings of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall call the same to the attention of the Chair. If a member of the Planning Commission is absent from three consecutive regular or work session meetings or four regular or work session meetings within a calendar year without being excused by the Chair, the Chair may recommend to the City Council that the member be removed from the Commission for cause. A member may be removed from office for misconduct or failure to comply with attendance requirements by an affirmative vote of the majority of the City Council.

Cashmere, Washington Planning Commission Rules (Section 2.48.040):

Any commissioner anticipating to be absent from any planning commission meeting shall notify the secretary at least 24 hours in advance. The secretary shall document the notice in the minutes of the planning commission meeting and provide immediate written notice to the mayor when any commissioner fails to attend three consecutive regularly scheduled meetings or five regularly scheduled meetings in a calendar year. The mayor shall review and consider the commissioner notices of intended absence, if any, and decide whether the commissioner should be removed from the planning commission. In the event the mayor determines that the planning commission member should be removed from the planning commission, the mayor shall provide notice of this written decision to the planning commission secretary, chairperson, and the removed planning commission member within 15 days following receipt of the written notice from the secretary.

Hilton Head, South Carolina Commission Rules:

Commissioners are expected to attend all Commission meetings and all Committee meetings to which they are appointed. If a Commissioner is unable to attend a meeting, the Chairperson or Secretary of the Commission shall be notified in advance of the scheduled meeting. The Chairperson will determine if the absence is excused or unexcused. The Secretary shall keep records on an annual basis of the number of unexcused absences of members. If a Commissioner has a total of three unexcused absences from the annually scheduled regular meetings, the Commission shall consider and may recommend to the Town Council that the Commissioner's appointment be revoked. The Town Council may remove a Commissioner for cause, according to Section 2-13-70(b) of the Code of the Town of Hilton Head Island. The cause may include, but shall not be limited to, nonattendance at the Commission's meetings.