

Small Business Regulatory Review Board

MEETING MINUTES

October 17, 2024

ZOOM Meeting Recording

- I. **CALL TO ORDER:** Chair Shick called the meeting to order at 10:00 a.m., with a quorum present.

MEMBERS PRESENT:

- Jonathan Shick, Chair
- Mary Albitz, Vice Chair
- Robert Cundiff
- Garth Yamanaka
- James (Kimo) Lee
- Nikki Ige
- Mark Ritchie

ABSENT MEMBERS:

- Sanford Morioka, 2nd
Vice Chair
- Tessa Gomes

STAFF: DBEDT

Jet'aime Ariola
Dori Palcovich

Office of the Attorney General

John Cole

II. **APPROVAL OF September 19, 2024 MINUTES**

Vice Chair Albitz motioned to approve the September 19, 2024 meeting minutes, as presented. Ms. Ige seconded the motion, and the Board members unanimously agreed.

III. **OLD BUSINESS**

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Chapter 4, Planning Commission Rules, Petitions for Interventions, promulgated by Kauai Planning Department County of Kauai

Deputy Director Ms. Jodi Higuchi Sayegusa from Kauai Planning Department explained that no less than three hearings were conducted to discuss opinions and comments from the public and small businesses after public notice was provided via the newspapers and direct notice to interested parties.

On September 10th an additional public hearing was held with very detailed written comments requesting changes to the rule proposal. While many of the suggestions were already made in the rules, other suggestions were determined by management to not be included in the amendments.

Specifically, the public's concerns included the magnitude of the increase for filing fees for petitions to intervene, the change from "may" to "shall" for when the Commission must grant petitions, and the good cause and excusable neglect standards. There were no testimonies from small businesses.

Ms. Sayegusa stated that she will be coming back to this Board in the near future with additional changes to the Kauai Planning Department rules to update the rules and correct ambiguities.

Mr. Cundiff motioned to pass the proposed rules on to the Mayor of Kauai for adoption. Vice Chair Albitz seconded the motion, and the Board members unanimously agreed.

IV. LEGISLATIVE MATTERS

- A. Discussion and Action on proposed legislation "Relating to the Small Business Regulatory Review Board" – clarifies requirements to establish a quorum to do business and validate acts of the Small Business Regulatory Review Board

Chair Shick explained that the proposed change in the Board's statute is due to having trouble meeting quorum each month largely because of current vacancies. The change will allow five members, or a majority of the board's currently appointed members to constitute quorum, to do business and take official action.

Deputy Attorney General Cole noted that this is a positive change to help with quorum issues; at the very least, it will alert the legislators of current vacancies within the Board.

Mr. Ritchie motioned to recommend approval of this legislative proposal for flexibility in meeting monthly quorum. Mr. Cundiff seconded the motion, and the Board members unanimously agreed.

V. ADMINISTRATIVE MATTERS

- A. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, Hawaii Revised Statutes (HRS)
 - 1. Discussion of location for the 2025 Small Business Regulatory Review Board Meetings

It was agreed to change the monthly board meeting venues beginning in January 2025 to conference room 436 in the Capitol Modern building.

However, in the event a large group of people is anticipated to attend one of the board meetings, it will be scheduled in room 405 at Leiopapa A Kamehameha Building, State Office Tower.

2. Update and Discussion on Becker Communications, Inc., regarding the Board's Small Business Outreach

DBEDT staff met with Becker Communications a few weeks ago; Becker personnel were informed that they are doing a fabulous job with the Board's social media communications: this includes Facebook, Instagram and Twitter.

3. Presentations to Industry Associations

Ms. Ige recently attended a Kauai Chamber of Commerce event and distributed the Board's brochures.

Mr. Yamanaka received an email this morning explaining that the Business Revitalization Taskforce meeting, pursuant to Act 142 (SLH 2024, SB2974, Relating to Economic Development) is scheduled for October 29th; he is planning to attend remotely.

He reminded the members that the taskforce was created, in part, to identify methods to improve economic competitiveness and business climate including the mitigation of regulatory and tax burdens. He requested that if any board members have suggestions to please send them his way before October 29th.

Mr. Ritchie suggested that Mr. Yamanaka mention at the meeting the enormous amount of time it takes for business permitting to be approved as well as the lack of understanding when permits are needed.

4. Staff's Small Business Outreach

Program Specialist Ms. Ariola and Mr. Ritchie participated in the Small Business Fair at Leeward Community College. It was a successful event with a good turnout.

Ms. Ariola attended Hawaii's Chamber of Commerce's annual meeting where she distributed the Board's brochures. This event was highly attended with 200 to 300 people. At the event, Cirque du Soleil's management team highlighted the cultural aspects of the upcoming show and what will be presented; the show is at the Outrigger Waikiki Beachcomber Hotel and opens in December. The panel of speakers at the event discussed leadership versus management.

Next week, Ms. Ariola will be attending PBN's "Women Winning in Business" event at the Richards Street YWCA.

VI. NEXT MEETING – Thursday, November 21, 2024 at 10:00 a.m., via Zoom and in conference room 405 at Leiopapa A Kamehameha Building – State Office Tower – 235 S. Beretania Street, Honolulu, HI 96813.

VII. ADJOURNMENT – Mr. Cundiff motioned to adjourn the meeting and Mr. Ritchie seconded the motion; the meeting adjourned at 10:30 a.m.