

SPECIAL MEETING

FEBRUARY 6, 2007

The Special Meeting of the Council of the County of Kaua'i was called to order by the Council Chair at the Council Chambers, Historic County Building, 4396 Rice Street, Room 201, Līhu'e, Kaua'i, on Tuesday, February 6, 2007 at 9:06 a.m., after which the following members answered the call of the roll:

Honorable Tim Bynum
Honorable Jay Furfaro
Honorable Shaylene Iseri-Carvalho
Honorable Ronald Kouchi
Honorable JoAnn A. Yukimura
Honorable Bill "Kaipo" Asing, Council Chair

Excused: Honorable Mel Rapozo

PETER NAKAMURA, COUNTY CLERK: For the record, we have an excuse letter from Vice Chair Rapozo that he's excused from this meeting.

Chair Asing: Thank you.

APPROVAL OF AGENDA:

Ms. Iseri-Carvalho moved for approval of the agenda as circulated, seconded by Mr. Kouchi, and unanimously carried.

Chair Asing: With that, County Attorney please?

Mr. Nakamura: Council Chair, just for the record, there's no one present to offer public testimony.

Chair Asing: Thank you.

There being no objections, the rules were suspended.

CHRISTIANE NAKEA-TRESLER, ACTING COUNTY ATTORNEY: ES-253
Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purposes of this executive session are for the Council to receive a briefing from the Office of the County Attorney and consult with legal counsel for the purposes of deliberating, and deciding on a proposed settlement in the case of Sharon McCulley and William McCulley v. County of Kaua'i, Damien M. Mendiola and Scott Kauai, Civ. No. 06-00022 JMS/KSC (U.S. District Court, District of Hawai'i) and Sharon McCulley and William McCulley v. County of Kaua'i, Damien M. Mendiola, Scott Kauai, and John

Does 1-15, Civ. No. 06-1-0068 (Fifth Circuit Court). The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

The meeting was called back to order and proceeded as follows:

Mr. Kouchi moved to go into executive session for ES-253, seconded by Ms. Yukimura and unanimously carried.

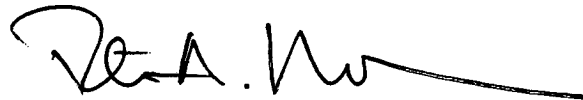
The Chair called a recess at 9:09 a.m. to go into executive session.

The meeting was called back to order at 9:11 a.m. and proceeded as follows:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:11 a.m.

Respectfully submitted,



PETER A. NAKAMURA
County Clerk

/ms