

Hulopo'e Beach Park Council Meeting

Lana'i Senior Citizens Center

Thursday, October 18, 2018

MINUTES

Council Members in Attendance

Sally Kaye

Butch Gima

Jerry Rabaino

Tuma Fauatea

Ron McOmber

Kelli Gima

Ella Yumol

Tammy Sanches

Council Member(s) Absent

none

I. Meeting called to order: by Chair, Butch Gima at 5:00 p.m.

II. Approval of Minutes:

Approval of October 18, 2018 minutes was moved by Ron McOmber and seconded by Jerry Rabaino.

- All in favor: 8
- Oppose: 0
- Abstention: 0

Motions carried unanimously.

A. Formal entry of amended/authorized Beach Park Rules into the minutes.

- Sally Kaye – Chair, Butch Gima authorized the adoption procedure and new rules with his signature certifying this change. This change should also be posted in the lanai96763 and Lanai Today. Below are the wordings of the adoption of the Rules' changes/amendments:

"This is to certify that after publicly-posted notice of the proposed changes/amendments to the Hulopo'e Beach Park Rules and Regulations, public hearing of the proposed changes/amendments on September 13, 2018 and notification to the County of Maui, Department of Parks on September 14, 2018,

the attached Rules were duly adopted by the Beach Park Council on September 20, 2018, with all members present and voting aye."

Copies will be provided to all members. Original will be kept with Marilyn Dimaya.

III. Approval of Public Hearing Minutes:

Approval of September 13, 2018 Public Hearing minutes was moved by Ron McOmber and second by Jerry Rabaino.

- All in favor: 8
- Oppose: 0
- Abstention: 0

Motions carried unanimously.

Discussions: none

IV. Rangers Report: Presented by Marilyn Dimaya for Mike Lopez.

A. <u>Boat Count</u>	Sep 2018	Sep 2017
1. Trilogy	1176	1533
2. Expeditions Ferry	347	444
3. Paragon	250	168
4. Maui Nui	<u>224</u>	<u>117</u>
TOTAL	1997	2262

B. <u>Campers</u>	Sep 2018	Sep 2017
1. Resident	266	275
2. Non-Resident Campers	60	425
3. # of Camp Nights	38	62
4. # of Reservations	24	34
5. Non Resident Sponsorship	169	48

C. <u>Four Seasons Kiosk</u>	Sep 2018	Sep 2017
1. Guests	1875	1402

D. Daily Beach Users Count

- | | |
|------------------|-----|
| 2. Lowest Count | 7 |
| 3. Highest Count | 258 |
| 4. Average | 80 |

Discussions:

- Council requested the Report to reflect which days are weekends and Holidays on the Daily Beach Count.

Public Testimony:

- Les Vierra – Provided handout and did a study based from Pulama Lanai’s Statistics spreadsheet of the beach count. Said that 39% of the volume are over 100 people, 27% are between 150-200 people. This count is not just the weekends, it’s any day of the week. These numbers are based from counts of the parking lot and the beach. It’s not the overall park.
To determine an accurate daily count, Les requested for a breakdown of how many Four Seasons, Residents and visitors from Maui and other islands. Also requested to obtain a copy of the Beach Park Statistics monthly.
- Sally Kaye – the Council is still looking into the Carrying Capacity Study and hopefully The Brad Bunn donation will be able to support this study.
- Miles Saruwatari – brought up Ron’s concerns about the newly created No Parking zones. Will this be addressed? Was unsure if parking is already in the rules. Council confirmed that The Company has the right to reasonably regulate parking and parking is already in the rules.

V. Old Business

A. Status of Applications for BPC vacancy

- Butch Gima – Tabled this subject to next meeting - Have not received the applications yet.

VI. New Business

A. Activities Update

- Noemi Barbadillo – New Year’s Eve Fire Works Show – Received a Right of Entry Application from J & M Displays. This is still under review to determine if it’s on DLNR or Pulama Lana’i property.

B. Lost on Lanai donation ideas

- Council scheduled an Executive Session to discuss rules on how to accept and disburse monies from Lost on Lanai/Brad Bunn. Date is set to meet on Thurs. Nov. 1st at 5pm, Chair Gima's house.

C. A number to call if a Beach Park Rule needs enforcement.

- Margaret Peary requested a number to call just in case of emergency. The number to call is 808-215-1107 and if no one answers, it forwards to Mike Lopez's number, however, Noemi suggests to call 911 if it's an emergency. MPD has the right of Entry to Hulopo'e Beach Park. The 808-215-1107 number is given only to campers.
- Sally Kaye – Now that the rules have been amended, she suggests to have the 808-215-1107 be in the rules and posted somewhere.
- Noemi Barbadillo - they may call Security 808-563-0137 or 808-559-0028 at Iwiolo (7am – 3am). There is one Security person at night that is responsible for Pulama properties such as Iwiolo, Miki Basin, Villas at Koele and Manele. The Ranger's hours are from 7am to 11pm. They will work overtime if there is a large group of 300+ people. A security officer is also standing by and MPD is also alerted. Ranger's hours are also adjusted during Spring Break and Winter Break.

D. Use of a Decibel Meter to determine "excessive noise"

- Noemi Barbadillo – General rule is 10pm – 7am is quiet time and it is enforced by the Rangers. If they refuse to follow the rules, they will be cited and trespassed off the beach park. Should they get agitated, MPD will be notified. No one has been cited yet as everyone been respectful.

E. Rule change proposal re: banning drones at the Beach Park

- Noemi Barbadillo – Should there be a Drone flying and the Rangers are unable to identify where it's coming from, the Rangers will mention in their report. Because there is no rule yet, for safety reasons, the Ranger will take a picture of the drone's license and the drone. The Beach Park is also located within the 5 mile radius of the airport.
- George Purdy/Drone Services Hawaii – there is now certain rules established. There is 1.5 million professional licensed operators, 150,000 retiring pilots this

year. To address the problem George Purdy suggests using FAA terms, have restrictions and not ban drone use but to adopt the FAA Rules, Hobbyist AMA Rules and add it to the Park Rules.

One of the rules is the operator cannot fly over people. Another rule that FAA is coming up with is signage to say "No Drone Zone" and "Drone Zone Here". Another way to control is setting up takeoff and landing point where they're visible to everybody. Under the Congressional Rule, Airspace is everybody's space. We do not own the airspace from the ground up. We only have the jurisdiction on land. DLNR has a rule of "No Aircraft", however, you may ask for an exemption, giving a reason why you want to fly there.

AMA Hobbyist group is almost 6 million in the U.S. They also follow the same FAA Rules, Section 336. Hobbyists have designated locations where they can fly. They can't go out in the public area. As a Hobbyist you can only fly within a line of sight which is less than half a mile, not to go higher than 400 feet.

Another new rule is, if there is an event, Operators may apply for a waiver to fly over a crowd.

- Noemi Barbadillo – The "No Drones" unless otherwise permitted is still in discussion with management. The beach is within the 5 mile radius. To fly within the airspace, you need a special license.

Public Testimony

- Margaret Peary – As a regular beach goer, she does not support Drone use at the beach park. Concerned for safety reasons and privacy.
- Max Kincaid – Supports Drone Use along the shoreline at Manele, making sure the professionals are insured and certified. Creating a designated area would be helpful.

F. ADA Certified Service Animals in the Beach Park

- Noemi Barbadillo – Under the ADA Guideline in public areas, you can only ask two questions: 1) Is the dog a Service Animal required because of a disability? 2) What work or task has the dog been trained to perform?

You cannot ask for any documentation. An ADA Certified animal has to be trained to perform a specific duty. If the dog is unruly, the Ranger's may ask the owner to leave.

Emotional Support Animals are not allowed at the beach park but they are accepted in rental homes, under the Land or Tenant Code.

G. Map of Beach Park Boundaries

- Noemi Barbadillo – confirms that the campers are provided the camp ground map. A map will be provided to the members.
- Pua Turqueza – Noemi Barbadillo suggested to Pua that when applying for a Permit Application, you must indicate or request a specific camping area. The grass area by the Four Seasons is not a camping ground area.

H. Larger Bike Signs – person questioning is not present to discuss.

I. Sponsor's presence requirement with non-resident camper

- Sally Kaye – Sally request this subject be discussed in the Executive Session.

Public Testimony

- Miles Saruwatari - suggests allowing the sponsor to leave the camp ground for a reasonable reason. Butch Gima states we can't make changes to the rule whenever an incident happens.

VII. Announcements

- Ron McOmber – announced there will be no December 20th meeting but there will a Site Visit/Inspection at the beach, same time.
- Butch Gima – If anyone is interested, the quarterly Hulopo'e Bay Water report is available for review.

VIII. Agenda for Next Meeting

1. Les Vierra's request – count of residents, local residents, visitors, hotel guests, etc.
2. Noemi Barbadillo – discussion on Drone Use within the 5 mile radius

IX. ADJOURNMENT: Meeting adjourned at 6:38pm