

HAWAIIAN HOMES COMMISSION
Minutes of September 22 and 23, 2014
Meetings held at Paukūkalo Community Center, Wailuku, Maui.

Pursuant to proper call, the 655th Regular Meeting of the Hawaiian Homes Commission was held at Paukūkalo Community Center, Wailuku, Maui, Hawai‘i, beginning at 10:00 a.m.

PRESENT Jobie M. K. Masagatani, Chairman
Gene Ross K. Davis, Commissioner, Moloka‘i (arrived 10:10 am)
Doreen N. Canto, Commissioner, Maui
Wallace A. Ishibashi, Commissioner, East Hawai‘i
William Richardson, Commissioner, O‘ahu
Renwick V. I. Tassill, Commissioner, O‘ahu
Vacant, Commissioner Kaua‘i

EXCUSED David B. Ka‘apu, Commissioner, West Hawai‘i
Michael P. Kahikina, Commissioner, O‘ahu

COUNSEL Craig Iha, Deputy Attorney General

STAFF Darrell Young, Deputy to the Chairman, Office of the Chair
Norman Sakamoto, Development Officer, Office of the Chair
Niniau Simmons, NAHASDA Manager, Office of the Chair
Rodney Lau, Administrative Services Officer
Linda Chinn, Administrator, Land Management Division
Puni Chee, Administrator, Information & Community Relations Office
Francis Apoliona, Compliance Officer
Kip Akana, Enforcement Officer
Paul Ah Yat, Enforcement Office
Kaleo Manuel, Acting Manager, Planning Office
Gigi Cairel, Grants Specialist, Planning Officer
Nancy McPherson, Planner, Planning Office
Dreanna Kalili, Policy & Program Analyst, Office of the Chair
Dean Oshiro, Acting Administrator, Homestead Services Division
Stewart Matsunaga, Community Development Manager, Land Development
Elaine Searle Secretary to the Commission

ORDER OF BUSINESS

CALL TO ORDER

Chair Masagatani called the meeting to order at 10:02 a.m.

ROLL CALL

Commissioners Davis was on his way. Commissioner Ka‘apu and Kahikina were excused. The Kaua‘i Commissioner position was vacant. Five (5) members were present at roll call.

APPROVAL OF AGENDA

MOTION/ACTION

Commissioner Canto moved, seconded by Commissioner Ishibashi, to approve the agenda.
Motion carried unanimously.

APPROVAL OF MINUTES

Chair Masagatani noted the July 2013 minutes were distributed and will be approved at the start of Tuesday agenda.

MOTION/ACTION

Moved by Commissioner Tassill, seconded by Commissioner Richardson, to convene in Executive session pursuant to HRS 92-5 (a) (4). Motion carried unanimously.

EXECUTIVE SESSION IN

10:06 a.m.

The Commission anticipates convening in executive meeting pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities on these matters.

1. Nelson Case: "Sufficient Sums" for DHHL Funding, Richard Nelson, III, Kaliko Chun, et al., v HHC, Civil No. 09-10161507
2. In the Matter of Skylla Villanueva, Lease No. 3443, Ho'olehua, Molokai, Hawaii

EXECUTIVE SESSION OUT

11:30 a.m.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

ITEM A-1 Dexter Kaiama, Re: Item C-2, C-3, D-14, D-15.

D. Kaiama stated his testimony relates to the authority of the DHHL. He was retained by Weston Correa and filed a motion for relief. He asked that no action be taken until after October 10th. He distributed copies of a complaint filed in February 2013 in the International Criminal Courts on behalf of a lessee whose lease was cancelled by DHHL. He stated the United States does hold valid title to the Hawaiian Islands and has no lawful claim. As such, the DHHL is not authority to execute cancellations. He added that he has filed eight other complaints on without behalf of other beneficiaries. The international court is beginning to conduct their investigation as whether his clients were provided a fair and regular trial. The failure to do so is a violation to international law, as well as a felony under U.S. law. The basic tenement is that the United of States never lawfully acquired title to this territory and that the Hawaiian Kingdom continues to exist as a subject of international law. The State of Hawai'i and DHHL do not have the authority to execute the approval or cancellation of leases.

D. Kaiama distributed copies of a letter by Williamson Chang, senior professor at the Richardson School of Law, which raises the issue of war crimes and federal law violations in the unlawful use of money derived from land belonging to the Kingdom of Hawai'i. He asked Commissioners to stop evictions and lease cancellations until the questions raised by Williamson Chang are answered.

Commissioner Tassill stated he agrees with the suggestion by Mr. Kaiama and moved to place moratorium on lease cancellations by the department. Chair Masagatani stated the item is not on the agenda so action cannot be taken.

ITEM A-2 Fukini Maui Re: D-15

F. Maui stated he was wrongfully removed from his family's homestead and was sent to jail twice, without cause. His family was one of the first homesteaders in Paukukalo. His mom and brother were both on the 616 Kaumualii Street lease since 1964. He asked the Commission to do what is right for the people.

ITEM A-3 Tanya Joao Re: Item D-18

T. Joao asked for consideration to move their item up on the agenda so they can catch their flight at 5:30 pm. Chair Masagatani stated she will take Item D-18 immediately following this section of the agenda.

**ITEM A-4 Blossom Feiteira, Association of Hawaiians for Homestead Lands (AHHL)
Re: Item D-18**

B. Feiteira thanked the Commission for taking a stand on the Nelson case in asking for the sums in the budget, as it is currently drafted. AHHL will support the department's budget when it goes to the Legislature. AHHL supports Items C-1 and C-2 and feels that instead of adding a seat for Lana'i, one of the at-large seats should be converted. Item F-2 regarding Humu'ula, no recitation of authority to issue licenses to non-beneficiary businesses. She asked the Commission to defer the item and take it to Hawai'i Island for final decision making.

ITEM A-5 Christopher Fishkin Re: Item D-2, D-3 and D-6

C. Fishkin is a legal assistant who helped represent the Kala family whose lease was cancelled. He asked the Commission for a moratorium on cancellations and evictions. They have uncovered numerous violations of federal law that are being used against beneficiaries. There are violations against the federal housing laws that mandate housing counseling and certain loan modifications. Beneficiaries do not understand the lease agreements they signed which amounts to a lack of informed consent. Beneficiaries are being taken advantage of because they don't have the proper education to understand their rights and responsibilities. The Commission cannot prioritize the trust at the expense of the beneficiaries. He reiterates that until DHHL gets a response on jurisdiction and investigates the federal violations he listed, a moratorium on evictions and cancellations should be instituted.

ITEM A-6 John McBride Re: Item D-18

J. McBride, a tour operator from Keaukaha is interested in the permits for DHHL's Humu'ula sheep station. The current permit holders have had the permits for the last thirteen years. They have made lots of money and no one else has had a chance. The state auditor came out with a report that what some of them are doing is illegal. The department needs to open it up so that beneficiaries can have an opportunity to make money too.

ITEM A-7 Zhantel Dudoit Re: Item D-3, D-10 and D-18

Z. Dudoit and the entire Moloka'i Habitat for Humanity Board was present to support the passage of Item D-3. Moloka'i Habitat for Humanity has worked with the family for a while and the delay is mainly due to processing issues. With regard to Item D-10, Habitat for Humanity has partnered with Neighborhood Power to offer no credit check, no down payment systems for homesteaders and the local community. For Item D-18, Z. Dudoit asked the Commission to consider the 14-year history of this family trying to work out the situation.

ITEM A-8 Kimokeo Kapahulehua Re: Item D-10

K. Kapahulehua of Ka La Power stated they are trying to work with Moloka'i beneficiaries by offering renewable energy products. They offer no credit checks and no down payments for Moloka'i homesteaders. They asked for more information on why the process takes so long to approve and what the department means by non-exclusive license. Sometimes the process can take 14 months to move through.

ITEMS FOR DECISION MAKING

OFFICE OF THE CHAIRMAN

**ITEM C-1 Assignment of the Promissory Note from the Molokai Habitat for Humanity
Related to Improvements on the Property Situated at TMK: (2)5-2-030:006**

RECOMMENDED MOTION/ACTION

Special Assistant to the Chair Kamana'o Mills presented the following:

Motion to approve the assignment of the Promissory Note in the amount of eighty thousand dollars (\$80,000.00) from Molokai Habitat for Humanity (MHFH) that covers the property located at 20 Pua Kukui Place, Ho'olehua, Molokai, Hawaii TMK (2)5-2-030:006 and any and all obligations and promises made in the Note.

MOTION

Moved by Commissioner Davis, seconded by Commissioner Canto, to approve the motion as stated in the submittal.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Canto, to convene in executive session, pursuant to HRS Section 92-5 (a)(4). Motion carried unanimously.

EXECUTIVE SESSION IN 12:12 p.m.

EXECUTIVE SESSION OUT 12:20 p.m.

Chair Masagatani asked why MHFH is taking this course of action and how does it benefit the organization. Z. Dudoit stated MHFH is a Christian organization and 100% Native Hawaiian run. They have worked hard to help Moloka'i families build affordable housing and in the best interest of helping more families, the Board hopes that the department is willing to help with this one situation.

Chair Masagatani asked for an introduction of the MHFH Board and staff in the audience. She asked how many homes have been completed by MHFH and how many are on homesteads. Z.

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Dudoit stated they have 19 mortgages and 18 are on homestead land for beneficiary families. Next month they will start seven more in Kalama'ula.

Commissioner Richardson asked for a summary of the dispute. Z. Dudoit stated there were disagreements with unauthorized reimbursements. There were nine police reports filed since MHFH started working with the family.

Commissioner Davis thanked MHFH for helping Moloka'i families achieve homeownership.

MOTION TO AMEND/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis to authorize the Chair to accept the assignment of the Promissory Note subject to due diligence by DHHL, to be completed by December 31, 2014, and if not completed the assignment is not accepted. Motion carried unanimously.

ACTION on AMENDED MOTION

Motion carried unanimously.

HOMESTEAD SERVICES DIVISION

ITEM D-18 Deny February 24, 2014, Proposal by Lessee Skylla Villanueva and Reaffirm Commission's Decision of June 17, 2013 to Set Aside Hawaiian Homes Commission's April 24, 2001 and February 26, 2002, and Authorize the Amendment of Department of Hawaiian Home Lands Lease No. 3443, Lot 112A, Ho'olehua, Molokai, Hawaii, Skylla Villanueva, Lessee

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro presented the following:

1) Deny February 24, 2014 proposal by Lessee Skylla Villanueva and reaffirm Commission's decision of June 17, 2013 regarding Item D-19 that set aside the Commission's April 24, 2001 and February 26, 2002 decisions, and authorize the amendment of Department of Hawaiian Home Lands Lease No. 3442, Lot 112B, Ho'olehua, Moloka'i subject to the following: a) the amendment of the Lease to make it subject to the current terms and conditions of homestead agricultural lot leases; and b) compliance with the Hawaiian Homes Commission Act, 1920, as amended, and the Hawaii Administrative Rules; and c) the requirement that Ms. Villanueva execute the lease amendment document within 45 days of notification by the department; provided that no easement shall be designated over Lot 112B to Lot 27, as this condition is no longer applicable since the department established access to Lot 27 via Anahaki Avenue, thereby avoiding Lot 112b.

MOTION

Moved by Commissioner Davis, seconded by Commissioner Canto, to approve the motion as stated in the submittal.

Skylla Villanueva and Tanya Joao addressed the Commission and summarized that the process has been ongoing for 14 years. They have sat before numerous Commissioners and have been promised many times that the issue will be resolved, but they are here yet again. They have recently submitted two proposals and the ultimate goal is to obtain the entire 40 acres. They have been through so much stress over the years and feel they deserve the 40 acres for the negligence of the department in fulfilling its promises.

Chair Masagatani clarified that the exchange of Lot 112b for Lot 112a is not an option they are willing to consider. T. Joao stated they want both. Chair Masagatani asked if the family ever held the lease for Lot 112b. T. Joao stated they did not. The family is tied to the 6 acre 112b lot.

Commissioner Tassill confirmed that the house is on Lot 112b, but their lease is on Lot 112a. Chair Masagatani confirmed it is the basic problem, the house is built on a parcel that is not theirs.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Canto, to convene in executive session pursuant to HRS Section 92-5 (a)(4). Motion carried unanimously.

EXECUTIVE SESSION IN 12:26 p.m.

EXECUTIVE SESSION OUT 12:36 p.m.

Chair Masagatani stated after much deliberation and discussion the matter will be deferred. In terms of a resolution to the matter, many of the requests in S. Villanueva's Proposal #2 are workable with the exception of consolidation of the lots. Lot 112a is the primary interest because it has been in the family since inception. The Commission does not want to outright deny Proposal #2 because there are workable parts of it, especially relating to the loans. The department will work with the beneficiary on a resolution that will allow the family to move forward on Lot 112a and be compensated for improvements made to Lot 112b. The consolidation of the lots is not an option.

T. Joao asked for a timeline in terms of updates since the Commission is on Moloka'i once a year. Chair Masagatani stated the goal is to have something before the Commission by the next meeting which is a month away.

OFFICE OF THE CHAIRMAN

ITEM C-3 Designation of Presiding Officers for Public Hearings Regarding Proposed Amendment to Title 10, Hawaii Administrative Rules

RECOMMENDED MOTION/ACTION

Policy and Program Analyst Dreana Kalili presented the following:

That the Hawaiian Homes Commission designate the following presiding officers for the upcoming public hearings on Proposed Amendments to Title 10, Hawaii Administrative Rules:

1. Commissioner Wallace Ishibashi, presiding officer of the hearing to be held at the East Hawaii District Office on October 9;
2. Commissioner David Ka'apu, presiding officer of the hearing to be held at the West Hawaii District Office on October 9;
3. Commissioner Doreen Nāpua Gomes, presiding officer of the hearing to be held at the Maui District Office on October 9;
4. Commissioner Gene Ross Davis, presiding officer of the hearing to be held at the Molokai District Office on October 9; and
5. Commissioner Doreen Nāpua Gomes, presiding officer of the hearing to be held at the Kauai District Office on October 10.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Richardson, to approve the motion as stated in the submittal. Motion carried unanimously.

WORKSHOP PRESENTATION

ITEM B-1 DHHL Biennium Budget Requests for Fiscal Biennium 2015-2017 (“Sufficient Funds” – Budget for FY 2015-2017)

Administrative Services Officer Rodney Lau presented an overview of Item H-1, which is on the agenda for approval on Tuesday. There were no questions from Commissioners.

ITEMS FOR DECISION MAKING

OFFICE OF THE CHAIRMAN

ITEM C-4 Approval of Native Hawaiian Housing Block Grant Loan Policy

RECOMMENDED MOTION/ACTION:

NAHASDA Manager Niniau Simmons presented the following:

To approve the Native Hawaiian Housing Block Grant Loan Product & Eligibility Criteria, and authorize the Chairman to approve these loans.

MOTION

Moved by Commissioner Richardson, seconded by Commissioner Davis, to approve the motion as stated in the submittal.

DISCUSSION:

The Department of Hawaiian Home Lands receives federal funding from the U.S. Department of Housing & Urban Development under Title VIII of the Native American Housing Assistance and Self Determination Act (24 CFR 1006). As the Responsible Entity, the department processes funds from the Native Hawaiian Housing Block Grant (NHHBG) through the identification of eligible activities to be carried out over a twelve-month period in its Annual Housing Plan. At the close of each fiscal year, the department reports on the status of those activities in its Annual Performance Report.

One of those eligible activities is Homeowner Financing identified in the 2014 Annual Housing Report as AHP VI. The NHHBG Loan Policy will assist department staff in carrying out the activities identified in the housing plan by providing clarity and guidance. Currently, NAHASDA staff has been routing NHHBG funded-loans through Homestead Services Division (HSD) administration for submittal to the Hawaiian Homes Commission. This can involve lengthy delays just based on timing of the submittal and review by the Commission. Lengthy delays sometimes cause home construction costs to increase as quotes received for work to be completed or materials to be purchased can vary from month to month. Since no Trust funds are used, applicable sections of the Hawaiian Homes Commission Act regarding consent to mortgage do not apply.

All NHHBG-funded loans are subject to an affordability period (based on loan amount which will determine retention) and a recapture clause if the home is sold before the end of the

affordability period or transferred to a non-eligible (not meeting 80% Area Median Income) lessee (a formula to calculate the deferred amount for recapture back to the department is used) .

MOTION TO AMEND/ACTION

Moved by Commissioner Richardson, seconded by Commissioner Davis to amend the motion to add the underlined: To approve the Native Hawaiian Housing Block Grant Loan Product & Eligibility Criteria, and authorize the Chairman to approve these loans. Motion carried unanimously.

ACTION ON AMENDED MOTION

Motion carried unanimously.

ITEM C-2 Approval of 2015 Legislative Proposals

RECOMMENDED MOTION/ACTION:

Policy and Program Analyst Dreana Kalili presented the following:

That the Hawaiian Homes Commission approves the legislative proposals to be recommended for inclusion in the Administration's legislative package for the 2015 Regular Session.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis, to approve the motion as stated in the submittal. Motion carried unanimously.

ITEM C-5 Approval of Native Hawaiian Housing Block Grant (NHHBG) Model Activity Eligibility Criteria

RECOMMENDED MOTION/ACTION:

NAHASDA Manager Niniau Simmons presented the following:

To approve the Native Hawaiian Housing Block Grant Model Activity Eligibility Criteria

MOTION

Moved by Commissioner Richardson, seconded by Commissioner Davis, to approve the motion as stated in the submittal.

DISCUSSION:

The Department of Hawaiian Home Lands (DHHL) receives federal funding from the U.S. Department of Housing & Urban Development under Title VIII of the Native American Housing Assistance and Self Determination Act (24 CFR 1006). As the Responsible Entity, the department processes funds from the Native Hawaiian Housing Block Grant through the identification of eligible activities to be carried out over a twelve month period in its Annual Housing Plan. At the close of each fiscal year, the department then reports on the status of those activities in its Annual Performance Report.

One of those eligible activities identified as AHP IX in the 2014 Annual Housing Report is Model Activity (24 CFR 1006.225). Model activity uses are approved by the U.S. Department of Housing and Urban Development (HUD) based on a referral from the department.

ACTION

Motion carried unanimously.

HOMESTEAD SERVICES DIVISION

ITEM D-16 Request for Relocation – Harold Haupu Jr., Lease No. 7759, Lot No. 206, Waiohuli, Maui, Hawai‘i.

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro presented the following:

To authorize the department to relocate Harold Haupu Jr., Waiohuli residential lessee, from Lot No. 206 to Wai‘ehu Kou II, residential Lot No. 50, subject to qualifying for a department loan to purchase the improvements at the appraised value of \$136,000 as well as clearing existing loan obligations for Waiohuli Lot No. 206 estimated at \$160,000.

MOTION

Moved by Commissioner Canto, seconded by Commissioner Davis, to approve the motion as stated in the submittal.

Gail Haupu testified that on December 5, 2007, their home was swept off its foundation. Her son and grandson were in the home when it was swept away. She stated the loan for the Waiohuli home was paid in full by the insurance attached to their loan. She does not understand why there is still an outstanding balance. Further, the Wai‘ehu Kou home was in need of renovations from the start. She wants the department to set aside the mortgages for both homes so that they are free and clear and can start fresh. When she met with Dean Oshiro none of her requests were in the draft. Her family doesn't want to go back to the Waiohuli parcel because of what happened. She has a new proposal which identified additional lots they would like to relocate to. They have been very patient but the department has not done enough.

Chair Masagatani asked for the procedure for relocating families in this type of situation. D. Oshiro stated the department looks at what is available in the department's inventory. If there are any net proceeds from the home they are vacating, they are entitled to it. The home they are going to will have to be purchased.

Chair Masagatani asked for clarification on the insurance issue. D. Oshiro stated the loan, not the home, was FHA insured by the lender. The mortgage and the note were assigned back to the department and is now a debt of the department. The home was appraised and has no value. Since then, the neighbor has notified the department of trespassers. The department needs to do something with the Waiohuli home.

Chair Masagatani stated the department could possibly relocate the family to something affordable to the family, but getting a home free and clear is not something the department can do. She deferred the item to allow D. Oshiro and HSD time to work with the Haupu family on relocating them to one of the homes in G. Haupu's proposal.

HOMESTEAD SERVICES DIVISION

ITEM D-2 Ratification of Loan Approvals

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To ratify the approval of the loans listed in the submittal, previously approved by the Chairman, pursuant to section 10-2-17, Ratification of chairman's action, of the Department of Hawaiian Home Lands Administrative Rules.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

ITEM D-3 Approval of Consent to Mortgage

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the following consents to mortgages for Federal Housing Administration (FHA) insured loans, Department of Veterans Affairs (VA) loans, United States Department of Agriculture, Rural Development (USDA, RD) guaranteed loans, United States Housing and Urban Development (BUD 184A) guaranteed loans and Conventional (CON) loans insured by private mortgage insurers.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

ITEM D-4 Approval of Streamline Refinance of Loans

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the refinancing of loans from the Hawaiian Home General Loan Fund.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Canto. Motion carried unanimously.

ITEM D-5 Approval to Schedule Loan Delinquency Contested Case Hearings (see exhibit)

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To authorize the scheduling of the following loan delinquency contested case hearings as shown in the submittal.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

ITEM D-6 Approval of Homestead Application Transfers / Cancellations (see exhibit)

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the transfers and cancellations of applications from the Application Waiting Lists for reasons described:

MOTION

Moved by Commissioner Davis, seconded by Commissioner Canto.

RECOMMENDED MOTION/ACTION

Applications Supervisor Kanai Kapeliela recommended amending the recommendation to remove Harry K. Kawamura, page 2, who submitted a request to have his application cancelled.

AMENDED MOTION/ACTION

Moved by Commissioner Kahikina, seconded by Commissioner Gomes, to remove H. K. Kawamura from the list. Motion carried unanimously.

MAIN MOTION AS AMENDED

Motion carried unanimously.

ITEM D-7 Ratification of Designation of Successors to Leasehold Interest and Designation of Persons to Receive Net Proceeds (see exhibit)

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To ratify the approval of the designation of successor to the leasehold interest and person to receive the net proceeds, pursuant to section 209, Hawaiian Homes Commission Act, 1920, as amended. This designation was previously approved by the Chairman.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

ITEM D-8 Approval of Assignment of Leasehold Interest (see exhibit)

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the assignment of the leasehold interest, pursuant to section 208, Commission Act, 1920, as amended, and subject to any applicable terms and conditions of the assignment, including but not limited to the approval of a loan.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Canto. Motion carried unanimously.

ITEM D-9 Approval of Amendment of Leasehold Interest

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the amendment of the leasehold interest in the submittal.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

ITEM D-10 Approval to Issue Non-Exclusive Licenses for Rooftop Photovoltaic Systems for Certain Lessees.

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the issuance of a non-exclusive license to allow the Permittee to provide adequate services related to the installation, maintenance, and operation of a photovoltaic system on the premises leased by the respective Lessees.

Chair Masagatani asked to defer this item until the department can get Commission authorization of the program. In light of the fact that it is a new program it will be explained more thoroughly to the Commission and the information can be made to all providers explaining the need for it.

ITEM D-11 Commission Designation of Successor – BENJAMIN P. KEAU, JR. Lease No. 9146, Lot No. 83 Kahikinui, Maui

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the designation of Melvia L. Kalawaia (Melvia), as successor to Pastoral Lease No. 9146, Lot No. 83, Kahikinui, Maui, for the remaining term of the lease.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

ITEM D-12 Commission Designation of Successor WAYNE A. PARAAN, Lease No. 3930, Lot No. 39 Waimanalo, Oahu

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the designation of Kenneth A. Paraan, as successor, to Wayne A. Paraan's 1/3 tenant in common leasehold interest in Residential Lease No. 3930, Lot No. 39, Waimanalo, Oahu, for the remaining term of the lease.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Kahikina. Motion carried unanimously.

ITEM D-13 Request to Surrender Lease- MATT DAVIDS Agricultural Lease No. 4816B, Lot No. 126-A-3 Ho'olehua, Island of Molokai, Hawaii

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

1. Approve the surrender of Department of Hawaiian Home Lands Agricultural Lot Lease No. 4816B, Lot No. 126-A-3, Ho'olehua, Molokai, further identified as Tax Map Key: 2-5-2-027:022;
2. To accept the appraisal of the improvements, and to pay net proceeds or to collect on
 - a. deficiency if the value of the improvements are deemed to be less than the amount of the outstanding debt;
3. To authorize the department to award Lot No. 126-A-3, Ho'olehua, Molokai to another qualified applicant on the waitlist.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Richardson. Motion carried unanimously.

ITEM D-14 Request to Surrender Lease- GARY Y.H. YAMAMOTO Agricultural Lease No. 6643, Lot No. 54B Waiahole, Oahu, Hawaii

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

1. Approve the surrender of Department of Hawaiian Home Lands Agricultural Lot Lease No. 6643, Lot No. 54B, Waiahole, Oahu, further identified as Tax Map Key: 1-4-8-012-051.
2. To authorize the department to award Lot No. 54B, Waiahole, Oahu to another qualified applicant on the waitlist.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Richardson. Motion carried unanimously.

ITEM D-15 Approval of Encroachment Agreement between Lessees of Residential Lots No 57 & 58, situated at Kaniohale Subdivision, Island of Hawaii, Hawaii.

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve the Encroachment Agreement ("Agreement", attached as Exhibit A) between the lessees of Kaniohale Lots No. 57 & 58, to make the Agreement binding.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Canto. Motion carried unanimously.

ITEM D-17 Request to Approve Third Party Agreement, George Purdy III, Jeffrey K. Purdy, Kenneth A. Purdy, and Paul M. Purdy, Lease No. 4198 Lot No. 15B, Kamoku, Hawaii.

RECOMMENDED MOTION/ACTION

Acting HSD Administrator Dean Oshiro recommended the following:

To approve a request for a Third Party Agreement for Pastoral Lot Lease No. 4198, Lot No. 15B situated at Kamoku-Kapulena (Waikoloa-Waialeale), Hamakua, Hawaii for Paul M. Purdy, George M. Purdy III, Jeffrey K. Purdy and Kenneth A. Purdy.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis. Motion carried unanimously.

LAND MANAGEMENT DIVISION

ITEM F-2 Approval to Issue of Eight (8) Licenses to Commercial Tour Operators to Use Humu'ula Sheep Station as a Rest and Picnic Area, Āina Mauna, Humu'ula, Island of Hawaii

Note: This Item was deferred.

ITEM F-4 Approval to Assignment of Lease from Big Island Carbon, LLC to an entity to be approved by the Bankruptcy Trustee, General Lease No. 275, Kawaihae, Hawaii

Note: This Item was deferred.

ADMINISTRATIVE SERVICES OFFICE

ITEM H-1 Approval of DHHL Biennium Budget Requests for Fiscal Biennium 2015-2017

RECOMMENDED MOTION/ACTION

Administrative Services Officer Rodney Lau recommended the following:

That the Commission approve the FB 2015-2017 Operating and Capital Improvement Program (CIP) budget presented below for submittal to the Governor for consideration in the Administration's Executive Budget requests to the 2015 Legislature and to authorize the Chairman to adjust the Operating and CIP budget as appropriate before it is incorporated into the Administration's Executive Budget.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis to approve the motion as stated in the submittal. Motion carried unanimously.

ITEM H-2 Transfer of Hawaiian Home Receipts Money at the End Of the First Quarter, FY 2015

RECOMMENDED MOTION/ACTION

Administrative Services Officer Rodney Lau recommended the following:

That the Commission approve the transfer of the entire receipts deposited in the Hawaiian Home Receipts Fund as of September 30, 2014 to the Hawaiian Home Trust Fund.

MOTION/ACTION

Moved by Commissioner Davis, seconded by Commissioner Ishibashi to approve the motion as stated in the submittal. Motion carried unanimously.

ITEMS FOR INFORMATION

LAND MANAGEMENT DIVISION

ITEM F-5 For Information Only. Status Update on Approved Land Exchange or Sale with the City & County of Honolulu, island of Oahu- Varona site, TMK Nos. (1) 9-1-017: 101 & 112; Ewa Drum site, TMK Nos. (1) 9-6-003:044 and 9-4-008:010

DISCUSSION

Land Management Administrator Linda Chinn presented the following:

With only 8,154 acres (4%) of the Department of Hawaiian Home Lands' (DHHL) statewide land base and 12,956 (33%) of all applicants applying for homestead on Oahu, the demand for homestead far exceeds availability of lands. Residential development on Oahu remains the department's highest priority.

The mission of DHHL is "to manage the Hawaiian Home Lands trust effectively and to develop and deliver land to native Hawaiians." The Oahu Island Plan provides for recommendations to maximize DHHL's ability to service beneficiaries with limited resources available on Oahu. One of the recommendations is for new suitable land acquisition to award homesteads.

DHHL and the City and County of Honolulu (CITY) have been in discussion for a potential land exchange or sale of respective properties to accommodate each agency's mission. A properly structured value for value land exchange would better effectuate the purposes of the Hawaiian

Homes Commission Act. DHHL and CITY agree that the value of the sale/exchange properties shall be based on appraisals of fair market value for each respective property.

DHHL Ewa Drum site is located in Waiawa, Oahu (See Exhibit "A"). It is irregularly-shaped with sloping topography along the easterly side of the property. Approximately 16 acres of the parcel are encumbered by easements and steep slope, with the remaining 39 acres as usable area. This site is desirable by the CITY as a transit facility for the proposed new Honolulu High-Capacity Transit Corridor Project.

The CITY Varona Village Expansion property (See Exhibit "B") is fairly level and close to necessary infrastructure. This site is desirable to DHHL because it is more suitable our primary focus of homestead development, is across from our East Kapolei development, and the infrastructure costs already expended could be shared in developing the property.

OFFICE OF THE CHAIRMAN

ITEM C-6 For Information Only - Status on Issues related to Declaration of Covenants, Conditions, and Restrictions (DCCR) Communities on Hawaiian Homes Lands

DISCUSSION:

Deputy to the Chair Darrell Young presented the following:

As a follow up to our August 19, 2013 and February 14, 2014 presentations to the Commission, the department has been working to identify and work through the complex issues, identified in the submittal, to resolve these matters as it relates to our planned communities. A DCC&R Task Force has been formed internally which meets twice monthly to address planned community related issues and concerns.

The briefing is to provide the Commission with an update on the process, identify issues and concerns, and move toward the development of a plan of action for Commission approval in the near future.

NEXT STEPS

Continue with our review of the existing DCCR documents.

Postponed plan to host a mini conference this past summer for DCCR communities as every community is unique in their issues and concerns. Instead, working with the Planning Office, to hold smaller group meetings before the end of the year with the DCC&R communities on each island to better identify and address the issues of each community.

Continue to look into the possibility of paying for at least two years membership into Community Association Institute (CAI) Hawaii Chapter for these associations to provide them with the technical assistance they need.

RECESS

5:04 p.m.

HAWAIIAN HOMES COMMISSION
Minutes of September 22 and 23, 2014
Meetings held at Paukūkalo Community Center, Wailuku, Maui.

PRESENT

Jobie M. K. Masagatani, Chairman
Gene Ross K. Davis, Commissioner, Molokaʻi
Doreen N. Canto, Commissioner, Maui
Wallace A. Ishibashi, Commissioner, East Hawaiʻi
Michael P. Kahikina, Commissioner, Oʻahu
William Richardson, Commissioner, Oʻahu
Renwick V. I. Tassill, Commissioner, Oʻahu
Vacant, Commissioner Kauaʻi

EXCUSED

David B. Kaʻapu, Commissioner, West Hawaiʻi

COUNSEL

Craig Iha, Deputy Attorney General

STAFF

Darrell Young, Deputy to the Chairman, Office of the Chair
Norman Sakamoto, Development Officer, Office of the Chair
Niniau Simmons, NAHASDA Manager, Office of the Chair
Rodney Lau, Administrative Services Officer
Linda Chinn, Administrator, Land Management Division
Puni Chee, Administrator, Information & Community Relations Office
Francis Apoliona, Compliance Officer
Kip Akana, Enforcement Officer
Paul Ah Yat, Enforcement Office
Kaleo Manuel, Acting Manager, Planning Office
Gigi Cairel, Grants Specialist, Planning Officer
Nancy McPherson, Planner, Planning Office
Dre Kalili, Policy & Program Analyst, Office of the Chair
Dean Oshiro, Acting Administrator, Homestead Services Division
Stewart Matsunaga, Community Development Manager, Land Development
Elaine Searle Secretary to the Commission

ORDER OF BUSINESS

CALL TO ORDER

Chair Masagatani called the meeting to order at 11:45 a.m.

ROLL CALL

Commissioner Kaapu was excused. The Kauaʻi commissioner position was vacant. Seven (7) members were present at roll call.

APPROVAL OF MINUTES

Chair Masagatani asked for a motion to approve the minutes of July 2013.

MOTION/ACTION

Moved by Commissioner Kahikina, seconded by Commissioner Davis, to approve the minutes of July 2013. Motion carried unanimously.

ITEMS FOR DECISION MAKING

LAND DEVELOPMENT DIVISION

ITEM E-1 Approval of Lease Award – Roy K. Lewi

RECOMMENDED MOTION/ACTION:

Land Development Division Administrator Sandra Pfund presented the following:
Approve the awards of Department of Hawaiian Home Lands Residence Lot Leases to the applicants listed in the submittal for 99 years, subject to the purchase of the existing improvements on the lot by way of a loan or cash.

MOTION/ACTION

Moved by Commissioner Ishibashi, seconded by Commissioner Canto to approve the motion as stated in the submittal. Motion carried unanimously.

ITEM E-2 Approval to Pay Claims by Vendors for Work Performed in Village 5, Villages of Laiopua, Pursuant to that Certain Construction Contract Between DHHL and CTS Earthmoving, Inc., Kona, Island of Hawaii

Note: This item was deferred to a future agenda.

ITEM E-3 Approval to Relocate Two Residential Homestead Lessees, Subject to the Resolution of Certain Monetary Claims in the Kalawahine Streamside Construction Defects Mediation and Other Conditions: (1) Denise Kaaa, Relocation from 2252 Kapahu Street, Kalawahine Streamside to 41-221 Kaaiai Street, Waimanalo; and (2) Allen Bird, Relocation from 1178 Kapahu Street, Kalawahine Streamside to 739 Iaukea Street, Papakōlea

Note: This item will be addressed after the scheduled executive session discussion.

LAND MANAGEMENT DIVISION

ITEM F-1 Approval to Issue License, Hawaiian Telcom, Inc. and Oceanic Time Warner, Lalamilo, Island of Hawai'i.

RECOMMENDATION

Land Management Administrator Linda Chinn presented the following:
That the Hawaiian Homes Commission (HHC) approve the issuance of an interim, non-exclusive license utility easement to Hawaiian Telcom, Inc. and Oceanic Time Warner Cable, as Joint LICENSEES, to install, repair, operate and maintain a ten (10) foot wide by one thousand fifteen hundred (1,500) corridor for seven (7) overhead transmission line poles, guy wires, anchors and other equipment used over, under and across a portions of Hawaiian home lands identified by TMK Nos.: (3)6-6-012:021(por.), :022(por.), and :023(por.), situated in Lalamilo, Island of Hawaii and more specifically delineated in the submittal for purposes of maintaining reliability of their telephone, cable, and internet services. Approval and issuance of this non-exclusive license easement shall be subject to the conditions in the submittal.

MOTION

Moved by Commissioner Canto, seconded by Commissioner Kahikina to approve the motion as stated in the submittal.

Al Hee stated (Sandwich Isles Communications) SIC understands that the department wants to move on the project, so in working with L. Chinn, SIC asked that an interim license be granted. If the department hasn't found a way to change SIC's license within 2-years, the Hawaiian Telcom license should be included under the SIC license. It goes against the exclusivity of their license with the department, but SIC didn't want to hold the project up.

Chair Masagatani stated there were questions about the exclusivity regarding the use of the land versus the service provision. The 7 poles don't provide service to the beneficiaries, they land go through the department's land. The department doesn't want to inadvertently jeopardize simply SICs business situation. The license can become perpetual, if it is determined that the poles are only running through the department's land. The goal is to have something determined within 2-years.

Commissioner Richardson asked how the exclusivity of the license impacts SIC's Rural Development funding. A. Hee stated it impacts their ability to borrow more money Rural from Rural Utility Service to put in more infrastructure in new areas. It also affects eligibility to get Universal Service Fund monies to repay the RUS loan.

Commissioner Richardson asked if the loans are able to be refinanced. A. Hee answered some of the loans are, but Commissioners should remember it was put together to get infrastructure to uneconomical areas. If the project is uneconomical the loans cannot be refinanced. The reality of it is these are areas that the large phone companies won't come into unless the developer pays for it.

Commissioner Richardson asked if there are new developments for SIC. A. Hee stated SIC made a commitment to go where DHHL goes. DHHL is the developer and SIC follows with utilities. SIC finances the trenching.

Commissioner Richardson suggested an alternative provision that if it is determined that SIC's license is at risk, it automatically reverts to SIC. A. Hee stated it puts the onus on SIC to ask their funders if it is going to be a problem. He doesn't want to do that.

Commissioner Ishibashi asked what the cost of 7 poles will be. J. Fujimoto stated it would cost HawaiianTel around \$40K and DHHL \$30K.

Commissioner Richardson asked why doesn't HawaiianTel get the license from SIC. Chair Masagatani stated there is a difference of opinion as to whether the exclusive license covers easements as well as telecommunication services.

Commissioner Kahikina stated since SIC has the license the department could have consulted with SIC first. He asked if HawaiianTel is going after the same market. A. Hee stated since HawaiianTel filed for bankruptcy they have been looking at tapping the same funds at (Universal Service Administrative Company) USAC because they didn't believe the funds could come to Hawai'i. You need an exclusive right to serve a geographic area. It took five years to get the money to Hawai'i. SIC needed to tell the Feds that DHHL is preserving SIC's exclusive right the to provide service.

MOTION TO AMEND

Commissioner Canto moved, seconded by Commissioner Ishibashi to amend the motion as follows:

4. The interim license term shall not exceed two (2) years and can either be converted to perpetual or terminate, and at such time; at which time licensed area will be folded into License No. 372;

Chair Masagatani called for a recess to address a final contested case hearing which appears to be ready.

RECESS

12:10 p.m.

RECONVENE

12:15 p.m.

Chair Masagatani reconvened the meeting and continued with Item F-1.

Chair Masagatani reviewed the amended motion as:

4. The interim license term shall not exceed two (2) years and can either be converted to perpetual or terminate, and at such time; at which time licensed area will be folded into License No. 372;

Commissioner Ishibashi commented that the department needs to start charging fees for utility easements when the beneficiaries do not benefit directly. L. Chinn stated the department normally charges a fee for utility easements that just go through our property. In this case, in order to finish our project, we needed them to move their poles for our turning lane. Moving the poles will benefit the department and our beneficiaries.

ACTION ON AMENDMENT

Motion carried unanimously.

ACTION ON AMENDED MOTION

Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

ITEM A-1 Dexter Kaiama, Re: Item C-2, C-3, D-14, D-15.

D. Kaiama reiterated his testimony from the previous day, that the DHHL lacks the authority to cancel leases. He filed a motion for relief in the case of Weston Correa and asked that no action be taken until after October 10th. His client was deprived of a fair and legal trial which is a violation of federal and international law. He asked Commissioners stop evictions and lease cancellations until the questions raised by Williamson Chang are answered.

Commissioner Tassill stated he agrees with the suggestion by Mr. Kaiama and does not want the Commission to be in violation of federal laws.

RECESS

12:20 p.m.

RECONVENE

12:25 p.m.

**ITEM A-2 Blossom Feteira, Association of Hawaiians for Homestead Lands (AHHL)
Re: Item No. E-3, F-1, F-3**

B. Feteira quickly stated she is the President of the Association of Hawaiians for Homestead Lands and represents the beneficiaries on the waitlist. She supported of E-3, opposed F-1, and supported F-3.

ITEMS FOR DECISION MAKING

LAND MANAGEMENT DIVISION

ITEM F-3 Approval to Issue License, Hawaiian Telcom, Inc. and Oceanic Time Warner, Lalamilo, Island of Hawai'i.

RECOMMENDATION

Land Management Administrator Linda Chinn presented the following:

That the Hawaiian Homes Commission grant its approval to a Partial Assignment of License No. 372, from Waimana Enterprises, Inc., a native Hawaiian corporation, as Assignor, to ClearCom, Inc., a native Hawaii corporation, as Assignee, in order to provide broadband services under License No. 372 to Hawaiian home lands. The consent is subject to the conditions listed.

1. The term shall be effective as of the date of approval by the Hawaiian Homes Commission for the term of the license;
2. Assignee shall submit for Licensor's review and approval all construction and installation plans;
3. This consent shall not authorize, nor deemed to authorize any further or other assignment of License No. 372;
4. This consent shall not be deemed nor construed to be a waiver of any of the terms, covenants or provisions of this License; all rights of Licensor under this License being hereby reserved;
5. The consent to the Partial Assignment is subject to Licensor and Licensee clarifying and if necessary revising the language of License No. 372 to resolve ambiguities that have arisen since execution of the License;
6. All rights of the Licensor or against the Licensee under the License Agreement are reserved; and
7. The consent to the Partial Assignment document shall be subject to the review and approval of the Department of the Attorney General.

L. Chinn stated condition #5 was added to clarify the concerns Commissioners had in the last discussion on Lanai.

MOTION/ACTION

Moved by Commissioner Canto, seconded by Commissioner Davis to approve the motion as stated in the submittal. Motion carried unanimously.

EXECUTIVE SESSION IN

12:34 p.m.

The Commission convened in executive session pursuant to Section 92-5 (a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities on the following matter.

1. In the Matter of Leighton Pang Kee v Masagatani, et al., Civil No. 12-1-2403-09
2. Conditional Relocation of Denise Kaaa and Allen Bird in Kalawahine Streamside Construction Defects Mediation

EXECUTIVE SESSION OUT

1:00 p.m.

ITEMS FOR DECISION MAKING

LAND MANAGEMENT DIVISION

ITEM E-3 Approval to Relocate Two Residential Homestead Lessees, Subject to the Resolution of Certain Monetary Claims in the Kalawahine Streamside Construction Defects Mediation and Other Conditions: (1) Denise Kaaa, Relocation from 2252 Kapahu Street, Kalawahine Streamside to 41-221 Kaaiai Street, Waimanalo; and (2) Allen Bird, Relocation from 1178 Kapahu Street, Kalawahine Streamside to 739 Iaukea Street, Papakolea

RECOMMENDED MOTION/ACTION

Deputy Director Darrell Young presented the following:

Approval to Relocate Two Residential Homestead Lessees, Subject to the Resolution of Certain Monetary Claims in the Kalawahine Streamside Construction Defects Mediation and Other Conditions: (1) Denise Kaaa, Relocation from 2252 Kapahu Street, Kalawahine Streamside to 41-221 Kaaiai Street, Waimanalo; and (2) Allen Bird, Relocation from 1178 Kapahu Street, Kalawahine Streamside to 739 Iaukea Street, Papakolea.

MOTION/ACTION

Moved by Commissioner Gomes, seconded by Commissioner Ishibashi to approve the motion as stated in the submittal. Motion carried unanimously

ITEMS FOR INFORMATION

ITEM J-1 Janice Kekahuna, Paukūkalo, Lessee

J. Kekahuna asked the Commission for help with their neighbors at 624 Pohala Street, in the Paukukalo Homestead. The lessee is Harriean Ambrose and she rents her home to her friend Chelsie Sagadrace. The renters are verbally and physically abusive to each other and to the neighbors. The neighborhood is not safe with the family there. She has a petition with signatures from 48 neighbors, asking that the Commission do something about the situation.

The police have been called several times to the property for numerous things including speeding throughout the neighborhood. Many children play outside during the daytime. The neighborhood has never had to worry about safety because everyone looks out for one another. Since the renters arrived the community is terrified. J. Kekahuna has been verbally abused by one of the brothers of the couple.

Neighbors have expressed concerns over illegal plants growing on the property and a pit bull that roams around on the property.

Chair Masagatani assigned the case to Francis Apoliona and the department's enforcement staff.

ITEM J-2 Roy Oliveira and Daniel Ornellas, Waiehu Kou Phase 3 Association

R. Oliveira stated his testimony is again about the Association's difficulty with collecting monthly maintenance fees and delinquencies. The Association was promised that there would be a conference or workshop on the issue, but it hasn't happened. He wondered if the department's position on the payments has changed. He asked that the department communicate more with the associations, so they know what is going on. It has been difficult to apply for grants when their organization has a negative cash flow.

Chair Masagatani stated the department intended on conducting a workshop for all associations dealing with a DCC&Rs, but after starting the process staff found that the issues facing the associations were unique to each association. The plan changed to have staff visit each association to deal with the different situations individually. There are unexpected legal issues that have caused challenges and delays as well.

ITEM J-3 Charles Villalon, Jr., Maui Beneficiary

C. Villalon purchased a lease from Henry Brown. In trying to expedite the permit process he was advised to sign his Kula homestead lease over to his eldest son. To make a long story short, his son is trying to get him out of the house. It is his house because he put up the money and built the house.

Chair Masagatani stated she will have staff look into the situation and determine what, if anything can be done.

ITEM J-4 Lilia Kapuniai, Executive Director of the Papakolea Community Association

L. Kapuniai provided Commissioners an update on their NAHASDA funded project, Kukulu Hale- Building a Home; Papakolea Home Retention Program. The project was designed to educate beneficiaries on sustainable techniques to retaining their homestead lease, maintaining their home and planning for succession. The workshops series kicks off on September 16th and should be complete in October.

ITEM J-5 Floyd Carns, President FCS, Inc., ROE #635

F. Carns stated he has been a good right of entry (ROE) tenant and complied with everything asked of him. He has improved the parcel and brought it back to life. When he was given the ROE it was contaminated and deplorable, but he has worked hard to clean up the parcel. He asked for a reconsideration of the termination of his ROE. He explained that the reason why his rent had not been paid is because he was told by DHHL staff that he did not need to pay.

Chair Masagatani clarified that the department is looking at redeveloping Kalaeloa and the department is not singling out any one but rather an overhaul of the entire area. She will look into it with staff.

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING

The next regular monthly meeting will be held on October 22, 2014.

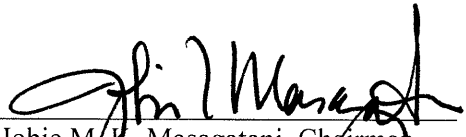
MOTION/ACTION

Moved by Commissioner Kahikina, seconded by Commissioner Gomes to adjourn the meeting. Motion carried unanimously.

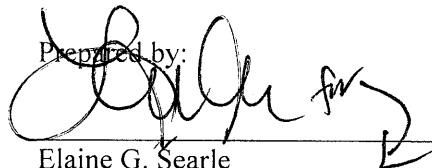
ADJOURNMENT

4:02 p.m.

Respectfully submitted:


Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission

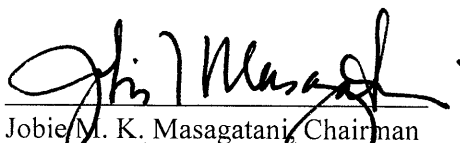
Prepared by:


Elaine G. Searle
Secretary to the Commission

APPROVED BY:

The Hawaiian Homes Commission
At Its Regular Monthly Meeting On

November 20, 2017


Jobie M. K. Masagatani, Chairman
Hawaiian Homes Commission