

## MINUTES

### COMMITTEE OF THE WHOLE

December 12, 2007

A meeting of the Committee of the Whole of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Councilmember Ron Kouchi, Chair, at the Historic County Building, Room 201, Lihu'e, Kaua'i, on Wednesday, December 12, 2007, at 7:47 p.m., after which the following members answered the call of the roll:

Honorable Bill "Kaipo" Asing  
Honorable Tim Bynum  
Honorable Jay Furfaro  
Honorable Ron Kouchi  
Honorable JoAnn A. Yukimura

EXCUSED: Honorable Mel Rapozo  
Honorable Shaylene Iseri-Carvalho

The Committee proceeded on its agenda items as shown in the following:

RON KOUCHI, COMMITTEE OF THE WHOLE CHAIR: We have ES-295, ES-317, ES-318, ES-319 and we are not going to be discussing any executive session.

Councilmember Asing moved to defer ES-295, ES-317, ES-318 and ES-319, seconded by Councilmember Furfaro.

JOANN A. YUKIMURA: Do we have the County Attorney here?

TIM BYNUM: I would prefer that at least two (2) of these be on the Council agenda next week because they all relate to (inaudible) bill which would likely be voted on next week at that is ES-295 and ES-317.

Mr. Kouchi: Well, and ES-318 is Grove Farm and if we are moving it out, then I will have a motion to refer ES-295, ES-317 and ES-318 to...

Councilmember Asing moved to withdraw his motion to defer, followed by Councilmember Furfaro.

Mr. Kouchi: So ES-295, ES-317 and ES-318 to be referred to the Council.

**ES-295** Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the Council's legal counsel on legal questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities regarding Bill No. 2204, relating to Single Family Transient Vacation Rentals and Bed and Breakfast Operations;

**ES-317** Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the Council's legal counsel on questions and issues pertaining to the Council's powers, duties, privileges, immunities, and liabilities regarding the release of legal opinions and Executive Session Minutes as it relates to Bill No. 2204, relating to Single Family Transient Vacation Rentals and Bed and Breakfast Operations; and

**ES-318** Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the Council's legal counsel on questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities regarding Bill No. 2177, Draft 1, relating to zoning designation in Līhu'e, Kaua'i (Grove Farm Properties, Inc., Applicant) and Bill No. 2210, relating to zoning designation in Līhu'e, Kaua'i (Kaua'i County Council, Applicant).  
**[These items were referred to the full Council.]**

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Furfaro, and unanimously carried, your Committee of the Whole referred ES-295, ES-317 and ES-318 to the full Council.

**ES-319** Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County Attorney concerning the case of Heather Gibson v. County of Kaua'i, et. al. , Civ. No. CV07-00158 SOM KSC (Other Civil Action) 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.  
**[This item was deferred.]**

Upon motion duly made by Councilmember Furfaro, seconded by Councilmember Yukimura, and unanimously carried, ES-319 was deferred.

There being no further business, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Lisa Ishibashi  
Council Services Assistant

APPROVED at the Committee Meeting held on January 9, 2008:



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RON KOUCHI  
Chair, Committee of the Whole