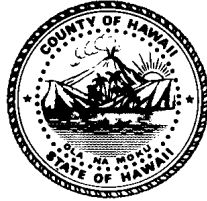


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret Masunaga
Deputy Director

County of Hawai'i PLANNING DEPARTMENT

PUNA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

MEMORANDUM

Date: October 22, 2010

To: Mr. William P. Kenoi, Mayor

Via: Ms. Bobby Jean Leithead Todd, Director, Planning Department

From: Barbara Bell, Chair 
Puna CDP Action Committee (PCDP AC)

SUBJECT: Request for Information Regarding Hele-On Bus Service on Private Subdivision Roads in Puna

Many Puna residents would like to have the Hawaii County Hele-On bus system provide service on some of the major private subdivision roads in the very near future. Some of the private subdivision homeowner and/or road maintenance associations have also voiced support for Hele-On service within their communities.

In recent years, the question of Hawaii County's exposure to civil liability has surfaced as the major deterrent each time a request for public bus service into Puna's private subdivision roadways has been made to the Mass Transit Agency.

A memo (PCDP AC Communication No. 2010-33) dated July 13, 2010 was received from Tom Brown in response to a request by the PCDP AC during his appearance before the AC at its June 17, 2010 meeting for a report on the findings of Deputy Corporation Council, Bill Brillhante's research to identify solutions to address the issues and concerns affecting the expansion of Hele-On service over private subdivision roads.

As we understand Mr. Brillhante's response, the County needs to secure permission from each private subdivision in which the County would like to operate bus services. The process for securing that permission is dependent upon how the private roadways are legally owned and managed for each subdivision.

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While we believe this is a good start, we would appreciate a more through explanation of exactly what steps any interested subdivision must take, depending on its ownership and maintenance structure, in order to secure bus service over those private roads and to mitigate Hawaii County's liability concerns.

As we are all aware, the Department of Education has for many years contracted school bus services that do use private roads the Puna subdivisions. It is unclear to us how any liability concerns the State of Hawai'i or its school bus vendors might have may differ from those of Hawaii County.

Thank you for any and all help you can provide us in our mission of implementing the Puna Community Development Plan. Please feel free to contact me or Larry Brown from the County Planning Department for any reason. I can be reached at bbellster@gmail.com or via cell: 808.937.2573. Larry can be reached at lbrown@co.hawaii.hi.us or 961-8135.

Encl: PCDP-AC Communication No. 2010-33

Cc:

Emily Naeole-Beason, 5th District Council Member
Guy Enriques, 6th District Council Member
J Yoshimoto, 3rd District Council Member
Lincoln Ashida, Corporation Counsel
William Brillhante, Deputy Corporation Counsel
Amy Self, Deputy Corporation Counsel
Tom Brown, Administrator, Mass Transit Agency