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4 COUNTY OF MAUI, STATE OF HAWAII
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9 BOARD OF ETHICS
10 REGULAR MEETING
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16 Held at the Planning Department Conference Room, 250
17 South High Street, Wailuku, Maui, Hawaii, commencing at
18 12:00 p.m., on Wednesday, October 8, 2014.
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22 Reported by: Tonya McDade, CSR, RPR, CRR, CBC
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Page 1

1 ATTENDANCE
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3 BOARD MEMBERS PRESENT:
4 Norman Franco, Acting Chair
5 Noreen "Dee Dee" Yabuta, Secretary
6 Abel Kahooohanohano, Jr., Member
7 Sydney Kikuchi, Member
8 Lois Prey, Member
9 Michael Westfall, Member
10 BOARD MEMBERS EXCUSED:
11 Randol Leach, Chair
12 Herman Nascimento
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14 STAFF PRESENT:
15 Jeffrey T. Ueoka, Deputy Corporation Counsel
16 Angela Andrade, Executive Secretary
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Page 2

1 (Wednesday, October 8, 2014, 12:00 p.m.)
2 * * *
3 ACTING CHAIR FRANCO: The Board of Ethics meeting
4 for the County of Maui will come to order. This afternoon,
5 we have two matters on the agenda. The first thing is we're
6 going to review and approve September 10th, 2014 minutes.
7 Board Members had a chance to read the minutes? Any
8 questions? Motion to accept?
9 MEMBER KAHOOHANO HANO: So moved.
10 MEMBER PREY: Second.
11 ACTING CHAIR FRANCO: Thank you. All in favor?
12 (Response.)
13 ACTING CHAIR FRANCO: Okay. The next item is
14 public -- agenda is the public testimony. We have two
15 matters on the agenda for informal hearing pursuant to
16 Section 04-101-64 of the Rules of the Board of Ethics.
17 We have only this afternoon to complete both
18 hearings. If there is no objection from either of the
19 parties or their representatives, I would like to ask that
20 the Complainant and Respondent each limit their presentation
21 to 30 minutes, with the Board having 30 minutes to
22 deliberate. If all parties are not agreeable to this, I
23 would recommend to the Board that we defer one of these
24 matters to our next regular scheduled meeting.
25 In regards to both complaints, I would like to

Page 3

1 remind the Board and the parties that this hearing will be
2 focused on whether there is a violation of the Code of
3 Ethics as set forth in Article 10 of the Charter. It's not
4 within the Board's purview to adjudicate the underlining
5 disputes or allegations. We must stay focused on the Code
6 of Ethics.
7 Okay. May I please have a motion?
8 ACTING CHAIR FRANCO: Yeah. Is there any public
9 testimony? I see Councilman Elle Cochran. And the
10 Complainant is here in that case?
11 MR. MANUIA: Yes.
12 MS. FEITEIRA: Present.
13 ACTING CHAIR FRANCO: Okay. All right. Yeah.
14 Okay. Are we in Executive Session now?
15 MR. UEOKA: Just announce that you want to close
16 public testimony, since there is none. There's no public
17 testimony.
18 ACTING CHAIR FRANCO: Okay. There is no public
19 testimony outside of the cases here.
20 MR. UEOKA: Yeah.
21 ACTING CHAIR FRANCO: So we're going to not have
22 any other matters of the agenda except for what is set forth
23 in our current agenda. Okay. Shall I have a motion to
24 bring to Executive Session, pursuant to Section 92-4, Hawaii
25 Revised Statutes, for the obtaining further information

Page 4

1 concerning the complaints on the agenda in accordance with
2 the Rules of the Board? I need a motion from one of the
3 Board Members to go into Executive Session.
4 MEMBER YABUTA: I move.
5 MEMBER PREY: Second.
6 ACTING CHAIR FRANCO: Okay. All in favor?
7 (Response.)
8 ACTING CHAIR FRANCO: Okay.
9 MR. UEOKA: Would you take a recess, Chair?
10 Recess the meeting.
11 ACTING CHAIR FRANCO: Need a recess?
12 MR. UEOKA: Call a recess.
13 ACTING CHAIR FRANCO: Okay. Call a recess at this
14 time.
15 (Recess to Executive Session, 12:05 p.m. to 1:39
16 p.m.)
17 MR. UEOKA: Now back in open session. Chair, can
18 we get a motion to adopt all decisions or ratify all
19 decisions made in Executive Session?
20 ACTING CHAIR FRANCO: Anybody wants to make the
21 motion as stated by --
22 MEMBER KAHOOHANO HANO: So moved.
23 MEMBER PREY: Second.
24 ACTING CHAIR FRANCO: Second? All in favor, say
25 "aye."

Page 5

1 (Response.)
2 ACTING CHAIR FRANCO: Anybody contrary minded?
3 (No response.)
4 ACTING CHAIR FRANCO: None. Okay. Motion is
5 carried.
6 MR. UEOKA: You still have New Business on your
7 Regular Session agenda.
8 ACTING CHAIR FRANCO: Okay. Financial
9 Disclosures, I don't think we have any. Right?
10 Communication items, none.
11 MEMBER PREY: Wait.
12 ACTING CHAIR FRANCO: Lobbyist Registration.
13 MEMBER PREY: Are they still waiting out there?
14 MR. UEOKA: This will take you two minutes.
15 ACTING CHAIR FRANCO: Okay. Lobbyist
16 registration. We got Dante Carpenter -- who I've known for
17 many years, I am surprised he's still around, okay -- and
18 Joy Gold. Dante was the Mayor of Big Island one time.
19 Surprised he's --
20 MEMBER YABUTA: Is he here?
21 ACTING CHAIR FRANCO: Looks like it, yeah.
22 Anyway, registering as a lobbyist for his -- I don't know
23 what -- it says Honolulu. I think he's in Honolulu. I
24 don't know what he would be lobbying the County for. Okay.
25 That's noted.

Page 6

1 Announcements, none. Reschedule next meeting. At
2 this point, before we adjourn, I am going to call them back
3 in.
4 MR. UEOKA: Okay. Wait. Wait one second, Chair.
5 Sorry.
6 ACTING CHAIR FRANCO: Yeah.
7 MR. UEOKA: The minutes in Executive Session were
8 not approved.
9 MEMBER WESTFALL: We need to go back?
10 ACTING CHAIR FRANCO: We got to go back to
11 Executive Session.
12 MR. UEOKA: Does anyone have any corrections to
13 the minutes of September 10th, 2014?
14 ACTING CHAIR FRANCO: No.
15 MR. UEOKA: If there's no corrections, you can do
16 it in Regular Session and it won't matter.
17 ACTING CHAIR FRANCO: Make a motion to approve the
18 minutes of our Executive Session of our previously meeting?
19 MEMBER PREY: I motion that we --
20 MEMBER KAHOOHANO HANO: Second.
21 ACTING CHAIR FRANCO: Second. It's been moved and
22 seconded. All in favor, say "aye."
23 (Response.)
24 ACTING CHAIR FRANCO: Any opposed?
25 (No response.)

Page 7

1 ACTING CHAIR FRANCO: Carried. Okay. We did the
2 housekeeping things. Sorry, I am new at this business, bear
3 with me. Okay. Anything else? Jeff's done a great job
4 keeping us on track. Anything else? Angela, want to call
5 them back in?
6 (Recess, 1:41 p.m. to 1:42 p.m.)
7 MR. UEOKA: Need a motion to acknowledge the --
8 MEMBER PREY: I move.
9 MR. UEOKA: So moved by Ms. Prey. Did you get a
10 second to acknowledge --
11 MEMBER KIKUCHI: Second.
12 ACTING CHAIR FRANCO: All in favor?
13 MR. UEOKA: -- receipt.
14 ACTING CHAIR FRANCO: Acknowledgment of the
15 receipt. All in favor, say "aye."
16 (Response.)
17 ACTING CHAIR FRANCO: Opposed?
18 (No response.)
19 ACTING CHAIR FRANCO: Okay. Carried. We took
20 that up.
21 Okay. We have all the parties here. And we've
22 deliberated on it. The Board of Ethics is formulating a
23 response to the Complainant and the Respondent, and we'll
24 have official notice of what our decision is at the next
25 meeting. So you'll be notified by mail, or you can attend

Page 8

1 our next meeting, which is November -- when is the next
2 meeting -- November 12th. Thanks for your participation and
3 your involvement.

4 I think, in every dispute, there's always silver
5 lining in every storm. Glad you're working together and you
6 getting issues revolved. We thank you for your
7 participation and handling of the problem. I've known about
8 that project for many, many years. And I hope it gets done
9 because I think it's a great project. I am glad you're
10 actively involved in it. Okay.

11 Any questions? All right. Thank you.

12 MR. MANUIA: Thank you.

13 ACTING CHAIR FRANCO: Okay. Now we're at the
14 point of last communications here. Announcements, we don't
15 have any.

16 Next scheduled meeting would be November 12th.
17 And the boss will be back here again, and I can take --

18 MEMBER PREY: Norman, take care of yourself.

19 ACTING CHAIR FRANCO: Well, you know, I try as
20 much as I can, but when you're a single guy, by yourself,
21 you make mistakes.

22 MR. UEOKA: Adjourn.

23 ACTING CHAIR FRANCO: Oh, here's my hammer.

24 Meeting adjourned.

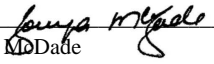
25 (Meeting adjourned, 1:44 p.m.)

Page 9

1 CERTIFICATE
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4 I, TONYA MCDADE, Certified Court Reporter of the
5 State of Hawaii, do hereby certify that the proceedings
6 contained herein were taken by me in machine shorthand and
7 thereafter was reduced to print by means of computer-aided
8 transcription; and that the foregoing represents, to the
9 best of my ability, a true and accurate transcript of the
10 proceedings had in the foregoing matter.

11 I further certify that I am not an attorney nor
12 an employee of any of the parties hereto, nor in any way
13 concerned with the cause.

14 DATED this 16th day of October, 2014.

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17 
18 Tonya McDade
19 Certified Shorthand Reporter #447
20 Registered Professional Reporter
21 Certified Realtime Reporter
22 Certified Broadcast Reporter
23
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Page 10