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3 COUNTY OF MAUI, STATE OF HAWAII  
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8 BOARD OF ETHICS  
9 REGULAR MEETING  
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15 Held at the Planning Department Conference Room, 250  
16 South High Street, Wailuku, Maui, Hawaii, commencing at  
17 12:01 p.m., on Wednesday, February 10, 2016.  
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21 Reported by: Tonya McDade, CSR, CRR  
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Page 1

1 ATTENDANCE  
2 BOARD MEMBERS PRESENT:  
3 Randol Leach, Chair  
4 Sara Gadarian, Secretary  
5 Abel Kahooohanohano, Jr., Member  
6 Sydney Kikuchi, Member  
7 Herman Nascimento, Member  
8 Lois Prey, Member  
9 Sara Gadarian, Member  
10 Matthew Macario, Member  
11 STAFF PRESENT:  
12 Jeffrey Ueoka, Deputy Corporation Counsel  
13 Angela Andrade, Executive Secretary  
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Page 2

1 (Wednesday, February 10, 2016, 12:01 p.m.)  
2 \* \* \*  
3 CHAIR LEACH: (Gavel.) I would like to call the  
4 Maui County Board of Ethics meeting to order, February 10th,  
5 2016. Our first item on the agenda is to review and approve  
6 the January 13, 2016 minutes. Is there a motion to approve?  
7 MEMBER NASCIMENTO: So moved.  
8 MEMBER PREY: I motion to approve the January 13,  
9 2016 minutes.  
10 MEMBER KAHOOHANO HANO: Second.  
11 CHAIR LEACH: Second. Any discussion? All in  
12 favor, say "aye."  
13 (Response.)  
14 CHAIR LEACH: Any opposed?  
15 (No response.)  
16 CHAIR LEACH: Thank you. Next item agenda, public  
17 testimony. Do we have any public testimony today?  
18 MS. ANDRADE: No.  
19 CHAIR LEACH: Thank you. Old Business: Agenda  
20 Item 4.a., Financial Disclosure for Stewart Stant. And he  
21 is here. We had a couple questions. Mr. Stant, if you  
22 could come up to the podium.  
23 MR. STANT: No problem.  
24 CHAIR LEACH: And identify yourself.  
25 MR. STANT: I am Stewart Stant, I am the new

Page 3

1 director of DEM.  
2 CHAIR LEACH: Welcome aboard.  
3 MR. STANT: Thanks.  
4 CHAIR LEACH: We just had a couple questions on  
5 your relationship, on Item 1, with the telecommunications  
6 and the electric company.  
7 MR. STANT: Oh, the electric company, that's -- I  
8 had that -- I started that probably about 15, 18 years ago,  
9 when I had electrical license. I used to do residential  
10 part-time. So that's -- that's -- it's just I got the GE  
11 Tax so I could do jobs outside. That's all that was. Now,  
12 it's simply the people who have like apprentice that they  
13 come out of HC&S. So they do part-time jobs and things and  
14 they use my license for doing jobs. I don't really do too  
15 much residential anymore, unless it's family, yeah.  
16 CHAIR LEACH: And you don't use any County time --  
17 MR. STANT: No.  
18 CHAIR LEACH: -- or resources?  
19 MR. STANT: No. I was, actually, an electrician  
20 for the County for a good 18 years before I became  
21 maintenance manager. And all that time, I never did any job  
22 for the County, never. I wasn't that crazy.  
23 CHAIR LEACH: And then with the  
24 telecommunications?  
25 MR. STANT: That's a direct sales company I

Page 4

1 started in 2009. What happened is a friend of mine was  
 2 asking me about -- I never do those kind of companies,  
 3 direct sales. In fact, I watched my mom do those kind of  
 4 stuff growing up. Those don't work. But this guy had told  
 5 me about taking a look at the opportunity. And I didn't  
 6 want to, but he asked me to go find out how much I would  
 7 make when I retire the County. I was an SR-26. I had no  
 8 idea that when I -- I asked the County, they told me, at 55  
 9 years old, I will retire, I will get -- 32 years in the  
 10 service, I will have \$1,879 with my retirement. So I  
 11 freaked out. So I just went and looked at -- when I started  
 12 this company, I didn't -- they only had this -- they had a  
 13 stupid video phone, they had \$1.99 long distance, but they  
 14 had DirecTV. And I found out a way I could get paid every  
 15 time I paid my DirecTV bill. I didn't know it was going to  
 16 explode. And now I have every service known to man and in  
 17 24 countries. So I have an office. That's a side business.  
 18 But I have no customers for the County. Although, the Mayor  
 19 had me do a audit on our cell phones for Wastewater about  
 20 two years ago. And for our Verizon plan, I would have saved  
 21 the County like \$3,700 a month, but, again, I did not use  
 22 the -- have the County become my customer. Not knowing I  
 23 would be Director one day, now. This is back when I was  
 24 maintenance manager.  
 25 CHAIR LEACH: Does anyone have any other questions

Page 5

1 or comments? Okay. Thank you very much.  
 2 MR. STANT: Okay. Thank you.  
 3 CHAIR LEACH: Is there a motion to acknowledge  
 4 receipt of the financial disclosure for Stewart Stant?  
 5 MEMBER MACARIO: So moved.  
 6 MEMBER PREY: Second.  
 7 CHAIR LEACH: Any discussion? All in favor, say  
 8 "aye."  
 9 (Response.)  
 10 CHAIR LEACH: Opposed?  
 11 (No response.)  
 12 CHAIR LEACH: Thank you. Next agenda item under  
 13 Old Business, 4.b., Communication, we have none.  
 14 MEMBER PREY: Wait a minute. I just -- well,  
 15 okay. I found a couple of questions to the disclosures.  
 16 CHAIR LEACH: Yeah, we haven't gotten there yet.  
 17 MEMBER PREY: Okay, fine.  
 18 CHAIR LEACH: That's 5.b. -- or 5.a.  
 19 MEMBER PREY: Okay.  
 20 CHAIR LEACH: So 5.a., disclosures for Carroll,  
 21 Ching, Crivello, Goode, Mateo, Medeiros, Meyer, Moniz,  
 22 Nishita, Rivera, Shimada, Takamori and White. Is there a  
 23 motion to acknowledge receipt?  
 24 MEMBER KAHOOHANOHANO: So move.  
 25 MEMBER PREY: Second.

Page 6

1 CHAIR LEACH: Okay. Discussion?  
 2 MEMBER PREY: Oh, okay. On Robert Carroll, he did  
 3 not put a date on -- he's on the Maui Council. And I don't  
 4 know. Is that important, he omitted the date?  
 5 MS. ANDRADE: No, because he's filing this as a  
 6 candidate for Council because he's running again. This is  
 7 not his update; this is his requirement to file as a  
 8 candidate.  
 9 MEMBER PREY: Okay. Thank you. And on Crivello,  
 10 Stephanie Crivello --  
 11 MS. ANDRADE: Crivello.  
 12 MEMBER PREY: Yeah. She, also -- so it's not  
 13 necessary, you said, for that? To my knowledge, on Number  
 14 9, she is on the Council of Aging, so she didn't put that  
 15 down. But I don't know if it's necessary for her to put it  
 16 down because she's on the Council of Aging.  
 17 MS. ANDRADE: The Council of Aging?  
 18 MEMBER PREY: Yeah, she's on there.  
 19 CHAIR LEACH: Is that a County --  
 20 MS. ANDRADE: A committee?  
 21 MEMBER PREY: No, no. That is Maui -- that is an  
 22 appointed position. The Council on Aging is an appointed  
 23 position from the Mayor and the Council.  
 24 MS. ANDRADE: Right. I understand that.  
 25 MEMBER PREY: Yeah. So it's not necessary for her

Page 7

1 to put that down, right, on Number 9?  
 2 MS. ANDRADE: Maybe she's no longer there.  
 3 MEMBER PREY: Well, I don't know. Someone told me  
 4 she's still on the Council. All right. Then, of course --  
 5 CHAIR LEACH: Hold on, Lois. This is Jeff Ueoka.  
 6 He's sitting in for Gary today.  
 7 MEMBER PREY: Yeah, yeah.  
 8 CHAIR LEACH: He can enlighten us.  
 9 MR. UEOKA: Just quick clarification. It is a  
 10 County agency, the Maui County Council on Aging; however, I  
 11 think -- I think it's Item 9 you're referring to, yeah?  
 12 MEMBER PREY: Yes.  
 13 MR. UEOKA: It's persons, firms or organizations  
 14 you have represented. I don't think she represented the  
 15 Council of Aging before another County agency in the last  
 16 year, so it would be not applicable.  
 17 MEMBER PREY: Oh, okay.  
 18 MR. UEOKA: She was just a member of the agency.  
 19 She wasn't a representative.  
 20 MEMBER PREY: Oh, okay.  
 21 MR. UEOKA: That's more for like if I work for  
 22 some consulting company and I went in front of the Planning  
 23 Commission to, you know, represent our project. That's what  
 24 that would apply to.  
 25 MEMBER PREY: Oh, okay. Fine.

Page 8

1 MR. UEOKA: Thank you, Chair.  
 2 MEMBER PREY: You clarified it. Thank you so  
 3 much. Gifts of \$2,246, so, okay. My next was -- okay. Now  
 4 I understand about that date, the date doesn't have to be on  
 5 there, but the filing on Moniz, either.  
 6 MS. ANDRADE: Right. She's a Council candidate.  
 7 MEMBER PREY: All right. Thank you.  
 8 CHAIR LEACH: Just to be consistent, for Stephanie  
 9 Crivello, she had checked off annual update.  
 10 MS. ANDRADE: Right.  
 11 CHAIR LEACH: But we should have her date when she  
 12 was elected in the second bullet point.  
 13 MS. ANDRADE: Right, which she didn't do. This is  
 14 her -- she's halfway through the second term, right, so she  
 15 was elected last year, a year ago, or she was appointed. It  
 16 took effect, right, January of last year, Jeffrey?  
 17 MR. UEOKA: Yes. This is her -- her second term  
 18 took effect January of last year, yeah.  
 19 CHAIR LEACH: So that would be January 2015?  
 20 MS. ANDRADE: Yes.  
 21 CHAIR LEACH: So we'll put that in there for her.  
 22 Okay, thank you.  
 23 MEMBER GADARIAN: I have -- I have a question and  
 24 comment about Stephanie Crivello -- Crivello -- sorry -- and  
 25 Michael White. Both have acknowledged that they received a

Page 9

1 large gift from the Maui Jim 2015 Invitational Basketball  
 2 Tournament. Stephanie Crivello indicated it was \$2,190,  
 3 Michael White indicated that it was more, it was between  
 4 \$1,000 and \$9,999. In my opinion, it -- that -- the value  
 5 of that gift represents a conflict of interest. The Maui  
 6 Jim Invitational Tournament utilizes public County  
 7 facilities, and there's a great amount of traffic and all of  
 8 those considerations in this activity. It is sponsored by a  
 9 private company for profit and publicized. And I believe  
 10 that it's un-- unseemly and unethical for a councilperson to  
 11 accept a gift of tickets that are of value, personal value.  
 12 MEMBER KAHOOHANOHANO: I think it's -- I will go  
 13 further. I think it's unethical for any public elected  
 14 official to receive anything like that. That's always been  
 15 something that I looked at from the very beginning when I  
 16 came in here, that they accept the gifts to Maui basketball  
 17 association. Not to say that they getting any benefit other  
 18 than the gift, you know, but, still, it -- it shouldn't  
 19 happen. Just my feeling.  
 20 MEMBER PREY: And another thing I want to point  
 21 out, they always put, instead of the exact amount, like  
 22 Crivello did, she -- the total was \$2,246, they put a  
 23 letter. White put a letter B, which is \$1,000 to \$9,999,  
 24 you know, to sort of camouflage the right amount. I think  
 25 the right amount should be put in there instead of, you

Page 10

1 know, camouflaging by putting a letter in there.  
 2 CHAIR LEACH: Any other discussion?  
 3 MEMBER PREY: It's called camouflaging. Okay.  
 4 CHAIR LEACH: This form is -- we're acknowledging  
 5 receipt of a form. And this has been going on for years  
 6 with the Maui Invitational Tournament.  
 7 MEMBER PREY: Yeah.  
 8 CHAIR LEACH: And from our previous meetings, we  
 9 have a resolution, hopefully, that will go to the Council to  
 10 address the gifts.  
 11 MEMBER PREY: Right.  
 12 CHAIR LEACH: The form asks for them to report the  
 13 gifts. And they are being reported.  
 14 MEMBER PREY: Okay.  
 15 MEMBER KAHOOHANOHANO: You know, Mr. Chairman,  
 16 just for discussion sake, the Ethics Board can bring a  
 17 complaint forward, right? I think we should -- I think it  
 18 should start because in order for them to put on this  
 19 tournament, a lot of things have to happen in the County and  
 20 everybody's got to be on board. And, you know, putting two  
 21 and two together, it's like, you know, it behooves them to  
 22 give gifts to the people that are going to make that  
 23 decisions. So I -- I feel that we should, maybe if not  
 24 today, talk about it and discuss if we should give a formal  
 25 complaint to all elected officials who are accepting gifts

Page 11

1 like this.  
 2 MEMBER GADARIAN: Well, we have procedures --  
 3 CHAIR LEACH: Uh-huh.  
 4 MEMBER GADARIAN: -- indicating that, after  
 5 examining their disclosure statement, that if a conflict of  
 6 interest or other concern arising under the Code of Ethics  
 7 is found, the Board acknowledges receipt of the submission  
 8 and advised the person of the conflict of interest or -- or  
 9 matter of concern and of the person's obligations,  
 10 responsibilities to avoid violation of the Code of Ethics.  
 11 So we can either advise it, we can take it -- take it as a  
 12 matter of complaint, if you want to go that far. And I -- I  
 13 would -- I move that we --  
 14 CHAIR LEACH: Let's do this.  
 15 MR. UEOKA: You're in a motion right now.  
 16 CHAIR LEACH: We're on a motion to acknowledge  
 17 receipt.  
 18 MEMBER GADARIAN: Okay. All right. Thank you.  
 19 CHAIR LEACH: That can be another agenda item.  
 20 Any more discussion? Okay. All in favor of acknowledging  
 21 receipt of the mentioned disclosure statements, say "aye."  
 22 (Response.)  
 23 CHAIR LEACH: Okay. Communication Items, we have  
 24 none.  
 25 Lobbyist Registration, we have one for Tom

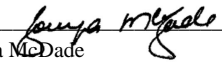
Page 12

1 Blackburn-Rodriguez. Is there a motion to acknowledge  
2 receipt of the lobbyist registration?  
3 MEMBER KAHOOHANOHANO: So moved.  
4 MEMBER PREY: Second.  
5 CHAIR LEACH: Any discussion? All in favor, say  
6 "aye."  
7 (Response.)  
8 CHAIR LEACH: Announcements, none.  
9 Our next meeting date will be March 9th, at noon.  
10 And that ends our Regular Session.  
11 MR. UEOKA: Chair.  
12 MEMBER GADARIAN: Wait.  
13 MR. UEOKA: I think she wanted to add something.  
14 CHAIR LEACH: Let's discuss that in Executive  
15 Session first. Is there a motion to recess Regular Session?  
16 MEMBER KAHOOHANOHANO: So move.  
17 MEMBER PREY: Second.  
18 CHAIR LEACH: Any discussion? All in favor, say  
19 "aye."  
20 (Response.)  
21 (Recess to Executive Session.)  
22 CHAIR LEACH: We are now out of Executive Session,  
23 we're now in Regular Session. Is there a motion to adjourn?  
24 MEMBER NASCIMENTO: So move.  
25 MR. UEOKA: Do me a favor, Chair. It's one of my

Page 13

1 things. Can someone make a motion to accept and ratify all  
2 decisions in Executive Session?  
3 MEMBER GADARIAN: Good idea.  
4 CHAIR LEACH: Is there a motion?  
5 MEMBER PREY: I motion.  
6 MEMBER NASCIMENTO: Second.  
7 CHAIR LEACH: Discussion? All in favor, say  
8 "aye."  
9 (Response.)  
10 CHAIR LEACH: Back to adjourning the Regular  
11 Session.  
12 MEMBER NASCIMENTO: So moved.  
13 MEMBER PREY: Second.  
14 MEMBER KAHOOHANOHANO: Second.  
15 CHAIR LEACH: Discussion? All in favor, say  
16 "aye."  
17 (Response.)  
18 (Meeting adjourned, 12:41 p.m.)  
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Page 14

1 CERTIFICATE  
2  
3  
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 1st day of March, 2016.  
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18 Tonya McDade  
19 Certified Shorthand Reporter #447  
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Page 15