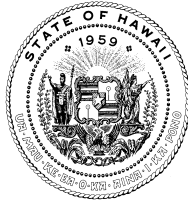


LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
RUSSELL Y. TSUJI
FIRST DEPUTY
KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION

APPROVED Minutes

O'AHU ISLAND BURIAL COUNCIL MEETING

DATE: Wednesday, December 9, 2009

TIME: 10:00 A.M. to 2:00 P.M.

PLACE: DLNR CHAIR'S BOARD ROOM

DEPARTMENT OF LAND AND NATURAL RESOURCES

1151 PUNCHBOWL STREET, ROOM 132, HONOLULU, HAWAI'I 96813

I. **CALL TO ORDER.** OIBC Chairman Kawika McKeague called the meeting to order at 10:25 a.m.
An opening pule was offered by Commissioner Shad Kane.

II. **ROLL CALL.** Quorum was established with six commissioners present at 10:25 a.m.
Noted that Commissioners Hoag, Mahi and Falemei arrived about 10:35 a.m.

III. INTRODUCTION OF COUNCIL MEMBERS & SHPD STAFF

OIBC Attendance: Kehau Abad Alice Greenwood Shad Kane Hinaleimoana Falemei
Cy Bridges Steve Hoag Andy Keliikoa Kawika McKeague Aaron Mahi

OIBC Excused: Kehaulani Kruse Leimaile Quiteves

SHPD Staff: Pua Aiu, Ph.D., SHPD Administrator
Nancy McMahon, DeputySHPO/ State Archaeologist
Phyllis Coochie Cayan, History & Culture Branch Chief

Guests Signed In: Kekua Norman Kahili Norman Crystal Rose Dawn Chang
Hal Hammett Sonny Deltoro Rachel Deltoro Kealoha Kuhia
Amelia Gora Halealoha Ayau Jean Rasor Regina Keanaaina
Vicky Keanaaina Kaleo Patterson Faith Miyamoto David Shidler

IV. OPENING REMARKS. McKeague summarized the OIBC's kuleana under HRS 6E to listen/facilitate 6E, gather information to make decisions and/or recommendations to malama na iwi, burial sites and those things related to burials and burial sites. He asked the public to be mindful of the four minute testimony and that the meeting is being recorded. McKeague thanked the OIBC commissioners for their commitment and that the work for 2010 will include tracking legislation beginning in January.

V. APPROVAL OF MEETING MINUTES.

Motion by Kehau Abad, seconded by Shad Kane to defer V. Approval of Meeting Minutes to the end of the agenda. Vote: All ayes, no nays, no kanalua.

The motion passed unanimously to defer V.Approval of Meeting Minutes to the end of the agenda.

- For approval --- OIBC Minutes of September 9, 2009
- For approval --- OIBC Minutes of October 14, 2009
- For approval----OIBC Minutes of November 10, 2009

VI. UPDATES AND INFORMATION

A. NAGPRA Notice of Human Remains from Hawaii at the Warren Anatomical Museum, Harvard University, Boston, MA.

McKeague reviewed the chronology of this agenda item from the May 2009 notice under NAGPRA, that a joint claim was filed by Office of Hawaiian Affairs (OHA), Hui Malama I Na Kupuna O Hawaii Nei (HMNKO) and the OIBC. There are no cultural descendants who filed a claim for the one set of na iwi that was found in a cave in East O'ahu in a volcanic area. Under NAGPRA the three Native Hawaiian organizations named – OHA, HMNKO, OIBC – are the recognized claimants for this repatriation effort. Consultation has been done. HMNKO travelled to bring home na iwi on behalf of the NHOs.

Comments included but not limited to the following:

- Halealoha Ayau, HMNKO said the repatriation was completed. The Warren Anatomical Museum repatriated the iwi through the Harvard Peabody Museum. There was support from the museum so airport security did not further disturb na iwi by opening or x-raying the baskets. Na iwi were hand carried home. Hawaii security did require boxes be opened and the outside of the baskets were swiped. A site has been determined for the reinterment of na iwi repatriated; the location shall be confidential and considered sensitive information. (Was this voted on by OIBC?)
- Shane Kane commended HMNKO and all the NHOs for their work to bring home na iwi.
- Kehau Abad thanked Ayau et al for raising the level of spiritual and cultural handling of na iwi.
- Alice Greenwood stated her distress that the Hawaii airport security (TSA) was insensitive.
- Jean Rasor of Kahu O Kahiko stated he has spoken on this item three times before the OIBC. His research indicates in 1847 there was one set of iwi removed by a D.H. Lyman who found it in Maunaloa. Rasor asserts that his ancestor Kuaihelani owned the lands of Maunaloa up to 1816 and thus, there are descendants including himself who would like to be part of the reinterment. Rasor did not file a claim under NAGPRA, however, there are descendants who want to participate.
- McKeague reminded folks that under NAGPRA the recognition for claimants was to the three Native Hawaiian organizations.
- Kealoha Kuhia spoke for his 'ohana stating there is no genealogy criteria under NAGPRA as it recognizes only Native Hawaiian organizations. Kuhia felt the ohanas should be recognized. He

contacted the museum but did not get any response from them. He wants to claim na iwi for the 'ohana to malama.

- Bill Aila of HMNKOH noted it is not clear where in East O'ahu iwi were removed from, nor who the landowner was. What is relevant is this kupuna was held captive for 160 years. Now we can put na iwi kupuna back as soon as possible.
- Amelia Gora spoke for her 'ohana stating that there are families that exist and it is wrong for Native Hawaiian organizations to be recognized. She will document this matter and that the families should receive na iwi and reinter them not a Native Hawaiian organization.
- Rasor made a correction to his statement that Kuahelani was konohiki until 1816 of that ahupua'a and these are not Mahele lands. His research shows there is really only two places that literally meet the criteria of East O'ahu in a volcanic mountain.
- Ayau added that HMNKOH uses family-based traditions from the Kanakaole 'Ohana and that some of their members also bring their own family traditions. He advised folks go see Auntie Pua, Auntie Edith, Uncle Luka.

B. Makaloa-Sheridan Sam's Club/Walmart Project, Kalia, Makiki Ahupua`a, Honolulu, O'ahu. TMK: 2-3-16; 9 and 19.

Deputy SHPO McMahon summarized that the contested case is settled. Na iwi kupuna was in storage for three years and it took two years to consult and settle with all the families, the Governor and the DLNR. The draft BTP is before the OIBC for consideration. WalMart is not involved since Dawn Chang was hired to facilitate and do the BTP. Everyone agreed to move forward and do the reinterment. An apology has been made from the archaeological consultant to all of the families.

Dawn Chang summarized the matter. The na iwi kupuna will be curated on site. There is a list of 78 descendants recognized by the OIBC. Everyone who participated in the earlier consultations were also consulted in this process. After the settlement, there were four meetings with all claimants. The site selected is at the corner of Makaloa and Sheridan Streets. There are five cement vaults for all the burials and there will be no digging for the vaults. A landscaping plan has been approved and will be done by the landowner. A moss rock wall will be built by Billy Fields Masonry. There is a buffer area and there will be no construction in that area. The reburial agreement has been reviewed by the SHPD and the AGs office. The reburial agreement will run with the land and will be filed at the Bureau of Conveyances. The date for kanu has been set and all families have been notified. All of the families have put aside their hurts to do the kanu soon. It was recommended by the SHPD that this plan be accepted to have the kanu done sooner than later.

The following individuals testified on this matter as follows:

Paulette Kaonohi Kaleikini encouraged the OIBC to have SHPD approve the plan so as to kanu soon.

Kahili Norman request the approval of the plan to kanu na kupuna in a timely manner.

Eddie Halealoha Ayau also requested approval of the plan so this can be finally ended.

Amelia Gora asked that all who handle na iwi get a smallpox shot as these remains died from small pox and its dormant and can come alive again.

Kealoha Kuhia noted there is consensus now where previously it was a fight. He supports the plan.

Melody Kaai supported the reburial plan.

Victoria Keanaaina and Regina Keanaaina both support the reburial plan. They thanked everyone involved in this six-year process. They are putting aside their differences so that na iwi go back in the most hospitable environment. They questioned why specifics, including assigning the iwi from specific finds spots to specific families was not included. They believe the plan should include more specifics. Pauline Knapp is fiancée to Norman Keanaaina and read his statement. Norman Keanaaina is not supportive of the process which he felt was disrespectful to his 'ohana. Norman's father advised they go forward and he does so with regrets.

Rachel Keanaaina Deltoro does not agree with the process or the plan as there are inconsistencies and a lot of disrespect. She wanted more time to consult on the plan in a pono manner.

Sonny Deltoro, husband of Rachel Keanaaina added his mana'o that there was not total agreement on the plan due to a failure in communication. He felt his family did not receive all of the important communications. Jimmy Medeiros asked the OIBC to support the plan. He said it was a fair although long process.

Dawn Chang added that this was a difficult, passionate and long process to malama na iwi kupuna. There were long meetings from September to now, it has been both civil and emotional. Yet there has always been what is best for na iwi and folks have put aside their differences. Chang reiterated the details in the plan for the reburial, the materials being used, and the landscaping. Chang noted that all meeting minutes were sent to all claimants and that training was done for families who were not comfortable with the practice of wrapping na iwi. There will be family members coming from Hawaii Island to kokua with the kanu. She added there are six family lines involved – Kaleikini, Medeiros, Thompson, Kuhia, Keanaaina and Norman. Each family will have a 'find spot' assigned to do the kanu. These details are not in the plan as the plan is more general. There has been much hurt and the kanu soon will ease these hurts. Na Iwi is stored in the trailer under the ramp at WalMart. We believe there is consensus and that everyone is ready to kanu. The SHPD needs to approve this plan to move forward.

Amelia Gora stated she made a claim and is part of the Keanaaina ohana but was not contacted. She said her family is interested.

Dawn Chang stated that all those who participated in the consultation was contacted and there was no intent to exclude anyone.

The OIBC members made the following comments:

Alice Greenwood was concerned that na iwi was not reinterred for over five years, that seemed to be a majority that she would also support the plan.

Aaron Mahi noted its difficult to go back on the communications and hear the hurts of the families.

Chang added again that the vaults have no toxins, will protect the burials from external disturbances and that there are some families more experienced in protocols. There was a training session for some of the families to view a video and that Kuhia and Manny demonstrated the wrapping of na iwi. Chang said the burial treatment plan is general and not specific; it tried to reflect both cultural and western mana'o of the families who came and participated in the process.

Sonny Deltoro added that Luka Makahi is not listed as he got fed up over the years. Rachel Keanaaina Deltoro added that it seemed that they were often told what was going to happen after decisions had already been made by others.

Falemei asked the families to be mindful of their kuleana to na iwi kupuna – that there are differences, yet all agree to malama na iwi. The kuleana goes back to the families and we cannot allow dissension to keep na iwi out any longer. Falemei asked the ‘ohana to find a way to pull together and put na iwi back.

Kekoa Norman noted that they did not participate in the meetings but was notified by mail on everything. He felt everyone was treated fairly and that all concerns were in the meeting minutes. He has waited since 2004 and is ready now to kanu na iwi.

Motion by Abad, seconded by Alice Greenwood to recommend to the department to approve the Burial Treatment Plan as submitted for the reinterment of Na Iwi Kupuna at the Makaloa-Sheridan Sam's Club/Walmart Project.

ROLL CALL VOTE:

All ayes [Abad, Greenwood, Kane, Falemei, Bridges, Hoag, Keliikoa, McKeague, Mahi].

No nays and no kanalua votes.

The motion passed by unanimous vote to recommend to the department to approve the Burial Treatment Plan as submitted for the reinterment of Na Iwi Kupuna at the Makaloa-Sheridan Sam's Club/Walmart Project.

Further closing comments on this item by OIBC commissioners:

- Andy Kealiikoa expressed feeling conflicted after hearing the various ‘ohana mana’o; he notes there is no malice in his vote to support the burial treatment plan.
- Cy Bridges expressed the discussion started somewhat positive and then changed in tone. This is basically about na iwi kupuna. He compared the disagreement to a family who doesn't visit their Tutu because they are all avoiding each other. In the end, Tutu is the one hurt because no one visits. His concern is to support the iwi and do what is right for them.
- Hinamoana Falemei agreed and echoed all sentiments expressed. She noted that colonization has caused this kind of dissension. However, her vote is to support the iwi, although the dissension in the families is disturbing.
- Shad Kane expressed his support for the plan; important to put na iwi away. Many aspects of right and wrong in all aspects of Hawaiian culture. However, sometimes we must set aside personal feelings and do the right thing.
- Kehau Abad wanted clarity on this and looked at the plan and asked herself if there's any harm to kupuna. She did not hear any compelling argument the plan would harm na kupuna; to wait is to harm na kupuna. She supported the plan to go forward now.

Note: OIBC took a break from 12:55 p.m. and reconvened at 1:10 p.m.

C. Kawaiha'ō Church Multi-purpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu. TMK: (1) 2-1-032:017.

McKeague informed the OIBC he had requested Deputy AG Chow to be here as counsel, however, Chow

was not able to attend. Chow would be able to counsel the OIBC in executive session on its role and kuleana in the matter of the Kawaihāo Church project regarding the inadvertent burials found at its project for the new Likeke building. There has been no formal reply from the Attorney General's office on the OIBC role/kuleana. McKeague will put this on the January agenda for discussion again.

Kealoha Kuhia informed the OIBC that his 'ohana are cultural descendants for the WalMart and Kawaihāo burials. Kuhia has put in his papers for cultural recognition yet to be heard by the OIBC. He heard that Kawananakoa said she is a recognized lineal descendant to Kapiolani burial at Kawaihāo and wants to know when the OIBC recognized her. McKeague said the OIBC did not recognize her.

Crystal Rose, Attorney for Kawaihāo Church introduced herself and was there should the OIBC have any questions. McKeague stated that without the OIBC counsel, the OIBC was not in a position to ask questions.

Staff and McKeague discussion regarding Item VII. C. to defer or to discuss after Item VI.C.

Motion by Abad, seconded by Mahi to move Item VII.C. for discussion after Item VI. C.

Vote: All ayes, no nays, no kanalua.

The motion passed unanimously to move Item VII.C for discussion after Item VI.C.

[new D.] VII. C. Department's recommendation to recognize the applicant below as Cultural Descendant to native Hawaiian ancestral remains interred at Kawaihā'o Church Cemetery in the ahupua'a of Kawaihā'o, Kona Moku, Island of O'ahu. TMK: (1) 2-1-032:017.

Aiu noted that she had consulted with the AG on this matter and advised the OIBC to defer a vote until they had an opportunity to consult with their Deputy AG Chow. Abad questioned why the recommendation should be deferred and stated that perhaps Naone-Hall may need this recognition for litigation purposes. Abad felt that previous recognitions either met the criteria or did not. McKeague agreed that it was important to have this discussion with the OIBC counsel.

Aiu stressed that because on-going litigation has raised serious questions about jurisdiction, the OIBC should confer with counsel prior to a vote.

Cayan addressed the OIBC that the process of the descendant claim was done by staff and should have been deferred until the jurisdiction question is settled. Cayan apologized to the OIBC that this item and two other requests should be on 'hold' until the litigation settles the question of jurisdiction.

Falemei reminded the OIBC that in the last executive session with their counsel that this may not be our kuleana to discuss and the council should walk on the side of caution.

McKeague will put this item on the January agenda and request that counsel be present.

Kimo Frankel of the Native Hawaiian Legal Corporation attended on behalf of his client, Dana Naone-Hall. He said that his client was comfortable with the recognition from the SHPD.

Motion by Cy Bridges, seconded by Shad Kane to defer the Department's recommendation to recognize the applicant below as Cultural Descendant to native Hawaiian ancestral remains interred at Kawaihā'o Church Cemetery in the ahupua'a of Kawaihā'o, Kona Moku, Island of O'ahu.

VOTE: Six (6) ayes, no nays, three (3) kanalua [Abad, Falemei, Mahi]

The motion passed by a majority vote to defer this item to the January 2010 meeting.

D. [new E.] Update on the Honolulu Rail Transit Project for the areas of Honouliuli, Ho'ae'ae, Waialeale, Waipi'o, Waiawa, Manana, Waimano, Waiawa, Waimalu, Kalauao, 'Aiea, Halawa, Moanalua, Kahauiki, Kapalama, Nu'uuanu, Pauoa, Makiki, Manoa and Waikiki Ahupua'a, 'Ewa and Kona Districts. TMK: Various.

Ad hoc committee for the Transit chairman Abad did not have an update on the Programmatic Agreement (PA) for the Honolulu Transit project.

Transit team members Faith Miyamoto and Kaleo Patterson updated the OIBC on the following:

- Project will be moving up to speed with construction to follow soon.
- Once the PA is executed Patterson will handle those stipulations for environmental planning.
- It is possible the PA will be signed at the end of December. The Federal Transit Agency (FTA) has tasked the signatories to take a final look at the document before it is distributed. When the PA is executed there will be specific deadlines. The OIBC will get a schedule of those specific tasks.
- The engineers are working on a document from all the meetings regarding locations, utilities, etc.
- The Archaeological Inventory Survey (AIS) for Phase 1 report is being drafted and will be provided to the OIBC when it is completed.
- The design is not done, there is no final design yet.
- The City approvals have not been submitted for all permits yet. The first phase is awarded for environment work not construction work. There are multi-steps to proceed at each phase.

Note: There was no public comment on this agenda item.

E. [new F.] Kyo-ya Hotels and Resorts, LP for Princess Ka'iulani Renovation and Redevelopment Project and Diamond Head Tower Redevelopment Project, Waikiki Ahupua'a, Kona District, Island of O'ahu. TMK: (10 2-6-022:001, 041; 2-6-01:12,13.

Aiu reported to the OIBC that there was one burial at the Tusitala property and there was no clear ethnicity determination when the draft report was submitted to the SHPD. SHPD requested the burial be reopened and a determination on ethnicity be made. This was done yesterday with Mike Pietrewesky, Cultural Surveys Hawaii and oversight by SHPD's McMahan. SHPD will wait for the final report and let the OIBC know what the final determination is for this one burial.

Discussion included but not limited to the following comments:

- Abad expressed that over the years when ethnicity cannot be determined the OIBC should be ascertained of this matter. She asked if there were any such cases like this one.
- McMahan said yes there were. One example was at Waipouli, Kauai where there were two burials – one historic and one pre-contact. Determination was necessary for the historic burial which was found to be hapa. The department gave jurisdiction of that one to the Kauai-Niihau Island Burial Council (KNIBC).
- Falemei felt going in again is more disturbance whether its Hawaiian or not; that as the host culture we honor and afford proper respect for all burials.
- Abad stated that in the future the moku representative(s) should have a say in any request for a physical examination and that is a harm in itself. This is a request she is making to the department rather than the SHPD making the decision.
- Aiu assured the OIBC that the department does not take this lightly and that the SHPD will not make

any decision about ethnicity without good information.

- McKeague added he was contacted by the Kyo-ya consultant (Lapilio) and was aware of this matter. He had requested a conference call and voiced the OIBC concerns at that call.
- Aiu reiterated to the OIBC that this matter was not taken lightly. The SHPD has to make the best determination from the information we have. SHPD considers the first level of oral history and history but it was not enough in this case. Step two, SHPD went to CSH for context and there was no context information. SHPD asked CSH to make a determination based on their meager findings but it did not happen. The department was not able to make a decision either way. The department does not normally go to an osteologist unless it is a last measure. SHPD did not allow removal or testing of na iwi. SHPD asked Pietrewesky to gather more information so as to establish ethnicity in this burial.
- Kealoha Kuhia said there was a fragment found by Kalakaua and it was determined Hawaiian. Kuhia does not agree with how the determination should be made for that one burial be any different and feels they are reading the law wrong. Abad tried to explain the process for determination. McKeague added there was not enough information on this burial to make a determination and that is why the SHPD requested more information. There was no DNA testing on the burial.
- Kaleo Paik said she did not know all the circumstances of this burial, however she knows from her previous employment at SHPD that there were two other burials found near Tusitala that were determined to be Hawaiian. One was down the street and the other was found at Okada Trucking. Paik said the department has the right to make the determination, although it takes that out of the OIBC hands. Further Paik asserted that she knows there have been incidents within the department where burials are deemed inadvertent and does not come before the OIBC.
- Falemei opined on what is pono and the word 'right' and that there are different sets we operate on from a cultural view. That what is expected of SHPD may put the OIBC at odds and that the SHPD may seem callous or cold. Falemei will continue to voice the OIBC concerns.

F. [new G.] Kaena Point Advisory Council. This item was deferred by consensus due to the absence of Quiteves who is the OIBC representative on that council. McKeague asked Greenwood as the alternate. Greenwood said she was never confirmed to be an alternate to the Kaena Pt. Advisory council.

G. [new H.] Section 106/NAGPRA Correspondence.

Ad hoc committee chairman Greenwood reported on the following:

- January 12 deadline for a letter from the Army regarding removal of stockpile to Schofield. Greenwood requested this have cultural monitoring as the stockpile was moved near a heiau. Abad cautioned her to include that often heiau have burials within or nearby.
- December 9 deadline for a letter from the Army regarding Unexploded Ordnance (UOX). Greenwood noted it was not about burials and the Army needs to notify OHA and SHPD.
- December 14 deadline for a letter regarding a building in Schofield Barracks.
- December 4 deadline for a letter from the Army regarding scope of work at Makua Beach for anything that may harm the public.

Note: Chairman McKeague informed the OIBC that the Marine Corps Base Hawaii (MBCH) was not able to give an update this month and hope to have them on the agenda possibly in January.

H. [new I.] Status on Na Iwi Kupuna Repository.

SHPD staff informed the OIBC that the King Street repository has been moved temporarily to storage in Kapolei (six months) until the lease with KSBE (Punaluu facility) is approved by the state leasing division. Cayan noted there are less than 25 bundles or baskets of na iwi kupuna yet to reinter. The goal

of bringing closure for na iwi kupuna has been stalled by the newly recognized need to also meet NAGPRA requirements.. This is due to a amendment to the NAGPRA rules that requires museums to meet an on-going obligation to consult on their inventories. The relevant sections is 43CFR10.13.. For now all reinterments are 'on hold' as SHPD works to meet NAGPRA requirements.

I. [new J.] No Inadvertents to Report for Month of November, 2009.

Staff noted there were no inadvertent finds on O'ahu for the month of November, 2009.

VII. NEW BUSINESS

A. Archaeological and Cultural Impact Study in Support of the Honolulu Seawater Air Conditioning Project in Portions of Kaka'ako and Downtown Honolulu, Pauoa Ahupua'a, Honolulu (Kona) District, Island of O'ahu. TMK: Various.

Chairman McKeague informed the OIBC that the project manager of this project **requested defer this item** for a presentation at the January meeting. McKeague will put it on the January 2010 agenda. Deferment of this item was by consensus of the OIBC.

B. Construction Project to Replace the Existing Sewer Systems within the Kualoa Regional Park Kualoa Ahupuaa, Koolaupoku District, Island of Oahu.

Lani Ma'a Lapalio of Aukahi Inc. introduced the team which included David Shidler (CSH), Kyle Okino, June Nakamura, Miles Nazama. The first presentation of this project was in April, 2007 and the OIBC also did a site visit. Today's presentation was an update on the proposed centralization of the wastewater sewer system for Kualoa Park. Lapalio stressed nothing is set or finalized in these early stages. Okino had two design maps for the OIBC to follow the information presented. The area for the proposed work has been previously heavily disturbed. Uncle Ahi Logan expressed his support for the work and monitoring done by the City on previous projects and the care given for less damage to na iwi finds. Auntie Gladys Puuloo attended to support the project. Lapalio will continue to update the OIBC when further plans are finalized in the future.

[Note: Commissioner Greenwood left at 2:30 p.m.]

C. NOTE: This item moved for discussion after VI. C in the agenda. See above.

[Department's recommendation to recognize the applicant below as Cultural Descendant to native Hawaiian ancestral remains interred at Kawaiaha'o Church Cemetery in the ahupua'a of Kawaiaha'o, Kona Moku, Island of O'ahu. TMK: (1) 2-1-032:017.]

VIII. APPROVAL OF MEETING MINUTES. This agenda item was deferred by consensus to the end of the agenda for consideration. Item V. Approval of Meeting Minutes moved after Item VII. New Business.

A. OIBC Minutes of September 9, 2009.

Draft 2 of the September 9, 2009 minutes of the OIBC was distributed to the council and it included minor changes submitted by Hoag. Staff informed the OIBC that no other edits were submitted for Draft 2. Abad stated she will concur with the minutes on Mike Dang's presentation for KSBE although she feels there are significant points not included and which is not representative of what he said. Falemei briefed McKeague that last month this item had a lot of

discussion as Abad wanted the finer points included and that Greenwood expressed if we do that for one person – we should do it for all. **Motion by Mahi, seconded by Falemei to accept the September 9, 2009 Draft 2 minutes with revisions.**

Vote was seven (7) ayes, one (1) nay (Abad) and no kanalua votes.

The motion passed by majority votes to accept the September 9, 2009 Draft 2 minutes with revisions.

B. OIBC Minutes of October 14, 2009.

Abad submitted corrections to the October 14, 2009 minutes with copies to all OIBC members.

Motion by Falemei, seconded by Hoag to accept the minutes of October 14, 2009 with the revisions submitted by Abad.

Vote: All ayes, no nays, no kanalua.

The motion passed to accept the October 14, 2009 minutes with the revisions submitted.

C. OIBC Minutes of November 10, 2009.

The minutes were distributed to the OIBC before today's meeting due to postage meter dysfunction and no packet mail out was done last week. Staff did email the agenda, notice of meeting, etc. to all OIBC members.

Corrections to the November 10, 2009 minutes included the following:

- Page 2, the correct spelling of name "Bliet" should be "Vliet."

Motion by Abad, seconded by Mahi to approve the OIBC minutes of November 10, 2009 with the above edit.

Vote: Eight (8) ayes, no nays, no kanalua.

The motion passed unanimously to accept the November 10, 2009 OIBC minutes as amended.

IX. ANNOUNCEMENTS. McKeague reminded the ad hoc committee on Legislature to let him know of their continued interest for this committee work.

X. ADJOURNMENT. The OIBC adjourned by consensus at 2:55 p.m.

Minutes submitted by Phyllis Coochie Cayan.....Dated: December 16, 2009 #