

RECEIVED

MAUI COUNTY BOARD OF ETHICS

Wednesday, September 10, 2014

12:00 p.m.

Planning Conference Room  
KALANA PAKUI BUILDING  
WAILUKU, MAUI, HAWAII

2014 SEP -3 PM 4: 07

OFFICE OF THE  
COUNTY CLERK

AGENDA

**BOARD MEMBERS**

**Randol Leach, Chair**

**Norman Franco, Vice Chair**

**Noreen "Dee Dee" Yabuta, Secretary**

**Lilah Inaba**

**Abel Kahooahanohano, 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, 3<sup>rd</sup> 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 August 13, 2014 Minutes
3. Public Testimony
4. Old Business
  - a. Financial Disclosures:  
**NONE**
  - b. Communication Items:  
**NONE**

- c. Review and approve Advisory Opinion for 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, Revised Charter of the County of Maui (1983), as amended. #14A-03

5. New Business

- a. Financial Disclosures:

NONE

- b. Communication Items:

Letter to the Maui County Board of Ethics from Russell Higa dated August 26, 2014.

- c. Lobbyist Registration:

NONE

6. Announcements

NONE

7. Schedule Next Meeting Date and Discuss Next Meeting Business

- a. Wednesday, October 8, 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 Sections 92-4, -5(a)(4).

1. Call to Order
2. Review and Approval of August 13, 2014 Minutes
3. Old Business
  - a. Financial Disclosures:  
**FAIRBANKS, THOMAS  
KNOX, ROBIN**
  - b. Communication Items:  
**NONE**
  - c. Review and approve Advisory Opinion No. 14A-8 regarding Complaint No. 14-4 against a Council Member. **(Allegation of improper use of County time)**. Section 10-4.1.d., Revised Charter of the County of Maui (1983), as amended.
4. New Business
  - a. Financial Disclosures:  
**WEST, STEPHEN**
  - b. Communication Items:  
**NONE**
  - c. Initial review of Complaint No. 14-6 against an elected official **(Allegation of failure to demonstrate by their example the highest standards of ethical conduct)**. Section 10-1, Revised Charter of the County of Maui (1983), as amended.
  - d. Initial review of Complaint No. 14-7 against a County employee **(Allegation of failure to demonstrate by their example the highest**

standards of ethical conduct). Section 10-1, Revised Charter of the County of Maui (1983), as amended.

- e. Initial review of Complaint No. 14-8 against a Director (Allegation of failure to demonstrate by their example the highest standards of ethical conduct). Section 10-1, Revised Charter of the County of Maui (1983), as amended.
- f. Initial review of Complaint No. 14-9 against a former Director (Allegation of failure to demonstrate by their example the highest standards of ethical conduct). Section 10-1, Revised Charter of the County of Maui (1983), as amended.
- g. Continued discussion 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., Revised Charter of the County of Maui (1983), as amended.

5. Announcements

NONE

NEXT REGULAR MEETING

Wednesday, October 8, 2014  
12:00 p.m.  
Planning Department Conference room

AGENDA SENT TO THE FOLLOWING VIA EMAIL:

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