

# Hulopo'e Beach Park Council Meeting

Lana'i Senior Citizens Center

Thursday, May 18, 2017

## MINUTES

### SUMMARY OF MINUTES

#### A. Approval of Application for Activity Permit

If an application is received after and before the Beach Park Meeting, the Company will email the information to the members. A special meeting will be called by the HBPC if required. If no objections by the members, the Company will make its decision.

#### B. Clarification of Non-Resident

Council moved to amend the Park Rules to include the "Clarification of *Non-Lanai resident*".

#### C. Alignment of Council Membership

The Company confirmed to keep the 3<sup>rd</sup> seat. In order to retain the 3<sup>rd</sup> seat, that 3<sup>rd</sup> person must attend by the July meeting. If not, Council will motion to remove and give it to the community.

#### D. Survey square footage of Hulopo'e Beach Park

The Company is working with their surveyors to obtain that information.

#### E. Update when the Beach Park Rules will be posted

Permit is still pending. It might be an SMA that needs to go before the Lanai Planning Commission. Council would like an update every meeting.

#### F. Drone Use at the Beach Park

Due to the growing concern, the Company and Park Council will work together in regulating a policy on Drone use at the Beach Park.

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### Board Members in Attendance

John Dela Cruz	Ella Yumol
Tuma Fa'utea	Butch Gima
Michelle Fujie	Letty Castillo

### Board Member(s) Absent

Simon Tajiri  
Gerry Rabaino  
Brysen Seghorn

Meeting called to order: 5:00pm

Approval of Minutes: April 20, 2017

Rangers Report: Provided by Michael Lopez

<u>Boat Count</u>	<u>April 2017</u>
1. Trilogy	1,727
2. Expeditions Ferry	226
3. Paragon	147
4. Maui Nui	<u>154</u>
<b>TOTAL</b>	<b>2,254</b>

<u>Campers</u>	<u>April 2017</u>
1. Resident	66
2. Non-Resident Campers	180
3. # of Camp Nights	88
4. # of Reservations	50
5. Non Resident Sponsorship (new category)	78

<u>Four Seasons Kiosk</u>	<u>April 2017</u>
1. Guests	1,804

**OLD BUSINESS**

**A. Approval of Application for Activity Permit (Michelle Fujie)**

Michelle: What is the protocol if an application is submitted after and before the Beach Park meeting? Company to provide a guideline

Noemi B: Presented a hand out "Presentation of Hulopo'e Beach Park Activities to the Council", Group Camping check list and Clarification of *Non-Lanai Resident* which basically defines the protocol and steps (see copy of handout in your binder):

- 1) The Company will present the information to the HBPC.
- 2) The Council will have the chance at this presentation to ask questions either to the Company or the event representative
- 3) Upon comments from the HBPC, the Company will make its decision to approve or deny the application based on the rules set forth in the Hulopo'e Beach Park Rules updated on 10/15/15.
- 4) The Company will then follow all steps outlined in the HBP group Checklist (a copy is provided in binder)
- 5) If an application is received and event is scheduled to take place before the next HBPC meeting, the Company will email the information to the HBPC. If the Council wants to meet about the event, a special meeting will be called by the HBPC.
- 6) If based on the information, the Council has no objections to the event, the Company will follow steps 3-4 and perform all items on the HBP Group Checklist if time permits.

Noemi F: Handout of Clarification of *Non-Lanai Resident* – may be authorized to camp with *Lāna'i Residents*, as a guest of a *Lāna'i* resident, in the resident-designated area, as long as the resident camps with the guest between the hours of 6:00pm to 7:00pm.

*Non-Lānai Resident* shall be further defined as: Family or friends visiting for purely recreational activity (family reunion, class reunion, birthday, wedding, vacation, camping, holidays, etc. Non-Resident shall not include individuals who belong to an organization (canoe club, youth group, organized group like AA, Tri Lanai, etc. These campers shall follow rules established for *campers*.

These new wordings will not be an amendment in the Park Rules. It will be added on to the Camping Application and Sponsorship, however, Butch and Michelle moved to amend and include in the Park Rules.

**Butch G & Michelle F:** Butch and Michelle moved that we amend the Park Rules to include what Pulama has recommended on page 3 "Clarification of *Non-Lānai Resident*" of the handout and have this subject be presented in a public hearing

All were in favor.

**B. Alignment of Council Membership (John Dela Cruz)**

**John D. C.:** To prove the 3<sup>rd</sup> seat was given up to a Community Organization, a copy of the minutes to be provided by the Company or write up an addendum of the change.

**Ron McO:** Ron was to provide copy of the minutes, however, he provided a cell # for Bob Oda who was the COO of Castle & Cooke and will be able to confirm that the company gave up the (3rd) seat to the community.

**John D.C.:** Says, it does not matter what Bob Oda said, there should be something in writing. Until we have something in writing from the Company, we will remain to operate the way it is.

**Noemi B:** Confirmed that the Company wants to maintain the 3<sup>rd</sup> seat.

**John D. C.:** Reminded everyone, there are issues with the 3 year term. If a group cannot support changing a member every 3 years, then there shouldn't be a group, but there has to be representation at the council.

Announced he will be leaving in July and have found a replacement.

**Butch G:** Requested to the Company, in order for Pulama to retain that 3<sup>rd</sup> seat, to have someone attend our July meeting. If not, he will have the Council entertain a motion to remove that 3rd spot and replace with the 4th spot to the community.

**Noemi/Ella:** Both in agreement with Butch's request.

John D.C.: Suggested an option to assign the 3<sup>rd</sup> seat to periodically temporarily assign that seat to Brysen Seghorn. This person would be the temporary person assigned to that community group.

Michelle F: Michelle announced to all that Brysen could not make it to today's meeting due to finals. Brysen also made a suggestion to assign other high school students to attend the meetings as a substitute. Would the Council agree to this?

Ella Y: Disagreed because that would also pertain to other members. We could not have someone else sit in for Pūlama or LSG, etc.

Butch G: We will follow what's in the rules for the community members. Organizations are not specified. As for Brysen, his position would be removed if Pulama keeps the 3<sup>rd</sup> seat.

C. Survey square footage of Hulopo'e Beach Park (Michelle Fujie)

Michelle F: As discussed in previous meeting, the Company was to obtain the square footage of the Beach Park.

Noemi B: Currently working on getting that information from our surveyors.

D. Update on when the Beach Park Rules will be posted (Michelle Fujie)

Ella Y: The rules have been printed but waiting for permit for the signs to be posted.

Michelle F: Would like to continuously keep this subject on the agenda until it's completed

Butch G: Also suggest to Pūlama to email the Council within the next week on a projected date of when the permit is completed and who the permits have to go to. Kurt thinks it's an SMA that needs to go before the Lanai Planning Commission.

## **NEW BUSINESS**

### **A. FAA News On Drones**

**Michael:** Passed out an FAA News handout. A Summary of small unmanned aircraft rule (Part 107). It consists of the Operational Limitations, Remote Pilot Certification and Responsibilities, Aircraft Requirements and Model Aircraft.

Also mentioned a situation at the Beach Park where he approached an operator flying a drone from the park up to the beach front. This person could not provide any registration of the aircraft.

DLNR is working to adopt a regulation up to the high water mark line to the ocean and eventually make it legal to the FAA.

At this time the Rangers will continue to observe and the use of Drones on the beach. For month of April/May there were (4).

**Audience:** Also experienced a Drone Operator at the beach park. This person said that he comes to Lanai to fly his drone because it's prohibited in the beach parks on Maui. Should we look in contacting the Maui County Council?

**Michelle F:** This is new to the Beach Park Council and still collecting information. In previous meeting, the board decided to wait as to what regulations are currently in place. As DLNR is in the process of regulating, their rule would support the council's decision in regulating.

**John D. C.** Feels the council should not wait for the County or State and that we as a board should take action.

**Mike L:** There should be a designated area elsewhere to fly than at the Beach Park.

**Butch G:** Two things to look at: the Park council has jurisdiction over the beach park and not the high water mark to the ocean and second is, do we have the authority to make this type of rule versus Pūlama making the rules? If so, Pūlama has to yield to the Park Council to make the rules. The council cannot make rules for private property without the property owner.  
Pūlama and the Council should work on this together.

**John D. C.:** The Park Council makes the rules for the beach park. The Memorandum delegates the authority to make rules for the Beach Park Council.

**Butch G:** Has Pūlama discussed in developing a policy? The Company has the Right of Entry Policy. They should also have a policy on Drone use at the hotel and Beach Park.

Also asked Noemi, “should the Council create a policy or the Company and the Council work together?”

**Ella Y:** Pūlama has not taken any action because as agreed in previous meetings, we were going to monitor for now.

**Tuma F:** Agrees to push this issue with the Land Owner and DLNR, ask for assistance in regulating.

**Michelle F:** Because it’s a growing concern, Michelle request to Ella to have the company start taking action and develop a policy.

**Noemi B:** To answer Butch’s question, she would like the Council and the Company to work together in regulating a policy.

**Butch G:** As agreed by Noemi, Butch requests to draft a policy and emailed to the Council for review before the next meeting.

**Noemi B:** Will work on a draft and will try to get one done as soon as possible but cannot guarantee to have it done before the next meeting.

**Michelle F:** This subject to be continued in June’s meeting.

**B. Activities Update (Noemi Barbadillo)**

**Noemi B:** 5<sup>th</sup> Grade Class from Maui – requesting to camp 5/24 thru 5/25/17, with approximately 25-30 people. Have sent several emails back to them but no response. If application is received with all documents received, the Company will approve.

**C. ADJOURNMENT**

Meeting adjourned at 6:15pm