

SPECIAL COUNCIL MEETING

APRIL 29, 2009

The Special Council Meeting of the Council of the County of Kaua'i was called to order by the Council Chair at the Council Chambers, Historic County Building, 4396 Rice Street, Room 201, Lihu'e, Kaua'i, on Wednesday, April 29, 2009 at 1:42 p.m., after which the following members answered the call of the roll:

Honorable Tim Bynum
Honorable Dickie Chang
Honorable Jay Furfaro (present at 1:50 p.m.)
Honorable Daryl W. Kaneshiro
Honorable Lani T. Kawahara
Honorable Derek S.K. Kawakami
Honorable Bill "Kaipo" Asing, Council Chair

APPROVAL OF AGENDA:

Mr. Kaneshiro moved for approval of the agenda as circulated, seconded by Mr. Kawakami, and unanimously carried.

Chair Asing: Al, please come up.

There being no objections, the rules were suspended.

ALFRED B. CASTILLO, JR., COUNTY ATTORNEY: This is in regards to executive session ES-383.

ES-383 Pursuant to Haw.Rev.Stat. §§92-4 and 92-5(a)(4)(6) and (8), and Kaua'i County Charter §3.07(E), the purpose of this executive session is to provide a Council briefing, update, and to request authority relating to possible settlement proposal(s) in the cases of Gerard R. Bosma, et al. v. James H. Pflueger, et al., Civ. No. 08-1-0052 (Fifth Circuit Court); Ronald and Gina Calisher v. James H. Pflueger, et al., Civ. No. 07-1-0106 (Fifth Circuit Court); Bruce Fehring, Individually and as Special Administrator of the Estates of Aurora Fehring, et al. v. James H. Pflueger, et al., Civ. No. 06-1-0082 (Fifth Circuit Court); and Bette Midler, et al. v. James H. Pflueger, et al., Civ. No. 06-1-0110 (Fifth Circuit Court) and related matters. This consultation involves consideration of the powers, duties, privileges, immunities and/or liabilities of the Council and the County as they relate to this agenda item.

Mr. Castillo: For the record, we have invited special counsel Richard Nakamura to give us the information that is needed regarding this agenda item, so I asked our special counsel to come here.

Chair Asing: Thank you. With that, I'd like to call the meeting back to order.

The meeting was called back to order, and proceeded as follows:

Chair Asing: Can I have a motion to move into executive session?

Mr. Kaneshiro moved to go into executive session on item ES-383, seconded by Ms. Kawahara, and unanimously carried.

Chair Asing: We are now in executive session. Hold on, we will release the cameraman. We will take a short recess.

There being no objections, the Chair called for a recess at 1:45 p.m. The meeting was called back to order at 2:54 p.m.

There being no further business, the meeting was adjourned at 2:54 p.m.

Respectfully submitted,



PETER A. NAKAMURA
County Clerk

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