

LINDA LINGLE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**HAWAII ISLAND BURIAL COUNCIL  
MEETING MINUTES**

**DATE:** THURSDAY, NOVEMBER 15, 2007  
**TIME:** 9:30 A.M.  
**PLACE:** NATURAL ENERGY LABORATORY HAWAII AUTHORITY  
73-4660 QUEEN KA'AHUMANU HIGHWAY  
KAILUA-KONA, HAWAII

**HIBC MEMBERS:** Charles Young, Chair  
Ululani Keliikoa-Sherlock, Vice-Chair  
Roy Helbush  
Leningrad Elarionoff  
Ronald Dela Cruz  
Ku Kahakalau  
Dutchie Saffrey  
Cynthia Nazara  
Pele Hanoa  
Kimo Lee

**Absent:** Kaleo Kualii

**SHPD Staff:** Morgan Davis, Hawai'i Assistant Archaeologist  
Tim Scheffler, Hawai'i Assistant Archaeologist  
Wendy Machado, Cultural Historian  
Vince Kanemoto, Attorney General

**Guests:** Bob Rechtman  
Anthony Ching Ako  
Ruby McDonald  
Alan Haun  
Art Litwak  
Margaret Magat  
Nani Langridge  
Curtis Tyler  
Tom Smith

**I. OPENING REMARKS**

HIBC Chair Charles Young (Young) called the meeting to order.

Pele Hanoa (Hanoa) gave the pule wehe.

The HIBC members, SHPD staff, and the attorney general (AG) introduced themselves.

## **II. APPROVAL OF THE AUGUST 16, 2007 HIBC MEETING MINUTES**

Curtis Tyler (Tyler) expressed his concerns with the non availability of minutes. That the SHPD could use updated technical equipment for transcribing minutes.

Anthony Ching Ako (Ching Ako) stated that he wants to be notified of the HIBC agenda.

Wendy Machado (Machado) explained that the minutes and the agenda are posted on the internet.

Ching Ako said that not all people have access to computers.

Machado explained that the tape recorder broke and that SHPD staff will take manual minutes.

Tyler explained that SHPD has 30 days and that the law needs to be complied with.

Vince Kanemoto (Kanemoto) said that verbatim minutes takes special equipment and will slow down the process. Verbatim minutes are not required under the law

Young said that he could not recall verbatim minutes ever used at HIBC.

Young and Leningrad Elarionoff (Elarionoff) Discussed that changes in accuracy can be made in the draft copy.

Ronald Dela Cruz (Dela Cruz) expressed that the council is not given enough time for review.

**A motion was made to approve the August 16, 2007 HIBC minutes.  
(Elarionoff / Kahakalau)**

**VOTE: ALL IN FAVOR.**

**A motion was made to close the agenda item.**

**VOTE: ALL IN FAVOR**

## **III. BUSINESS**

### **A. REVISED BURIAL TREATMENT PLAN, LAND OF HONOKOHAU 1 NORTH KONA DISTRICT, ISLAND OF HAWAII, TMK: (3) 7-4-08: POR.47**

**Information / Discussion / Determination:** Presentation and discussion by Alan Haun.

Alan Haun (Haun) and Tom Smith (Smith) introduced themselves. Haun discussed the adjustments in the BTP, following the Council's recommendations.

Ku Kahakalau (Kahakalau) thanked Haun for the changes. Kahakalau had concerns about who are the recognized people in the ahupua`a and that they should be contacted.

It was agreed upon that Haun work with SHPD to find descendants.

Young asked if it was feasible to put up buffers because of cattle grazing concerns.

Smith explained that there are no roads in and that for 100 years, it has been, and still is, pasture land.

Kahakalau said that cultural descendents need to be notified. They might have no knowledge of the amount of burials and they need the opportunity to come forward.

Young explained that they can take testimony from recognized descendants at the next meeting, but was concerned about quorum because of Christmas.

Kanemoto suggested an extension from Smith if not enough members for quorum.

Young explained that there would be 30 days to locate descendants, as a result, could they wait for the January agenda.

Smith agreed to wait till January.

Dutchie Saffrey (Saffrey) asked if notification was in the Tribune.

Haun said that the local newspaper is the West Hawai'i Today and that the rule is, once published, descendants have 30 days to respond.

Tyler explained that descendants are recommended by SHPD and determination is made by the Council. If no palapala, oral testimony is accepted.

**A motion was made to defer agenda item III A.  
(Elarionoff / Helbush)**

**VOTE: ALL IN FAVOR**

**B. A BURIAL TREATMENT PLAN FOR SIHP SITE 2383, LAND OF PAO`O AHUPUA`A, NORTH KOHALA DISTRICT, ISLAND OF HAWAII, TMK: (3)5-7-01:005  
Information / Discussion / Determination:** Presentation and discussion by Bob Rechtman.

Bob Rechtman (Rechtman) explained that there are several archaeology sites on the property that are subject to a preservation plan. Site 2383 is a potential burial site. Rechtman was asked to create a BTP for Site 2383, in consideration of oral testimony.

Rechtman explained the concerns of the descendants; people have been squatting on the land, modifying and violating the site. There is an investigation on the violations.

SHPD approved the preservation plan and signs on the property. Preservation in place, easement established and perpetual; site enclosure with central platform; three sided 20 foot rock wall buffer, the forth side open to the ocean. The invasive plants will be removed, native plants will

be used following conservation rules. Mr. Cohen guarantees access to lineal and cultural descendants. Mr. Cohen and family will do the maintenance.

Ching Ako explained that he asked Papa Mahi to come and talk but he was too busy with coffee. The caretaker person has connections to Papa Mahi and Ching Ako's wife's family. Ching Ako said that Mr. Cohen is a very down to earth person, and very gracious to include and accommodate everyone in the plan; to keep it a Hawaiian place.

Kahakalau had concerns on the words used in the historical background and said that she will work with Rechtman. Kahakalau asked that the public notice be published again, Rechtman agreed.

***A motion made for the HIBC to enter into an executive session for the purposes of discussing other burial sites on the property. (Kahakalau / Saffrey)***

**Vote: All in Favor**

**The executive session began at 12:15 p.m.**

**The executive session ended at 12:30 p.m.**

Kahakalau suggested a no building zone from a 10 ft. set back from the rock wall.

Rechtman explained that the site is being vandalized.

Ching Ako said that Mr. Cohen bought the property and Mr. Cohen asked Papa Mahi for advice. Mr. Cohen went through the process, jumped through all the hoops and done everything pono. Now there is a new group to consider?

Mr. Cohen who is a good person, may get frustrated and sell the property. A person not as pono may buy it.

Young explained that as a child, Mr. Kaue was taken to the area and the site was pointed out to be a grave site.

Rechtman said that Mr. Kaue's mana`o was included in the BTP.

Young recommended that permanent walls be built prior to building.

Kahakalau recommended that Rechtman repost the public notice so that descendants can be identified and acknowledge.

Kanemoto asked if BTP is going to be put on for determination.

Young said put it on for determination.

**A motion was made to schedule a site visit for Pao`o, North Kohala at 8:00a.m. (Hanoa / Saffrey)**

**VOTE: ALL IN FAVOR**

**A motion was made to defer the agenda item.  
(Kahakalau / Hanoa)**

**VOTE: ALL IN FAVOR**

**A motion was made to close agenda item III. B  
(Hanoa / Elarionoff)**

**VOTE: ALL IN FAVOR**

#### **IV. HAWAII ISLAND INADVERTENT DISCOVERIES**

##### **A. Luaia`i Subdivision Project, TMK:(3) 6-7-002, Waikoloa Ahupua`a, South Kohala, Hawai`i Island Information**

Tim Scheffler(Scheffler) discussed Luaia`i inadvertent discovery. The discovery was responded to within 48 hours by Machado and Scheffler. Letter scoping the burial portion of a data recovery plan was issued to Parker Ranch, copies were sent to IIARI, OHA, HIBC. IIARI investigation and removal to relocate is ongoing. This determination to relocate was made in consultation with Ron Dela Cruz who was also present at the original field response.

#### **V. ANNOUNCEMENTS**

HIBC requested a Summit to meet with the other Burial Councils to discuss concerns and issues. A work shop, training session to update members on their role, rules, and laws is also due.

Hanoa recommended that Hokukano be placed on the HIBC agenda for discussion.

#### **VI. ADJOURNMENT**

**A motion was made to adjourn the meeting**

**VOTE: ALL IN FAVOR**