



NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
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DRAFT REGULAR MEETING MINUTES **TUESDAY, MAY 19, 2009** **NANAIKAPONO ELEMENTARY SCHOOL**

CALL TO ORDER: Chair Teruya called the meeting to order at 7 p.m. with a quorum of **nine (9) members present**. Note – This nine-member board requires five (5) members for a quorum, and to take official Board action.

MEMBERS PRESENT: Hanalei Aipoalani, Clyde Eli, Black Hoohuli, Kimo Kelii, Victor Kila, Mervina Cash-Kaeo, Cynthia Rezendes, Patty Teruya, and Neddie Waiamau-Nunuha.

MEMBERS ABSENT: None

VACANCIES: None.

GUESTS: Mahira Kalele, Mariah Dawos, Olivia Aquino, Becky Dalere, Gloria Bailey-Aloalo, Claudia de Leon, Angela Kila, Kaiawe Makaanani, Arviella Kelii, Tulu Toy, Georgina Schmidt Sakaba, Chris Britos, Dixie Kalamau, John Felis, James Manaku, Chremi Arakawa, Mapuana Tector, Charlita Mahoe, dolly Naiwi, Michelle Tuilomi, Leslie Kahihikolo, Stephanie Mahelona, A. Benavides, Christopher Garth (Council Chair Todd Apo's Office), Tony Kato, Steve Mow, Kekawa Family, Kimo and Babe Jones, Abraham Naki, Patrick Gomes, Puanani Cordes, Marjorie Cordes, M/M Mike Duarte, M/M Abe Nuuanu, Aloma Kaluhiwa, Charmein Raaa, Thomas Key, Darnella Nuuanu, Angela Nguyen, Mel Kahele, Moani Wright (Board of Water Supply), Firefighter Carl Otsuka, Capt. Richard Nunes (Honolulu Fire Department); Myisha Ann Davis, Joe Hernandez, Jackie Ku, Patty McDougall, Mike and Sue Duarte, Council Chair Todd Apo, Leland Ribac (Neighborhood Commission Office).

WELCOME: Chair Teruya welcomed all to the meeting and asked Kupuna Kelii to offer the pule. The Board and audience recited the Pledge of Allegiance, and the Pacific Faith Fellowship Choir sang Hawai'i Pono'i.

MONTHLY REPORT: PART 1

Honolulu Fire Department (HFD) – Captain Richard Nunes reported the following:

- 1) **April 2009 Statistics** – FIRES; There were 2 structure, 12 wildland, 3 rubbish, 5 vehicle, 37 medical, 1 search and rescue, and 7 miscellaneous for a total of 67 calls. There were 6 major incidents.
- 2) **Fire Safety Tip** – All property owners must place their house numbers so they're readily visible from the street, which assists first responders to locate an address more quickly in case of emergency

Honolulu Police Department (HPD) – Lt. Jeff Bruchal provided the crime statistics, highlighting a total of 6552 emergency calls registered in the district, and a total of 581 arrests. One (1) sex assault, 1 robbery, 18 burglaries, 7 unauthorized entry into a motor vehicle (UEMV), 5 auto thefts, 37 thefts, 7 property damages, 48 motor vehicle collisions.

Questions, concerns and comments followed:

- 1) HPD was thanked for the high visibility on the Waianae Coast.
- 2) There seems to be a break down in communication between the City Department of Parks & Recreation, Permit section and the Honolulu Police Department, Parks Detail.

MAYOR'S REPORT: Mayor's Representative Gail Haraguchi reported the following:

- 1) Street naming procedures are provided in Article B, Chapter 22, ROH, and generally require:



- a) Written Information – Proposed Hawaiian Street Name, List of all properties fronting the streets. Include TMKs, owners' names, and current mailing address. A list of all adult residents living on these streets including their contact information must be submitted. Notification and majority support of people identified above.
- b) Plans/Drawings – Plan of street layout, showing existing streets and other names surrounding the proposed streets to be named. Drawings of and/or photographs showing that each of the streets to be named meets the requirement for a minimum of an 18-foot right-of-way and pavement.
- 2) Organizations that have installed computers at Nanakuli, Maili and Piliilau, have been working with the staff to repair or replace equipment to get the computers working again.
- 3) The City Department of Parks and Recreation (DPR) has made great strides in recovering beach parks for the general public to use. We are balancing our resources to complete the recovery as well as continue our normal maintenance program. We have closed most of the beach parks in the Nanakuli-Maili area and plan to close the remaining beach parks in the near future.
- 4) Puu O Hulu is a Community Park in the Sea Country Development in Maili that includes a multi-purpose field and a softball field, the Beach Park along Farrington Hwy. fronting the area is Nani Kai Beach Park includes picnic sites, a parking lot, and a comfort station that is maintained regularly.
- 5) Nanakuli Avenue to Mano Street falls under the jurisdiction of the Department of Hawaiian Home Lands (DHHL) and should be referred to the DHHL for their appropriate evaluation.
- 6) We will not be adding any stops to Route C; Route C is a limited stop, semi-express service; doing so will counter the positive effect of having the limited stop service for our riders. Persons wishing to ride who are not at a designated Route C stop may use connecting service transferring at the nearest common stop. Routes 40, 93 and 93A provide service to this area.
- 7) The City Department of Transportation (DTS) found that Kulaaupuni Street is an unimproved City roadway with no parking restrictions. The City's Traffic Code prohibits parking on sidewalk areas whether it is improved or unimproved and posted signs are not required. However, DTS had noticed some missing signs and will issue a work order to the City Department of Facility Maintenance to replace missing "Speed Limit 25" and "School Crossing" warning signs along Kulaaupuni Street.
- 8) DTS is planning to conduct pedestrian safety pilot projects at two un-signalized mid-block crosswalk locations. The projects would study the effectiveness of using in-road warning lights and overhead flashing beacons as alternative solutions to improve pedestrian safety. The DTS plans to implement the devices by the end of 2009. If effective, DTS will consider installing these devices on a case by case basis on city roadways.
- 9) DTS will conduct an investigation to determine if a marked crosswalk is justified in the vicinity of Maili Bible School. DTS will inform the board of their findings by the end of August 2009.
- 10) DTS requests a specific location for the bus stop in Maili, such as the nearest address, intersection or school.

Questions, comments and concerns followed:

- 1) The City Department of Planning and Permitting (DPP) will be polling the residents and the property owner and a majority must support the naming of the street. DPP should be providing this information soon.
- 2) Under the Revised Ordinance of Honolulu Chapter 22-8, residence must be included because other legal documentation (driver's license, passport, etc) includes the persons' street address. For further clarification, please contact Mario or Jeff at 768-8098.
- 3) The intersection/crosswalks of Nanakuli and Mano Avenues are under the jurisdiction of the State Department of Hawaiian Home Lands (DHHL).
- 4) Wheel chair access is needed at Farrington Highway and Helelua (Puu Heleakala Park).
- 5) Sidewalk improvements are needed at Farrington Highway and Pohakunui for disabled person.
- 6) The contractor for DHHL is attempting to combine the two projects (crosswalks at Nanakuli and Mano Avenues, and the unimproved sidewalks near Piliilau Street) as one job.
- 7) Would like to see one of the pilot projects for the "Flashing" crosswalk light be in the Nanakuli/Maili area of the Waianae Coast.
- 8) Please confirm the following tentative closing dates of June 28, 2009 for Lahilahi Park and July 19, 2009 for Nanakuli Beach Park.
- 9) Farrington Highway and Hakimo Road are very bumpy and create a huge traffic jam.

City Council Chair Todd Apo: Chris Garth staff member reported the following:

- 1) Resolution 09-150 Urging the Director of Planning and Permitting to Facilitate the Naming of Streets in Maili.

- 2) Puu o Hulu Park is unchallenged and \$100,000 has been allocated to assist with the clean up.
- 3) Bill 6 Bed and Breakfast (B&B) and Bill 8 Transit Vacation Units (TVU) both went before the Zoning Committee on May 12th to extend the life of discussion.

Council Chair Apo arrived at 9:00 p.m. and highlighted the following:

- 1) \$6 million was cut from the budget, still looking for ways to put that monies back in.
- 2) Council Chair Apo is looking for a way to re-instate the curb side Recycling program.
- 3) The Council has until June 10th to pass the budget with the hope of balancing the budget before then.

Questions, comments and concerns followed:

- 1) No one has come forward to tell this community where the trash will go if the State closes Waimanalo Gulch Landfill in November of 2009. The only other landfill is PVT.
- 2) Puu o Hulu Park is already maintained by the City Department of Parks & Recreation (DPR).
- 3) It was not only a surprising but ironic to hear that the City Council moved to cancel the Recycling Program for the Waianae Coast when the Board voted to support the expansion of the Waimanalo Gulch
- 4) Please include sidewalks in the Capital Improvement Projects (CIP).
- 5) The community does not want the municipal solid waste that is going into the Waimanalo Gulch Landfill to come into PVT if the Land Use Commission (LUC) should close the Waimanalo Gulch Landfill anytime soon. If the Council Chair Apo does not support the Special Use Permit (SUP) for Waimanalo Gulch, then what is the Council Chair doing to close PVT.

Board of Water Supply (BWS) – Clayton Brown and Moani Wright with Kaiohe Arai of Okada Trucking reported no water main breaks and provided a brief update of the water projects;

- 1) Phase 1 Project is nearly complete. The 24-inch water main is completely installed except one small section. Next week the BWS will be 'spot checking' the roadway, so specific detours and/or blocks are unavailable. The contra-flow lane will remain open.
- 2) Project 1 Phase A continues and is currently at Haleakala and Nanakuli Avenue. The project work is between 8:30 p.m. - 3:00 p.m. The contra-flow lane is also in place to alleviate traffic. The intersection of Nanakuli Avenue and Farrington Highway is slated for Monday, June 8, 2009. While working at this intersection, two lanes will be opened and no left or right turns onto Nanakuli Avenue will be allowed.
- 3) Please call the Communications Office at 794-4408 with concerns.

Questions, comments and concerns followed:

- 1) The steel plates as you leave the Nanakuli/Black Rock area have been causing damage to vehicles.
- 2) Several community members expressed their concerns of health, dust, heavy traffic, and safety regarding job 02-095 Nanakuli 242, Water Reservoir at Maiaiholena Place.

Presentation of Certificates of Recognition to the Wai'anae High School Volleyball Team – O.I.A. CHAMPS Member Kelii with the assistance of Council Chair Apo's office presented "Certificates of Recognition" to the 2009 O. I. A. Volleyball Champions.

Office of Hawaiian Affairs (OHA) – Trustee Walter Heen reported the following:

- 1) Many people think that OHA has programs, but OHA underwrites and funds other programs such as Economic Development, Education, Hawaiian Governance, Health, Human Services, Native Rights, Land & Culture, and Housing.
- 2) OHA's budget was cut by 20%
- 3) OHA dropped its pursuit of court action against the State on the sale of ceded lands. OHA did this because the State would need 2/3 of the state legislature to proceed with the sales of any ceded lands.
- 4) To create or sponsor a workshop on the Waianae Coast regarding the programs that OHA has to offer.

Questions, comments and concerns followed:

- 1) Member Kelii asked OHA to report quarterly to the Nanakuli/Maili Neighborhood Board.
- 2) OHA should get 80% and the State get 20%.

- 3) Member Cash-Kaeo thanked OHA for its support to the Native Hawaiian programs, project and betterment of the Hawaiian people.
- 4) Would like to see OHA work more closely with the Kamehameha Schools and the Waianae Coast on Education programs.
- 5) Would like to see more funding for Education programs.
- 6) Would like to see funding from OHA for the Nanakuli Community Center.

American Red Cross – Hawaii State Chapter – Mr. Tony Kato Coordinator for Oahu reported the following:

- 1) To ensure that if there is a disaster, the Red Cross is able to respond.
- 2) To openly recruit for volunteers.
- 3) There are currently three volunteers on the west side of Oahu.
- 4) Currently, there are no Red Cross shelters on the Waianae Coast.

U.S. Army – Without any objections from the Board, the Chair would like to add on to the agenda at this time Captain (Capt.) Mark Webber. Capt. Webber reported the following:

- 1) If there are any concerns from the community, please feel free to address them.
- 2) Memorial Services will be held at the Schofield Installation on Monday, May 25, 2009 at 10:00 a.m. at the post cemetery.
- 3) May is Military Appreciation Month and most of the events have already taken place.

BOARD BUSINESS:

Defer the April 19, 2009, Regular Meeting Agenda.

Approval of May 19, 2009 Regular Meeting Agenda – Kila moved, and Kelii seconded, to approve the May 19, 2009, Regular Agenda.

Rezentes moved to add on a motion from the housing committee. The motion is to request the Nanakuli/Maili Neighborhood Board No. 36 to request that the City & County, Oahu Transit Services (OTS) provide expanded services to the five shelters in the Kalaeloa area due to the demise of any shuttle transportation. The motion carried by UNANIMOUS CONSENT 9-0-0 (AYE: Aipoalani, Cash-Kaeo, Eli, Hoohuli, Kelii, Kila, Rezentes, Teruya and Waiamau-Nunuha.)

The motion to accept the amendment as noted above was carried by UNANIMOUS CONSENT 9-0-0 (AYE: Aipoalani, Cash-Kaeo, Eli, Hoohuli, Kelii, Kila, Rezentes, Teruya and Waiamau-Nunuha.)

TREASURER'S REPORT: Treasurer Aipoalani reported a balance of \$939.33 for the month of April 2009. Treasurer's report was filed.

COMMUNITY CONCERNS:

- 1) Farrington Highway and Hakimo Road need paving very badly.
- 2) Huge pot holes in the parking lot of the Waianae Post Office.
- 3) Nanakuli Security Watch related that an event at Zablan Beach in which a Special Permit was issued to Kimi Kelii. Kelii may have abused his powers as a member of the Nanakuli/Maili Neighborhood Board.
- 4) Signs posted clearly state that Zablan is closed from 10:00 p.m. to 5:00 a.m.
- 5) If a SUP is issued for an event at the Park, then we have the right to be there after hours.
- 6) Anyone who is issued a permit should have the permit on hand while the event is going on. The permit should be readily able for review by the police. Clearly state what type of event is going to take place.
- 7) Kahu Kila related that as a member of the Board does not want to be branded abusing his authority to get a permit from the DPR.
- 8) Gail Haraguchi, Deputy Director of DPR, related that there seems to be some misunderstanding. The permit issued is not a Special Events Permit (SEP), but a permit with Special Conditions to a 501-c Non-Profit Organization. The permit has special conditions issued by the Director of the DPR. The permit allows for overnight security to remain on-site and not camping over night. If further clarification is needed, we can continue this matter at the Parks Committee meeting next month.
- 9) Our family and organization did follow the rules and we did have a permit issued to us for this event.
- 10) Please come to the next Park Committee Meeting if you have any other concerns.

- 11) No Parking signs will be put up on Lualualei Naval Road by the Military to restrict semi-trucks from parking on the shoulder.
- 12) The Board took action to close the park at night, go according to what action the Board took.
- 13) The permit with special conditions allows up to six persons to remain on site as security.

ANNOUNCEMENTS:

- 1) The Housing Committee has been informed of the following tentative dates of June 28, 2009, closing for Lahilahi Beach Park, and July 19, 2009, closing for Nanakuli Park – Depot Beach area.
- 2) Neighborhood Board Elections voting will end on Friday, May 22, 2009 at 12:00 midnight.
- 3) The Nanakuli Intermediate and High School (NIHS) School Counsel will be meeting on Wednesday, May 20th at 4:30 p.m. to 5:30 p.m.
- 4) The NIHS Parents, Teachers and Students Association (PTSA) will be meeting on Wednesday, May 20th at 6:00 p.m. to 8:00 p.m.
- 5) Nanakuli Hawaiian Homestead Association will be meeting on Tuesday, July 28th, at 6:00 p.m. to 9:00 p.m. at Ka Wai Hona School.
- 6) Beautification Day at the Nanakuli Cemetery on Saturday, June 27th, at 7:00 a.m. to 12 noon.
- 7) Congratulations to Chair Teruya recently elected to the Nanakuli Hawaiian Homestead Association Board.
- 8) Congratulations to Member Rezentes recently elected to the Board of Directors for the Waianae Comprehensive Center.

COMMITTEE REPORTS:

Transportation Committee: Aipoalani reported: our handout was included in the mail out.

Planning & Zoning Committee: Eli no reported:

Parks & Recreation Committee: Kelii reported: next meeting is Wednesday, June 3, 2009 at 5:30 – 7:00 p.m. at Nanakuli Beach Park Arts and Craft room.

Health, Human Services, Public Safety Committee: Kila reported: next meeting is Monday, June 1, 2009, 7:00 – 9:00 p.m. at Maili Commercial Center.

Education Committee: Kelii reported: next meeting is Wednesday, June 3, 2009 at 7:00 – 8:00 p.m.

Housing Committee: Rezentes reported: next meeting is Thursday, May 28, 2009 at 7:00 – 9:00 p.m. at St. Philips Episcopal Church Meeting Hall.

OLD BUSINESS:

Update on Bellows Air Force Military project to dispose more cleanup debris at the PVT Landfill – Mr. Steven Mau, State Department of Health (DOH), Mr. Todd Lanning, United States Air Force (USAF) Hickam Environmental Restoration (HER) reported the following:

- 1) Site LF23, the Base Hardfill, located at the southern boundary of Bellows Air Force Station was used for disposal of construction, concrete, wood, building materials, and demolition debris in the 1940's, and 50's.
- 2) This project is part of the Installation Restoration Program (IRP), which state the Air Force's role under Comprehensive Environmental Response, compensation and Liability Act (CERCLA) responsibilities for LF23.
- 3) The site was initially investigated in 1984 during Phase I historical records search. Additional investigations were conducted between 1995 and 2007, which indicated a concentration of contaminants presence in the soil and groundwater.
- 4) The original CERCLA proposed remedy was for LF23 (presented during a Proposed Plan public meeting, September 2007) was Land Use Controls (LUC), placing specific measures to restrict/control access and limit exposure to contaminated soil. However, community members expressed concerns and requested the remedy be changed to Hot Spot removal, which would remove the lead containing material and leaving the construction debris in place. The Air Force and the Hawaii Department of Health agreed to change the remedy to Hot Spot Removal.
- 5) The site is located in area used as a buffer zone between the Marine Corps controlled land and the Air Force side.

- 6) Approximately 50 cubic yards of surface soil contains lead which is equivalent to about 4 to 5 dump trucks.
- 7) The soil disposal is permitted at a CERCLA-approved landfill, which is PVT. The soil will be placed into a lined area and covered at the PVT Landfill.

Questions, concerns and comments followed:

- 1) The soil has been deemed a hazard because of the lead contamination and is being removed from Waimanalo to Nanakuli. When did this hazardous contaminated soil lose its potency to be safe to bring into our community?
- 2) There are residences living just below the PVT Landfill. No matter which way you look at this soil, it is still contaminated.
- 3) This community does not believe that PVT under true faith and under the conditions that the State has granted them. At our meeting in March, over a hundred people were here giving testimony to the kinds of illnesses, problems of dust, noise violations, and many others concerns that this community has expressed about PVT Landfill.
- 4) The lining will not last forever, the lead will then go down in the soil more and finally find its way into our water,
- 5) The contaminated soil should be shipped to a more suitable location for this type of hazardous material.
- 6) The community does not want this type of contaminated soil in their backyard.
- 7) The purpose of the upcoming presentation is to educate the public on CERCLA and the projects that the Air Force may be working on in the future.
- 8) Was there any public hearing held before this project that was given the green light.
- 9) The RAB (Hickam Restoration Advisory Boards) Committee held public meetings only in Waimanalo. Although the records of the meetings are made public, the Nanakuli/Waianae Community was not involved in these meetings. This is an after the fact for this community.
- 10) It is very upsetting to this community that the Air Force/HER has been on the Board's agenda twice and only now the community is being informed.

Mr. Steven Mau, State Department of Health (DOH), Hazardous Material Division related the following:

- 1) The terms of the PVT and the CERCLA certification was approved by the U.S. Environmental Protection Agency, Region 9 (EPA), and not the DOH. Because this is a federal statute, the permit is granted with very little or no input from the public.
- 2) Does this community have any leverage with the DOH to stop the RAB from bringing in the contaminated soil to PVT?
- 3) The community would like to approach the EPA, Region 9, to reconsider the transfer of the contaminated soil from LF23 to PVT under the CERCLA permit.
- 4) The community would also like to approach the DOH, Solid Hazardous Waste Branch.

Kelii motioned for the Nanakuli/Maili Neighborhood Board No. 36 to oppose the Bellows Air Force hardfill (LF23) debris into the Nanakuli Community and that a letter be sent to the EPA, Region 9, taking immediate action, and seconded by Waiamau-Nunuha and Kila. Discussion followed:

Rezentes request for clarification: does the Board need to send out a letter to the State DOH, Solid Waste Hazardous Branch and to the EPA, Region 9, or just to the EPA?

Mau: the EPA is the only agency with authority to revoke the certification of CERCLA and to rescind the order of transmittal of the hazardous soil from Bellows into PVT in Nanakuli. I believe the letter should be addressed to the EPA, Region 9 Environmental Justice Branch.

Rezentes moved to amend the motion to state, The Nanakuli/Maili Neighborhood Board No. 36 to transmit a letter to the EPA, Region 9 requesting the EPA to immediately rescind the certification of the CERCLA Permit to PVT Landfill and to further rescind the order to transfer the contaminated soil from Bellows Hardfill (LF23) to PVT Landfill in Nanakuli

Kelii withdrew his motion and will stand on wording submitted by Rezentes.

The Air Force/HER, never surveyed the residents of Nanakuli who live in the area of PVT Landfill to get their input on the project. So please don't bring that opala into our community.

Waiamau-Nunuha called for the question; The Nanakuli/Maili Neighborhood Board No. 36 to transmit a letter to the EPA, Region 9 asking the EPA to immediately rescind the certification of the CERCLA Permit to PVT landfill and to further rescind the order to transfer the contaminated soil from Bellows Hardfill (LF23) to PVT Landfill in Nanakuli. The motion was ADOPTED UNANIMOUSLY, 9-0-0 (Aye: Aipoalani, Cash-Kaeo, Eli, Hoohuli, Kelii, Rezentes, Teruya, Waiamau-Nunuha). Member Aipoalani will draft the letter for the board.

NEW BUSINESS:

Rezentes moved, and Kila seconded, for the Nanakuli/Maili Neighborhood Board No. 36 to request that the City & County, Oahu Transit Services (OTS) provide expanded services to the five shelters in the Kalaeloa area due to the demise of any shuttle transportation.

Discussion followed:

Rezentes submitted the following explanation from the Housing Committee Minutes:

Kumuhonua: the shuttle that had been running in Kalaeloa has been shut down HI5 has no funding to continue operating the shuttle. This affects not only Kumuhonua but all the shelters in Kalaeloa (Kumuhonua, Onelauena, Onemalu, US Vets, and Steadfast). This has placed a hardship on individuals who need transportation to get to the regular City bus line or other resources. There is some discussion that there may be funding from the City or the Federal Government in early fall to winter. Right now there are two city buses which come into the area...one at 5:15 a.m. and the other at 6:15 p.m. This is causing some people to become reluctant to be housed in the area. Kumuhonua has 24 units of 70 occupied at this time. There was some discussion that it would be good if the Makakilo circulator could be scheduled to come into the community on some runs instead of stopping at Roosevelt Road. This is also a safety issue.

Council Chair Apo appreciated the motion and related that City Council yesterday added \$1million for bus and expansion of services.

The motion carried by UNANIMOUS CONSENT 9-0-0 (AYE: Aipoalani, Cash-Kaeo, Eli, Hoohuli, Kelii, Kila, Rezentes, Teruya and Waiamau-Nunuha).

Ka Wai Ola O Wai'anae Moku Project – Ms. Leslie Kahihikolo report the following:

- 1) The purpose is to assess how human activities in and near streams are negatively impacting subsistence fishing and recreation use of the Wai'anae Coast near-shore waters.
- 2) These are the four streams of interest: Nanakuli, Ulehawa, Kaupuni, and Makaha.
- 3) Project activities are to form partnerships and advisory committee to conduct educational walks along the four streams of interest.
- 4) Analyze the gathered data and prioritize the issues.
- 5) Develop an action plan and submit to the EPA by March 2010.
- 6) Create a video documentary.
- 7) Submit for a Level II CARE grant with the implementation of the action plan.
- 8) Announcements will be in the Westside Community Newspaper.

Questions, concerns and comments followed:

- 1) Kila offered access to his property for gathering test samples in the Ulehawa Stream.
- 2) Request for a certified and licensed toxicologist and geologist be budgeted in the monies from the grant.

Kila motioned that The Nanakuli/Maili Neighborhood Board No. 36 support the expansion of the Waimanalo Gulch Landfill for the following primary reasons: 1) The City needs to identify alternative sites or methods that will be used to replace the current amount of Municipal Solid Waste (MSW) generated at the Waimanalo Gulch in the event it closes; 2) Because the PVT Landfill Company is currently operating in the heart of the Nanakuli Community, the Department of Health and Human Services and Public Safety Committee believes that the State licensed Maili Landfill will be used in an emergency crisis to accept the MSW from Waimanalo Gulch when it closes.

Discussion followed:

- 1) Twenty-one landfills will be closing and this community cannot get the State to close these two landfills.

- 2) Is it definite that the MSW will come to PVT?
- 3) Test the shipping of MSW to the mainland before Waimanalo Gulch closes. Then this community will know whether or not MSW will be coming into PVT Landfill.
- 4) It would be favorable to have the Board move in the direction of closing both Waimanalo and PVT Landfills.
- 5) The Board took a position on the Special Use Permit for the expansion and not on the land use boundary.

Council Chair Apo: The Land Use Commission (LUC) gave the city free reign at the Waimanalo Gulch Landfill. The comments made at the LUC were not correct, when it was related to the LUC that no-one elected official came to the Board with any alternative ideas.

With the Council moving forward at the H-Plant and making sure shipping works, the fear factor here is the Mayor Hannemann stated that if Waimanalo Gulch closes, the only place Governor Lingle will look at is PVT Landfill. The Governor will then look at the options and say that one landfill is already federally approved and in line for MSW and the other is not and there we go right back to Waimanalo Gulch again. We hope that the Board will not take a stand on the City's request to expand the landfill.

The motion carried by 5-3-1 (AYE: Eli, Kelii, Kila, Teruya, Waiamau-Nunuha; NAY: Cash-Kaeo, Hoohuli, Rezentes; ABSTAIN: Aipoalani).

Neighborhood Assistant Leland Ribac retired at 10:10 p.m. Board Secretary Aipoalani continued recording the minutes as submitted:

10.2 Kila stated the recommendation from the Department Health & Human Services and Public Safety Committee (see agenda)

Comments:

Cash-Kaeo is uncomfortable with language used in the draft letter. Prefers to state facts in the letter to avoid inadvertently defaming any individual or entity.

Kila stated that the letter contains facts.

Kelii stated that he has records and videos to support the facts and suggested that Cash-Kaeo view recordings of past meetings.

Rezentes stated her concerns about the lack of or absence of reports. Accordingly, reports of water samples and air quality, with lab test results, have been produced and provided to the community leaders.

Teruya commented to the effect that if Rezentes, an employee of Senator Hanabusa, has this information in hand, she should share it with the board and community.

Rezentes clarified for the record that she does not work for Senator Hanabusa. She went on to state that the PVT testing reports were provided to all members of the former Waianae Coast Neighborhood Board #24 and that Teruya was a member of the WCNB.

Teruya restated that Rezentes had the information and did not share it with Committee Chair Kila or the community.

Kelii suggested that board members attend the committee meetings.

Cash-Kaeo asked if the Sunshine Law applies to committee members whereby there is a limit as to how many board members may attend any given committee meeting.

Teruya clarified that all board members are welcome to attend all committee meetings under the revised Sunshine Law.

Community Resident encouraged the community to attend the May 26th meeting sponsored by The PAF.

Arviella Kelii asked when the community meeting was held in Nanakuli to address the overflow of the trash from PVT Landfill. Where's the report on this matter?

John Felisi stated that he lives by PVT Landfill and he welcomes the board and others to come into his home to observe first hand the effects of PVT Landfill. He asked, is something going to be done? He went on to state that he retired 5 years ago. Before then, he had no health concerns or ailments. Now in retirement, when he's home most of the time, he is more sickly. He instructed his to sue the State, PVT Landfill, and anyone else that his wife needs to in the event he dies because of PVT Landfills indiscriminant acts.

Cash-Kaeo asked that the letter accurately reflects the facts, and suggested that language such as "community residents complained or stated..." in lieu of the general statements that appear to outright defame or slander an individual or entity.

John Felisi commented that Cash-Kaeo was not at the prior meetings and does not know the facts.

Kila agreed to incorporate Cash-Kaeo's wording recommendation.

Call for the question.

7 Ayes - Aipoalani, Eli, Ho'ohuli, Kelii, Kila, Teruya, and Waiamau-Nunuha
2 Nays - Cash-Kaeo and Rezentos

MONTHLY REPORTS: PART 4

Senate President Colleen Hanabusa – report was distributed.

Representative Karen Awana –

ADJOURNMENT:

11, 1 - No representative. No report

11.2 - Governor's representative gave report.

11.3 - No representative. One page report was distributed to board and community.

11.4 - No representative. No report.

12.0 - The meeting was adjourned at 10:35 p.m.

Submitted by:
Neighborhood Commission