June 20, 2010

Honorable Bernard P. Carvalho, Jr.
Mayor
County of Kaua'i
4444 Rice Street, Suite 235
Līhu'e, Hawai'i 96766

Re: Report of the Kekaha Host Community Benefits Citizens Advisory Committee

Dear Mayor Carvalho:

It is my pleasure to present to you the attached report which outlines the activities of the Kekaha Host Community Benefits Citizens Advisory Committee from April 2009 to the present.

Much work has gone into the recommendations we are presenting to you, and we believe they reflect the desire of the majority of Kekaha residents for use of the HCB funding.

On behalf of my fellow CAC members I would like to express to you that it has been our pleasure and privilege to serve the community of Kekaha in this way, and to break new ground as the County launches its HCB program. It is our sincere desire to continue to work with you for the benefit of the residents of Kekaha. We respectfully request that a meeting of the CAC be convened as soon as possible and at a time when you may be present to discuss this report in full.

Please contact us at your earliest opportunity to explain next steps and continue the dialogue.

Respectfully,

Randall J. Hee
Chair

Att: Kekaha HCB CAC final report
   Agendas and minutes from CAC meetings
   Additional documentation provided at CAC meetings
   Survey
   Survey results
   Individual project worksheets
BACKGROUND

The Kekaha Host Community Benefits Citizen Advisory Committee (CAC) was appointed by Mayor Carvalho in March of 2009. The purpose of the CAC was to provide recommendations to the County on which projects should be funded through the Host Community Benefits (HCB) fund which was established by the County Council in June 2008 with an initial allocation of $650,000.

The Mayor selected the nine (9) members of the CAC from a list of nineteen (19) residents of Kekaha who had nominated themselves to serve on the CAC. The selected CAC members were as follows:

- Jose Bulatao, Jr.
- Myra Elliott
- Randall J. Hee
- Robert Jackson
- Al “Big Boy” Kupo, Jr.
- Glenn Molander
- Evelyn Olores
- Bruce Pleas
- Walter R. Stocker

Additionally, the Mayor appointed five (5) individuals to serve as resource personnel on the CAC. Those five members were:

- Allison Fraley (Department of Public Works, Solid Waste Division)
- Beth Tokioka (Office of the Mayor)
- Christobel Kealoha (Office of the County Attorney, later replaced by Mauna Kea Trask)
- Leanore Kaiaokamalie (Planning Department, later replaced by Lisa Ellen Smith)
- Jeff Kaohi (Kekaha landfill operator: Waste Management, Inc.)

The County had retained the services of Earth Tech, Inc. to facilitate the process of guiding the CAC through a community survey, from which a list of preferred projects would be identified and presented to the County for funding. In all, the CAC met eight (8) times between April 2009 and February 2010.

CAC MEETINGS

The first meeting of the CAC was held at Kekaha Neighborhood Center on April 13, 2009. At that meeting, the CAC adopted a Mission Statement as follows:

“To serve as a community advisory committee to recommend projects and their administrative process for the disbursement of the HCB fund(s) allocated to, and in accordance with, the general consensus of the Kekaha community.”

The CAC was informed at the first meeting that the consultant had been retained to facilitate four meetings, during which the CAC was to develop its survey instrument, provide guidance on how the survey was to be administered, analyze the survey results, and develop a list of projects for funding.
The first meeting also included establishment of ground rules, officers’ positions, and setting of the next two meeting dates (April 27 and May 11). The group decided that the nine (9) community members would be considered voting members of the CAC and the five (5) others would be non-voting members of the CAC.

At the April 27 meeting, the CAC elected Randy Hee as its Chair and Jose Bulatao as its Vice Chair.

At these initial meetings, there were concerns raised about the amount of work to be done and whether or not there were enough meetings provided to complete the work properly. Nevertheless, the CAC proceeded in the course of the next two meetings to develop the survey instrument and decide how the survey would be administered.

Survey Instrument: It was decided that the survey would present a variety of project options, from which the survey recipient could choose his or her “top five.” In all, 25 possible projects were listed on the survey with one line left blank for the respondent to include any project idea not on the list. The 25 projects that were listed came from a combination of CAC member suggestions and suggestions from the general public who attended the meeting. A copy of the survey is attached to this report.

Survey administration: There was much discussion as to how to administer the survey so as to allow input from both Kekaha property owners (many who don’t physically live in Kekaha), and renters who live in Kekaha. The County was prepared to allow Earth Tech to use its real property tax mailing list for Kekaha, which covered the owners. However, there was much discussion on how to reach the renters. It was decided that a house-to-house delivery was the best method to achieve this goal. Two options were presented for house-to-house delivery:

1. CAC member Bruce Pleas offered to enlist the help of members of the Surfrider Foundation to do a one-day “sweep” of Kekaha, dropping a survey with return envelope at every doorstep.
2. CAC Vice Chair Jose Bulatao preferred a more personal approach, and offered to work with the community group, E Ola Mau Na Leo O Kekaha, to personally deliver the survey to each household and answer questions, encourage response, and assist the resident if needed in filling out the survey form.

After much discussion on the merits of each method, it was decided that Jose Bulatao would take the lead in the administration of the house-to-house survey, with approximately five weeks to complete the task.

During the months of April through July, the CAC took a hiatus as the survey was being completed. In all, 1,156 surveys were mailed to property owners of record. Of those, 478 were returned. An additional 75 surveys were returned as a result of the door-to-door effort. The total response rate was 41%, or 553 surveys.

The results of the survey were presented at the CAC’s fourth meeting on August 10. A full copy of the survey results is attached. At this meeting, the CAC chose to focus on the top five projects identified in the survey, which were:

1. Improve Kekaha Beach Park (233 votes)
2. Improve the Kekaha Community Center (223 votes)
3. Begin funding for a community pool (198 votes)
4. Renewable energy programs/projects (159 votes)
5. Improve drainage on Kekaha Road (150 votes)
At the fourth meeting these top five were fleshed out a bit to start to develop implementation plans and cost estimates for each. It became clear that much work needed to be done to determine what type of projects should be forwarded under each of these five main areas. Members of the public were very helpful in the discussion of the five areas during meeting four and even volunteered to assist CAC members in defining costs for each proposed sub-project listed under the five main areas. A full list of the sub-projects can be found in the meeting minutes from the August 10 meeting.

At meeting four the CAC also learned that the County had added $80,000 to the HCB fund for fiscal year 2010, which was roughly $1 per ton for anticipated volume of solid waste to be disposed of in the landfill for the coming year.

Meeting five took place on September 21 and was scheduled to be the final meeting of the CAC. However, the County offered at the start of the meeting to provide three additional meetings for the Committee to complete its work. Meetings five through eight were consumed mostly with continuing to refine the list of projects and associated costs.

At meeting six in October, the Mayor transmitted to the CAC a letter clarifying what he hoped the Committee would provide at the conclusion of its proceedings. His requests included:

- A list of the projects selected in priority order with a scope of work, estimated budget and annual operating budget for each, including source of funding for any new annual operational costs the project might create
- For each project there should be an identified funding mechanism (via a grant to a non-profit entity or via direct County expenditures)
- For any funds not earmarked through this process, an explanation of how will the rest of the money should be allocated
- Recommendations on the future role of the CAC

During meeting six it was determined that priority #5 (drainage improvements to Kekaha Road) would be dropped from consideration since that project was moving forward with the State of Hawai’i and would be resolved. After CAC discussion, it was decided to not add a new project, but to continue to focus on the top four.

Also at the October meeting it was the feeling of some CAC members that more community input was needed in order to proceed with finalizing the list of priority projects. The idea of having subcommittees for each priority was suggested, but the CAC ultimately decided that this could present Sunshine Law issues and that alternatively, it would be up to each member to individually and informally solicit feedback from people in the community so better decision making can be made.

A project worksheet was developed and was utilized by the CAC to create a “budget” for each project. Committee member Bruce Pleas is to be commended for completing the worksheets for all projects that are being recommended.

At meeting seven the community group, E Ola Mau Na Leo O Kekaha presented a proposal to the CAC to place the $650,000 of HCB funds into a restricted account in E Ola Mau’s account. There was no discussion of the request at meeting seven. The request was discussed during meeting eight. There were differing opinions as to whether or not the money should be given to E Ola Mau for stewardship. The County Attorney advised that the funds could not be transferred out of the County without an ordinance. The discussion ended with the CAC taking no action on the E Ola Mau request.
The CAC completed its work during meeting eight, and the Chair was tasked with drafting the final report for review and ultimate submission to the Mayor for consideration. It was agreed that the CAC would like to meet with the Mayor after the report is submitted to discuss their recommendations and other matters related to the HCB program and the CAC. They expressed a desire that the meeting would be a public meeting and held in Kekaha. The County representatives agreed that such a meeting would be arranged after the final report is submitted and the Mayor has had a chance to review.

**PROJECT RECOMMENDATIONS:**

At its final meeting on February 1, 2010, the CAC determined the initial list of projects to be forwarded to the Mayor for review and approval. The list is as follows:

- **Bathrooms at Kekaha Beach Park** ($156,000 capital, $22,500 annual maintenance) – Portable toilets cost $6,000 currently. For a nominal additional sum the bathrooms can be made ADA accessible.

- **Kekaha Beach Parking and Beach Access** ($10,000 capital, $1,000 annual maintenance) – A survey will be required. Rocks might be available for free from Kikiaola. The rocks will be used to designate the boundaries of the parking area and would extend to the rock wall.

- **Kekaha Beach Park Concession Stand** - The stand would be leased out to an operator who would pay rent on the building and land. A full kitchen is assumed with all applicable equipment.
  - (Option 1 - $55,000 capital, $5,000 annual maintenance) – Using recycled shipping containers to create the structure.
  - (Option 2 - $99,000 capital, $5,000 annual maintenance) – Building a bricks and mortar structure.
  - (Option 3 - $4,500 capital, $1,000 annual maintenance) – Designing and improving an area for 1 or 2 privately owned concession stands to be located.

- **Kekaha Community Center Improvements**
  - Ceiling fans ($13,000 capital, $1,000 annual maintenance)
  - Portable fans ($2,200 capital, $300 annual maintenance)
  - Roof vents ($5,000 capital, $1,200 annual maintenance)

  *Note: Costs were based on the assumption that the ceiling would not have to be altered for the ceiling fans. Roof vents are solar powered.*

- **Kekaha Community Center Stage Roof** ($30,000 capital, $1,000 annual maintenance) – Assumed $1000 per year for maintenance. The community could get involved to do some of the work itself to save funding.

- **Kekaha Community Kiddie Park** ($108,000 capital, $2,000 annual maintenance) – There will be a higher maintenance cost when equipment needs to be repaired or replaced.

- **Set Aside Funding for a Community Pool** ($250,000 capital) – All funding would be set aside to pay for the pool. No maintenance costs are included.

- **Solar Hot Water Systems for Residents** ($117,500 capital) – Future goal is for every resident to have a solar hot water heater.
This total cost estimate of these projects is roughly $790,000. The projected ongoing maintenance cost of the projects is $29,000 annually. Of course these are estimates and they were prepared by individuals with limited knowledge of true construction costs. Where possible, County Parks and Public Works personnel were consulted in order to achieve a reasonably accurate estimate. Of course we fully expect that your staff will review these projected costs and provide feedback should the estimates need to be changed substantially, which might trigger a need to re-prioritize projects.

**TOPICS OF INTEREST**

During the course of its proceedings, the CAC and members of the public who participated in the process had ongoing discussions on several topics of interest or concern. The following is an attempt to identify those topics for you. Please note that there are varying opinions on many of these topics among the CAC members, with some members being satisfied with the answers we have received and others not. We may wish to have further discussions with you on some of these topics in the coming months.

- **What HCB allocations can the Kekaha community expect to receive in the future?** This question came up several times and the CAC was informed that the administration anticipated that it would continue to fund the HCB account annually as long as the landfill remains open. The administration has also indicated that the current level of annual allocation of roughly $1 per ton of garbage disposed at the landfill (or roughly $80,000 per year) is a good estimate of expected revenues to the fund, but that the actual allocation would be subject to budget approvals for each fiscal year. We believe it is safe to say that the community expects to continue to receive the funds for as long as we continue to host the active landfill.

- **Can the HCB fund be transferred to an outside account where it can accrue interest?** This is a question that was posed repeatedly throughout the process by some members of the CAC and members of the public. The County CAC members have indicated that this is possible, but have also stated that any transfer of funds is subject to an ordinance and County Council approval. The CAC has chosen not to request transfer of funds at this time.

- **Why are we funding projects that are clearly the responsibility of the County (e.g. enhancements to the County beach park and neighborhood center)?** Some members of the public and some members of the CAC feel that we should not be funding certain projects that came out on top of the list. Others felt that these projects were not high priority for the County – especially during challenging financial circumstances – and that if we wanted them done now we should utilized the HCB fund. In the end, the majority of the CAC felt that we should proceed with the list of projects as developed.

- **The survey process was flawed and rushed and as such does not present a valid set of projects that reflect the sentiment of the Kekaha community.** All members of the CAC will agree that the process was rushed in the beginning and we all would have preferred to have more time to prepare the survey. However, the majority of the CAC members at this point feel comfortable that the survey does reflect the sentiments of the community and are comfortable moving forward with the list as prioritized in relation to the number of votes received.

- **What will happen to the CAC once the recommendations are made?** You asked the CAC for some feedback on the future of the CAC in your letter dated October 5, 2009. To date we haven’t had time for a full discussion on the matter, nor are we in a position to provide any recommendations at this time. It is clear to us, however, that the CAC must continue to exist as long as the Kekaha HCB fund is active, to insure timely implementation of projects and recommendations for use of additional monies that will be placed in the HCB fund. Many members of the CAC are willing to continue on at least until this issue is discussed and resolved, and some may be willing to serve into the future. This is one of the areas we hope to have dialogue with you on in the very near future.
Kekaha Host Community Benefits Citizens Advisory Committee

Jose Bulatao, Jr.
Myra Elliott
Randall J. Hee
Robert Jackson
A. “Big Boy” Kupo, Jr.
Glenn Molander
Evelyn Olores
Bruce Pleas
Walter R. Stocker

County Resource Group

Allison Fraley, Department of Public Works
Mauna Kea Trask, Office of the County Attorney
Lisa Ellen Smith, Planning Department
Beth Tokioka, Office of the Mayor
Jeff Kaohi, Waste Management of Hawaii, Inc.
CAC Mission Statement

“To serve as a community advisory committee to recommend projects and their administrative process for the disbursement of the HCB fund(s) allocated to, and in accordance with, the general consensus of the Kekaha community”.

CAC Ground Rules

• Five voting members of CAC constitute a quorum.

• Five affirmative votes constitute a majority.

• An absence from the meeting is excused if the member gives prior notice to the Facilitator or the Chair.

• Robert’s Rules of Order will be followed by CAC members; specifically: a motion needs to be made by a voting member, then seconded by another voting member, discussed by CAC members, and then put to vote.

• Members of the public may ask for permission to speak at any time during the meeting. The public individual requests permission to speak, if majority of voting members agree, then the individual is allowed to speak.
I. Introductions

II. Sign-in Sheet and Verify Contact Information

III. Goals/Objectives

IV. Background

V. Ground Rules

VI. Establish Mission Statement

VII. Establish Meeting Schedule

VIII. Election of Officers

IX. Assignments for Next Meeting

X. Public Comments/Questions

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETERS AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE. OFFICE OF THE MAYOR, 4444 RICE STREET, SUITE 235, LĪHU‘E, KAUA‘I. TELEPHONE NO. 241-4900 * EMAIL: btokioka@kauai.gov
Kekaha Landfill Horizontal Expansion
Host Community Benefits – Citizens’ Advisory Committee
Meeting Two Agenda
Kekaha Neighborhood Center
4/27/09, 6:00 PM – 9:00 PM

I. Welcome

II. Old Business
   a. Finalize Officers’ Roles
      i. Chair
      ii. Vice-Chair
   b. Elect Officers
      i. Chair
      ii. Vice-Chair

III. New Business
   a. Develop survey implementation plan
   b. Review draft survey questions and finalize survey document

IV. Preparation for Next Meeting
   a. Assign follow up tasks for facilitator and committee members
   b. Select date and time for next meeting
   c. Develop agenda for next meeting

V. Adjourn

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TELEPHONE NO. 241-4900 * EMAIL: btokioka@kauai.gov
Kekaha Landfill Horizontal Expansion
Host Community Benefits – Citizens’ Advisory Committee
Meeting Three Agenda
Kekaha Neighborhood Center
5/11/09, 6:00 PM – 9:00 PM

Committee Members (voting): Randall Hee, Chair; Jose Bulatao, Vice Chair; Robert Jackson, Financial Officer; Evelyn Olores, Secretary; Myra Elliott; A. “Big Boy” Kupo, Jr.; Glenn Molander; Bruce Pleas; Walter “Russ” Stocker

Committee Members (non voting): Allison Fraley, Jeff Kaohi, Christobel Kealoha, Leonora Kaiaokamalie, Beth Tokioka

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC TESTIMONY

IV. APPROVAL OF MINUTES: Meeting Minutes of April 27, 2009

V. BUSINESS
   a. Chris Kealoha, County Attorney Office, discuss detail of Sunshine Law as it affects Kekaha HCB CAC.

   b. Survey Implementation Plan
      i. Address how survey will be distributed

VI. Survey Questions

VII. NEXT MEETING

VIII. ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY
Public Testimony will be accepted at the beginning of the meeting and during the meeting upon recognition by the Chair.

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TELEPHONE NO. 241-4900 * EMAIL: btokioka@kauai.gov
OFFICE OF THE MAYOR

Kekaha Landfill Horizontal Expansion
Host Community Benefits – Citizens’ Advisory Committee
Meeting Three Agenda
Kekaha Neighborhood Center
8/10/09, 6:00 PM – 9:00 PM

Committee Members (voting): Randall Hee, Chair; Jose Bulatao, Vice Chair; Robert Jackson, Financial Officer; Evelyn Olores, Secretary; Myra Elliott; A. “Big Boy” Kupo, Jr.; Glenn Molander; Bruce Pleas; Walter “Russ” Stocker

Committee Members (non voting): Allison Fraley, Jeff Kaohi, Mauna Kea Trask, Leonora Kaiaokamalie, Beth Tokioka

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC TESTIMONY

IV. APPROVAL OF MINUTES: Meeting Minutes of May 11, 2009

V. BUSINESS

a. Present Survey Results and Discuss Survey Validity

b. Choose Preferred Project(s) and Brainstorm Project Ideas

c. Assign CAC Members to Research Project Ideas and Costs

VI. NEXT MEETING

VII. ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY

Public Testimony will be accepted at the beginning of the meeting and during the meeting upon recognition by the Chair.

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Committee Members (non voting): Allison Fraley, Jeff Kaohi, Mauna Kea Trask, Leonora Kaiaokamalie, Beth Tokioka

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC TESTIMONY

IV. APPROVAL OF MINUTES: Meeting Minutes of August 10, 2009

V. BUSINESS

a. Review of proposal to add more meetings to the Kekaha HCB CAC.

b. Discuss relevant procedures to be adopted and approved by the CAC members with regard to:
   1. Establishing a means by which the community may closely review the 5 top priorities of the survey and to arrive at recommendations relevant to the survey outcomes to reflect the community’s expressed interests and concerns;
   2. Establishing timelines and benchmarks set by the members of the Kekaha HCB CAC in concurrence with expressed perspectives emanating from residents of the community;
   3. Seeking clarification on the annual allocation proposal for as long as the landfill remains on its present site (near Kekaha) and the work of the existing Kekaha HCB CAC.

c. Future responsibilities of the Kekaha Landfill CAC.

d. Discuss cost estimates of chosen projects and finalize selection.

e. Discussion of future Agenda Items.

VI. NEXT MEETING

VII. ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY
Public Testimony will be accepted at the beginning of the meeting and during the meeting upon recognition by the Chair.

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TELEPHONE NO. 241-4900 * EMAIL: btokioka@kauai.gov
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Committee Members (non-voting): Allison Fraley, Jeff Kaohi, Mauna Kea Trask, Leonora Kaiaokamalie, Beth Tokioka

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC TESTIMONY

IV. APPROVAL OF MINUTES: Meeting Minutes of September 21, 2009

V. BUSINESS
   a. Mayor’s clarification letter
   b. Results of community outreach
   c. Selection of projects for the “short list”
   d. Future responsibilities of the Host Community Benefit CAC
   e. Discussion of future Agenda Items.

VI. NEXT MEETING

VII. ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY
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Committee Members (non voting): Allison Fraley, Jeff Kaohi, Mauna Kea Trask, Lisa Ellen Smith, Beth Tokioka

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC TESTIMONY

IV. APPROVAL OF MINUTES: Meeting Minutes of September 21, 2009

V. BUSINESS
   a. Finalize Projects – Added Details and Project Worksheets
   b. Develop Recommendations for Funding Mechanisms for Each Project
   c. Future Responsibilities of the Host Community Benefit CAC
   d. Discussion of Future Agenda Items.

VI. NEXT MEETING

VII. ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY
Public Testimony will be accepted at the beginning of the meeting and during the meeting upon recognition by the Chair.

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TELEPHONE NO. 241-4900 * EMAIL: btokioka@kauai.gov
OFFICE OF THE MAYOR
Kekaha Landfill Horizontal Expansion
Host Community Benefits – Citizens’ Advisory Committee
Meeting Eight Agenda
Kekaha Neighborhood Center
2/01/10, 6:00 PM – 9:00 PM

Committee Members (voting): Randall Hee, Chair; Jose Bulatao, Vice Chair; Robert Jackson, Financial Officer; Evelyn Olores, Secretary; Myra Elliott; A. “Big Boy” Kupo, Jr.; Glenn Molander; Bruce Pleas; Walter “Russ” Stocker
Committee Members (non voting): Allison Fraley, Jeff Kaohi, Mauna Kea Trask, Lisa Ellen Smith, Beth Tokioka

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC TESTIMONY

IV. APPROVAL OF MINUTES: Meeting Minutes of December 7, 2009

V. BUSINESS

a. Finalize Projects – Added Details and Project Worksheets
b. Develop Recommendations for Funding Mechanism for Each Project
c. Discuss E Ola Mau proposal for management of HCB funds
d. Recommendations for Future Responsibilities of the Host Community Benefit CAC
e. Develop Plan for Presenting Recommendations to Mayor

VI. ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY
Public Testimony will be accepted at the beginning of the meeting and during the meeting upon recognition by the Chair.

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OFFICE OF THE MAYOR, 4444 RICE STREET, Suite 235, LĪHU‘E, KAUA‘I.
TELEPHONE NO. 241-4900 * EMAIL: btokioka@kauai.gov
Meeting Minutes
Kekaha Landfill Horizontal expansion
Host Community Benefits – Citizens’ Advisory Committee
Meeting No. 1
Kekaha Neighborhood Center, Kekaha, Kauai
13 April 2009
Time: 6:00 – 9:30 PM, Hawaii Standard Time

1. **MEETING OBJECTIVES**

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met at the Kekaha Neighborhood Center to discuss how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai for the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. **MEETING PARTICIPANTS**

The following CAC members participated in the meetings:

<table>
<thead>
<tr>
<th>Name</th>
<th>Voting / Non-Voting Member</th>
<th>CAC Member Affiliation</th>
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<tbody>
<tr>
<td>Allison Fraley</td>
<td>Non-Voting Member</td>
<td>Public Works Section of Solid Waste Division, County of Kauai</td>
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<tr>
<td>A. “Big Boy” Kupo Jr.</td>
<td>Voting Member</td>
<td>Kekaha Resident</td>
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<tr>
<td>Beth Tokioka</td>
<td>Non-Voting Member</td>
<td>Mayor’s Office, County of Kauai</td>
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<tr>
<td>Bruce Pleas</td>
<td>Voting Member</td>
<td>Kekaha Resident</td>
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<td>Christobel Kealoha</td>
<td>Non-Voting Member</td>
<td>County Attorney’s Office, County of Kauai</td>
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<td>Evelyn Olores</td>
<td>Voting Member</td>
<td>Kekaha Resident</td>
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<td>Glenn Molander</td>
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<td>Kekaha Resident</td>
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<tr>
<td>Jeff Kaoshi</td>
<td>Non-Voting Member</td>
<td>Waste Management District Manager</td>
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<td>Leanora Kaiaokamalie</td>
<td>Non-Voting Member</td>
<td>County Planning Department</td>
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<td>Myra Elliott</td>
<td>Voting Member</td>
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<tr>
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3. **MEETING SUMMARY**

The following sections provide a summary of the topics discussed during the meeting:

1. **Introduction and Background**

Ms. Tokioka opened the meeting and introduced Mr. Pflum as the facilitator for the evening’s meeting. Mr. Pflum then briefly went over the agenda items for the evening’s meeting. The agenda items included providing a background of the project, adopting ground rules for the
meetings, developing a mission statement, establishing next meeting schedule, electing officers for the CAC, discussing assignments for next meeting, and listening to public comments or questions.

Mr. Pflum explained that the overall objective of CAC is to find out what the Kekaha community wants and how the $650,000 HCB funds allocated for the community will be utilized for addressing the community’s needs.

During the discussions CAC members expressed the view that the foundation for deciding HCB fund utilization come from the CAC and any decision regarding use of HCB funds require the confirmation from the nine voting members of the CAC. Mr. Pflum confirmed that this will be the case.

II. Roles and Responsibility

Mr. Pflum led the discussion towards formalizing some of the member roles. First, the role of non-voting members discussed. Mr. Pflum asked the CAC members if non-voting members had the authority to bring motions to be discussed by the voting members.

After discussion between members it was decided that non-voting members are an integral part of the CAC and they will actively participate in discussions during the meeting, help research information for the use by the committee, provide their opinion and recommendation on matters pertaining to their expertise, point out to the members if any agenda item being discussed may have legal implications that need to be considered, and help with dissemination of information to the public regarding the CAC meetings. But, non-voting members will not have other rights such as bringing motions for the members to deliberate.

III. Ground Rules

Mr. Pflum asked the members to consider certain ground rules for the meeting. He handed out a set of instructions that were an informal version of the Robert’s Rules of Order to consider as ground rules. He asked the CAC members to decide what rules and guidelines they wanted to implement.

The CAC member discussion focused on adopting formal rules versus keeping the meetings informal with few ground rules. One CAC member pointed to the rules adopted by the County of Kauai Council and recommended that these be followed by the CAC. Other members favored keeping the meeting informal with few ground rules. The latter members opined that having an informal setting allows for easy discussion on pertinent matters without getting bogged down with procedures and formalities and that the role of the CAC is advisory in nature and will be better served with fewer rules. It was decided that few ground rules will be adopted and new ones adopted/added if found appropriate in later discussions of the committee.

The members discussed what would constitute a quorum and majority for the committee. After discussions it was recommended that five voting members from the nine total voting members of CAC will constitute a quorum. It was also recommended that five affirmative votes are required to constitute a majority.
The members discussed if they could confer before meetings to discuss pertinent matters regarding the meeting. It was decided that such conference are fine as long as they follow the “Sunshine Law”. Mr. Pleas asked Ms. Kealoha to find out and confirm what the CAC members have to do in order to be in compliance with the Sunshine Law. Ms. Kealoha said that she will find out and let the members know.

The members discussed attendance policy for CAC members. After discussion it was recommended that if a member is unable to attend a meeting, he/she should let the facilitator (Mr. Pflum) or the elected Chair (to be decided) of the CAC know regarding the absence.

The members also discussed the nature of the HCB funding and whether the funding would be continuing in nature. CAC members expressed the view that the funding could be continuing in nature and might then imply that the CAC needs to remain in place as long as the funding remains. They said that details of future funding need to be told to CAC members. Ms. Tokioka said that she will have additional details regarding the continuation of HCB funds by the next meeting.

The CAC members then deliberated the role of the public and when they can comment in the CAC meetings. The following different options/alternatives for public participation were discussed:

- Each member of the public would be allocated a set amount of time for each agenda item being discussed and allowed to participate throughout the meeting.
- Each member of the public be allocated a set amount of time and allowed to comment only at the beginning of the meeting.
- Each member of the public be allocated a set amount of time and allowed to comment only at the end of the meeting.
- Public be allowed at the meetings to witness the proceedings but not allowed to comment. Public comment will be sought through the survey process.
- Selected meetings that have agenda items that focus on public opinions (such as discussing which questions should go on the public survey) should be open to public comment and other meetings do not have comment from public.
- Allow a public to speak at anytime during a meeting by taking permission from majority of voting members. The public individual requests the chair for permission to speak, the chair asks for a vote, if majority of voting members agree then the individual is allowed to speak.
- The members also discussed if minutes allocated to a public individual can be transferred to another individual.

The members of CAC voted on the ground rules and passed the following rules with majority votes:

- Five voting members of CAC constitute a quorum.
- Five affirmative votes constitute a majority.
- An absence from the meeting is excused if the member gives prior notice to the Facilitator or the Chair.
- Robert’s Rules of Order will be followed by CAC members; specifically: a motion needs to be made by a voting member, then seconded by another voting member, discussed by CAC members, and then put to vote.
Members of the public will be allowed to speak at anytime during a meeting by taking permission from majority of voting members. The public individual requests the Chair person for permission to speak, the Chair asks for a vote, if majority of voting members agree then the individual is allowed to speak.

IV. Mission Statement

Members of the CAC discussed formulation of a mission statement for the meetings.

Mr. Bulatao had the following statement prepared that acted as a starting point:

“To serve as a community driven liaison entity empowered to set parameters and procedures that meet the legal requirements for the applications and disbursements of the host community benefit fund(s) awarded to the community of Kekaha”.

The members then discussed modifying the above statement to come up with a mission statement that had the consensus of the CAC. The following mission statement was agreed upon after deliberation:

“To serve as a community advisory committee to recommend projects and their administrative process for the disbursement of the HCB fund(s) allocated to, and in accordance with, the general consensus of the Kekaha community”.

The discussion during this agenda item also focused on what projects can be chosen for implementation and the administrative processes for utilization of HCB funds.

Mr. Pflum mentioned that if the project recommended by the CAC meets the standards of the County of Kauai, the project is likely to be approved by the Mayor. Mr. Pflum also said that the CAC will recommend the nature of disbursement (example lump sum payment or establishment of a trust fund). Ms. Kealoha mentioned that she will research the funding mechanism from County officials and let the members know the details about the disbursement process (say, if the allocated funds have to be approved by the Council for the specific project recommended by the CAC). Ms. Kealoha also said that she will research what constitutes a legal method for disbursing the funding and report to the CAC members on her findings. Ms. Tokioka mentioned that disbursement to a non-profit is the traditional way that the County would give the money to the CAC. A copy of Article 3 (Standards for the Appropriation of Funds to Private Organizations) of the Kauai County Code was provided to Committee members. But, other disbursement options could be considered and the process would depend upon the specific project decided by the CAC. Mr. Pleas asked Ms. Tokioka if she could find out how the CAC could potentially obtain funding for other than non-profit option.

V. Next Meeting Schedule

The CAC members deliberated the next meeting date. The following dates and timing were decided by the members after a vote:

Primary date: April 27th 2009 between 6:00 and 9:00 PM Hawaii Standard Time
Alternate date: May 11th 2009 between 6:00 and 9:00 PM Hawaii Standard Time
The following tasks were assigned to individuals:

- Ms. Fraley would find out if the Kekaha Neighborhood Center is available for the proposed meeting dates and make reservations. The availability of the conference room will dictate whether the meeting will be held on the primary or alternate date.
- Ms. Kealoha would research the funding process with the County officials.
- Ms. Kealoha would let the CAC members know about the details of the Sunshine Law.
- Mr. Pflum asked the members to look at the handout about standards for appropriation of funds. He requested that CAC members read the handout as a homework before the next meeting.

The members discussed ways in which the meetings could be better advertised to the community of Kekaha. The members decided that the following methods would be used for advertising the next meeting:

- Press release by the County.
- Flyers of the meeting agenda and timings will be posted in the Kekaha Neighborhood Center Message Board.
- Flyers of the meeting agenda and timings will be posted in the Public Library and local stores.
- “Word of mouth” advertisement by the CAC members to the local community.

VI. Comment from Public

A member of the public asked for permission to speak at the meeting and was granted permission by CAC voting members.

The following main points were expressed by the commenter:

- He is one of the authors of the original legislation for the HCB.
- The County wanted to thank the Kekaha community for hosting the landfill over the years.
- The HCB was put in with the simple intent of having the funds to get something that the community wants.
- The intent is not for the CAC to deliberate rules and regulations but to act. To find out what the community wants and then to go about getting the task completed.
- He enumerated a list of projects that he had accomplished at the County and said that if the Kekaha community expresses the desire for any such projects, the County has the expertise to accomplish the task.
- The CAC meetings have to follow the Sunshine Law and that the public has to be allowed to comment. The community’s voice needs to be known.
- The CAC can take as much time as they want to come to a consensus about what the community wants.
- The funding was supposed to be continual. The new proposed budget has been submitted but there is no additional installment of HCB funds. That should not have happened because the Kekaha community deserves the funding.

VII. Electing Officers and Closing Discussions

Mr. Pflum asked the CAC members to decide which office bearer positions they want to elect and suggested that they elect the following officers:

- Chair,
- Vice-Chair,
- Secretary, and
- Treasurer

Mr. Pflum explained the roles for each position. He said that the Chair would be the main speaker and facilitator. The Chair would represent the group to the Mayor and the community. The Vice-Chair would have duties assigned by the group and would fill in for the Chair if the Chair is absent. The Secretary could help take meeting minutes and distribute requested information to the CAC members. The treasurer could handle financial questions and research funding options.

The members of CAC deliberated and decided that the posts of the Secretary and the Treasurer were not necessary for the CAC. The members decided to elect a Chair and Vice-Chair at the next meeting. The members agreed that Mr. Pflum will be the default facilitator and on meetings where Mr. Pflum may not be available, the Chair would take up facilitator’s role.

It was decided that the meeting will be audio taped and Mr. Pflum will transcribe the minutes later on from the recordings. One CAC member requested that the original tapes of the meeting be preserved. Mr. Pflum also agreed to take up the role of distributing any pertinent information requested by the CAC members to the committee through email/regular mail.

One CAC member asked if the allocated funds could be awarded to the community in the lump sum so that the money can earn some interest while CAC is deciding what to do with the money. The committee discussed funding options and Ms. Fraley asked the CAC members to read the study provided to them that shows some of the funding options that could be pursued.

Election of officials was added to the agenda item for next meeting.

Mr. Bulatao said that he had prepared some sample survey questions that he would email to Mr. Pflum, who will then distribute them to the CAC members. One CAC member suggested that all CAC members should talk to the community and get a set of questions that could be included in the survey.

The meeting was adjourned at 9:30 PM Hawaii Standard Time.
Meeting Minutes
Kekaha Landfill Horizontal expansion
Host Community Benefits – Citizens’ Advisory Committee
Meeting No. 2
Kekaha Neighborhood Center, Kekaha, Kauai
27 April 2009
Time: 6:00 – 9:30 PM, Hawaii Standard Time (HST)

1. MEETING OBJECTIVES

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met at the Kekaha Neighborhood Center to discuss how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai for the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. MEETING PARTICIPANTS

The following CAC members participated in the meeting:

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<td>Jose Bulatao, Jr.</td>
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</tr>
<tr>
<td>Jeff Kaohi</td>
<td>Non-Voting Member</td>
<td>Waste Management District Manager</td>
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<tr>
<td>Leanora Kaiaokamalie</td>
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Ms. Christobel Kealoha, a non-voting member of the CAC, had requested to be excused from the meeting due to illness.

3. MEETING SUMMARY

The following sections provide a summary of the topics discussed during the meeting:

1. Introduction
Mr. Pflum opened the meeting. He welcomed back the CAC members for the second meeting and explained the features of the new audio recording system that was set up to record the meeting discussion per their request.

The members voted to accept the minutes of the previous meeting, as submitted to them, without any additional changes or revisions.

Mr. Pflum asked if the members wanted to participate in a quick personality test before voting for the committee positions. The intent for the personality exercise was to act as an ice-breaker and team-building exercise. The members read the handouts for the exercise but decided not to add the exercise as an agenda item for the meeting.

Mr. Pflum asked if there were any revisions to the agenda for the meeting. The following revisions were discussed and approved by the committee:

- Adding additional officer positions, such as a Financial Officer for the CAC.
- Rewording the agenda to state that a draft survey implementation plan and draft survey questions would be accomplished by the end of the meeting, because members felt there would not be enough time to finalize the two items in the course of this meeting.

The following motions for revision to the agenda were rejected:

- One CAC member entered a motion to consider removal of the Waste Management Inc.’s representative from the CAC member list. He opined that a representative from the landfill was not needed at this time. Members discussed the motion and it was noted that the CAC member appointment was the Mayor’s prerogative, the members were selected to provide a diverse representation, and the expertise of the Landfill representative maybe beneficial at a later point of time. Mr. Kaohi, the Waste Management, Inc.’s representative, explained that his company wants a community relations manager to be present at the meetings to participate in the discussions, understand the process of community project selection, and understand any past or present complaints expressed by the community regarding the landfill. He insisted that he would like to participate in the process as a member, or if the CAC does not wish him to be a CAC member; he would participate as a concerned public. After hearing the discussion the original motion to remove the Waste Management representative from the CAC was withdrawn.

- Mr. Pflum asked CAC members if they wanted to revise the process of the meeting facilitation, meeting schedule, or meeting agenda from what was already laid out. He asked members to discuss the issue because members had indicated through email communication that the community did not have a firm say in developing the process for the meetings. Mr. Pflum explained to the CAC that the funding for the present schedule is limited, but the CAC could come up with ideas of changing the schedule and finding out the best use of available funding for meeting facilitation. Members discussed changes to the existing format. While some members expressed the need for additional meetings, other members expressed the opinion that the most efficient option is to adhere to the current set up to accomplish tasks in a timely manner. After discussion, members decided through a motion that the CAC will adhere to the current format of meeting facilitation, schedule, and agenda; and if a change of format is found necessary at a future date, it will be discussed at that point.
All agenda items except officer posts and finalizing survey questions and survey implementation plan were accepted by the CAC as written.

II. CAC Officer Roles and Responsibility and Officer Elections

Members discussed adding additional officer posts for the CAC committee. The following positions were added to the agenda:

- Adding the post of a Financial Officer.
- Adding the post of a Secretary.

The roles of the Chair, Vice-Chair, Secretary, and Financial Officer were described by Mr. Pflum. The CAC members agreed upon the roles and duties of each position without any added revisions.

A CAC member asked if the audio recording equipment could be made available in case CAC members met without County participation. Ms. Tokioka said the County could consider the request given sufficient notice and availability of the equipment.

A CAC member raised the issue if a formal report was needed to be presented to the Mayor. Ms. Tokioka explained that capturing meeting minutes is sufficient documentation and that the Mayor only requires the recommended project from the CAC and not a formal report on the proceedings.

It was decided that a member will be nominated for each CAC position and the nominated member would briefly describe what qualities and experience he possesses to accomplish the duties of the position. Then members would vote to elect the officers. The following members were nominated and elected for the different CAC officer positions:

- Mr. Bulatao and Mr. Hee were nominated for the posts of the Chair. Mr. Hee was elected as the Chair of the CAC.
- Mr. Bulatao and Mr. Molander were nominated for the position of the Vice-Chair. Mr. Bulatao was elected as the Vice-Chair of the CAC.
- Mr. Stocker and Mr. Jackson were nominated for the position of the Financial Officer. Mr. Jackson was elected as the Financial Officer of the CAC.
- Ms. Olores was nominated for the position of the Secretary and elected unopposed by the CAC.

III. Review of Previous Meeting Assignments

Mr. Pflum reviewed the assignments from the previous meeting.

- Ms. Fraley had accomplished her assignment by reserving the Kekaha Community Center for the present meeting.
- Ms. Kealoha was not present; so, the progress on research regarding the funding process from the County officials was not available.
- Ms. Kealoha was also supposed to bring details of the Sunshine Law, but the members had studied the essentials of the law through the internet. Members discussed the salient points of the law and agreed that there will be no lobbying outside of the meetings.
Ms. Tokioka explained that the meeting was advertised through a press release and a newspaper advertisement. One CAC member confirmed that an article was published in the Honolulu Advertiser and the meeting was announced by the local radio station.

Ms. Fraley explained that the County of Kauai had revised their website to have a webpage for HCB. The website had the meeting agenda, meeting minutes, and an introduction of the CAC members. She was asked to upload the Draft HCB Study for the Kekaha Landfill expansion to the website. Members asked Ms. Fraley to also upload any draft documentation deliberated by the CAC to the website. Members also noted that a draft document should be clearly marked as “Draft”. A motion by a member to upload all documents to the website was not upheld by the CAC voting members. It was agreed that all documents would be made available at the meetings but it may not be logistically feasible to have all documents uploaded to the website.

Mr. Pflum asked if members had read the handout on the standards for appropriation of funds. Most members had not read the document. Mr. Pflum asked every member to read and review the document before the next meeting.

Ms. Tokioka provided updates on the HCB funds. She stated that the $650,000 assigned for HCB is presently in a County account that is accruing interest and it can only be moved from the account through a County ordinance change. She said the language for appropriation of the HCB funds could be modified so that the accrued interest could be transferred retroactively, along with the funds, for the CAC approved project. This process would require Council approval.

Ms. Tokioka also provided an update that the Mayor was going to finalize the supplemental budget for the next Fiscal Year by May 8th, 2009 and that there is a likelihood of additional HCB funds being earmarked in the budget. The CAC members discussed if the CAC should send a letter on behalf of the Kekaha Community to the Mayor requesting a line item in the supplemental budget for additional HCB funds. The members agreed that a letter will be drafted by the CAC and sent to the Mayor stating that the CAC would appreciate a line item for HCB in the 2009/2010 budget. The CAC Chair would take the lead on drafting this letter.

IV. Develop Survey Implementation Plan

Mr. Pflum asked the members to refer to Section 5.5 of the Draft HCB Study Associated with the Proposed Kekaha landfill Expansion for developing a survey implementation plan. He described the steps for developing a survey implementation plan. A CAC member requested that once the survey is completed both the raw data and the analysis results should be provided to the CAC.

Members of the CAC and the public participants discussed the following questions/points about the proposed survey:

- What percentage of mailed out surveys needs to be completed and returned back to constitute a statistically acceptable sample?
- How can non-native speakers of English participate in the survey?
- Could public meetings be hosted to conduct the survey?
- Can the survey be translated into the predominant languages used in the community?
- Could we have a PowerPoint presentation of the survey questionnaire and present to the community at a meeting?
- Can we visit people door to door and conduct the survey?
- Could the Kekaha Community Center be kept open on certain days to provide assistance with the survey?
• Could people who require assistance call a phone number and get assistance on the survey?
• Would translators be required for phone assistance? If so, how many dialects and languages need to be translated? Does the County have resources for providing such a service?
• Importance of cultural sensitivity was brought up. A member of the public mentioned that Western-culture based phone-in surveys may not work for Kekaha. Similarly a mail-in survey will not work for illiterate people. To include residents who are illiterate and do not like participating in mail-in surveys and phone-in surveys; should a potluck gathering be organized where the survey could be discussed by local residents?
• If you translate the survey, would you have to follow the State mandate for translating the survey into all of the 14 languages/dialects recognized by the State?
• Could school children take home the survey and teachers at their school help them fill out the survey for their parents?
• Is it necessary to get response from each and every resident of Kekaha? Why can not we get back the response from the individuals who participate in the mail-in survey and the response from individuals who attend community meetings, and use the combined results from the two processes for our analysis?
• If phone assistance is provided, then the person providing the assistance should be a third-party personnel and not a CAC member.
• Meetings could produce responses that do not exactly correspond to survey questions. How do we incorporate interesting suggestions that come out in public meetings that do not correspond to exact survey questions?
• How could the feelings expressed in the meetings by the community be captured in the survey?
• Can we use a shotgun approach by using all methods? We could have meetings, mailings, door to door surveys, surveys translated in all languages, interpreters to help the participants. Can we not incorporate all avenues? The process will galvanize the community and build trust.
• If different methods are used concurrently (meetings, door to door survey, mailing survey) then one may get different results based on the method. How will the results from these different survey methods be incorporated and compared?
• Could the meeting discussion be focused on individual survey questions and visual means such as adding blue sticker dots to each question discussed utilized as means for quantifying results?
• How can other goals of the implementation plan be achieved if we focus on an elaborate survey process? We should mail out the survey and use the results instead of asking for a detailed survey process.

Mr. Pflum urged the members to go ahead with finalizing the mail-in survey part of the process and incorporate creative ideas of other survey methods later. A motion was entered and the CAC approved the motion for moving forward towards finalizing the mail-in survey format. The following points were discussed regarding the mail-in survey:

• The survey would be mailed to each household in the Kekaha community.
• Property owners who reside outside of Kekaha, but pay property taxes, should get a copy of the survey. Property owner addresses could be obtained from property tax rolls.
• Residents who do not have P.O. Box addresses in Kekaha might miss the survey. Is the approach then to go door to door to survey these residents?
• Could voting records be used for the survey mailing list?
- How to exclude people who have P.O. Box addresses for Kekaha, but reside outside of Kekaha?
- Do we need to reach all residents of Kekaha? Can we not get a statistically significant sample for survey if we reach 50% of the residents?
- Will the data be skewed because the easily accessible residents are a different demographic class than the ones that are harder to access? Does it matter?
- Could surveys be placed at grocery stores so that residents could easily find them and fill them out?
- An individual could vote multiple times if the survey is easily available at the grocery store, will this be acceptable?
- One member suggested that assistance could be provided by his colleagues in the “Surf Rider” group to help with door to door surveys of Kekaha residents. Survey forms could be designed to have two parts. A bottom detachable part would have an identification number and entry fields that identify to whom the survey was issued, the date of issue, and the signature of the issuer. The top part that has the actual survey questions would have the same identification number as the bottom part and fields that could be used to verify the survey takers identification information. The bottom part is detached by the survey issuing officer and returned to the organization that analyzes the survey. The top part is filled in by the resident and returned to the organization analyzing the survey results. The bottom tag is used to verify that a valid resident filled out the questionnaire.
- What is the anticipated time frame for completing the survey? Can it be done in less than the three months time period that is being currently envisioned?
- What is the source of the mailing list for residents?
- Could the mail-in survey be substituted by a phone-in survey from an agency that does phone surveys?
- Who is funding the survey?
- Could an internet based survey be used instead or along with other surveys? Will the results be valid if internet survey is utilized?

Members deliberated the above questions/points, but did not come to a firm resolution on those items. The CAC members decided that they would work on the survey questions and come up with questions for the survey for the next meeting.

V. Next Meeting Schedule and Assignments

The next meeting was set for the following date and time:

11th May 2009 between 6:00 PM and 9:00 PM HST.

The following assignments were made for the next meeting:

- A member requested the proposal from the Leeward Coast Community Benefit Program be made available to the CAC members. To be provided by Mr. Pflum.
- A copy of the Kekaha resident mailing list is made available to the CAC, so that the committee can decide how comprehensive the list is.
- The Chair will set the agenda for the next meeting and send a copy to Ms. Fraley for posting. The agenda will be open for deliberation at the next meeting.
- Every CAC member will read the draft survey questions and come prepared with a list of questions they want to incorporate into the survey.
- The order of the draft survey questions will be prepared by Mr. Pflum.
The meeting was adjourned at 9:15 PM Hawaii Standard Time.
1. **MEETING OBJECTIVES**

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met for the third time at the Kekaha Neighborhood Center to discuss how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai to the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. **MEETING PARTICIPANTS**

The following CAC members participated in the meeting:

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3. **MEETING SUMMARY**

The following sections provide a summary of the topics discussed during the meeting:

I. **Introduction**

The CAC Chair (Mr. Hee) called the meeting to order. The CAC Secretary (Ms. Olores) conducted a roll call for the members present. The agenda for the meeting was approved after deliberation with no added revisions. The Chair asked if any public participant wanted to provide
testimony, no comments from the public were received. The members read the minutes of the previous meeting and approved the meeting minutes, as written, without any additional revisions.

The Chair asked Ms. Kealoha (the County Attorney) to answer any member questions regarding the Sunshine Law. One member asked for guidance on email communication sent out on May 8th 2009 from a CAC member to six other members of the committee. The email referred to requesting a copy of the letter from CAC Chair to the Mayor for adding a line item in the County Budget for HCB funds for Kekaha. The Chair apologized for the delay in having sent the letter out to all committee members, he mentioned that the letter was available in electronic format (scanned copy) and he will send it out to all the CAC members.

Mr. Hee and Mr. Plum explained to the CAC members that a dedicated meeting minute transcriber was not available for this meeting; therefore, the members have to speak clearly into their microphones so that the dialogue is picked up by the tape recorder. He explained that if a member does not use the microphone for stating their point, the tape recorder may not pick up the dialogue and the conversation would not be on the record.

The Chair asked Mr. Pflum to facilitate the agenda item “Survey Implementation Plan”.

II. Survey Implementation Plan

Mr. Pflum asked the members to refer to the survey implementation plan. He went over the steps of the implementation plan, i.e. Identify needed information, designing the survey and testing the survey (Mr. Pflum asked the nine voting members to help test the survey with Kekaha residents and send an email feedback regarding the survey questions).

One member questioned the need for having personal questions regarding demographic and financial questions on the survey. Members deliberated and did not reach an agreement and decided to move on with other portions of the agenda.

III. Survey Distribution Options

Mr. Pflum mentioned that Mr. Pleas had offered assistance with door to door survey and AECOM had proposed a mail out survey. Mr. Plum suggested that both survey delivery options (door to door and mail-out) be tried with AECOM and County of Kauai being responsible for the mail-out part (by using real property tax rolls from County records).

One member asked if a person owning multiple properties will get multiple survey questionnaires. Ms. Tokioka said the County could scrub the list to send out only one survey per property owner (if a person owns more than one property then he does not get multiple survey questionnaires). One member entered a motion to limit the survey to one survey per Kekaha property owner, but the motion was not seconded.

Mr. Pflum said that a small duplication is inevitable to get both the residents and property owners covered. The door to door survey will target Kekaha residents and the mail-out survey will target Kekaha property owners. In cases where the owner is also the resident, he/she shall receive two questionnaires. The identifier for door to door and mail-out survey questionnaires can be kept separate to identify whether the response is being provided to a door to door survey questionnaire or a mail-out survey questionnaire. The survey could have a suggestion that the person fill-out only one survey questionnaire.
A motion to use real property tax for mail-out and door to door distribution methods was entered and passed by the CAC.

Members discussed that there should be a mailing address/point of contact from where a Kekaha resident who has not received a survey could obtain one.

The Chair suspended the rules in order to record a public testimony. A member of the public raised the following main points:

- He clarified that he was not a resident of Kekaha.
- He stated that HCB is not supposed to be a license to keep expanding the landfill and he hoped that the current expansion is the last one for the Kekaha landfill.
- He stated that doing both a house to house survey and mailing out the survey, in his view, invalidates the survey because a person has the possibility of voting more than once.
- He felt that the projects outlined in the survey were not specific enough. He anticipated the survey listing specific projects.
- He felt one vote per household was not sufficient and including only homeowners was not sufficient in his view.
- He hoped that the CAC would resolve their matters expeditiously.

Mr. Pflum clarified that it is essential for duplicate questionnaire to be sent to each property in order to include both owners and residents. He stated that in his plan, each property would get two votes, but it is for the members to vote on that issue.

IV. Survey Question Finalization

The Chair asked Mr. Pflum to facilitate the finalizing of the survey questions. Mr. Pflum went over the projects that were already identified by the CAC members and AECOM as potential survey questions. He asked the members to deliberate the list and add other projects to the list.

The Chair suspended the rules for taking input from the public for project ideas.

Members of the public suggested the following projects:

- One member of the public stated that he is not a member of Kekaha, but a big contributor to the racing community on the West-side. He said he is involved with many projects at the race track at Mana. The upcoming projects fall into the community benefit category as they keep the youth from racing illegally on the streets. He suggested projects such as resurfacing the racing track, maintaining fences and expanding the paved area of the track could be funded through HCB. He suggested having street racing nights where racers and audiences could participate at the track in a safer environment.
- A member of the public stated that heavy rains and bad weather cause severe flooding in Kekaha along the vicinity of the school. The area also has banks and grocery stores. He felt drainage improvements could be initiated with HCB funds so that parents picking up their children are not facing a flood hazard.
- A member of the public asked if the liability insurance for individual projects is being discussed in the survey questions. Mr. Pflum clarified that liability insurance
would be covered in the costing of the project once a short-list of projects is obtained from the public survey.

- Another member of the public asked that HCB funds be utilized for beautification projects for Kekaha (such as a Kekaha Gateway) and for managing trash on the roads.

- The Chair asked the member of the public if the list he had presented to CAC members earlier was sufficiently covered in CAC’s potential projects list. A CAC member mentioned that the original list from the public member (presented on 4/13/2009) had included the following projects: swimming pool, skate park, motor cross track, park improvements, soccer, gym, hibiscus garden, and photo voltaic farm. Of these everything except the photovoltaic farm was already included on the potential survey questionnaire.

Mr. Pflum discussed with individual public members to concisely summarize their projects into one line, so as to add to the list.

CAC members also discussed other specific projects that needed to be added to the domain of potential HCB projects.

Mr. Pflum then asked the CAC members to deliberate the projects that were identified and streamline the list to a simpler smaller list; so that the survey recipient is not overwhelmed by a large list of projects. CAC members discussed the projects to combine similar projects together, remove duplications, and add specifics to general project ideas.

It was decided by CAC member votes that a survey recipient can mark five of the projects from the list as their top picks. Each marked project has equal weight.

The following is the final list of projects that was approved, after deliberation by the CAC members, for inclusion in the survey:

1. Improve the Kekaha Community Center (wellness center, ceiling fans, picnic pavilions, meeting facilities, etc.).

2. Begin funding for a community pool.

3. Agriculture/Aquiculture sustainability programs (community gardens/ponds).

4. Community beautification (hibiscus park, create Kekaha gateway, trees and landscaping, trash removal, etc.).

5. Drug awareness programs.

6. Complete the Kekaha Gardens Park.

7. Career re-training (displaced workers).

8. Renewable energy programs/projects (solar, photovoltaic, wind, etc.).

9. Revitalize youth programs and Kekaha Park (equipment loan program).

10. Skateboard park/Rollerblade rink.
11. Improve the Kekaha Beach Park (pave parking area, build rest rooms, landscaping).

12. Improve the Kikiaola Boat Harbor (parking and picnic areas).

13. $1,000 max per person, educational/vocational scholarship trust fund.

14. Perpetual trust fund for projects over current funding level of $650,000 (pool, mini-mall, gym, etc.)

15. Build a motocross track.

16. Improve existing Mana Drag Strip (re-pave track, fence, expand pit area).

17. Improve drainage on Kekaha Rd.

18. Create access corridors from Kekaha to hills for recreational and emergency use.


20. Fund land acquisition for public beach front park (Kingdoms, East Kekaha).

21. Create grant for non-profits.

22. Improve Old Government Road (bike or walking path/future two-lane road).

23. Revolving loan/grant fund for small business development.

24. Increase life guard presence in Kekaha.

25. Other: __________________________________________

Members deliberated about adding personal questions to the survey questionnaire. Based on one CAC member’s suggestion, question regarding household income was removed from list of personal questions. Based on another member’s suggestion a question asking “how many people live in this household?” was added to the list of personal questions. It was decided to add note stating the personal information questions are optional.

V. Door to Door Survey Changes

The Chair asked for clarifications regarding the door to door survey (who is in-charge, how it is organized, how controls are put in). The Chair also asked regarding the Surfrider group and which other groups might participate in the process.

Mr. Pflum noted that he could work on designing the control number structure for the door to door survey (i.e. coming up with the survey control numbers); but he expects Mr. Pleas (who had mentioned Surfrider group as potential door to door survey providers), or some other CAC member, to be in-charge of coordinating the actual door to door survey process.
Mr. Pleas stated that he had spoken to the President of the Surfrider chapter of Kauai, and the organization had agreed to help with the door to door survey delivery process. Mr. Pleas elaborated that Surfrider is a third party voluntary group with approximately 400 local members (www.surfrider.org), who would provide the volunteers to deliver the survey to households. He mentioned that other groups can assist the Surfrider group with the survey delivery process.

Other members of the CAC raised the point that persons administering survey in Kekaha neighborhood should be familiar the community, so that the locals show positive response. They believed that a third party survey provider may not be welcomed in the community. They also suggested that for the survey to be effective, the person visiting houses should be able to administer an oral survey (explain the survey to each resident being approached).

Mr. Pleas stated that the Surfrider group may not be the right organization for the door to door survey because they will not meet the criteria mentioned by other CAC members (i.e. familiarity with local residents and administering an oral survey).

Mr. Bulatao, volunteered to be the point of contact for answering resident concerns regarding the survey. He stated that his cell phone number could be added to the survey questionnaire as the point of contact for answering questions from residents regarding the survey.

Ms. Fraley mentioned that it could take approximately 400 man hours for administering the survey, if a surveyor spends 20 minutes per household at Kekaha. Mr. Bulatao stated that the local organization “E Ola Mau”, could step in to administer the survey and accomplish the task. Mr. Bulatao stated that in his capacity as E Ola Mau’s advisor; he can affirm that Olamau will be responsible for the door to door survey. According to Mr. Bulatao, there are 15 to 20 active members for E Ola Mau during every meeting of E Ola Mau and they have access to about 75 other members.

Based on the discussion, the CAC members voted to pass a motion that Mr. Bulatao will coordinate the door to door distribution of the survey and E Ola Mau will be the local organization that will administer the survey. E Ola Mau will have 5 weeks to complete the administration of the survey.

VI. Task Assignments and Next Meeting Date

The Chair assigned Mr. Pflum with the task of emailing out the finalized survey questionnaire to the CAC members for member comments and coming up with a timeline for production and administration of the survey.

The next meeting of the CAC was scheduled for August 10th 2009 between 6:00 PM and 9:00 PM Hawaii Standard time. The alternative meeting date was set for August 17th 2009 between 6:00 PM and 9:00 PM Hawaii Standard time.

The meeting was adjourned at 9:15 PM Hawaii Standard Time.
1. **Meeting Objectives**

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met for the fourth time at the Kekaha Neighborhood Center to continue discussion on how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai to the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. **Meeting Participants**

The following CAC members participated in the meeting:

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Myra Elliott and Glenn Molander were absent. Glenn Molander had informed the committee at Meeting Three that he could not make the fourth meeting.

3. **Meeting Summary**

The following sections provide a summary of the topics discussed during the meeting:
I. Introduction

The CAC Chair (Mr. Hee) called the meeting to order. The CAC Secretary (Ms. Olores) conducted a roll call for the members present. The agenda for the meeting was approved after deliberation with no added revisions. The Chair asked if any public participant wanted to provide testimony, no comments from the public were received. The members discussed meeting minutes. Meeting minutes were accepted with only a name change that had been previously submitted.

The Chair asked Mr. Pflum to discuss the survey findings.

II. Survey Results

Mr. Pflum asked the members to refer to the survey result handouts and explained the survey. Mr. Pflum commended the members on getting the word out for the survey, which resulted in an impressive 553 survey results being turned in. He stated that out of the 25 projects mentioned on the survey, the top 3 choices according to the survey results are:

- Improve Kekaha Beach Park (233 votes for the first choice out of 553 total votes)
- Improve the Kekaha Community Center (223 votes for the second choice)
- Begin funding for a community pool. (198 votes for the third choice)

Mr. Pflum explained how the sample results of the survey can be extrapolated to the community as a whole based on statistics.

One CAC member stated that he had concerns about how the order of items listed on the survey influence the survey response. He said that, although the process was conducted with integrity, the survey projects were decided through a rushed and hurried process. He added that a great deal of caution should be exercised in expending the HCB funds.

A member of public asked if only 41% of the total community responded to the survey. Mr. Pflum explained how the survey was conducted to include both renters and property owners. He stated that 478 votes were received from property owners and 75 were received from renters. It was clarified that some members of the community received both a mail out survey and a door to door survey for the renters and each household was asked to fill out only one survey. Mr. Pflum explained that the door to door process was instrumental in helping achieve the large response to the survey.

Mr. Pflum then discussed the personal data obtained from the survey. This data is used to verify the survey results. Survey respondents were 51% male and 49% female; which tallied well with the census data for the Kekaha community. The survey had more response from the age group of over 44 years than the age groups below 44 years. More owners of households responded than renters. Mr. Pflum reiterated that the survey was very successful and has resulted in a statistically significant response.

A member of the public commented that improving the drainage for roads is a County responsibility and should not have been on the list of projects for the survey. She said 150 people voted for this option and had the project not been on the list then the respondents would have picked some other project.

Another member of the public asked if certain surveys had more than 5 projects picked by the survey respondent and in such a case what was done. Mr. Pflum answered that in such a case the
survey results from that respondent were considered invalid (i.e., if there were more than 5 responses for projects) and the data was not included in the statistics for choice of the community project.

Another member of public asked if owners that owned more than one property received more than one survey. Mr. Pflum answered that yes owners of multiple houses received multiple surveys; but they were requested to fill out only one survey. Mr. Pflum stated that many respondents did indicate in their letters that they were filling out only one survey when they received multiple surveys. He also said that the small numbers of people who may have sent in duplicate responses is not very significant and would alter the statistical results. One member of the committee stated that the CAC had discussed the issue of limiting surveys to only one survey per household and decided that in order to cover renters in the community more than one survey per household was a reasonable approach. The member read out the relevant sections of the previous meeting minutes to assert that it was a decision found most appropriate by the CAC committee.

Mr. Pflum asked if the members wanted to only recommend the top choice of the survey to the Mayor or also recommend other choices that were identified. A motion was initiated that the top five project choices of the survey should be evaluated for specific implementation objectives/plans and then the five projects with associated implementation plans be submitted to the Mayor for his consideration. After discussion the CAC members voted on the motion and the motion did not carry.

Mr. Pflum then asked if the CAC members wanted to recommend only the first choice or the top two choices for consideration. A motion was initiated but no one seconded the motion.

Members discussed at length about the process for including projects for consideration and allocating funding for the projects. The representative from the County Attorney’s office asked members to stick to the agenda approved for the meeting. Mr. Pflum then asked members to just discuss plans that will be implemented for each project and decide about other issues later.

III. Specific Implementation Plans and Improvements for the Projects

Members of CAC and members of public were asked for their inputs for specific improvements to be suggested for implementing the top choices of survey projects. CAC members were assigned tasks to develop a preliminary rough cost estimate for the plans. The following list presents the plans for each project and the items on the list are followed by the name of the person in-charge for researching the cost estimate.

The following improvements were discussed for the Kekaha Beach Park:

1. Bathrooms – Bruce
2. Composting toilets (Photovoltaic) – Bruce
3. Connect and improve the areas between the park and the lifeguard tower – Bruce
4. To improve the parking at the Beach Park – Bruce
5. Street lighting improvement – Bruce
6. Americans with Disabilities Act (ADA) compliance – Bruce

The following improvements were discussed for the Kekaha Community Center:

1. Photovoltaic system – Randy
2. Air conditioning – Randy
3. Additional rooms for current activities – Russ
4. Additional rooms for new activities (like adding weight room) – Evelyn and Brenda
5. Stage with a roof – Evelyn and Brenda
6. Sports equipment loan program – Evelyn and Brenda
7. Athletic center – Evelyn and Brenda
8. Fix bathrooms – Evelyn and Brenda
9. A playground for kids (kiddie park) – Evelyn and Brenda
10. Additional staff for supporting the activities in the future
11. Sprinkler system – Bruce and David
12. Better grass for the lawns – Bruce and David
13. Better parking
14. Bigger kitchen
15. Ventilation improvements – Randy
16. Create a master-plan for Kekaha community center development – Evelyn and Brenda

The following plan was discussed for the new community pool:

1. An aquasize activity pool – Jose
2. Keiki pool – Jose
3. Disaster holding area – Jose
4. To provide other appropriate amenities – Jose
5. Create a group that will be in-charge of the funding – Jose
6. Location and design – Jose
7. Funding plan – Jose

The following ideas/plans were discussed for renewable energy projects:

1. Photovoltaic – Randy
2. A farm that would harvest solar/wind energy and reduce the electricity cost for the whole community – Randy
3. Landfill gas for electricity – Randy
4. HCB money for a community group position that actively keeps the renewable goals for the community going in that direction.
5. Community gardening – Jose
6. Sustainability project by collaborating with Kekaha School – Jose
7. Greenhouse project in collaboration with Kekaha School and a private company – Jose
8. Post closure for landfill

The following ideas/plan was discussed for improving drainage on Kekaha Road:

1. Community group that will directly work with the public works group of the County – Bruce
2. Finish the master-plan with the County – Bruce

During the discussion about project implementation the following main questions were raised. A member asked if the funding increases for HCB will continue on an annual basis. The County representatives explained that $ 80,000 was added to the funds for fiscal year 2010 based on calculations that an extra $1 per ton of waste will be levied on the waste deposited at the landfill. Going forward it is expected that new funding will keep getting added annually to the amount for the HCB fund. The CAC member opined that the funds should be placed in an interest bearing account.
account and not spent immediately on projects, until plans for implementation are figured out in a
detailed methodical manner.

Another member wanted to know if a percentage of HCB funds could be allocated to each of the
top five projects on the survey.

A member of the public asked if she could participate in helping with the cost-estimate for the
projects. It was decided that the County Attorney should be contacted and asked for specific
permission. In the meanwhile, the member of the public can work with a member of the CAC to
research cost estimates. The CAC member will be responsible for the cost-estimate even if the
member of the public is doing the majority of the research.

Each member was asked to bring a one paragraph cost write-up for their assigned project to the
next meeting.

IV. Next Meeting Date

The next meeting of the CAC was scheduled for **September 14th 2009** between **6:00 PM and
9:00 PM** Hawaii Standard time. The alternative meeting date was set for **September 21st 2009**
between **6:00 PM and 9:00 PM** Hawaii Standard time.

The meeting was adjourned at 9:15 PM Hawaii Standard Time.
1. **MEETING OBJECTIVES**

Members of the Host Community Benefits (HCB) - Citizens’ Advisory Committee (CAC) met for the fifth time at the Kekaha Neighborhood Center to continue discussion on how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai to the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. **MEETING PARTICIPANTS**

The following CAC members participated in the meeting:

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Myra Elliott and Leonara Kaiakamalie were absent. A quorum of voting members was present.

3. **MEETING SUMMARY**

The following sections provide a summary of the topics discussed during the meeting:
I. Introduction

The CAC Chair (Mr. Hee) called the meeting to order. The CAC Secretary (Ms. Olores) conducted a roll call for the members present. Big Boy entered the motion to approve the meeting minutes and Bruce Pleas seconded the motion. The members discussed meeting minutes. Meeting minutes were accepted as submitted.

II. Proposal for adding more meetings to the Kekaha HCB CAC

Mr. Pflum mentioned that the County has approved funds for three additional meetings of the CAC, so a total of 8 meetings are now available to the CAC for deliberating the HCB funds.

A motion was introduced by Jose Bulatao and seconded by Bruce Pleas to add more meetings, as needed, for deliberating HCB funds. CAC members discussed the purpose of adding new meetings, specific tasks to be accomplished during the additional meetings, and agenda for additional meetings. Members also discussed ways for improving public participation in the additional meetings and to get additional ideas from the community regarding spending the HCB funds and additional proposals for the CAC. A member asked if additional meetings will be sanctioned based upon community needs or based upon County schedule and could the CAC continue to meet without County official presence. The County officials clarified that additional meetings are being provided to allow members of the CAC to better understand community needs and County officials are present at CAC meetings for the sole purpose of helping the CAC and providing constructive support. If the CAC decided to hold independent meetings without County support then the CAC has to be in compliance with the Sunshine Law and other applicable laws to protect the legal rights of the public.

The CAC members postponed voting for the exact number of meetings or specific agendas for each meeting at this time and decided to come back to the topic after discussing other agenda items.

III. Discuss relevant procedures to be adopted and approved by the CAC members with regard to establishing a means by which the community may closely review the 5 top priorities of the survey and to arrive at recommendations relevant to the survey outcomes to reflect the community’s expressed interests and concerns

Members discussed the agenda item to come up with procedures and means to review the top 5 survey projects. One member proposed subcommittees as means for finding out additional projects that interest the community and for getting the community input for each of the top 5 projects identified. Another member insisted that additional projects identified will be noted for action based on additional funds being available at a future date and the HCB funds will be utilized for the top 5 projects. A motion to establish means by which the community may closely review the top 5 survey projects and arrive at recommendations relevant to the survey outcomes to reflect the community’s expressed interests and concerns was put to vote and the motion passed.

A member entered a motion that the CAC members come up with specific means to achieve the community involvement by next meeting. The motion was not seconded.
A member of the public stated that in the survey there was a blank category where responders could add their own items/projects to be considered.

A CAC member raised the issue of having to follow multiple procedures and laws instead of going forward with the task of implementing a project. The County Attorney noted that there are restrictions on the HCB funds because of the nature of the funds and specific laws and procedures have to be followed in order to utilize the funds.

A CAC member suggested that 5 subcommittees be formed from the CAC members to tackle the top 5 survey projects and formulate what the community wants.

A member of the public stated that the community demographics should be used to subdivide the Kekaha community and then each demographic group should be given the assignment of discussing one of top 5 survey projects.

One member stated that he has received feedback through personal communication with the members of Kekaha community. He stated that with additional time he would have additional feedback from the community. He would then bring all the information to the CAC and ask the CAC to arrive at decisions based on specific community feedback.

The Chair stated that he is evaluating different means for achieving community input and that he has heard two ideas so far; the first involving subcommittees and the second involving personal communication. The Chair asked for additional ideas to define the means for achieving community input.

Mr. Pflum asked if the CAC members could each find out their own means of getting the community input. A member of the CAC wanted clarification from the County Attorney as to what formal procedures need to be followed. The County Attorney stated that if formal subcommittees are used then he can research and brief the members on what the subcommittee procedures are (i.e. how many members should be in each subcommittee and specific procedures the subcommittee needs to follow). The County Attorney stated that on the other hand if an informal process of communicating with the community is chosen then he can mention the limitation of what can and can’t be done during the process.

The Chair introduced a motion that the CAC will obtain community input by informal means and that the County Attorney will provide specific guidelines to be followed for this process to the CAC members. The motion was voted upon and carried through.

The Chair asked the County representatives if future allocation for HCB funding was available. The County representative stated that an amount of $80,000 per year is expected and this is based on a figure of a $1 per ton of waste buried estimate. The County representative stated that future allocations will be made during annual budget sessions and budgets are submitted on March 15th of a year. However budget issues start getting looked into by January; therefore, the CAC should make any specific requests to the Mayor no later than January so it can be considered during budget deliberations.

A member of the public asked if after the CAC recommends a particular project based on community approval can the County strike down expenditures for the project by citing that it is not appropriate use of HCB funds. The County Attorney identified areas where HCB funds could not be used because of legality associated with the use of public funds. The Chair also clarified
that the CAC will be making a recommendation to the Mayor regarding the project that the residents of Kekaha want; but ultimately it is the Mayor’s prerogative to approve or disapprove the recommendation. A member of CAC requested that the County Attorney provide the CAC with specific ordinances that were quoted by the Attorney during this meeting.

IV. Cost Estimates for Projects

The Chair requested the members to discuss the cost estimates that the members had researched as assignment from previous meeting.

One member stated that it is difficult to arrive at specific cost estimates without specific designs for individual projects. Therefore, additional input from the community is required regarding the design of the project before credible cost estimates can be arrived at.

The Chair mentioned that one of the items is to find out the kind of inputs that are needed in order to cost out the project in the best possible manner and that there is flexibility available in how the CAC accomplishes this task. The preliminary cost estimate task finds out what the missing areas are.

The members then provided the following cost estimates that they had procured for their assigned tasks:

**Kekaha Beach Park**

- **Bathrooms**
  - 15 ft x 45 ft building: $ 85,000 for building + $ 25,000 for fixtures. The cost does not include permitting or erosion concerns. Erosion issues could lead to the community having to buy land from DLNR.

- **Composting toilets**
  - (120 uses per day): $ 13,000 plus Freight cost. Installation cost of $ 2,000

- **Connect areas between park and parking area**: $ 32,000

- **Improve parking**: $ 35,000 to $ 80,000

- **Street lighting**: $ 110,000 to $ 144,000

- **Photo voltaic systems on the roof**: $ 4,000

- **ADA Compliance**: The County is working on this so no further research on cost

**Kekaha Community Center**

- **Photo voltaic system**: $ 350,000

- **Air Conditioning and ventilation**: cost estimate quote not available
Recycled cargo containers
40’x8’x8’                      $ 3,000 to $ 4,000 each

Brenda stated that she will email details of her cost estimates to Neil Pflum (attached).

Additional rooms                  $ 100,000
Weight room                         No estimate obtained
Roof for stage area                 $ 30,000
Athletic center                     $ 10,000,000 (Kapolei center’s estimate)
Restroom repairs                    $ 393,000
Kiddie park expansion               $ 108,000
Master plan                         Example and contact available
Youth sports and dugouts            $ 2,000
Facilities for storage of sports equipment $ 10,000
Sprinkler system
7 acre site                          $ 152,000 to $ 228,000
Grass seeding                       $ 30,000
Wells for irrigation
including pumps                     $ 20,000
Water cost if wells not dug         $ 10,000 a month to $ 150,000 per year as another estimate
10 fans for room                     $ 1,000

Community Pool

Mr. Bulatao stated that he will email his assigned task cost estimates later to Neil Pflum as he had not obtained cost estimates without detailed design. Mr. Bulatao showed an artist’s rendition of the pool that he envisions.

Renewable Energy Projects

Solar project  Depends upon KIUC entering into an agreement with the Kekaha community and resolving regulatory issues with providing power to people. Photovoltaic cells not very feasible for the agricultural land nearby that are available in the
neighborhood as agricultural equipment use will be hindered by the photovoltaic cells.

Landfill gas $ 650,000 to millions of dollars. County can only directly negotiate with PRMF and the project is progressing slowly.

**Drainage Improvements to Kekaha Road**

12 to 24 community meetings between community group and the County Department of Public Works to come out with a plan for improving the Kekaha Road

$ 240 for renting the community center

Audio equipment for recording the meetings $ 3,000

Amount of money for improving the roads CAC won’t be spending HCB funds for this.

One member stated that this item should not have been on the survey for HCB funding use because this is an issue that the County should independently resolve for the community.

**V. Revisiting the topic of adding more meetings**

The original motion was withdrawn and a new motion was entered that up to three additional meetings of the CAC should be considered. The motion to add up to three additional CAC meetings was passed by the voting members of the CAC.

**VI. Next Meeting Date**

The next meeting of the CAC was scheduled for **October 26th 2009** between **6:00 PM and 9:00 PM** Hawaii Standard time. The alternative meeting date was set for **October 19th 2009** between **6:00 PM and 9:00 PM** Hawaii Standard time.

The meeting was adjourned at 8:45 PM Hawaii Standard Time.
1. MEETING OBJECTIVES

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met at the Kekaha Neighborhood Center to discuss how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai for the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. MEETING PARTICIPANTS

The following CAC members participated in the meetings:

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<td>AECOM Technical Services</td>
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<tr>
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<td>Voting Member</td>
<td>Kekaha Resident</td>
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During the meeting the CAC expressed concerns that no one from the County Planning Department had been in attendance.

Amendment to the minutes: The next week, the Planning Department named Lisa Ellen Smith as their representative on the CAC.

3. MEETING SUMMARY

The following sections provide a summary of the topics discussed during the meeting:

1. Introduction and Background
Chair Hee opened the meeting

Minutes from Meeting 5 as amended were approved.

Chair Hee introduced new costs for projects:

A/C for Kekaha Community Center - $90,000

Ceiling Fans - $5,000

**Mayor’s Clarification Letter**

Chair Hee discussed the details of the letter:

1. Mayor would like a list of the projects selected in a priority order with a scope of work, estimated budget and annual operating budget and how it will be funded.
2. For each project the Mayor would like to know how each project will be funded or financed. (County Code attached to letter)
3. If all monies are not expended, how will the rest of the money be used?

Mr. Bulatao feels concerned that the committee does not have the detailed cost data that the Mayor wants and believes that another entity should gather that data, not the CAC.

Chair Hee responded that another entity might require payment from the CAC funds.

Mr. Pleas commented that he thought the Mayor’s requests were well within the scope of the CAC.

Mr. Morlander said that a rough estimate should be fine and that there is no need to extend the process for further data gathering.

**Results of Community Outreach**

Chair Hee called on Mr. Bulatao to discuss his results from community outreach regarding the community pool.

Mr. Bulatao commented that we needed more time to investigate what the community wants and what additional funding options might be available. He also mentioned that a portion of the money could be spent toward a pool, and let the community be inspired to raise the extra needed funds.

Mr. Pleas stated that the top five priorities should stand as they are, in order and should not be changed. The individual sub-projects are open for discussion.

Mr. Bulatao and Ms. Fraley commented that the improvements to the Kekaha Beach Park may not be feasible due to beach erosion.

Mr. Molander motions for the CAC to keep the top five priorities in that order and not change them.
Motion passes to keep the top five priorities as written, in order:

1. Kekaha Beach Park improvements
2. Improvements to the Kekaha Community Center
3. Begin funding for a community pool
4. Renewable energy projects
5. Drainage Improvements on Kekaha Road

The CAC narrowed their sub-projects list and added more accurate costs

1. **Kekaha Beach Park**
   - Bathrooms
     - Capital Cost = $156,000
     - Annual Cost = $35,000
     - Total = $191,000
   - Parking/Beach Access
     - Capital Cost = $10,000
     - Annual Cost = $1,000
     - Total = $11,000
   - Concession Stand
     - Capital Cost = $35,000

**Total Kekaha Beach Park Improvements (Capital + First Year) = $237,000**

2. **Kekaha Community Center**
   - Ventilation (ceiling fans)
     - Capital Cost = $5,000
   - Portable Fans
     - Capital Cost = $2,000
     - Annual Cost = $500
     - Total = $2,500
   - Roof Vents
     - Capital Cost = $10,000
   - Stage Roof
Capital Cost = $30,000

Kiddie Park

Capital Cost = $108,000

**Total Kekaha Community Center = $155,500**  (Cumulative Total = $392,500)

3. **Community Pool**

   Capital Cost = $250,000

**Total Community Pool = $250,000**  (Cumulative Total = $642,500)

4. **Renewable Energy Projects**

   Solar Hot Water Systems for Residents

   Capital Cost = $117,500

**Total Renewable Energy Projects = $117,500**  (Cumulative Total = $760,000)

5. **Drainage Improvements on Kekaha Road** – A member of the public informed the CAC that the State is planning to improve the drainage on Kekaha Road, so the committee decided not to pursue any projects under this category.

Swing Projects (when more money is allocated)-

   More Solar Hot Water Systems for Residents

   More $ for Pool

**Total = $760,000**

II. **Next Meeting Schedule**

The CAC members deliberated the next meeting date. The following dates and timing were decided by the members:
Primary date: November 23rd 2009 between 6:00 and 9:00 PM Hawaii Standard Time
Alternate date: November 30th 2009 between 6:00 and 9:00 PM Hawaii Standard Time

The following individuals were assigned to add more details to each project before the next meeting:

Kekaha Beach Park

- Bathrooms – Bruce
- Parking/Beach Access – Bruce
- Concession Stand – Russ

Kekaha Community Center

- Ventilation (All) – Bruce
- Stage Roof – Jose
- Kiddie Park – Jose

Community Pool – Jose

Renewable Energy Projects - Randy

The meeting was adjourned at 9:30 PM Hawaii Standard Time.
1. **MEETING OBJECTIVES**

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met at the Kekaha Neighborhood Center to discuss how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai for the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. **MEETING PARTICIPANTS**

The following CAC members participated in the meeting:

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<tr>
<td>Emily Ishida</td>
<td>Non-Voting Member</td>
<td>Public Works Section of Solid Waste Division, County of Kauai</td>
</tr>
<tr>
<td>A. “Big Boy” Kupo Jr.</td>
<td>Voting Member</td>
<td>Kekaha Resident</td>
</tr>
<tr>
<td>Al Castillo</td>
<td>Non-Voting Member</td>
<td>County Attorney</td>
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</tr>
<tr>
<td>Jeff Kaohi</td>
<td>Non-Voting Member</td>
<td>Waste Management Inc.</td>
</tr>
<tr>
<td>Myra Elliott</td>
<td>Voting Member</td>
<td>Kekaha Resident</td>
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<td>Walter R. Stocker</td>
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<td>Kekaha Resident</td>
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3. **MEETING SUMMARY**

The following sections provide a summary of the topics discussed during the meeting:

1. **Introduction and Background**

Vice-Chair Bulatao opened the meeting in the absence of the Chair, who had other work commitments.

Minutes from Meeting 6 as amended were approved.
Vice-Chair Bulatao called on a member of the public, Mary Jean Buza-Sims to provide public comments.

Ms. Buza-Sims asked, as the Director of E Ola Mau, for the monies given by the County to go to their organization so that projects could be started right away.

Three members of the community supported Ms. Buza Sims’ request.

Two members of the public mentioned their belief that many of the projects should be performed by the State or County governments rather than by the CAC.

The public testimony portion of the meeting was closed and the Committee moved to agenda item V. Business

Item V.a. was to be a discussion of the projects and project worksheets

Two of the members of the CAC mentioned that they are not in favor of the top five that were chosen by the committee.

Project worksheets were submitted by Bruce Pleas for several of the projects, however worksheets for projects assigned to Randy, Jose and Russ had not been completed prior to the meeting.

The committee talked about completing the project worksheet for each project so that the Mayor has all of the information needed.

The idea surfaced that more projects could be considered rather than settling on the five projects that have been chosen by the CAC.

Differing opinions from the CAC and the public were offered as to the importance of moving forward and finalizing the top five priorities, versus taking a look at new project options.

Mr. Molander motioned for the CAC to keep moving with the current agenda item (V.a.), and to complete the agenda item before moving to the next.

Motion fails

Break

Ms. Elliott moved that Item 5.b. regarding funding mechanisms for each project, is tabled so that further research can be done.

Motion passes.

The CAC decided to table the issue of future plans for the CAC until next meeting.

II. Next Meeting Schedule
The CAC members deliberated the next meeting date. The following dates and timing were decided by the members:

**Primary date: February 1, 2010 between 6:00 and 9:00 PM Hawaii Standard Time**
**Alternate date: February 8, 2010 between 6:00 and 9:00 PM Hawaii Standard Time**

Jose expressed a desire for up to four CAC members to meet prior to the next meeting to provide input for and finalize the agenda. It was not clear whether such a deliberation would be in compliance with the Sunshine Law. It was requested that Al Castillo consult with CAC Chair Hee on this matter.

The following individuals were assigned to add more details to each project before the next meeting:

**Kekaha Beach Park**
- Bathrooms – Bruce *(Completed)*
- Parking/Beach Access – Bruce *(Completed)*
- Concession Stand – Bruce

**Kekaha Community Center**
- Ventilation (All) – Bruce *(Completed)*
- Stage Roof – Jose
- Kiddie Park – Jose

**Community Pool – Jose**

**Renewable Energy Projects - Randy**

The meeting was adjourned at 9:00 PM Hawaii Standard Time.
1. MEETING OBJECTIVES

Members of the Host Community Benefits (HCB) - Citizens Advisory Committee (CAC) met for the eighth time at the Kekaha Neighborhood Center to continue discussion on how the CAC will accomplish the task of utilizing funds allocated by the County of Kauai to the Kekaha community for being the host community for the island of Kauai’s only municipal solid waste disposal facility, the Kekaha Landfill.

2. MEETING PARTICIPANTS

The following CAC members participated in the meeting:

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<td>A. &quot;Big Boy&quot; Kupo Jr.</td>
<td>Voting Member</td>
<td>Kekaha Resident</td>
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<tr>
<td>Beth Tokioka</td>
<td>Non-Voting Member</td>
<td>County of Kauai</td>
</tr>
<tr>
<td>Bruce Pleas</td>
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<td>County Attorney’s Office, County of Kauai</td>
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<td>County Planning Office</td>
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A quorum of voting members was present.

3. MEETING SUMMARY

The following sections provide a summary of the topics discussed during the meeting:

I. Introduction

The CAC Chair (Mr. Hee) called the meeting to order and conducted roll call. The agenda was approved as submitted and the minutes from the previous meeting were approved as amended.
One CAC member asked about spending the funds from the current account and asked if the funds could be left in place or do they all need to be spent at this time. The response from the County was “yes”, the funds could be left in place.

Discussion was raised about the Mayor’s prerogative to refuse a project. The County clarified that the Mayor would likely approve all feasible projects and if refused, a good reason would be given and other options would be explored.

A member of the public asked about the projects and the idea that the County should be responsible for some of them.

The Chair responded by saying that “yes” some of the projects are County responsibility, but the committee had already discussed this issue in the past and had decided that without the CAC funding the projects, they may not happen in a timely manner or at all.

II. Finalize Projects

The Chair asked Mr. Pleas to verbally review the project summaries.

Mr. Pleas reviewed the projects one by one. He mentioned that the cost estimates may be “high end”:

**Bathrooms at Kekaha Beach Park**  ($156,000 capital, $22,500 annual maintenance) – Portable toilets cost $6000 currently. For a nominal additional sum the bathrooms can be made ADA accessible.

A question was asked about the cost of ADA compliance. The answer from the CAC member was that this is new construction, so the added cost for ADA compliance would be minimal.

Mr. Pleas said that CAC funds could be utilized to hire a part time staff person to maintain the bathrooms and do some other maintenance work. A question was raised about what would happen to the staff position if the HCB money runs out. The County responded that maintenance to the bathrooms may be conducted using existing staff, and these are the types of issues that the Mayor would consider once he is given the CAC’s recommendations.

**Kekaha Beach Parking and Beach Access**  ($10,000 capital, $1,000 annual maintenance) – A survey will be required. Rocks might be available for free from Kikiaola. The rocks will be used to designate the boundaries of the parking area and would extend to the rock wall.

The question surfaced regarding this project and how this could be the responsibility of the County. The Chair again responded by saying that the funds are for public benefit and that there would be some overlap with County responsibility.

One CAC member commented that we should get more expertise before we make final decisions on the projects. The Chair responded that more expertise will be involved before the projects are begun.

A member of the public said they thought that vehicles were not allowed on the beach. A CAC member informed him that a vehicle owner can drive down to the beach for recreational purposes.
Kekaha Community Center
Ceiling fans ($13,000 capital, $1,000 annual maintenance)
Portable fans ($2,200 capital, $300 annual maintenance)
Roof vents ($5,000 capital, $1,200 annual maintenance)
Costs were based on the assumption that the ceiling would not have to be altered for the ceiling fans. Roof vents are solar powered.

Kekaha Beach Park Concession Stand
(Option 1 - $55,000 capital, $5,000 annual maintenance) – Using recycled shipping containers to create the structure.
(Option 2 - $99,000 capital, $5,000 annual maintenance) – Building a bricks and mortar structure.
(Option 3 - $4,500 capital, $1,000 annual maintenance) – Designing and improving an area for 1 or 2 privately owned concession stands to be located.

The stand would be leased out to an operator who would pay rent on the building and land. A full kitchen is assumed with all applicable equipment.

Three scenarios are quoted: One using recycled shipping containers, another using a brick and mortar building and the third scenario would create a location for a portable concession stand that would be brought in by a private owner.

A member of the public asked about the proceeds from the concession stand and where they would go. Mr. Pleas said that the decision would be made at a later date.

A member of the public raised the concern that the bidding process might be unfair and that this project would generate a lot of solid waste.

Kekaha Community Center Stage Roof ($30,000 capital, $1,000 annual maintenance) – Assumed $1000 per year for maintenance. The community could get involved to do some of the work itself to save funding.

Kekaha Community Kiddie Park ($108,000 capital, $2,000 annual maintenance) – There will be a higher maintenance cost when equipment needs to be repaired or replaced.

Set Aside Funding for a Community Pool ($250,000 capital) – All funding would be set aside to pay for the pool. No maintenance costs are included.

Solar Hot Water Systems for Residents ($117,500 capital) – Future goal is for every resident to have a solar hot water heater.

A member of the public commented that a new cemetery should be built with the money. The Chair responded that a cemetery was on the initial list of items on the community survey, but it did not make the cut.

III. Develop Recommendation for Funding Mechanism for Each Project

The Chair mentioned that he thought a meeting with the Mayor would help in crystallizing the funding mechanism for each project.
One CAC member recommended that a meeting be held with the Mayor when he comes to Kekaha in February.

The County mentioned that the funding mechanisms are limited to two: Keep the funding in the County bank account and the County does the work, or grant funds to a non-profit to do the work.

A CAC member asked about the interest that the current HCB funding is earning. A member of the County Attorney’s office responded that the interest generated will be channeled according to the laws of the State and County. The County recommended that information on the amount of interest earned be included in the recommendation to the Mayor.

A CAC member made a motion to give the committee access to a financial report that would inform the CAC of the status of the funding. The motion passed.

The County reminded the CAC that an ordinance would have to be passed in order to move the funds from the current bank account.

IV. Discuss E Ola Mau proposal for management of HCB funds

E Ola Mau asked about their request to have all of the funds channeled to them for stewardship. The County informed them that the money cannot be given to one entity as a lump sum and that it would take an ordinance to direct the distribution of the money. The County stated that the Mayor would probably want to see such a recommendation from the CAC before considering fulfilling this request.

A CAC member mentioned that this is the first time the County of Kauai has been through this process and that the funds will be increasing.

One CAC member stated that the County should be trusted to manage the money.

The County Attorney offered to receive any submissions that E Ola Mau would like to submit to the County for their consideration.

The Chair asked if E Ola Mau had officers’ and directors’ insurance. The response was that they had insurance, but not the type of insurance that the Chair was asking about.

One CAC member asked about getting community members involved in construction projects to decrease the cost.

A CAC member asked if E Ola Mau was interested in any of the particular projects that the CAC had selected. E Ola Mau said that they would have to go back to the community find out what the community wanted. A CAC member encouraged E Ola Mau to submit any project ideas that they had for the CAC monies.

The County Attorney told E Ola Mau that the County is not the only source of funds, and recommended that they seek Federal, State, and foundation funding to help with community projects.

The CAC did not take official action on the letter from E Ola Mau.
V. Recommendations for Future Responsibilities for the Host Community Benefit CAC

The Chair suggested that it was important to have a plan for the CAC to continue. A CAC member agreed with the Chair.

A CAC member said that as long as the monies were available, the CAC should be active in managing the funds.

A Motion was made to recommend to the Mayor that the CAC be allowed to continue as long as funds were available for projects. A CAC member asked to see expenditures related to the CAC meetings. Motion passed.

The County asked which members of the CAC would be willing to continue to serve on the committee. Mr. Bulatao said that he would step down. Mr. Pleas suggested that the committee set rules and procedures for the CAC going forward with term limits and procedures for bringing in new members to the CAC. He said that he would be willing to stay on.

A CAC member suggested that the members stay on the committee for at least one year. After that time, new members can get involved.

The Chair asked if members would be willing to stay on at least to finalize the tasks at hand before a decision were made about the long term function of the CAC. Members voted that they would be willing to stay on and continue the CAC for at least one year.

VI. Develop Plan for Presenting Recommendations to Mayor

The County said that the presentation to the Mayor should include an estimate of how many more meetings are needed to complete the current work and when the meetings would be held.

A motion was made to have the Mayor come to Kekaha in a public forum to hear the CAC presentation.

The County suggested that a written report be submitted to the Mayor. The Chair volunteered to complete the report.

A CAC member asked the County Attorney if preparing a report outside of a regular meeting would violate the Sunshine Law. The County Attorney said that it would not violate the law and he encouraged the CAC to take action on the projects.

A CAC member cautioned that the committee needs to follow through and give the Mayor a report.

Motion to have the Mayor come to Kekaha for the presentation failed.

The County directed the CAC to the minutes from Meeting 6 for the priority order of the projects.
The CAC discussed what should be in the report to the Mayor: All ten projects, the four top choices, alternative ideas that were discussed, public concerns, the survey results, recommendation for future functions and duties of the CAC, and a request for the Mayor to come to Kekaha to meet with the CAC in an open meeting. Also, an introduction and other pertinent background would be included.

A CAC member asked that the very valid nature of the survey be mentioned.

The County suggested using the Mayor’s Oct 5, 2009 letter to the CAC as a guideline for drafting the report.

**VII. Next Meeting Date**

The next meeting will be set after the meeting with the Mayor.

The Chair thanked the CAC for their efforts.

The meeting was adjourned at 8:45 PM Hawaii Standard Time.
October 5, 2009

Mr. Randall Hee
Chairperson
Kekaha Host Community Benefits Citizens Advisory Committee
c/o Department of Public Works
Division of Solid Waste Management
County of Kauai

Dear Chair Hee and CAC members:

Please accept my sincere Mahalo for your efforts to date in recommending projects for which the Kekaha HCB monies should be spent in accordance with the wishes of the Kekaha community.

My staff has kept me apprised of the results of all of the meetings and I know that you are facing many challenges. This is not an easy task and I applaud the way you have approached this process – with great concern and care that the end result be of the greatest possible benefit to your community.

At this time, I felt it might be beneficial to you if I were to provide some additional clarity on what would be the best possible outcome of this process. This is what I hope to receive from the CAC at the conclusion of your work:

- A list of recommended projects, prioritized, with a scope of work and estimated budget for each (budget should include estimated cost of annual operation and maintenance and how that cost will be funded)
- For each project, a recommended financing method for accomplishing the goal:
  - A grant to a community group pursuant to Article 3, Section 6-3.1-4 of the Kauai County Code (attached)
  - The County expending the funding on behalf of the community
- If the list of recommended projects does not exhaust the current allocations to the fund, a proposal for determining how the remaining monies will be allocated
Also, although it may not have been explicitly requested in your scope of work, I would appreciate any thoughts you might have on what should happen to the CAC once the tasks are completed. Please note, however, that we may need to dedicate some finances from the HCB fund if we are to continue to facilitate meetings and activities of the CAC beyond the current scope of work.

Allow me to make one final request. As you know, the County is currently in the process of siting a new landfill and will be utilizing the HCB concept with that host community. We want to learn from this experience and your feedback is extremely valuable to us. I would very much appreciate receiving some feedback from you regarding your experience on the CAC: what went well, what could have been improved, and any recommendations for the future. We will provide an evaluation form for your use at the completion of your work.

Mahalo for your pioneering work on behalf of all of the residents of Kauai and especially the people of Kekaha.

Warmest regards,

[Signature]

Bernard P. Carvalho, Jr.
Mayor, County of Kauai

Att: Article 3, Section 6-3.1-4
(c) Expenditure of the funds in the trust fund shall comply with the prevailing wage provisions of the Davis-Bacon Act on any construction project when twenty-five per cent (25%) or more of the costs of the project are paid out of revenue sharing funds.

(d) Wages of individuals employed in jobs financed in whole or in part out of revenue sharing funds shall not be lower than the prevailing rates of pay for persons employed by the County in similar public occupations.

(e) No person in the United States shall be excluded from participation in, denied the benefits of, or subject to discrimination, under any program or activity funded in whole or in part with revenue sharing funds, on the ground of race, color, national origin or sex.

(f) The Finance Director shall comply with and oversee the compliance by all the other departments of all of the provisions of the Davis-Bacon Act and all the regulations established by the Secretary of Treasury pertinent to the provisions of the Federal Act. (Ord. No. 169, March 22, 1973; Sec. 6-2.3, R.C.O. 1976)

ARTICLE 3. STANDARDS FOR THE APPROPRIATIONS OF FUNDS TO PRIVATE ORGANIZATIONS

Sec. 6-3.1 Purpose.
The purpose of this ordinance is to establish standards for the appropriation of funds to private organizations providing programs and services which the County of Kauai has determined to be in the public interest. (Ord. No. 381, April 7, 1980)

Sec. 6-3.2 Appropriation Of Funds.
All grants made by the County of Kauai to private organizations are to be made in accordance with the standards that the private programs so funded yield benefits to the public and accomplish public purposes. No grant, subsidy or purchase of services contract to a private organization shall be made or allotted unless the private organization submits an application indicating that the organization complies with the following criteria:

(a) The private organization is a not-for-profit organization, corporation or unincorporated association, chartered or otherwise engaging in charitable activities in the County of Kauai.

(b) The purpose for which the private not-for-profit corporation or association is organized provides benefits to the people of the County of Kauai.

(c) The purposes for which the not-for-profit corporation or association is organized and for which the group is requested provides services or activities to meet a distinctive cultural, social or economic need and for which
adequate federal or state funding cannot be secured.
Notwithstanding the above, grants made by the County of Kauai under the U. S. Department of Housing and Urban Development Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs and special-purpose grants shall be made or allotted to a private organization that is either a for-profit organization incorporated under the laws of the State of Hawaii or a not-for-profit organization that complies with the requirements set forth above. (Ord. No. 381, April 7, 1980; Ord. No. 677, February 13, 1995; Ord. No. 824, February 16, 2005)

Sec. 6-3.3 Organizations Applying/Granted Funds.
No grant, subsidy or purchase of services contracted to a private organization shall be made or allotted by the County of Kauai unless a private organization so funded agrees to the following conditions:
(a) To comply with all applicable federal and state laws prohibiting discrimination against any person, on the grounds of race, color, national origin, religion, creed, sex, or age, in employment and any condition of employment with the recipient or in participation in the benefits of any program or activity funded in whole or in part by government funds;
(b) To comply with all applicable licensing requirements of the County, State and Federal governments, and with all applicable accreditation and other standards of quality generally accepted in the field of the recipient's activities;
(c) To have in its employ or within its membership such persons as are qualified to engage in the activity funded in whole or in part by government funds;
(d) To comply with such other requirements as the Director of Finance may prescribe to ensure adherence by the provider or recipient with county, federal and state laws and to ensure quality in the service or activity rendered by the recipient; and
(e) To allow the expending county agency, the Finance Committee of the Council, full access to records, reports, files and other related documents in order that they may monitor and evaluate the management and fiscal practices of the expenditure of County funds. (Ord. No. 381, April 7, 1980)

Sec. 6-3.4 Reports.
All organizations granted funds must keep these funds financially separate in their book of accounts and submit quarterly program and financial reports on the use of these funds, due on or before the 15th of the month following the close of the quarter; and a year-end report on the same within ninety (90) days following the close of the fiscal year in which the money is appropriated. The reports shall contain but not be limited to:
(1) Program status summary;
(2) Program data summary;
(3) Summary of participant characteristics;
(4) Financial status report of the County funds used;

and

(5) A narrative report.

(Ord. No. 381, April 7, 1980)

ARTICLE 4. BEAUTIFICATION TRUST FUND

Sec. 6-4.1 Purpose.
The purpose of this Article is to establish a fund in which all monetary contributions received by the County of Kauai for the financing of projects planned by the Mayor's Committee on Beautification can be deposited and utilized.

(Ord. No. 465, September 12, 1984)

Sec. 6-4.2 Administration.
(a) The Director of Finance shall be responsible for the administration of the beautification trust fund and shall provide a status report on all expenditures and contributions of said fund to the Council on a semi-annual basis.

(b) All private contributions received by the County of Kauai for the purpose of financing projects planned by the Mayor's Committee on Beautification shall be deposited directly into this fund.

(c) Any interest revenues on the investment of cash proceeds contained in this fund shall be deposited in the General Fund of the County of Kauai and expended for General Fund purposes.

(Ord. No. 465, September 12, 1984)

Sec. 6-4.3 Regulation Of Expenditures.
Expenditures from this fund shall be used only for beautification projects recommended by the Mayor's Committee on Beautification and which have received the approval of the Mayor.

(Ord. No. 465, September 12, 1984)

ARTICLE 5. PAYMENT TO COUNTY BY CHECK OR NEGOTIABLE INSTRUMENT, SUBSEQUENTLY DISHONORED

Sec. 6-5.1 Service Charge Assessed.
In all instances where money due the County of Kauai is paid by check or other negotiable instrument and the check or other negotiable instrument is dishonored when presented for payment, the County shall assess and collect a service charge in the amount of $7.50 against the maker of the check or negotiable instrument. Payment of this $7.50 service charge shall be made in U.S. currency or other form acceptable to the Director of Finance. All fees collected pursuant to this section shall be placed in the custody of the Director of Finance for deposit in the general fund.

(Ord. No. 473, March 27, 1985)
To The Citizens Advisory Committee, Kekaha Community HCB

E Ola Mau Na Leo O Kekaha, the Kekaha Community Organization is requesting that the HCB award of $650,000+ to Kekaha Community by the County Council be placed in a restricted account in E Ola Mau Na Leo O Kekaha’s account as recommended by Earth Tech, i.e., “Community funds where lump sum or regular payments are made to the municipality for benefit of local residents.”

To date E Ola Mau Na Leo O Kekaha has completed all paper work at the Federal and State levels and is waiting for the “Letter of Determination” for its non-profit status from the IRS. E Ola Mau is official with the State of Hawaii and have received its Tax Clearance Certificate. The tax returns has been filed and is current.

Ola Mau Na Leo O Kekaha have secured the services of Catherine McKenna, CPA, as the professional who is working in conjunction with our treasurer to handle all necessary filings and accounting of the organizations bank account.

It is important that the community of Kekaha be compensated for 50+ years of “hosting” the landfill and inheriting the “neglectful” impacts it has had on the economic, social welfare and cultural practices of the Kekaha community. The promise was made to Kekaha to receive the HCB over a year ago. We need not wait any longer to begin awarding our community with funds to support projects that will benefit our community as a whole.

Mahalo nui,

Mary Jean Buza-Sims, Chair
Draft Kekaha HCB Community Survey Implementation Plan

Earth Tech has been tasked to support the Kekaha Citizen’s Advisory Committee (CAC) to assist in designing and conducting a survey to assess the desires of the Kekaha community with regard to Host Community Benefits (HCB) and how they would like to spend the money that has been allocated by the County. The CAC should consider following the steps below when creating and administering the survey:

✔ Step 1: Identify needed information

The CAC should make a list of the information that they would like to receive from the survey. Write down the committee’s goals for each piece of information and why finding it out is necessary. Determine within the committee the most important information to find out. This will help narrow down what to ask and how. Often times a survey becomes too long and many questions have to be cut out. Taking the time to prioritize the information you are looking for will help to shorten the survey. Prioritize those items that will give you the information you are looking for.

To summarize:

• List information points needed from the survey
• List goals for each piece of information and why it is needed
• Narrow list of information points to most important

✔ Step 2: Designing the Survey

Once the committee has narrowed down the information to receive from the survey, they should take the time to develop the questions that target the desired information. A guideline for this step is to look through other surveys designed for communities or projects similar to the one you want to survey to get ideas of ways a question can be asked. Question design tips include:

• Keep your language direct, use common words. If an uncommon word is used, provide a definition.
• Close-ended questions (Yes/No, True/False, Multiple Choice) receive the highest response rate. Close-ended questions narrow the range of answers and make it easier to compare your responses later.
• Be very specific.
• Avoid questions that can be answered with “I don’t know”.
• Do not combine two questions into one.
• Stay away from questions with multiple answers (i.e., Circle all that apply). These will be more difficult to work with when you are analyzing your data.
• Adding a “What else do you want us to know?” is a useful way to end a section or survey.
• The length of the survey should be kept as short as possible while still gathering the necessary information. Typically, surveys should not take longer than 15 minutes to complete.

• Avoid long introductions; the introduction should be short and name the organization doing the survey. It should also include how the information gathered will be used and let people know it is anonymous and/or confidential.

• The first questions will set the tone for the survey. The person should feel that they have something to contribute. By making the first few questions relatively easy to answer, you may have a higher success rate of getting surveys completely filled out.

• Don’t leave the most pertinent questions for the end. Many surveys never get completely filled out.

• Some personal information can be helpful in verifying the validity of the survey after the responses are returned. If the demographics of the people who returned the surveys are similar to the demographics of the community, then it is more likely that the survey results are valid.

✓ Step 3: Testing Your Survey

Before conducting the survey, the CAC should test it on at least 5 to 10 people who are not familiar with the survey or directly involved in the project. The CAC should review the questions answered, not answered, and how they answered them. If it appears that certain questions gave them problems, were unclear, or did not get a response, ask the respondents which questions didn’t make sense or were difficult to answer; then refine the survey. Again, keep track of the time. If it took the survey testers longer than 15 minutes to complete, it is too long.

✓ Step 4: Mail Out the Survey

Rent a mailing list from an appropriate source and use it to mail out the surveys, with self-addressed, stamped envelopes enclosed for ease of response.

✓ Step 4: Mail Out a Reminder Card with a Two-Week Extension

Optimizing the response rate is very important to ensure that the survey results reflect the true desires of the community. Granting a two-week extension and sending a reminder card will help to increase the rate of return.

✓ Step 5: Collect the Responses

Receive and begin data entry on the responses as they arrive. Ensure that the plan for analyzing the data is finalized and then begin to enter the data into a spreadsheet or other software program for easy analysis.

✓ Step 6: Analyzing Your Data

After the completed surveys have been collected and the data entered, it is time to analyze the data. If someone has not responded to a question, do not assume they would have answered as the majority. Only consider information that has been actually answered. It is also useful to take note of those questions not answered and try to determine why. If possible, it would also be
useful to debrief a representative group of the respondents, say 10 percent, to find out what their thoughts about the survey were, what was difficult, and what seemed to work.

The committee might consider hosting another community meeting to present the results of the survey with the community.
### Kekaha Landfill HCB Citizen's Advisory Committee Survey Summary

#### Project Choice

<table>
<thead>
<tr>
<th>Project Choice</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve the Kekaha Beach Park</td>
<td>233</td>
</tr>
<tr>
<td>Improve the Kekaha Community Center</td>
<td>223</td>
</tr>
<tr>
<td>Begin funding for a community pool</td>
<td>198</td>
</tr>
<tr>
<td>Renewable energy programs/projects</td>
<td>159</td>
</tr>
<tr>
<td>Improve drainage on Kekaha Rd</td>
<td>150</td>
</tr>
<tr>
<td>Community beautification</td>
<td>145</td>
</tr>
<tr>
<td>Drug awareness programs</td>
<td>129</td>
</tr>
<tr>
<td>Revitalize youth programs and Kekaha Park</td>
<td>115</td>
</tr>
<tr>
<td>Complete the Kekaha Gardens Park</td>
<td>104</td>
</tr>
<tr>
<td>Agriculture/Aquaculture sustainability programs</td>
<td>97</td>
</tr>
<tr>
<td>Improve Old Government Road</td>
<td>97</td>
</tr>
<tr>
<td>Create access corridors from Kekaha to hills</td>
<td>86</td>
</tr>
<tr>
<td>Improve the Kikiaola Boat Harbor</td>
<td>84</td>
</tr>
<tr>
<td>Perpetual trust fund for projects over current funding level</td>
<td>79</td>
</tr>
<tr>
<td>Skateboard park/Rollerblade rink</td>
<td>64</td>
</tr>
<tr>
<td>New cemetery</td>
<td>61</td>
</tr>
<tr>
<td>Career re-training (displaced workers)</td>
<td>47</td>
</tr>
<tr>
<td>Educational/vocational scholarship trust fund</td>
<td>46</td>
</tr>
<tr>
<td>Increase life guard presence in Kekaha</td>
<td>44</td>
</tr>
<tr>
<td>Fund land acquisition for public beach front park</td>
<td>35</td>
</tr>
<tr>
<td>Revolving loan/grant fund for small business</td>
<td>30</td>
</tr>
<tr>
<td>Improve existing Mana Drag Strip</td>
<td>27</td>
</tr>
<tr>
<td>Build a motocross track</td>
<td>26</td>
</tr>
<tr>
<td>Create grant for non-profits</td>
<td>13</td>
</tr>
</tbody>
</table>
### Statistical Analysis of Kekaha CAC Survey

<table>
<thead>
<tr>
<th>Data Point</th>
<th>CAC Survey</th>
<th>Kekaha</th>
<th>Hawaii</th>
<th>US</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gender</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>51.3%</td>
<td>49.5%</td>
<td>50.2%</td>
<td>49.1%</td>
</tr>
<tr>
<td>Female</td>
<td>48.7%</td>
<td>50.5%</td>
<td>49.8%</td>
<td>50.9%</td>
</tr>
<tr>
<td><strong>Age (yrs)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&lt; 16</td>
<td>0.0%</td>
<td>20.5%</td>
<td>20.3%</td>
<td>21.4%</td>
</tr>
<tr>
<td>16-24</td>
<td>0.2%</td>
<td>12.2%</td>
<td>13.6%</td>
<td>13.9%</td>
</tr>
<tr>
<td>25-44</td>
<td>12.6%</td>
<td>24.4%</td>
<td>29.9%</td>
<td>30.2%</td>
</tr>
<tr>
<td>45-64</td>
<td>54.0%</td>
<td>27.4%</td>
<td>22.9%</td>
<td>22.0%</td>
</tr>
<tr>
<td>65+</td>
<td>33.3%</td>
<td>15.6%</td>
<td>13.3%</td>
<td>12.4%</td>
</tr>
<tr>
<td><strong>Average Age</strong></td>
<td>59</td>
<td>39.36</td>
<td>37.04</td>
<td>36.22</td>
</tr>
<tr>
<td><strong>Total Number of Housing Units</strong></td>
<td>553</td>
<td>1156</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Owner-Occupied Housing Units</strong></td>
<td>86.5%(480)</td>
<td>60%(694)</td>
<td>49.5%</td>
<td>60.2%</td>
</tr>
<tr>
<td><strong>Average Number of Owner-Occupied Household Members</strong></td>
<td>2.92</td>
<td>3.17</td>
<td>3.11</td>
<td>2.71</td>
</tr>
<tr>
<td><strong>Renter-Occupied Housing Units</strong></td>
<td>13.5%(75)</td>
<td>32.8% (379)</td>
<td>38.1%</td>
<td>30.8%</td>
</tr>
<tr>
<td><strong>Average Number of Renter-Occupied Household Members</strong></td>
<td>3.10</td>
<td>2.57</td>
<td>2.66</td>
<td>2.36</td>
</tr>
<tr>
<td><strong>Total Number of Surveys</strong></td>
<td>(1359 mailed and approx. 214 handed out)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1573</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

All data except "CAC Survey" from "www.epodunk.com" from 2000 US Census Data
Confidence of Top Three Choices

<table>
<thead>
<tr>
<th>Choice</th>
<th>Tallies</th>
<th>Percentage</th>
<th>Confidence Level</th>
<th>Confidence Interval</th>
<th>95% Level Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve Kekaha Beach Park</td>
<td>233</td>
<td>42%</td>
<td>95%</td>
<td>3</td>
<td>39 - 45%</td>
</tr>
<tr>
<td>Improve Kekah Community Center</td>
<td>223</td>
<td>40%</td>
<td>95%</td>
<td>3</td>
<td>37 - 43%</td>
</tr>
<tr>
<td>Begin Funding for a Community Pool</td>
<td>198</td>
<td>36%</td>
<td>95%</td>
<td>3</td>
<td>33 - 39%</td>
</tr>
</tbody>
</table>

Statistics source: www.surveysystem.com
County of Kaua‘i Confidential Survey

We need your help! Last year the Kaua‘i County Council appropriated $650,000 to the Kekaha community as a form of compensation for hosting the Kekaha Landfill. In order to learn how the Kekaha Community would like to spend the money, the Mayor formed a Citizen’s Advisory Committee to survey the community and make plans to begin work on the projects chosen by the community.

Please complete this survey and mail it back in the postage-paid envelope enclosed and help the Kekaha Citizens’ Advisory Committee decide how to spend this money in your community.

One survey per household: This survey is being mailed to all Kekaha home owners. A community group will also go house to house to administer this survey. We ask that you complete this survey only once. For information on the house to house survey, please call Jose at 337.9135.

1. Please select your top five choices from the projects listed below (mark each of your five choices with an “X”):

___a. Improve the Kekaha Community Center (wellness center, ceiling fans, picnic pavilions, meeting facilities, etc.).

___b. Begin funding for a community pool.

___c. Agriculture/Aquiculture sustainability programs (community gardens/ponds).

___d. Community beautification (hibiscus park, create Kekaha gateway, trees and landscaping, trash removal, etc.).

___e. Drug awareness programs.

___f. Complete the Kekaha Gardens Park.

___g. Career re-training (displaced workers).

___h. Renewable energy programs/projects (solar, photovoltaic, wind, etc.).

___i. Revitalize youth programs and Kekaha Park (equipment loan program).

___j. Skateboard park/Rollerblade rink.

___k. Improve the Kekaha Beach Park (pave parking area, build rest rooms, landscaping).

___l. Improve the Kikiaola Boat Harbor (parking and picnic areas).

___m. $1,000 max per person, educational/vocational scholarship trust fund.

___n. Perpetual trust fund for projects over current funding level of $650,000 (pool, mini-mall, gym, etc.)

___o. Build a motocross track.

___p. Improve existing Mana Drag Strip (re-pave track, fence, expand pit area).
q. Improve drainage on Kekaha Rd.
r. Create access corridors from Kekaha to hills for recreational and emergency use.
s. New cemetery.
t. Fund land acquisition for public beach front park (Kingdoms, East Kekaha).
u. Create grant for non-profits.
v. Improve Old Government Road (bike or walking path/future two-lane road).
w. Revolving loan/grant fund for small business development.
x. Increase life guard presence in Kekaha.
y. Other: ____________________________________________________________

2. What else do you want us to know?

_____________________________________________________________________

_____________________________________________________________________

Personal Information - Optional (to help us know more about who is responding; this information will be kept confidential):

3. In what year were you born?  19__

4. Are you male or female?    ___ Male   ___ Female

5. How many people live in this household?  ____

Once the survey is complete, place in the enclosed postage-paid pre-addressed envelope please mail to:

Neil Pflum
AECOM Technical Services, Inc.
841 Bishop St. Suite 500
Honolulu, HI 96813-3920

If you have questions on the written survey or the Host Community Benefit project, please contact Neil Pflum at 808.356.5314.

Mahalo!