

RECEIVED

MAUI COUNTY BOARD OF ETHICS

2014 AUG -6 PM 3: 48

Wednesday, August 13, 2014

12:00 p.m.

OFFICE OF THE
COUNTY CLERK

Planning Conference Room
KALANA PAKUI BUILDING
WAILUKU, MAUI, HAWAII

AGENDA

BOARD MEMBERS

Randol Leach, Chair

Norman Franco, Vice Chair

Noreen "Dee Dee" Yabuta, Secretary

Lilah Inaba

Abel Kahoohanohano, Jr.

Sydney Kikuchi

Herman Nascimento

Lois Prey

Michael Westfall

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for scheduling of agenda items, please contact the Board Secretary, (Angela Andrade), at: Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii 96793, 808-270-7742, 1-800-272-0117 (toll-free from Molokai and Lanai), 808-270-7152 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item. If written testimony is submitted at the meeting, 12 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Board members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Department of the Corporation Counsel at least three days in advance.

A. **REGULAR SESSION**

1. Call to Order
2. Review and Approval of July 9, 2014 Minutes
3. Public Testimony
4. Old Business

a. Financial Disclosures:

ARAKAWA, ALAN
BRUCH, COURTNEY
HAWKES, BEAU
WHITE, MICHAEL

b. Communication Items:

NONE

- c. Further discussion on request for an Advisory Opinion from the Department of the Prosecuting Attorney regarding an honorarium of \$250 from the Office of Hawaiian Affairs to Deputy Prosecuting Attorney, Tracy Jones, and \$100 to Victim/Witness Counselor, Gizelle Kuailani. (Acceptance of gifts). Section 10-4.1.a, Maui County Charter. #14A-03
- d. Review and approve Advisory Opinion for Councilmember Donald Couch regarding acceptance of a gift of an educational workshop from the Coral Reef Initiative. (Acceptance of gift). Section 10-4.1a, Maui County Charter. #14A-05
- e. Review and approve Advisory Opinion for Councilmember Michael Victorino regarding acceptance of a gift of an educational workshop from the Coral Reef Initiative. (Acceptance of gift). Section 10-4.1a, Maui County Charter. #14A-06
- f. Review and approve Advisory Opinion for Councilmember Elle Cochran regarding acceptance of a gift of an educational workshop from the Coral Reef Initiative. (Acceptance of gift). Section 10-4.1a, Maui County Charter. #14A-07

5. New Business

- a. Financial Disclosures:

NONE

- b. Communication Items:

Letter to Randol Leach, Chair and members of the Board of Ethics, from Riki Hokama, Chair of the Policy and Intergovernmental Affairs Committee dated July 31, 2014 regarding Amending the Composition of the Real Property Tax Review Board.

- c. Lobbyist Registration:

SOQUENA, EUGENE

6. Announcements

NONE

7. Schedule Next Meeting Date and Discuss Next Meeting Business

- a. Wednesday, September 10, 2014

NOTE: END OF REGULAR SESSION AGENDA

B. EXECUTIVE SESSION

With reference to the agenda items listed above, 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), items marked with an asterisk 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 §§92-4, -5(a)(4).

1. Call to Order
2. Review and Approval of July 9, 2014 Minutes
3. Old Business
 - a. Financial Disclosures:

**HOEFFKEN, GABRIEL
KAHULA, HENRY**
 - b. Communication Items:

NONE
 - c. Review and approve Advisory Opinion for County employee regarding appearing before county departments. **(Appearing on behalf of a private interest before county departments)**. Section 10-4.4, Maui County Charter. #14-04
4. New Business
 - a. Financial Disclosures:

**RACINE, MARSHALL
RICALDE-GARCIA, ARLEEN**
 - b. Communication Items:

NONE
 - c. Initial review of Complaint No. 14-5 against a Council Member. **(Allegation of engaging in activity which is incompatible with the employee's official duties and improper use of County property or personnel)**. Sections 10-4-1 c and 10-4-1 d., Maui County Charter.
 - d. Informal hearing pursuant to the Rules of the Maui County Board of Ethics Section 04-101-64 on Complaint No. 14-3 against a County employee. **(Allegation of improper use of County time and engaging**

in business transactions which are incompatible with the employee's official duties). Section 10-4.1.c and 10-4.1.d., Maui County Charter.

- e. Informal hearing pursuant to the Rules of the Maui County Board of Ethics Section 04-101-64 on Complaint No. 14-4 against a Council Member. (Allegation of improper use of County time). Section 10-4.1.d., Maui County Charter.

5. Announcements

NONE

NEXT REGULAR MEETING

Wednesday, September 10, 2014
12:00 p.m.
Planning Department Conference room

AGENDA SENT TO THE FOLLOWING VIA EMAIL:

Bill Medeiros @ bill.medeiros@co.maui.hi.us
Senator Les Ihara, Jr. @ senihara@capitol.hawaii.gov
Melissa Vomvoris @ ihara@capitol.hawaii.gov
Leissan Sadykova @ LeissanSadykova@gmail.com