

SPECIAL MEETING

APRIL 4, 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 Wednesday, April 4, 2007 at 1:45 p.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 Mel Rapozo  
Honorable JoAnn A. Yukimura  
Honorable Bill "Kaipo" Asing, Council Chair

APPROVAL OF AGENDA:

Mr. Rapozo moved for approval of the agenda as circulated, seconded by Mr. Furfaro, and unanimously carried.

Chair Asing: With that, I'd like to suspend the rules. Judge, can you read the executive session portion please?

There being no objections, the rules were suspended.

MATTHEW S.K. PYUN, JR., COUNTY ATTORNEY: ES-265 Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with legal counsel, including the Administration, on a proposed settlement in the matter of Jacquelyn K. Tokashiki vs. George Freitas, Civil No. CV 03-00065 ACK/LEK (U.S. District Court); and related matters. The further purpose of this executive session is to deliberate towards and make a decision regarding this proposed settlement. This 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.

Chair Asing : Thank you.

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

Chair Asing: And have a motion to move into executive session.

Mr. Rapozo moved to go into executive session for ES-265, seconded by Ms. Yukimura and unanimously carried.

PETER NAKAMURA, COUNTY CLERK: Council Chair, just for the record. There is no one from the public here.

Chair Asing: Thank you. With that...

Mr. Kouchi: (Inaudible)...and subpoenaed as a witness, had not given any deposition after I had been called to appear and indicated that I needed to be represented by legal counsel in consultation with the County Attorney as a witness as opposed to being a party of the litigation, it would not preclude me from participating, so, anyway, for the record.

Chair Asing: Thank you.

The Chair called a recess at 1:47 p.m. to go into executive session for ES-265.

The meeting was called back to order at 2:41 p.m. and proceeded as follows:

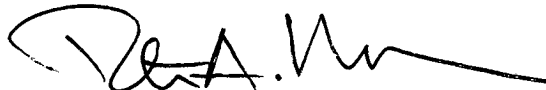
Chair Asing: And have a motion to refer this to the April 11, 2007 Council meeting.

Mr. Rapozo moved to defer ES-265 to the April 11, 2007 Council meeting, seconded by Ms. Yukimura and unanimously carried.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 2:42 p.m.

Respectfully submitted,



PETER A. NAKAMURA  
County Clerk

/ms