

SPECIAL COUNCIL MEETING

July 17, 2008

The Special Meeting of the Council of the County of Kaua'i was called to order by the Council Vice-Chair at the Council Chambers, Historic County Building, 4396 Rice Street, Room 201, Lihu'e, Kaua'i, on Thursday, July 17, 2008 at 1:32 p.m., after which the following members answered the call of the roll:

Honorable Jay Furfaro
Honorable Shaylene Iseri-Carvalho
Honorable Ron Kouchi
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura

EXCUSED: Honorable Tim Bynum

MEL RAPOZO, COUNCIL VICE-CHAIR: The Special Council Meeting of July 17, 2008 will now come to order. May the record reflect all members are present, but for Councilmember Tim Bynum who is excused. As I stated Councilmember Bynum is excused and as we all know, earlier today, our former Council Chair was sworn in to be the Mayor of Kaua'i. Congratulations Mayor Asing.

APPROVAL OF AGENDA:

Ms. Iseri-Carvalho moved for approval of the agenda as circulated, seconded by Mr. Kouchi, and unanimously carried.

Council Vice-Chair Rapozo: Everyone was passed out a resignation letter from our former Council Chair and I just want to take this time to read the resignation into the record. This is from Mr. Bill "Kaipo" Asing, Subject: Resignation from the Kaua'i County Council. Effective at 9:00 a.m. on July 17, 2008, I hereby submit my resignation from the Kaua'i County Council to assume the office of Mayor of the County of Kaua'i in accordance with Section 7.07 A. of the Kaua'i County Charter, as amended. It has been an honor and a privilege to have been given the opportunity to serve the members of the Council as your Chair. Sincerely, Bill "Kaipo" Asing and this was dated today and a... Mr. Mayor, I appreciate... we will recognize you in the audience today. Thank you very much for being here.

Today's purpose, again, as we were here not long ago to find a replacement for the Mayor's Office. We now have to fill the vacancy of the Council seat that was vacated by the Mayor Kaipo Asing. According to our Charter, 7.07 A., the vacancy in the Council created by the selection of former Council Chair Asing to serve as Mayor shall be filled as provided for in Article 3, Section 3.05 of the Charter. According to the relevant part of the Section 3.05, in the event a vacancy occurs in

the Council, the remaining members of the Council shall submit... shall appoint a successor with the required qualifications to fill the vacancy for the unexpired term. If the Council is unable to fill the vacancy within 30 days after its occurrence, the Mayor shall make the appointment to such vacancy. We are here today to fill the vacancy and the process we are going to follow is quite simple. It is... I will entertain a motion from Councilmembers one name at a time and all nominations are to be second. After the nomination and a second, there will be Council discussion on the nomination. After the discussion, I will call for a roll call vote. If the nomination receives four (4) votes, the selection will then be made. If not, we will move onto a second, or third, and forth, or as often as we... as many as we need to... nominations until we do reach a nominee with four (4) votes.

Public testimony will be taken after our discussion right after we discuss this process, we will open it up for Councilmember's discussion, immediately following that, we will take public testimony, and at that point, I will entertain motions from the floor to fill the vacant position on the County Council. Any questions by members of this Council? Councilmember Yukimura?

JOANN A. YUKIMURA: Yes, thank you Mr. Vice-Chair. I just wanted to state for the record. I believe Councilmember Bynum was aware of the scheduling of the meeting and did not object to it. I don't want people to think that we are having this meeting without his understanding. I know he is on the mainland because of a personal matter which was scheduled quite a while back, but just for the record, I think it is important to let people know that, you know, this meeting wasn't scheduled without his consent and understanding that it would happen.

Council Vice-Chair Rapozo: Thank you. Any other discussion by the members of the Council pertaining to the process? If not, I will suspend the rules at this time and ask anyone from the public wishing to testify please step forward.

There being no objections, the rules were suspended.

Council Vice-Chair Rapozo: Seeing no public testimony, I will call the meeting back to order.

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

Council Vice-Chair Rapozo: At this time entertain a motion for nominations to the vacant seat of the County Council.

RON KOUCHI: Mr. Chairman...

Council Vice-Chair Rapozo: Mr. Kouchi?

Mr. Kouchi: As you did previously, you offered a name and a nomination and offered some remarks, so I would like to offer Daryl Kaneshiro's name in nomination and give some brief remarks as to why I offer Mr. Kaneshiro's name. I hope I am not going to be out of bounds and my remarks don't stray off of the agenda, but I would like to say that when Mr. Bynum gets back and we meet to reorganize the Council, it is my intention to support Councilmember Furfaro as the Chairman. I am hopeful that he will vacate the Committee that he Chairs and the seats that he has and assume Mr. Asing's role and take over where Kaipo sat. The person who chaired the Finance Committee before say in the previous term is Councilmember Kaneshiro. So I offer his name because I see him stepping in to Chair the Committee that he was chairing during the last term.

I see that the Community's Facilities District which was in his Committee as a major item that we are trying to complete, the real property tax reform that he already worked on as far as reviewing the prior task force and the work that they had put together. He has fortunately or unfortunately for him spent countless hours in the prior terms discussing the bike path which continues to be a big issue here. He has been involved in the auditing of the County Administration and, so stepping in another major issue that we are trying to remedy is resolving all of our County Audit issues that have been brought forward by the auditor. So I don't see anybody who has the kind of experience and background that Mr. Kaneshiro has and would be able to contribute immediately considering we have such a short period of time remaining to fill out this term, so I offer Daryl Kaneshiro's name in nomination.

Mr. Kouchi moved to nominate Daryl Kaneshiro as the successor for the vacant unexpired term on the Kaua'i County Council to serve until December 1, 2008, seconded by Ms. Iseri-Carvalho.

SHAYLENE ISERI-CARVALHO: I would also like to, at this point, second the nomination and echo the sentiments raised by Councilmember Kouchi. It is my understanding that Vice-Chair Rapozo will not be seeking the Office of Chair as he will be concentrating on running for the Mayoral Office and in light of that representation to me, I will be supporting Councilmember Furfaro for the position of Chair and would likewise expect that all duties that were previously fulfilled by the now Mayor Asing will be taken over by Councilmember Furfaro. And that the Committees that he had previously sat on would be offered to Councilmember Kaneshiro. Again, Councilmember Kaneshiro has really still been a part of the Council. He has offered many times his views and expertise. Having substituted for his membership on the National Association of Counties Officials where we just returned from our conference in Kansas City. We had considered hundreds of resolutions there on many different issues. Agricultural and Rural Affairs was a big one that Councilmember Kaneshiro had sat on, the Justice and Public Safety Steering Committees as well as the Environmental, Energy, and Land Use Committee which I sit on. He has maintained his contacts with the NACo

organization. He is often called by many counties across the country for his expertise on many issues.

In light of that and in light of the fact that we still have a lot of work that we will continue to be doing on the National Association of County Official's level, it is my belief that Mr. Kaneshiro who has previously sat in that position as a NACo Board of Director... the NACo Board of Directors, there are 100 out of 3,000 people that are selected, so it is a very elite and selective group and we meet, like I say, on hundreds of issues. And having had Mr. Kaneshiro participate in that discussions even as late as Tuesday (our last day there), really, he could just sit in right in the spot and fill in all of those issues with not a problem.

In light of the fact that it is for a very short term, I think it is very important to have that kind of expertise to carry on the kinds of works that have been working on, so it was my honor and privilege to second that nomination for Mr. Kaneshiro.

Council Vice-Chair Rapozo: Thank you. Councilmember Yukimura?

Ms. Yukimura: Yes, I am happy to support Daryl Kaneshiro to fill the vacancy. Not only is he an experienced Councilmember, but he was also the next in the line in the last election. I realized that, actually, I miss his easy going attitude which has a very calming effect on the Council and really facilitates, you know, good inter-personal relationships. So for all those reasons, I am happy to support Daryl Kaneshiro.

Council Vice-Chair Rapozo: Thank you. Mr. Furfaro?

JAY FURFARO: Yes, given the comments and history of Mr. Kaneshiro's efforts and his work on the economic issues as well as if you recall the tax modification to the Chapter was a tax bill jointly introduced for the cap by Mr. Kaneshiro and myself. I also, after hearing Mayor Asing today, when he took the Oath of Office and some of the work that he would like to focus on as Mayor over the next four and a half (4 ½) months. I do believe Mr. Kaneshiro's deep agricultural background, his knowledge of the current Chapter 8, and the tax bill also make him an excellent candidate and I certainly approve of that nomination.

Council Vice-Chair Rapozo: Thank you. And likewise, I will be supporting Mr. Kaneshiro for the reasons expressed by all my colleagues. With that, go ahead Councilmember Yukimura.

Ms. Yukimura: Well, I know it is not on the agenda either. I am pleased that Councilmember Furfaro might accept the leadership and that will be a subject of another meeting, but I just want to add those comments.

Council Vice-Chair Rapozo: Thank you. With that, go ahead Mr. Furfaro.

Mr. Furfaro: It would be inappropriate for me not to thank my colleagues for the confidence just voiced in the possibility in our future reorganization to be Council Chair. I just wanted to thank them for voicing that confidence in my leadership.

Council Vice-Chair Rapozo: And on behalf of them, you're welcome. Mr. Clerk, can we have a roll call?

The motion to appoint Daryl Kaneshiro as the new successor for the vacant position as Councilmember was then put, and carried by the following vote:

FOR ADOPTION:	Furfaro, Iseri-Carvalho, Kouchi, Yukimura, Rapozo	TOTAL - 5,
AGAINST ADOPTION:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	Bynum	TOTAL - 1.

Council Vice-Chair Rapozo: Thank you.

Ms. Yukimura: Mr. Vice-Chair?

Council Vice-Chair Rapozo: Sorry.

Ms. Yukimura: I'd like to rise to a point of personal privilege.

Council Vice-Chair Rapozo: Sure.

Ms. Yukimura: It is really quite strange to have that seat empty there and to have our former colleague in the audience, but I just want to say that...publicly, I want to thank Mayor Asing for his really heartfelt work as Chair of our group here. He gave an excellent speech today and is showing already how he is fitting well that Chair on the other side of the road in the Mayor's Office. I want to say that Kaipo Asing is deeply revered by the people of Kaua'i and I think everyone feels reassured to have him there, so thank you.

Council Vice-Chair Rapozo: Thank you. With that, Mr. Kanehiro has been appointed by this body as set out by our Charter. I would ask staff to make contact with Mr. Kaneshiro and inform him of the vote. It is now my obligation and my duty to appoint a credentials committee to... as the Charter dictates, we need to make sure that Mr. Kaneshiro is qualified and meets the requirements as set out by the Charter. This credentials committee will be Chaired by Councilmember Furfaro and in the Committee will be Councilmembers Iseri-Carvalho and Kouchi. You will research the credentials of Mr. Kaneshiro and your charge is to be back here on Wednesday, July 23, 2008 at 8:30 a.m. for a Special Meeting where you will let the Chair know whether or not the credentials are met. And at that point, Mr. Kaneshiro will be sworn in and be a member of the County Council. Any questions? If not, I would request or entertain a motion to adjourn.

Ms. Iseri-Carvalho moved to adjourn the Special Council Meeting, seconded by Mr. Kouchi, and unanimously carried.

Council Vice-Chair Rapozo: Thank you very much.

ADJOURNMENT.

There being no further business, the meeting was adjourned at 1:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter A. Nakamura", with a long horizontal line extending to the right.

PETER A. NAKAMURA
County Clerk

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