

**MAUI COUNTY BOARD OF ETHICS**

200 S. High St.

Wailuku, HI

RECEIVED

**AGENDA**

(HYPERLINKS TO MEETING MATERIALS ADDED) 2021 JUL -8 PM 1:05

*Pursuant to HRS § 92-3.5, the Board will hold this meeting using interactive conference technology, with members participating via BlueJeans, a web-meeting platform that the County of Maui uses for all board/commission meetings. Considering the evolving Covid-19 pandemic, protecting the health and welfare of the community is of utmost concern.*

**DATE:** July 14, 2021  
**TIME:** 12:30 PM  
**MEETING SITE:** Online Only via BlueJeans  
Meeting ID: 625 166 061  
<https://bluejeans.com/625166061>

**MEMBERS:** **Chair:** Geraldine Lewis, **Vice-Chair:** Donna Clayton, **Secretary:** David Weiss, Seward Akahi, William Curtis, Jr., Linda Kay Okamoto, Scott Parker, Steven Sturdevant, Shanna Willing

**ORAL TESTIMONY:** Public testimony will be taken by phone or video conference. Testifiers are asked to provide your full name, email and the Agenda Item number on which you will be testifying on. All Public testimony will be limited to a maximum of three (3) minutes. If approved by the presiding officer, time limits for testimony may be modified and approved by a majority of the Board.

**VIDEO TESTIMONY:** To watch the meeting or provide video testimony, use meeting link  
<https://bluejeans.com/625166061>

Testifiers via video are asked to sign-up using the Chat function by sending a Direct Message to the Board Secretary, providing your full name, email and the Agenda Item number which you will be testifying on. Board members shall not be contacted via the Chat function.

Testifiers will be called by the Chair to offer their testimony and are asked to mute their audio and video when they are not testifying. An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.

**PHONE TESTIMONY:** To join the meeting or provide oral testimony by phone, **Dial 1-408-915-6290 and enter Meeting ID: 625 166 061**

Testifiers via phone will be called by the Chair after video testimony is finished.

**WRITTEN TESTIMONY:** To provide written testimony, email testimony to [corp coun@mauicounty.gov](mailto:corp coun@mauicounty.gov) "Attention: Board of Ethics" or Fax to (808) 270-7152, at least two (2) working days prior to the meeting; written testimony will be distributed to Board members and will be reviewed at the meeting.

**SPECIAL ASSISTANCE:** If you require an auxiliary aid or accommodation due to a disability, please contact the Board Staff three working days prior to the scheduled meeting by calling 808-270-7742.

**AGENDA ITEMS ARE SUBJECT TO CANCELLATION:**

Please visit <https://www.mauicounty.gov/170/Board-of-Ethics> for Board information or contact, Supporting Department: Department of the Corporation Counsel, Board Staff at: 808-270-7742, 1-800-272-0117 (toll-free from Molokai and Lanai).

**A. REGULAR SESSION**

1. Call to Order and Roll Call
2. Approval of Minutes – None7
4. Public Testimony
5. Old Business
  - a. Review and approval of Advisory Opinion No. 21A-05 from PALTIN, TAMARA, Councilmember, whether it's a conflict of interest as a County Council member voting on, the Moratorium on visitor accommodation development in West and South Maui, due to spouse's employment in the hotel and hospitality industry. ([Advisory Opinion](#))
  - b. Further discussion of Advisory Opinion No. 21A-04 dated May 18, 2021 from COUNTY OF MAUI BOARD OF ETHICS, regarding Deslauriers, Paul C., a member of the Maui Charter Commission whose occupation and annual income may be a violation of Section 10-4.1.c. and Section 10-4.1.e. Prohibitions. of the Revised Charter of the County of Maui (1983), as amended ("Charter").\*  
  
\* Recessed from June 9, 2021, no public testimony will be heard on this item. ([Advisory Opinion Request](#))
  - c. Update from the Permitted Interaction Group ("PIG") regarding recommended revisions and/or amendment of the Maui County Board of Ethics Financial Disclosure Statement ("FDS") Subchapter 4 Financial Disclosures §04-101-43 Filing Deadline., §04-101-48 Late Filings (a), and §04-101-49 Penalties. (a), (b)(2)(A).e.
6. New Business
  - a. Lobbyist – Registration, Amended, or Resignation:  
([Registrations & Resignation](#))

<b>Registration</b>
Black, Brian
Kinney, Nathaniel
Sakuda, Ryan K
<b>Resignations</b>
Kinney, Nathaniel
Middlebrook, Matthew

- b. Request for an Advisory Opinion No. 21A-06 dated July 1, 2021 from PALTIN, TAMARA, Councilmember, regarding whether it's a conflict of interest as a County Council member to attend a conference in Marseilles, France as a delegate for the nonprofit, Kua 'aina ulu 'auamo ("KUA"), for which she is president since 2008, and may be a violation of Section 10-4. Prohibitions. Sections 10-4.1.a. and 10-4.1.c. of the Revised Charter of the County of Maui (1983), as amended ("Charter"). ([Advisory Opinion Request](#))

- c. Discussion regarding Board of Ethics funding request for inclusion in Department of the Corporation Counsels' FY2023 budget, to automate the submission and retention of Financial Disclosure Statement ("FDS") form. ([Reference Hawaii State Ethics Commission](#))
7. Announcements – Sunshine Law Amendments Allowing Remote Meetings, April 27, 2021 ([Remote Meetings](#))
8. Discussion of agenda items and Schedule next meeting date:  
(subject to change) **August 11, 2021 12:30 PM, online only via BlueJeans**
9. ADJOURNMENT

## B. EXECUTIVE SESSION

With reference to the agenda items listed below, one or more executive meetings are anticipated. In particular, the Board of Ethics anticipates it will consider the evaluation, dismissal or disciplining of an officer or employee of the County of Maui, where considerations of matters affecting privacy will be involved. The Board may also consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities. Therefore, pursuant to Hawaii Revised Statutes ("HRS") Sections 92-4, 5(a)(2) and (4), the following agenda items may be considered in Executive Session. The Board may also convene in Adjudicatory Session pursuant to HRS Section 92-6. There may also be unanticipated executive sessions if a matter arises on which the Board wishes to consult with its attorney pursuant to the Sunshine Law. HRS Sections 92-4,-5(a)(4).

1. Call to Order & Roll Call
2. Approval of Minutes – None
3. Old Business
  - a. Review proposed Complaint No. 21-07 – Maui Police Commission, member for non-filing of annual financial disclosure statement form in violation of the County of Maui, Code of Ethics, Article 10, section 10-3.
4. New Business
  - a. Financial Disclosure Statements Boards and Commissions:

dela Cruz, Andrew
Egge, Trisha A.
Frampton, Dean
Ginoza, Kyle K.
Kelly, Debra N.
Lankford-Faborito, Lu Ann M.
Patel, Snehal B.
Poepoe, Karen K.
Williams, Jason S.
  - b. Communication Item: **None**
5. Announcements – **None**
6. Next Meeting - **August 11, 2021, 12:30 PM, Online Only via BlueJeans**
7. Adjournment of Executive Session