

**COUNTY OF KAUAI  
SALARY COMMISSION  
Piikoi Building, 4444 Rice Street, Suite 300  
Lihu'e, Hawai'i 96766**

**APPROVED** MINUTES OF THE COMMISSION'S FOURTH TELECONFERENCE  
September 23, 2020 MEETING

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ATTENDANCE

Chair Kauai and Commissioners Robert Crowell, Leland Kahawai, Patrick Ono and Laurie Yoshida.

Also present Boards and Commissions Administrator Ellen Ching; Support Clerk Mercedes Omo; and Deputy County Attorney Andrew Michaels.

Invited Department Heads: Director of Housing Adam Roversi and Prosecuting Attorney Justin Kollar. \*County Clerk Jade Fountain-Tanigawa deferred to the Commission's October 28 meeting.

PUBLIC TESTIMONY

None.

CALL TO ORDER

Chair Kauai: It is 9:02 a.m. on September 23. I would like to thank everyone for coming today especially the Department Heads for preparing their reports. I would like to do a roll call. Mercedes can you do a roll call to ascertain a quorum, please.

ROLL CALL TO ASCERTAIN QUORUM

Ms. Omo: Yes, Chair. Commissioner Crowell, Commissioner Kahawai, Commissioner Ono, Commissioner Yoshida and Chair Kauai.

Mr. Crowell: Present.

Mr. Kahawai: Present.

Mr. Ono: Present.

Ms. Yoshida: Present.

Ms. Omo: Vice Chair Rainforth will not be attending the meeting today, but we do have Chair Kauai present.

Chair Kauai: Here.

Ms. Omo: Okay, we have five (5) Commissioners present to conduct business.

Chair Kauai: Thank you. Do we have public testimony for today's meeting?

Ms. Omo: None, Chair.

Chair Kauai: Okay, thank you. With that said, we will move on to - we already set our next meeting for Wednesday, October 21 at 9:00 a.m. but at the end of the meeting everyone will have a chance to look at their calendars to see if that still works. Okay, we will move on to the approval of the minutes.

#### APPROVAL OF MINUTES OF THE AUGUST 26, 2020 OPEN SESSION MEETING

Chair Kauai: Thank you Mercedes for the detailed minutes and the font that you had used. It is nice and big and I appreciate it. Commissioners, does anybody have questions – first, can I get a motion to approve the minutes as circulated.

Mr. Kahawai: I move to approve the minutes.

Chair Kauai: I need a second.

Ms. Yoshida: Second.

Chair Kauai: Discussion, corrections or additions to the minutes, if not, please signify by saying aye. Opposed. Hearing none. The motion carries 5:0. Thank you very much. Okay, Mercedes do you want to give Ellen a call now, because I think Adam will be ready to give his presentation.

Ms. Ching: I am here Chair.

Chair Kauai: Okay, thank you Ellen.

Ms. Omo: Adam has not joined the meeting yet, but Justin is here.

Chair Kauai: Okay, we are moving on to Business Item SC 2020-4

Discussion and decision-making on submitting a Salary Resolution establishing the maximum salary caps for certain County officers and employees included in Section 3-2.1 of the Kaua'i County Code for the Fiscal Year 2021/2022. (On going)

General overview by the following Department Heads on their respective Departments:

- (a) Director of Housing Adam Roversi
- (b) County Clerk Jade Fountain-Tanigawa
- (c) County of Kaua'i Prosecuting Attorney Justin Kollar

We were fortunate enough to hear from several department heads last month and we are grateful for the department heads who will be speaking to us today.

Ms. Ching: Chair if you would allow us some time to reach out to Adam because he was called into council we can do that now and if Justin would also be willing to allow us that time we will reach out to him right now ...

Ms. Omo: Ellen, I just spoke to Adam, he will be joining us very shortly, and there he is.

Ms. Ching: Oh, perfect.

Mr. Roversi: I apologize for keeping you folks waiting. I was stuck answering a long question over at county council.

Chair Kauai: No worries, we just called your name and you are right on time.

Mr. Roversi: I am I up to give you my presentation on the Housing Agency and what we do.

Chair Kauai: Yes, perfect time.

Mr. Roversi: Thank you. For those of you who I have not met, I am Adam Roversi and I am the Housing Director coming on one year in my position (I think) this month. I was one of the deputy county attorneys for five (5) years. Broadly speaking, the Housing Agency does two (2) main activities and each of those are broken down into multiple subsections. On one hand we operate a Rental Assistance Program primarily using federal funds so we administer just under 8 million dollars every year in federal rental assistance to Kaua'i residents. The numbers fluctuates, but we have around seven (7) hundred clients who receive rental assistance from that 8 million dollar annual allocation.

We also operate several sort of smaller rental assistance programs. HCV is the primary federal program that provides rental assistance. We have some sort of sub-programs one called TBRA, which is, design specifically for the homeless population to get them into housing it is a smaller lesser-funded rental assistance program, but it works hand-in-hand with the primary mainstream program. We also coordinate with some partner agencies in helping to administer another smaller assistance program, which is design specifically for veterans and the acronym for that is VAS.

Separate from the Rental Assistance Program which personnel wise is about half of our staff. We also have a development division and that division is much more diverse and multifaceted of what we do. The goal of the development division broadly is to (as the title suggests) development affordable workforce housing or incentive vise the development of workforce housing by working hand-in-hand with private development. Broadly speaking, our development projects fall into two (2) categories we have direct development that we undertake as an active development partner land that the county owns or by direct financing of development projects. The funding for that comes from a triage of various federal programs that we receive every three (3) years, so we are on a three (3) year funding cycle that rotates between Maui County and Hawai'i County and also from the County development fund. The County

Council has only allocated money to that development fund since 2018. Prior to 2018, we were wholly dependent on federal funding and since 2018; we had a little more freedom. Historically, going back to Iniki (this may be too much information) the County Housing Agency received forty (40) million dollars for housing and for almost twenty (20) years that forty (40) million dollars is what funded the County Housing Agency development programs.

Around 2014 – 2015 those Iniki funds were exhausted so we had a little bit of a dead period. Before 2018 the Council started to allocate direct County funding to developments - let me backtrack, our direct development activity uses federal funds along with the County's development budget. Often, but not always on county or state owned property; we use those funds as leverage with federal tax credit programs and private financing to partner with private developers to develop projects that the County, in the long run, would either own or control under long term ground leases. In those situations, we are able to control the long term, if not, permanent affordability of the project because we typically will control the land underneath the project via a ground lease. So we would require the developer to meet certain affordability requirements, usually we have a 65 year ground lease in those sort of projects and at the end of the 65 years the vertical infrastructure would revert to the County, but in the interim the developer would be managing the property – move in, move out, etc.

Separate from that the sort of active development, we also work to incentivize the production of workforce housing through the County housing policy. The County housing policy is an inclusionary zoning ordinance essentially that requires private developers to build a portion of the total unit count they are proposing to develop as workforce units. Hypothetically, as a simple analysis, a developer comes in and wants to build a hundred housing developments, they have to come to the Housing Agency and they are assessed a workforce housing requirement and enter into a housing agreement and then we would oversee their project to the extent that they meet their workforce housing assessment requirements. Examples of that that are around Kaua'i is the Waipouli Project in Wailua was a workforce housing assessment levee against Marriott development. The Kolopua apartments near the Princeville fire station were workforce-housing assessment leveed against the Princeville cooperation and the new Kaua'i housing project in Kōloa was a workforce housing assessment leveed against Kukui'ula in connection with their subdivision and development.

In both of those situations, it involved not so much usually in the oversight of the daily hammers and nails but sort of the larger picture as financing, permitting and so forth involved in those projects. As well as the long-term oversight to ensure, they remain affordable. Currently, just as a snap shot we are currently involved in overseeing active projects valued around eighty (80) million dollars right now, if you add up our different on-going projects. As I mentioned for some our involvement is mostly just finance; for others we are deeply involved in the nuts and bolts, for example, our Lima Ola Subdivision in 'Ele'ele is pretty much the largest affordable housing project the County has ever done. That is a seventy-five (75) acre project and once completed it will be nearly six hundred (600) housing units, so we are directly involved in the current Phase I infrastructure work, which is the installation of the roads, waterline, and sewer. Infrastructure for highway is intersections, turn signals, etc., that will enable future housing development units on that site.

Aside from those two (2) large programs, we also have a homeless coordinator within our office who is chiefly charged with interacting with non-profit community on Kaua'i to assist in helping them to be organized, coordinated and funded to address homeless issues on Kaua'i. We also serve the development division and the County's rental assistance division and we have an internal accounting staff of three that oversee probably (in total) twenty (20) to thirty (30) million dollars of funds flowing in and out of the Housing Agency. Which notably compared to other County departments more than half of our – well, more than half of our budget and slightly more than half of all of our personnel expenses come from outside funding federal sources and not from the County. I think that might be it for my summary, but I am more than happy to answer any questions or provide some more detail on specific areas if you folks are interested.

Chair Kauai: Thank you Adam. I have a quick question, on the rental projects for the workforce housing do you folks do the property management in-house or do you sub-contract out?

Mr. Roversi: We generally subcontract out the rental management. We have a staff member, who works full-time just over seeing our management contracts, ensuring compliance and overseeing that the maintenance is properly done. We are consistently troubleshooting issues with tenants even though we have outside management companies so while that work is subcontracted it does still require a significant number of man hours to oversee those contracts and ensure their being done correctly.

Chair Kauai: Okay, thank you. Are there any questions for Adam, Commissioners?

Ms. Yoshida: I have a question. Those that are funded through federal funds...staffing, I guess would come under us (I am not sure how much of that would come under the Salary Commission) are there guidelines under the federal government or would they just follow state and county jobs?

Mr. Roversi: The Housing Agency - technically all housing agency employees are contract employees so their non-civil service positions, but nonetheless we do follow the relevant collective bargaining agreements for workplace regulations such as sick leave, vacation time, etc. disciplinary action. When it comes to the federal funding of personnel (this is simplistic) essentially 95% of the rental assistance, the rental assistance staff is funded by the federal government as part of the rental assistance program. Within the development, division and I believe we have three (3) out of twelve (12) staff members are funded entirely or more than 50% by various federal programs, the rest of the development division is all-general funded. Therefore, the federal funding is mainly in the rental assistance division.

Ms. Yoshida: Thank you.

Chair Kauai: Does that answer your question Commissioner Yoshida?

Ms. Yoshida: Yes, it does.

Chair Kauai: Okay, thank you.

Mr. Roversi: For what it's worth, none of my salary comes from federal funds.

Chair Kauai: One more question. Do you have a deputy in your division?

Mr. Roversi: No, there is not a define deputy. We have a manager for the rental assistance division and a manager for the development division and I sit above both. Neither are technically defined as deputies.

Chair Kauai: Okay. All right, thank you. Any other questions Commissioners?

Mr. Ono: No question, but I very much appreciate you providing us with your organizational chart and for the information going in so thank you very much for that.

Mr. Roversi: No problem.

Chair Kauai: Anybody else? Okay, with that said Adam thank you so much for your presentation today, we know you are a busy person so we appreciate your time. If we have more questions, we will reach out to you.

Mr. Roversi: Sounds good, I'm happy to answer any questions by email if you have anything further. Thank you for your time and for volunteering for the County, I appreciate it.

Chair Kauai: Okay, thank you Adam. Jade is not able to join us today, so we are going to move on to our Prosecuting Attorney Justin Kollar. Justin, thank you for coming and you are on.

Mr. Kollar: Okay, my pleasure, good morning, aloha Chair, Vice Chair and members of the Commission. Thank you for your service to the County. My name is Justin Kollar, Prosecuting Attorney for the County since 2012. We have a staff of approximately forty-seven (47) employees within our office sixteen (16) of whom are attorneys subject to the Salary Commission's purview and I am one of those attorneys. We currently have one vacancy in the attorney division and we are holding that position because we are aware that there may be some budgetary issues this year that is associated with the Covid situation. Some of our grants and other funding may be impacted by that so we are voluntarily holding that position open. We have a number of positions within our office other than attorneys, which includes our administrative team, which is about five (5) individuals. Our clerk team, which is approximately thirteen (13) individuals. Our investigative team, which is four (4) investigators as well as a process server and our victim witness team, which consist of a director and our victim witness advocates. We also have two (2) externs currently volunteering with our office who do things like research and assisting attorneys with preparing for their trials. As you are doubtless, aware our mission under the county charter is to prosecute violations of state law and county ordinance within our state courts in the Fifth Circuit as well as the Intermediate Court of Appeals and the Hawai'i Supreme Court.

We currently have a budget of approximately 4.4 million dollars county funds and we receive grant funds from a variety of sources at the state and federal level approximately between \$600,000 and \$800,000 a year depending on the budgetary situations. We pride ourselves on

having low turnovers in our attorney's staff over five (5) years. I tend to advocate for paying my staff well, hiring good people and do what I need to do to retain them. Most of my attorney's staff that are subject to Salary Commission purview is paid at the upper range of the salary range and that is simply because it is a very competitive environment to hire and retain top quality white-collar professional staff on the neighbor islands, which I am sure you all are aware. So that is where we are at, we have a great team and we are proud every day to get up and do the work of keeping our community safe and we look forward to continuing that into the future. We are aware that the Salary Commission is not going to be in a position to be promoting increases in our salaries this year; we understand that it is a difficult situation for everybody and we are just here to do our part. Therefore, if anyone of you have any questions about my office, my team or anything whatsoever that has to do with the Office of the Prosecuting Attorney; I am here to answer those questions for you.

Chair Kauai: Thanks so much Justin and thank you for all of the work that you folks are doing. It is nice to know that you are fully staffed with just one vacancy, so that is good to know. Commissioners do any of you have questions for Justin.

Ms. Yoshida: I have a question. We were given a staffing chart and I guess there are two (2) versions, one with employees' names and one with without the names. The one with the employees' names there seems to be some abbreviations and percentages. There is one person with a percent. Can you explain? There is an SA at 10%, DOT and CCP.

Mr. Kollar: Sure. Okay, the SA refers to sex assaults. We have one deputy prosecuting attorney on our team who is assign to prosecute juvenile sex assault cases and that position is primarily funded by grants that we receive from the state. We have another attorney the CCP attorney who is our career criminal prosecution attorney – there is a state law that requires the counties to have criminal prosecution programs. The state is required to provide funding for that position so we do pay a percentage of that attorney salary from the state career criminal prosecution grants. We have been informed that those grants will be restricted by anywhere between 10% - 20% in the coming fiscal year, that doesn't reflect anything on the chart that you received; that's just something I am putting out there for information purposes.

The third grant-funded prosecutor is the DOT position. We receive grant funds from the State Department of Transportation to fund our Traffic Safety Resource Prosecutor Henry Ross. He has been in that position for several years now and part of his duties or most of his duties relate to gathering information regarding traffic crimes; prosecuting traffic crimes i.e. DUI's, negligent homicide, DUI homicides things of that nature, as well as provide training on how to prosecute those crimes to members of the police departments; not just here on Kaua'i but also statewide plus provide training to other prosecutors statewide regarding the handling of traffic crimes. So the State Department of Transportation, we have an excellent a relationship with them and that has been ongoing for many years now. They provide us with a significant flow of funding, to not only prosecute traffic crimes and promote best practices in that discipline, but they also fund a lot of traffic safety efforts that are undertaking by the Kaua'i Police Department and other police departments across the state.

We are very proud to have one of the two (2) statewide traffic safety resource prosecutors in our Department because those types of prosecutions are typically very complex and often include things like traffic crash reconstruction, DNA analysis, analysis of occupant kinematics. I could point you to the Cody Safadago case we prosecuted last year that was a jury trial, which took a couple of weeks and included a number of different experts from different disciplines. Thanks to the DOT funding our efforts - you know Ramsey was one of the prosecutors on that case and as you may remember, we did get a very successful result from that case. Which is tied directly to our partnership with the Department of Transportation, so I hope that answers that question.

Chair Kauai: Thank you Justin. That is good to know about the different funding and that was a very important case, so thank you for that. Are there any other questions for Justin Commissioners?

Mr. Ono: Justin I had a question. We understand some funding challenges going in, especially going into next year. My question is with respect to hard to fill challenges, has that (inaudible) with the salary side, is that still a concern of yours with the prosecuting attorneys' hires.

Mr. Kollar: It is a complicated question when you talk about hiring attorneys. The problems we had over the years typically are not necessarily on the hiring front, but on the retention front. We are able to pay a competitive salary for new attorneys to be able to come here, but as you probably know Kaua'i does not produce that many attorneys so we are often recruiting attorneys from the other islands, primarily O'ahu. The neighbor island lifestyle is not for everybody, but we can and do pay a decent salary, but not necessarily a salary that is sufficient to allow people to settle here and buy houses, especially if they are a newer attorney with a significant loan debt. We have attorneys graduating from law school these days with student loans debt in the neighborhood of \$150,000 to \$200,000 that is a huge burden for a young professional to be burden with, even if they are making \$90,000 to \$95,000 a year that is a mortgage payment right of the bat. Moreover, if they are paying \$2000 to \$2500 a month in rent that can be very difficult for those people to get their feet under them, so the challenge has been retaining the attorneys once we get them over here.

Now, we have been able to have good success in recent years and I think part of it is because we built a great workplace where people genuinely enjoy coming to work every day. Part of it, frankly is the other prosecuting attorney offices have not been in great shape and so we look pretty great compared to some of the other offices and the problems they have been having. Especially on O'ahu where the pay is much lower and you know - you all read the news and know what goes on over there. That may change because they are going to get a new prosecutor come December so we may see an increase in challenges in terms of retaining our attorneys here once that happens. The fact is if the attorneys can make more on a different island, then they are going to do what is best for themselves and for their families and I certainly cannot blame them for that. We are in a good situation right now, and I think everybody understands that this year is going to be a little bit of a holding pattern. But moving forward - this is one of the reasons I'm not shy about coming in to advocate for increases for my staff is because frankly, that's what we need to do in order to be able to retain our staff once we hire them. I can always go out and recruit somebody from O'ahu and pay them a good salary to come over here, but to keep them here we really have to do what is necessary to keep them happy. You know this is not something

that is unique to the legal field, we have physician shortages in Hawai'i particularly on the neighbor islands. You know, it is hard to get white-collar professional to come over here and put down their roots in our community when they can make more and have a lower cost of living on other places. That is just a sad reality. But right now, on Kaua'i I am confident that we are doing well on that front in terms of attorney recruiting and retention and I hope in partnership with you folks over the next couple of years we can weather the storm that we are in now and just continue that trend.

Chair Kauai: Thank you. Any other questions Commissioners?

Mr. Kahawai: I have one quick question. Justin, when you look at your budget for the next fiscal year, do you budget with the vacancy or without – the one vacancy you have now.

Mr. Kollar: Budgeting is a collaborative process we work with the county's budget office on that and the Finance Department on that and so we will budget hopefully the funds will be available to fund that position and eventually hire into it. The county is somewhat fortunate in that we have a fairly revenue base primarily from property taxes as you all know. We are not in the same situation as the state where if the TAT goes off the cliff, then the whole state would go off the cliff. We are in a little bit better situated on that front and I think we have a little bit more stability in terms of our budget situation.

But we do know there are going to be some challenges, so we will be in a better position to evaluate this come January, February when we can assess where we are with the pandemic, where we're at with visitors coming back to the island. So we will get a better picture to know whether we are able to hire into that position or whether we would have to hold it vacant for another six (6) months or another twelve (12) months. Right now, we are making due, but right now, the pandemic is calling the shots here, so we kind of have to wait and see on that.

Mr. Kahawai: Thank you.

Mr. Kollar: Certainly.

Chair Kauai: Any more questions for Justin Commissioners.

Mr. Crowell: Yes, a quick question. Justin does you and your staff handle all of your cases or do you folks have to contract out at times.

Mr. Kollar: No, we handle all cases arising in our geographical jurisdiction which is the County of Kaua'i. We also handle conflict cases from other counties. For example, say Hawai'i County prosecutor's office has a conflict with a case because it involves an employee or a family member of an employee, or any kind of conflict of interest situation, they would refer the case to the attorney general and the attorney general could then assign the case to us to prosecute those cases.

So we do handle a number of cases on the other islands, the only cases that we do not handle are cases where our office has a conflict of interest. Say it is a family member of an employee or a

close associate of an employee. We would refer the case to the Office of the Attorney General who would designate a prosecuting attorney from another island to handle the case and we would bear the cost to prosecute that case. We do not ever hire private counsel to handle any of our cases, which I believe, technically is permissible under the charter, but it is not something that we needed to do or felt it was desirable to do. Prosecuting criminal cases is a specialized practice and we have many experienced deputy county attorneys on our staff that can handle pretty much anything that comes our way. That is a good question. Thank you.

Mr. Crowell: Thank you.

Chair Kauai: Just a follow-up question to that Justin. If you folks prosecute a case on a different island how does that go as far as salary and time – does it get charged out to that county? How does that work.

Mr. Kollar: They will reimburse us for cost related to travel or if a specialized forensic testing needed to be done. Typically, salary and time we consider it as a wash because we refer some of our cases out and we are also assigned cases from other the counties. So that is pretty much a wash for us in terms of the time we save versus the time we extend. If we had a case where we had to prosecute a complex murder case on Hawai'i island and it was going to require a thousand (1000) hours of staff time for an attorney, then we would have to look into asking that county to reimburse our staff time and I think they would be required to do that in that situation. However, that has not happened. The cases are typically standard cases that do not require a tremendous time and resources and with virtual court appearances, becoming more and more of a norm these days there is less in terms of travel cost. The courts have been coming along in terms of court appearances typically done in Zoom or web-x or even our telephone these days.

Chair Kauai: One more question, as far as cases go regarding Covid-19 or violators of quarantine how does that affect your office.

Mr. Kollar: Initially, we had many cases particularly around the issue of curfew violations back when we had a curfew here on Kaua'i. My direction to my staff has been too primarily to focus on cases of quarantine violation where somebody is knowingly flaunting the quarantine rules and putting other people potentially in jeopardy. We know that on the onset of this pandemic the rules were changing somewhat often sometimes on a day-to-day bases. There were changes in terms of who could be where and who could go where so if it looked like there was a situation where it was a local resident who did not know what the rules were or was confused about what the rules were. We're not out there looking to hammer on our local residents who may have been confused about the rules – if somebody was out at 9:00 at night and they was fishing...we're not looking to hammer those people. We try to focus our energy and resources on the individuals who are really putting the community at risk and to us that is folks who are coming here from high incident areas on the mainland and knowingly violate the quarantine.

There have been several high profile cases that have been in the news and we had no hesitation whatsoever about going forward with those cases. Initially, there were quite a few and it took extra resources from our district court team but I have to say that the people of Kaua'i have behaved very well during this time and it really speaks highly of our community. I think that

people were respectful and were responsible so we did not have situations that we have seen on the other islands where you would see hundreds of people gathering in large parties, at the beach or at the parks. I know that there a situation at Polihale that DLNR had to deal with and nobody was happy about that, but they did what they had to do. All in all the people of Kauai met this challenge very well and although we did have to devote some additional resources to the courts initially we were able to do that because crime in other categories actually decreased so we had more attorney resources.

Chair Kauai: Any other questions for Justin.

Mr. Ono: One final question. Justin on the handout on the listing of the prosecutors by name, I notice that you have a first deputy, a second deputy, and a number of prosecuting attorneys. On the sheets that were provided we understand that the salaries are set for the prosecuting attorney and the first deputy. Does the second deputy position fall under the prosecuting attorney or is there another level where the second deputy have another different range.

Mr. Kollar: No, the second deputy is in the same range as the other deputy prosecuting attorneys. The second deputy designation is an informal designation that we do administratively at our level. It does not confer additional pay. Our Second Deputy Rebecca Like has been with the office for ten (10) years now and is the supervisor of our family court unit. So, that's simply an administrative designation.

Mr. Ono: Thank you.

Chair Kauai: Any more questions. If not, Justin thank you so much for your time and all of the hard work you folks are doing to keep our island safe. I appreciate it.

Mr. Kollar: Thank you very much.

Commissioners Ono and Crowell: Thank you Justin.

Chair Kauai: Okay, with that said let us continue on our agenda.

Ms. Ching: Chair, can I give an overview to the Commission as to where we are regarding the Department Reports.

Chair Kauai: Yes, please.

Ms. Ching: Given the guidance of the Commission to start from the smaller departments and work our way up there are a couple of departments that you will not be hearing from because those departments heads and the staff is not under the purview of the Salary Commission. So that is the auditor's office, which is vacant, office of elderly affairs, Kaua'i emergency management agency as well as the transportation agency. So those three (3) agencies or departments will not be coming to make presentations to this Commission. You have already heard from a number of agencies and departments so next month we will coordinate with the office of the county clerk, finance department, mayor's office and the planning department and

for the following month we would be coordinating with the larger departments like the fire department, parks and recreation, police department and the department of public works. After those, last four (4) you would have heard from all of the departments that fall under the Salary Commission. Thank you.

Chair Kauai: Thanks Ellen. I appreciate you folks contacting all of the Departments and getting them to present because it helps us to revisit and understand what their staffing is like and what they are doing in their offices. So thank you.

Ms. Ching: I have to acknowledge Commissioner Patrick Ono who suggested that it might be helpful for him and hopefully for all of the Commissioners. This () was not an idea of mine, but from your own Commissioner.

Chair Kauai: Thank you Commissioner Ono.

Ms. Yoshida: Thanks Patrick.

Mr. Crowell: Chair, just a quick question. Would the County Clerk be able to make next month's meeting being that it is on a Wednesday?

Ms. Ching: Yes, we have coordinated with her. They are on an altered schedule because of Covid-19. What they did was prior to Covid is they would have a full council meeting and the week after they would have committee meetings and so on and so forth. What they done which Covid is combine the council meeting and the committee meeting so they meet twice a month. So next month's meeting is the in-between.

Ms. Yoshida: Ellen is that why the meeting on the 21 moved to the 28, which is fine. I just noticed it.

Ms. Omo: That was my mistake. The agenda should have reflected October 28 as the date of the next meeting and not October 21.

Chair Kauai: Yes, it is the 28.

Ms. Omo: Right, it should have been the 28.

Chair Kauai: Okay.

Ms. Yoshida: If its every other than it should work because we have one more Wednesday this month so it would be five (5) weeks for Jade and it would be an off day. Is that right.

Ms. Ching: Yes, at any rate we will work with her. What we try to do is right after the meeting I would email out to the department heads to make sure and if we need to, we will move on to another department head to fill the agenda.

Mr. Crowell: Ellen did you mention the water department.

Ms. Ching: No, I did not.

Mr. Crowell: Should they be on the list, or they not under our purview.

Ms. Ching: They should be on because they are under the Salary Commission's purview, thank you for asking. Because they are semi-autonomous, it was not on that budget list on the number of county employees that was distributed. I was going off that handout to pick which departments to call in based on their budget size.

Mr. Crowell: Okay, thank you.

Mr. Ono: Quick question Ellen if I may.

Ms. Ching: Sure.

Mr. Ono: With Jade coming to our next meeting, can we get an organization chart? The reason am asking is as I was looking over the jurisdictions comparisons in the different areas it was interesting to me that we have more employees in Kaua'i in our county clerk's office than they do on Maui. I also noticed that there isn't much of a difference for Hawaii and O'ahu in terms of salaries. This is one of the areas that surprisingly was equal; so I was just looking at that.

Mr. Kahawai: Ellen, I have a question; Adam brought it up. I just noticed it now in the number of county employees report; he mentioned that his employees are all contract workers. What does that mean? Because twenty-six of his twenty-eight employees are noted under personnel services contract. How it different from another type of employee like permanent or exempt.

Ms. Ching: Majority of the workforce is civil service that fall under bargaining contracts with the unions. The others are exempt meaning they are not under union contracts and are appointed, they are on an 89-day contract, or are grant funded positions. There are a couple of agencies that are similar to the housing agency and that is the transportation agency.

Mr. Kahawai: Okay, thank you.

Mr. Ono: I have one further question if I could.

Chair Kauai: Go ahead.

Mr. Ono: Ellen, with respect to the prosecuting attorney's office in the charts that we were provided there is a prosecuting attorney, deputy attorney and deputy prosecuting attorneys. Does all of those salary ranges fall under the jurisdiction of the Salary Commission or is it just the first two.

Ms. Ching: That is a very unusual thing about the Salary Commission and the salary resolution because the salary resolution for the county attorney's office and the prosecuting attorney's office covers all of the attorneys. So the Salary Commission, in particular, your decision on the

salary resolution impact those offices greatly because you're not just talking about the department head – you're talking about a great deal of their positions in their entire office.

Mr. Ono: So it would be all the way down to the prosecuting attorneys – the 117; 912 you have listed right.

Ms. Ching: Correct.

Mr. Ono: Okay, got it.

Ms. Ching: If you look at that Org. Chart that was been provided – where it says prosecuting attorney, then first deputy, 2<sup>nd</sup> deputy that Justin Kollar said that it is more of an administrative assignment. Then if you look below it says deputy-prosecuting attorney – so that whole list is covered under the salary resolution.

Mr. Ono: Thank you Ellen.

Chair Kauai: Good questions Commissioners.

Mr. Crowell: My apologizes, Chair I am going to have to sign out. I have to run to a 10`o clock meeting.

Chair Kauai: Okay, perfect, we will see you next month. Thank you for attending. With that said we are very close to the end so does anybody else has more comments, suggestions or questions before we adjourn the meeting? No, okay, just to confirm our next Salary Commission meeting will be held on Wednesday, October 28 at 9:00 a.m. and we will be hearing from the county clerk, finance department, mayor's office and the planning department. Again, thank you Commissioner Ono for your suggestion and Mercedes and Ellen for getting all of this lined up for us. We really appreciate it, especially in this time of challenges and people being busy.

Ms. Ching: Thank you very much Commissioners.

Chair Kauai: Can I have a motion to adjourn the meeting.

Mr. Kahawai: So moved.

Ms. Yoshida: Second.

Chair Kauai: All those in five of the motion, please signify by saying aye. Opposed. Hearing none. The motion carries 5:0.

At 10: 55 a.m., the meeting adjourned.

Submitted by:  
Mercedes Omo, Boards and Commissions Support Clerk

Approved as circulated: October 28, 2020

Approved as amended:

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Trinette Kauai, Chair