**MINUTES**

**MAUI ISLAND BURIAL COUNCIL MEETING**

 **DATE: Wednesday, October 16, 2024**

 **TIME: 11:30 AM – 1:15 PM**

 **PLACE: Online via Zoom**

**—AND—**

**Maui DLNR offices**

 **Conference Room**

**130 Mahalani Street**

 **Wailuku, HI 96793**

*This meeting will be held using interactive conference technology under section 92-3.7, Haw. Rev. Stat. (HRS). Board members, staff, applicants, testifiers, and the public can choose to participate in person, online via Zoom, or by telephone.*

**To Attend/Provide Testimony Remotely:**

**<https://hawaii.zoom.us/j/98634757249>**

**Meeting ID: 986 3475 7249**

**Passcode: 799743**

 **\*\*\* Audio Recording at** [**https://dlnr.hawaii.gov/shpd/about/branches/ibc/meetings/**](https://dlnr.hawaii.gov/shpd/about/branches/ibc/meetings/)**\*\*\***

**MLIBC Members: Present:**

Chair Dr. Scott Fisher (LLO), *In-person*

Vice-Chair Vernon Kalanikau (Honua’ula), *In-person*

Member Michelle Ho’opi’i (Wailuku), *In-person*

Member Iris Pe’elua (LLO), *In-person*

Member Diane Preza (Lana’i), *Zoom*

**SHPD Staff:** Leinoa Kong, Burial Sites Specialist

 Andrew (Kealana) Philips, Burial Sites Specialist

 Christopher (Ikaika) Nakahashi, Cultural Historian

**Guests:**  Anna Duvall (FEMA.), *In-person*

 Amanda Calhoun (FEMA), *In-person*

 Ke’eaumoku Kapu (Na ‘Aikane), *Zoom*

 Jacob Kapu, *In-person*

Nick Belluzo, *In-person*

Derek Mar, *In-person*

Foster Ampong, *In-person*

Pua Aiu, *Zoom*

Tanya Lee Greig, *In-person*

1. **CALL TO ORDER**

*Chair Scott Fisher calls to order the meeting at 11:30 A.M.*

1. **ROLL CALL/PULE**

 *Vice Chair Vernon Kalanikau conducts pule.*

1. **MINUTES**
2. **Approval of the Minutes for September 25, 2024.**

 **Summary:**

 **Recording: 0:05:39 – 0:07:02**

* *Motion and vote made at 06:17*
* *Motion and vote made at 07:02*
1. **BUSINESS**
2. **Combine Descendancy Claim Applications Items A-F on the Agenda of Foster Ampong, Kamaile Willette Kimokeo, Michael Jerome Arcangel, Cindy Ann Arcangel, Valarie Kamemoto and Laureen Kodani to Unidentified Native Hawaiian Skeletal Remains Located at Fleming Road, Wahikuli Ahupua’a, Lāhainā District, Island of Maui.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

**Recording: 0:07:06 – 0:05:18**

* Michelle Hoʻopiʻi (Recused) 08:49
* Leinoa Kong (SHPD) 09:38 – 10:53
* Foster Ampong (descendant) 0:11:55-0:15:47
* *Motion (1) for approval and vote 0:16:01*
* *Motion (2) and vote 0:16:41*
* *Motion and vote made at recording 0:16:57*

**MOTION: To recognize the applicants as lineal descendants**

**MOVED BY: Member Scott Fisher**

**2ND BY: Member Vernon Kalanikau**

**VOTE: Motion carried unanimously**

1. **Combine Descendancy Claim Applications Items G-I of Valarie Kamemoto, Laureen Kodani and Daniel Micah Kodani to Unidentified Native Hawaiian Skeletal Remains Located at Loko o Mokuhinia, Paunau Ahupua’a, Lahaina District, Island of Maui TMK: (2) 4-6-007:001, 002, 036, 037, 038.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

 **Recording: 0:17:10 – 0:25:15**

* Michelle Hoʻopiʻi (Recused) 0:17:54
* Leinoa Kong (SHPD) 0:18:09- 0:19:09
* Foster Ampong (Descendant) 0:19:30-0:23:00
* *Motion (1) and vote 0:24:21*
* *Motion (2) and vote 0:24:59-0:25:15*

 **MOTION: To recognize the applicants as lineal descendants**

 **MOVED BY: Member Scott Fisher**

 **2ND BY: Member Vernon Kalanikau**

 **VOTE: Motion carried unanimously**

1. **Combine Descendancy Claim Applications Items J-L of Valarie Lehua Kamemoto, Laureen Kodani, and Daniel Micah Kodani to Unidentified Native Hawaiian Skeletal Remains Located at 611 Front Street, Paunau Ahupua’a, Lāhainā District, Island of Maui, TMK: (2) 4-6-002:014.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

 **Recording: 0:25:30 – 0:31:09**

* Michelle Hoʻopiʻi (Recused) 0:26:06
* Leinoa Kong (SHPD) 0:26:17- 0:27:14
* Foster Ampong (Descendant) 0:27:42-0:30:05
* *Motion (1) and vote 0:30:14*
* *Motion (2) and vote 0:30:54-0:31:09*

 **MOTION: To recognize the applicants as a lineal descendant**

 **MOVED BY: Member Scott Fisher**

 **2ND BY: Member Vernon Kalanikau**

 **VOTE: Motion carried unanimously**

1. **Combine Descendancy Claim Applications Items M-O of Valarie Kamemoto, Laureen Kodani, and Daniel Micah Kodani to Identified Native Hawaiian Skeletal Remains of the Kimokeo ʻOhana Located at Paeohi, Paunau Ahupuaʻa, Lāhainā District, Island of Maui, TMK: (2) 4-5-023:069.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

 **Recording: 0:31:14 – 0:41:09**

* Michelle Hoʻopiʻi (Recused) 0:31:51
* Leinoa Kong (SHPD) 0:31:59- 0:32:54
* Foster Ampong (Descendant) 0:33:32-0:39:52
* *Motion (1) and vote 0:40:14*
* *Motion (2) and vote 0:40:47-0:41:09*

 **MOTION: To recognize the applicants as a lineal descendant**

 **MOVED BY: Member Scott Fisher**

 **2ND BY: Member Vernon Kalanikau**

 **VOTE: Motion carried unanimously**

1. **Descendancy Claim Application Item P. of Keʻeaumoku Kapu to Unidentified Native Hawaiian Skeletal Remains Located at Fleming Road, Wahikuli Ahupuaʻa, Lāhainā District, Island of Maui.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

 **Recording: 0:41:20 – 0:50:56**

* Leinoa Kong (SHPD) 0:41:51- 0:42:40
* Michelle Hoʻopiʻi (Recused) 0:42:42
* Keʻeaumoku Kapu (Descendant) 0:43:29
* Foster Ampong (Descendant) 0:44:48- 48:20
* Jacob Kapu (Descendant) 0:48:4- 0:49:40
* *Motion (1) and vote 0:49:59*
* *Motion (2) and vote 0:50:19-0:50:41*

 **MOTION: To recognize the applicants as a lineal descendant**

 **MOVED BY: Member Scott Fisher**

 **2ND BY: Member Vernon Kalanikau**

 **VOTE: Motion carried unanimously**

1. **Descendancy Claim Application Item Q. of Keʻeaumoku Kapu to Unidentified Native Hawaiian Skeletal Remains Located at Loko o Mokuhina, Paunau Ahupuaʻa, Lāhainā District, Island of Maui, TMK: (2) 4-6-007:001, 002, 036, 037, 038.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

 **Recording: 0:50:59 – 0:56:37**

* Leinoa Kong (SHPD) 0:51:27- 0:52:27
* Michelle Hoʻopiʻi (Recused) 0:52:39
* Keʻeaumoku Kapu (Descendant) 0:52:59-0:53:40
* Jacob Kapu (Descendant) 0:53:49- 0:54:56
* *Motion (1) and vote 0:55:44*
* *Motion (2) and vote 0:56:10-0:56:37*

 **MOTION: To recognize the applicants as a lineal descendant**

 **MOVED BY: Member Scott Fisher**

 **2ND BY: Member Vernon Kalanikau**

 **VOTE: Motion carried unanimously**

1. **Descendancy Claim Application Item R. of Keʻeaumoku Kapu to Unidentified Human Skeletal Remains Located at 611 Front Street, Paunau Ahupuaʻa, Lāhainā District, Island of Maui, TMK: (2) 4-6-002:014.**

**Information/Discussion/Determination:** Discussion and determination on the applicant’s descendancy recognition application to Native Hawaiian skeletal remains at the above location.

The Council may elect to go into executive session pursuant to HAR §13-300-25(d). The Council may close a meeting whenever the location or description of a Native Hawaiian burial site is under consideration. The chairperson, by the concurrence of a majority of members present at the meeting, shall be authorized to require the public to leave the meeting while the confidential matter is being discussed and reopen the meeting once the confidential matter is no longer being considered.

**Summary:**

 **Recording: 0:56:47 – 0:56:37**

* Leinoa Kong (SHPD) 0:57:07- 0:58:04
* Michelle Hoʻopiʻi (Recused) 0:58:10
* Keʻeaumoku Kapu (Descendant) 0:58:29-1:00:41
* *Motion (1) and vote 1:00:55*
* *Motion (2) and vote 1:01:17-1:01:36*

 **MOTION: To recognize the applicants as a lineal descendant**

 **MOVED BY: Member Scott Fisher**

 **2ND BY: Member Vernon Kalanikau**

 **VOTE: Motion carried unanimously**

1. **UPDATES**
2. **Discussion on Honoapiʻilani Highway Relocation Surface Archaeological Findings and Preliminary Subsurface Testing Strategy.**

**Information/Discussion:** Discussion and presentation on the above item by Pua Aiu.

 **Summary:**

 **Recording: 1:19:27 – 0:00:00**

* Pua Aiu 1:20:48-1:27:15
* Tanya Lee-Greig 1:27:18-1:58:20
1. **INADVERTENT DISCOVERIES OF HUMAN SKELETAL REMAINS**

1. **Inadvertent Discovery of Human Skeletal Remains at Fleming Road, Wahikuli Ahupuaʻa, Lāhainā District, Island of Maui Reported to the Maui Office of the Historic Preservation Division on October 01, 07, and 09, 2024.**

**Information/Discussion/Recommendation:** Discussion about above find.

 **Summary:**

 **Recording: 1:05:32 – 0:33:00**

* Nick Belluzo (ASM affiliates) 1:06:14- 1:17:40
* Keʻeaumoku Kapu 1:17:57- 1:19:19

1. **ANNOUNCEMENTS**
2. **The Next MLIBC Meeting is Wednesday, November 20, 2024, 9:00 A.M.**

**Summary:**

 **Recording: 1:59:02 – 0:33:00**

* Scott Fisher 1:59:02- 2:01:20: Requests to Agendize One Kapalua
1. **ADJOURNMENT**

 *Meeting adjourns at 1:42 P.M. (2:01:46)*

**To Provide Written Testimony:**

**We encourage interested persons to submit written testimony in advance of the meeting, which will be distributed to Board members prior to the meeting and allow a timely review. Please submit written testimony via email to: Leinoa.kong@hawaii.gov. Written testimonies can also be mailed to: 130 Mahalani Street, Wailuku, HI 96793. Written testimonies may be posted upon the MLIBC meeting website; as a precaution, please be mindful with any personal information prior to submitting unless you intend it to be shared. Late written testimony will be retained as part of the record and distributed to MLIBC members as soon as practicable, but we cannot ensure the MLIBC will receive it in sufficient time to review, prior to decision-making.**

**To Provide In-Person Oral Testimony**

**Attend in-person at: 130 Mahalani Street, Wailuku HI 96793.**

**To Provide Testimony by Telephone:**

**On the day of the meeting at the start of the agenda item you wish to testify on, dial +1 669 900 6833 (Zoom); input the meeting ID: 924 3738 5756** **Passcode: 963499 and follow the prompts.**

**To Provide Video/Zoom Testimony:**

**Please send your request in a timely manner to: Leinoa.kong@hawaii.gov with your information, email address, and the agenda item you wish to testify on. Once your request has been received, you will receive a confirmation email with pertinent information. You may testify without signing up in advance.**

**We kindly ask that all oral/video testimony be limited to not more than three (3) minutes. We ask that you identify yourself and any affiliation before speaking, but you can choose not to do so.**

**Pursuant to §92-3 Hawai‘i Revised Statutes (HRS), all interested persons shall be afforded an opportunity to present oral testimony or submit data, views, or arguments, in writing on any agenda item. Additionally, pursuant to a policy adopted by the Hawai‘i Island Burial Council at its November 17, 2005 meeting, oral testimony for items listed on the agenda is limited to three minutes per person, per agenda item.**

**The MLIBC may go into Executive Session pursuant to section 92-5(a)(4), HRS, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities.**

**Pursuant to §92-4, §92-5(a)(8), and §6E-43.5 HRS, and upon compliance with the procedures set forth in §92-4, HRS, the council may go into a closed meeting to consider information that involves the location or description of a burial site.**

**Pursuant to §92-2.5(d) HRS, if a meeting must be cancelled due to lack of quorum, the present council members may elect to continue to receive testimony and presentations on items on the agenda.**

**A request to be placed on a burial council meeting agenda must be made with the Burial Sites Program staff at least two weeks preceding the scheduled meeting date. In addition, the request must be accompanied by all related documents. Failure to comply with this procedure will delay the item to the following month’s agenda.**

**Interested persons can submit written testimony in advance of each meeting that will be distributed to Burial Council Members prior to the meeting. Submit written testimony to Leinoa.Kong@Hawaii.gov or via postal mail to the Maui, Lānaʻi Island Burial Council at 130 Mahalani St., Wailuku, HI 96793. Written testimony that is received later than 24-hours prior to the meeting will be retained as part of the record and distributed to the Burial Council Members as soon as practicable, but we cannot ensure that the Council members will receive it with sufficient time for review prior to decision-making.**

**Materials related to items on the agenda are available for review at the State Historic Preservation Division located at 130 Mahalani St., Wailuku, HI 96793.**

**If you need an auxiliary aid/service or other accommodation due to a disability, please contact, Burial Sites Specialist, at (808) 652-1510 or leinoa.kong.@hawaii.gov as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this agenda and other materials are available in alternate/accessible formats.**