

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

State Building, Conference Room A
54 High Street
Wailuku, Maui

*Approved
3/15/84*

January 5, 1984 - 9:00 a.m.

COMMISSIONERS PRESENT: Richard Choy, Vice Chairman
Everett Cuskaden
Lawrence Chun
Shinsei Miyasato
Winona Rubin
Teofilo Tacbian
Robert Tamaye
Frederick Whittemore

COMMISSIONER ABSENT: William Yuen, Chairman

STAFF PRESENT: Gordan Funutani, Executive Officer
Benjamin Matsubara, Legal Counsel
Dora Horikawa, Chief Clerk

Jean McManus, Court Reporter

CONTINUED HEARING

A83-555 - ROYAL HAWAIIAN AIRWAYS, INC. dba ROYAL HAWAIIAN
AIR SERVICE

Chairman Choy announced that this was a continuation of the hearing from yesterday.

PETITIONER (cont.)

Robert Vorfeld - President and Manager, Pioneer Mill Company

Direct examination by Mr. Mancini-----3 to 11

Cross examination by Mr. Archer-----11 to 13

Cross examination by Miss Chock-----13 to 17

Cross examination by Mr. McCorriston-----17 to 26

Cross examination by Mr. Marrack-----26 to 29

Ming Chew - Self Employed, Ming Chew Associates

Direct examination by Mr. Mancini-----29 to 33

Voir Dire examination by Mr. Lamon-----34

Direct examination by Mr. Mancini(cont.)-----34 to 73

Mr. Mancini posed a procedural motion to the Commission; i.e. the introduction of Ms. Becky Ward as an additional witness to testify on the survey which she had conducted for Amfac, Inc. concerning the West Maui residents' perception of the proposed air strip, and an in-camera review by the Commission of the portions of the survey relevant to the present proceedings.

Commissioner Whittemore felt that permission from Amfac for Ms. Ward's appearance, as well as a review of the survey by the Commission, should be documented for the records.

Messrs. McCorriston and Marrack voiced objections to Mr. Mancini's request on the basis that they had not been given preparation time to review the record for cross-examination, nor were they aware of the relevancy of the witness' testimony to these proceedings.

Mr. Matsubara, legal counsel, cautioned all parties that should the total report be made available to them, until such time as the Commission rules on the portions admissible into the record, the report should be held in total confidence.

By unanimous agreement, the Commission went into executive session.

1:30 p.m.

Chairman Choy announced that during the executive session, upon advice of legal counsel, the Commission decided that more time was needed to review the survey before admission into the record; and Ms. Ward's testimony will be held in abeyance pending review of the record.

Commissioner Whittemore added that the element of surprise, in this instance, could have been avoided had the petitioner given the Commission and parties some reasonable advance notice.

Mr. Matsubara advised Mr. Mancini to provide the Commission with 15 copies of the survey report and, upon review of the report, the Commission will advise Mr. Mancini as to which portions were relevant to the present proceedings.

Ming Chew (cont.)

Direct examination by Mr. Mancini (cont.)-----86 to 90
Cross examination by Mr. Archer-----90 to 98
Cross examination by Miss Chock-----98 to 101
Cross examination by Mr. Lamon-----101 to 113
Cross examination by Mr. Marrack-----113 to 119
Examination by Commissioner Cuskaden-----119 to 124
Examination by Commissioner Chun-----124 to 133

Chairman Choy announced that the Commission will continue the hearing on A83-555 at a later date and that all parties will be duly notified.

Whereupon, the hearing was recessed at 3:30 p.m.