

COUNTY OF KAUAI
Minutes of Meeting
SPECIAL OPEN MEETING SESSION

Approved

Approved as amended 8/22/2022.

Board/Commission:	CHARTER REVIEW COMMISSION	Meeting Date	JUNE 20, 2022
Location	Boards & Commissions Conference Room, Lihue Civic Center	Start of Meeting: 3:16 p.m.	End of Meeting: 3:53 p.m.
Present	Chair Lori Koga. Commissioners: Reid Kawane, Marissa Sandblom, Coty Trugillo. Also: Teresa Tumbaga, Deputy County Attorney. Boards & Commissions Office Staff: Administrator Ellen Ching, Administrative Specialist Anela Segreti. County Attorney Matthew Bracken, Finance Director Reiko Matsuyama.		
Excused	Vice Chair Jan TenBruggencate		
Absent	Bronson Bautista		

SUBJECT	DISCUSSION	ACTION
A. Call To Order		Chair Lori Koga, called the meeting to order at 3:16 p.m.
B. Roll Call		Roll Call: Commissioner Bautista-absent Commissioner Kawane – present Commissioner Sandblom- present Commissioner Trugillo-present Vice Chair TenBruggencate-excused Chair Koga- present Quorum: 4 commissioners present
C. Approval of Agenda	Chair Koga entertained a motion to approve the agenda.	Commissioner Kawane moved to approve the agenda. Commissioner Sandblom seconded. Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0
D. Minutes	<u>Open Session Minutes of May 23, 2022</u> Chair Koga entertained a motion to approve the minutes of May 23, 2022.	Commissioner Kawane moved to approve the minutes of May 23, 2022. Commissioner Sanblom seconded.

SUBJECT	DISCUSSION	ACTION
		Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0
E. Public Testimony	<u>None</u>	
F. Communication	<u>None</u>	
G. Business	<p><u>CRC 2021-08 Discussion and possible action on proposed ballot question, purpose, and background to amend Charter Section 9A.05. Vacancy in Office related to the Office of the Prosecuting Attorney.</u></p> <p>Commissioners reviewed language as part of their packets. There was no questions or discussion regarding the ballot language as presented.</p>	<p>Commissioner Sandblom moved to approve ballot language as presented for CRC 2021-08. Commissioner Trugillo seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p> <p>Commissioner Sandblom moved to put on the ballot the approved ballot language regarding Charter Section 9A.05. Commissioner Kawane seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p>

SUBJECT	DISCUSSION	ACTION
	<p><u>CRC 2022-05 Discussion and possible action on proposed ballot question, purpose, and background on Charter amendment to remove Article XXX relating to the Electric Power Authority.</u></p> <p>Commissioner Sandblom clarified the total number of questions to be placed on the ballot as possibly four and that there is possibly also one from the County Council.</p> <p>County Attorney Bracken confirmed that at most it would be one, timewise there is not enough time to put another one on if they wanted to.</p> <p>Commissioner Sandblom stated that she understands that this is a housekeeping item and is supportive, but if they had to choose this would not be a priority.</p> <p>Administrator Ching reminded the Commission that for the last election they were adamant about not placing more than six questions on the ballot.</p> <p>Chair stated that she felt they were good with placing this on the ballot.</p>	<p>Commissioner Sandblom moved to approve the ballot language as presented for Article XXX. Commissioner Kawane seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p> <p>Commissioner Sandblom moved to put the language for removal of Article XXX on the ballot. Commissioner Trugillo seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p>
	<p><u>CRC 2022-09 Discussion and possible action on a proposal to amend Article XXIX of the Charter allowing the Salary Commission authority to establish the maximum salaries of all elected and appointed officials.</u></p> <p>Administrator Ching clarified the change from salary range to maximum salary to match what is currently in the Charter.</p>	<p>Commissioner Sanblom moved to approve the proposed ballot language, background and purpose as presented for the proposed Charter amendment of the Salary Commission. Commissioner Trugillo seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p>

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		<p>Commissioner Trugillo moved to place the Salary Commission Charter amended salary proposal final draft language on the ballot. Commissioner Kawane seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p>
	<p><u>CRC 2022-12 Discussion and possible action on a proposed Charter amendment to remove Charter Section 19.17 Surety Bonds.</u></p> <p>Administrator Ching stated that she believed that one of the concerns that the County Attorney heard from the Commission was that Surety Bonds were required for a certain group of people, and the question was does insurance cover the same thing in effect for all people that were required to be covered by Surety Bonds. She asked County Attorney Bracken to clarify and noted that Finance Director Reiko Matsuyama was also present.</p> <p>County Attorney Bracken explained that the changes made mostly reflected the Commissions thoughts, originally the proposal was to remove all of 19.17 and now it's just the one sentence that is omitted. When 19.16 and 19.17 are viewed together you see that there is now the option to do one or the other. The "or" language is used in the purpose section and ballot language is more specific.</p> <p>Commissioner Sandblom asked again about the word shall, and that it gave the Council complete authority on who would require that kind of coverage.</p> <p>County Attorney Bracken explained that currently the Council has the authority now. If the amendment was to pass than the Council would have to pass a resolution.</p>	

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	<p>Discussed that it has never been required by Council. He believes that it would be done in conjunction with budget and discussed with the Director of Finance.</p> <p>Commissioner Trugillo asked if the County Attorney was confident there will not be an unintended ripple effect and that the Council would have to look at that.</p> <p>County Attorney Bracken addressed the concern that bonds provide protection for the employee. He explained that if the employee does something criminally for example the bond company would still go after the employee, so it doesn't provide the employee with additional coverage over what our insurance provides, so based on conversation with insurance broker, coverage, and experience over the years, he does not believe that there will be unintended ripple effect and the Council could require more coverage if they felt it was needed. He spoke with the breaker and the costs would be more.</p> <p>Commissioner Trugillo asked Finance Director Matsuyama about the cost savings and how it will impact County.</p> <p>Director Matsuyama stated that she is not exactly sure, but that if they purchased bonds it would be on a by person basis as where insurance is blanket.</p> <p>County Attorney Bracken explained that the Council would only need to do the resolution once determining which employees would need bonding and that it would last until changed. He explained that it is a cost item that would fall under Council.</p> <p>Deputy County Attorney Tumbaga suggested that they may want to get rid</p>	

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	<p>of the clause at the beginning of 19.17 that states, “Except as otherwise provided,” because if it is deleted there are no other exceptions in that paragraph.</p> <p>Commissioner Sandblom suggested that the background be edited so that the last three sentences under background be moved to the beginning of the paragraph.</p> <p>Administrator Ching suggested the background also be two paragraphs, and the first paragraph be the three sentences.</p>	<p>Commissioner Trugillo moved to approve the final draft with edits to the background and proposed amendment to 19.17. Commissioner Kawane seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p> <p>Commissioner Kawane moved to approve the amendments to place of the ballot. Commissioner Trugillo seconded.</p> <p>Voice Vote: 4 Ayes, 0 Nays Motion carried 4:0</p>
H. Announcements	<p>Next Meeting: June 27, 2022</p> <p>Chair Koga asked if the June 27, 2022, meeting is needed.</p> <p>Administrator Ching stated that she did not think so and asked for date of July meeting.</p>	<p>Commission will meet again at their regularly scheduled meeting July 25, 2022.</p>
I. Adjournment		<p>Hearing no objections Chair Koga adjourned the meeting at 3:53 p.m.</p>

Submitted by: _____
Anela Segreti, Administrative Specialist

Reviewed and Approved by: _____
Lori Koga, Chair

- Approved as circulated.
- Approved with amendments. See minutes of 08/22/2022