

October 10, 2018

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2 MAUI COUNTY BOARD OF ETHICS  
3 STATE OF HAWAII  
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7 TRANSCRIPT OF PROCEEDINGS  
8 REGULAR MEETING  
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12  
13 Held at the Planning Conference Room, Kalana Pakui  
14 Building, 250 High Street, Wailuku, Maui, Hawaii, commencing  
15 at 12:30 p.m., on October 10th, 2018.  
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19  
20 REPORTED BY: SANDRA J. GRAN, RPR/CSR #424  
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1 (October 10, 2018, 12:30 p.m.)  
2 \* \* \*  
3 CHAIR MACARIO: Okay. Calling the October 10, 2018  
4 meeting of the Maui County Board of Ethics to order. Before  
5 we get started, I should say that we don't have a court  
6 reporter here today, this is obvious, so if -- just like last  
7 meeting, if you folks can remember to kind of say your name  
8 before you speak and also speak into the microphone, if you  
9 can, that would be helpful for whenever they retranscribe.  
10 We've just got an electronic device here.  
11 Okay. First item on the agenda is review and  
12 approval of the August 8, 2018 minutes. Is there a motion to  
13 review and approve those minutes?  
14 VICE CHAIR COURSON: Mr. Chair, I make a motion that  
15 we waive the reading of the minutes and approve them as  
16 submitted.  
17 CHAIR MACARIO: Okay. Is there a second?  
18 MEMBER GADARIAN: Second. Sara Gadarian.  
19 CHAIR MACARIO: All right. Any discussion?  
20 (No response.)  
21 CHAIR MACARIO: All in favor?  
22 (Response.)  
23 CHAIR MACARIO: Opposed?  
24 MEMBER GADARIAN: Well, I'm sorry.  
25 CHAIR MACARIO: What?

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1 APPEARANCES  
2 BOARD MEMBERS PRESENT:  
3 CHAIRPERSON: MATTHEW MACARIO  
4 VICE-CHAIRPERSON: DAVID COURSON  
5 SECRETARY: SARA GADARIAN  
6 RACHEL PHILLIPS  
7 DONNA CLAYTON  
8 NAPUA GREIG-NAKASONE  
9 WILLIAM CURTIS, JR.  
10 DAVID WEISS  
11  
12 STAFF PRESENT:  
13 DEPUTY CORPORATION COUNSEL: JEFFREY UEOKA  
14 BOARD SECRETARY: LISA KAHUHU  
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1 MEMBER GADARIAN: I have some corrections to make to  
2 the minutes.  
3 CHAIR MACARIO: Oh, okay. We can go back, then.  
4 Which -- you're talking about the regular meeting minutes?  
5 MEMBER GADARIAN: That's correct.  
6 CHAIR MACARIO: All right. Why don't we do that  
7 before we finish the voting. Go ahead.  
8 MEMBER GADARIAN: First of all, the way the packet  
9 came, the cover sheet shows that it was the meeting on July  
10 11th and it's the meeting of August 8th, 2018 and the same  
11 thing appears in all of the pages thereafter. The pages have  
12 a thing at the top of it that say April 8th, 2018 rather than  
13 August 8, 2018. Then on page 3, it indicates that the meeting  
14 started July 11th, 2018 at 12:30 p.m. and that's not correct,  
15 it's August 8th, 2018 at 12:30 p.m.  
16 The court reporter appeared to have everyone  
17 identified making motions except on page 13, if the board will  
18 look, it indicates that Mr. Curtis was talking about  
19 something, then Mr. Murai answered it, then a commissioner who  
20 is not identified stated, "If the board's looking for a  
21 collective opinion, personally I don't see any more need to  
22 look at it -- into it any further." I don't know who that  
23 would be, so -- I don't think it was Bill Curtis.  
24 MEMBER CURTIS: I believe Matt said that too. No,  
25 he responded to it, didn't he?

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1 MEMBER GADARIAN: So it's not relevant, it --  
 2 evidently if that's not -- it was somebody, one of the  
 3 commissioners.  
 4 MEMBER GREIG-NAKASONE: Not me.  
 5 MEMBER GADARIAN: Oh, okay.  
 6 COMMISSIONER WEISS: That was me.  
 7 MEMBER GADARIAN: Oh, okay.  
 8 CHAIR MACARIO: Okay. So for the record --  
 9 MEMBER GADARIAN: Your name.  
 10 CHAIR MACARIO: -- that was Commissioner Weiss who  
 11 said that comment on page 13.  
 12 Thank you, Sara. Those are good observations. Did  
 13 you have any others?  
 14 MEMBER GADARIAN: Okay. So then as I was reading  
 15 it, getting back to 17, out of the blue there was Mr. Bilberry  
 16 speaking up and this -- in context, there's no place else in  
 17 the minutes that identifies who Mr. Bilberry is. Mayor  
 18 Arakawa is identified, Ms. Schaefer is -- is identified in  
 19 the -- well, in the -- it just seems to be an odd indication.  
 20 I don't know how you'd put that someone attended the -- the  
 21 thing is that those -- those people were involved in the -- in  
 22 the confidential executive session and then it came --  
 23 MEMBER CURTIS: So add them to the appearances page,  
 24 possibly, on the first -- put Mr. Bilberry on page 2, Staff  
 25 Present? He's county staff; correct?

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1 CHAIR MACARIO: Yeah. I guess let's let the record  
 2 reflect at least today that Mr. Bilberry is one of the county  
 3 corporation counsel who attended the confidential portion of  
 4 the hearing with Mayor Arakawa. I think Sara is correct that  
 5 he's not previously referenced in the regular session minutes,  
 6 so I think just by pointing that out is probably sufficient.  
 7 I'm not sure that we need to make any substantive change.  
 8 MEMBER GADARIAN: Yeah, I believe so too.  
 9 CHAIR MACARIO: Yeah.  
 10 MEMBER GADARIAN: But if someone is reading the  
 11 minutes --  
 12 CHAIR MACARIO: Right.  
 13 MEMBER GADARIAN: -- that are public, where did this  
 14 person come from?  
 15 CHAIR MACARIO: They would also have a pretty boring  
 16 life, wouldn't they?  
 17 MEMBER GADARIAN: Yeah.  
 18 CHAIR MACARIO: All right. Any other changes, Sara?  
 19 MEMBER GADARIAN: No.  
 20 CHAIR MACARIO: Okay.  
 21 MEMBER GADARIAN: No. Thank you.  
 22 CHAIR MACARIO: So, let's see, David, are you  
 23 willing to amend your motion to reflect the changes that Sara  
 24 identified?  
 25 VICE CHAIR COURSON: Yes.

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1 CHAIR MACARIO: Okay. Is there a second on that  
 2 amended motion?  
 3 MEMBER CURTIS: Second. Bill.  
 4 CHAIR MACARIO: Okay. All in favor?  
 5 (Response.)  
 6 CHAIR MACARIO: All opposed?  
 7 (No response.)  
 8 CHAIR MACARIO: All right. That's unanimous. It  
 9 carries.  
 10 Next item on the agenda is Public Testimony.  
 11 Lisa, do we have any public testimony today?  
 12 MS. KAHUHU: No, Chair. No one signed up for the --  
 13 CHAIR MACARIO: All right.  
 14 MS. KAHUHU: -- testimony.  
 15 CHAIR MACARIO: Thank you.  
 16 Next item, 4. Old Business, a. Financial  
 17 Disclosures: None.  
 18 B. Communication Items: None.  
 19 Item 5 a. Financial Disclosures: None.  
 20 5 b. Communication Items: None.  
 21 5 c. Lobbyist Registration. Has everyone got a  
 22 copy of Mr. -- I think it's Putler's lobbyist registration?  
 23 MEMBER GREIG-NAKASONE: Yes.  
 24 CHAIR MACARIO: Is there a motion to acknowledge  
 25 receipt of this registration?

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1 MEMBER GREIG-NAKASONE: So moved.  
 2 CHAIR MACARIO: Is there a second?  
 3 MEMBER GADARIAN: Identify yourself.  
 4 MEMBER GREIG-NAKASONE: Oh, sorry. Napua  
 5 Greig-Nakasone.  
 6 CHAIR MACARIO: Okay. Is there a second?  
 7 MEMBER GADARIAN: Second. Sara Gadarian.  
 8 CHAIR MACARIO: All right. Any discussion?  
 9 (No response.)  
 10 CHAIR MACARIO: All right. Hearing none, all in  
 11 favor of acknowledging receipt of this lobbyist registration?  
 12 (Response.)  
 13 CHAIR MACARIO: All opposed?  
 14 (No response.)  
 15 CHAIR MACARIO: That's unanimous. It carries.  
 16 All right. Item 5 d on our agenda is Discussion and  
 17 possible decision on 2019 draft revised Financial Disclosure  
 18 Statement. And this was circulated by email among the members  
 19 of the group that are working on those revisions within the  
 20 last few days and so I asked for it to be put on the agenda  
 21 just so that we can hear from that -- I can't remember if it's  
 22 called a TIG or whatever it is, the little subcommittee group  
 23 that we've formed to work on that -- as to whether this is, in  
 24 their estimation, sort of the final version of this form that  
 25 we can perhaps put on the agenda next month for approval.

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1 Sara, you're kind of leading that group, as I  
 2 understand it.  
 3 MEMBER GADARIAN: Yes.  
 4 CHAIR MACARIO: Can you give us an update?  
 5 MEMBER GADARIAN: Yes. Bill Curtis and --  
 6 CHAIR MACARIO: Dave Weiss.  
 7 MEMBER GADARIAN: -- Dave Weiss worked -- were the  
 8 committee and -- and with very, very valuable input from Lisa  
 9 and Gary Murai to go over items that -- that we've found in  
 10 the past to be needed to clarify on the financial disclosure.  
 11 So I will point out primarily the big changes, which is the  
 12 front page at the old 2018 we had a page that was confidential  
 13 and the second page that was for everyone. This has now been  
 14 consolidated so that the forms are the same for everyone to  
 15 fill out that -- anything that is confidential is not there,  
 16 it wasn't -- it wasn't necessary to have that. We have enough  
 17 information by having them disclose if they have a spouse or  
 18 dependent children and their mailing address, how they can be  
 19 contacted.  
 20 And very nicely there was a wording that indicated  
 21 that this was -- whether this was a first-time filing and when  
 22 it was due, annual update or new information update and  
 23 showing when that item was due, so it's clear to everyone.  
 24 There will be no separate instructions, so essentially the  
 25 instructions are consolidated with -- with the form itself.

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1 And very nicely, which I agree with, that everything  
 2 that's marked with an asterisk is required so that there's  
 3 less returning, we hope, to have the form complete when it --  
 4 when it is turned in by the person.  
 5 The big -- the next big change that is on source of  
 6 income and -- versus what was done. So instead of having --  
 7 so each person indicates filer, your occupation, spouse --  
 8 your spouse's occupation, and occupation of dependent  
 9 children, and an area if there's no income for those  
 10 particular items. Also adding if someone is retired, we would  
 11 add -- add the source of income that someone is getting. That  
 12 was a question that has come with numerous forms, so that  
 13 that's in there.  
 14 On the general instruction, underlined, "All items  
 15 on the form must be completed. If you have no information to  
 16 disclose on a particular item, check none. Do not use N/A."  
 17 Hopefully, these are instructions that will help people fill  
 18 out the form.  
 19 The Item 2 was changed to show -- add, in plain  
 20 English -- thank you, Lisa -- "Who is the income from? Type  
 21 of income or services rendered. What are you receiving the  
 22 income for?"  
 23 And Item 4 to explain an insolvent business, "a  
 24 business unable to satisfy creditors or discharge  
 25 liabilities."

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1 And Item 6 in the real property, it was underlined  
 2 to "exclude personal residence." And then also an additional  
 3 line that says under the item, "State percentage of each  
 4 person's interest in the property and estimated value. You  
 5 may use tax assessed value."  
 6 So going down to the end, under "Certification," it  
 7 clarifies that, "The certification must be original signature,  
 8 not electronic."  
 9 And then down at the bottom for more instructions in  
 10 plain English, "Please submit your" -- "for board and  
 11 commission members," "for candidates," "for elected  
 12 officials," all of the instructions that are applicable.  
 13 So that -- those are the changes from 2018 to two --  
 14 hopefully 2019.  
 15 CHAIR MACARIO: All right. Dave or Bill, do you  
 16 have anything to add to that?  
 17 I guess the question I'm most interested in is  
 18 whether this is kind of like the final form? Do you guys  
 19 think that we're at that point?  
 20 MEMBER CURTIS: I would suggest three changes to the  
 21 cover sheet.  
 22 CHAIR MACARIO: Okay. What are those?  
 23 MEMBER CURTIS: We have an asterisk in front of  
 24 "Last," maybe we put an asterisk in front of "First." And the  
 25 same with "City" and "Zip," if -- if we think those are

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1 required.  
 2 MEMBER CLAYTON: I guess --  
 3 MEMBER CURTIS: I don't know if "Email" is required  
 4 or not. So we would asterisk Last, so that's required, but  
 5 it's -- should we put an asterisk in front of First, that we  
 6 want the first and the last name?  
 7 VICE CHAIR COURSON: I think it's -- Mr. Chair.  
 8 CHAIR MACARIO: Yeah. Go ahead.  
 9 MEMBER WEISS: If I may respond that I believe it  
 10 would probably be understood by the -- by those submitting the  
 11 financial disclosure statement that that asterisk would  
 12 include the entire name of the individual, including the last,  
 13 first, and middle initial.  
 14 MEMBER CURTIS: Okay. If it's clear, then I  
 15 withdraw my comment.  
 16 MEMBER GREIG-NAKASONE: So I just looked -- looking  
 17 at it, I'm concerned that if there's an asterisk on the first  
 18 page and nowhere else, that they'll think they can voluntarily  
 19 just fill out the first.  
 20 CHAIR MACARIO: That was my reaction, too. I was  
 21 concerned that perhaps somebody who was hypertechnical --  
 22 MEMBER GREIG-NAKASONE: Exactly.  
 23 CHAIR MACARIO: -- and would decline to answer  
 24 everything after the first page, but --  
 25 MEMBER GREIG-NAKASONE: I mean, it says that's

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1 what's required.

2 CHAIR MACARIO: I know. I had the same thought,

3 Napua, so -- I mean, you would hope that nobody would actually

4 do that, but you never know, right?

5 MEMBER GREIG-NAKASONE: Well, if it's not required.

6 MEMBER CURTIS: You could clarify that at the

7 bottom: "Info marked on this cover page with an asterisk is

8 required."

9 CHAIR MACARIO: Yeah.

10 MEMBER CURTIS: Or would it just make it more

11 complicated?

12 CHAIR MACARIO: Just to clarify, I think in the

13 general instructions in the middle there in bold it says, "All

14 items on this form must be completed."

15 MEMBER CURTIS: Yeah.

16 CHAIR MACARIO: So, I don't know, perhaps -- I

17 totally get that and I had the same thought, so -- but you're

18 right, I think this phrase, at least if people read it and

19 they don't stop reading after the end of the asterisks, should

20 answer the question, so...

21 MEMBER GADARIAN: Well, what would be the pleasure

22 of the commission -- the board? To leave them off or put them

23 in? Because I think this is -- would be considered a -- I

24 hope, a final version.

25 MEMBER GREIG-NAKASONE: Can we just mark them all?

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1 Put an asterisk on all of the items? Because then they know

2 they have to check something, you know. I mean, I -- if I

3 read this --

4 MEMBER GADARIAN: Oh, you mean item 1, item 2 --

5 MEMBER GREIG-NAKASONE: Yeah.

6 MEMBER GADARIAN: -- item 3?

7 MEMBER GREIG-NAKASONE: Just put an asterisk on all

8 of them.

9 MEMBER GADARIAN: In front of --

10 MEMBER CURTIS: Right before item 1.

11 MEMBER GADARIAN: -- every item?

12 MEMBER GREIG-NAKASONE: Yeah. So --

13 MEMBER GADARIAN: That's a good idea.

14 MEMBER GREIG-NAKASONE: Because my eyes go to the

15 red and I'll mark the red and then I'll turn it in.

16 MEMBER WEISS: Skip the asterisk, do much larger

17 bold font saying, "Forms incomplete will be returned," and

18 skip the asterisk, because it -- it's -- it's a little much

19 with an asterisk by every one.

20 MEMBER CURTIS: Yeah.

21 MEMBER WEISS: So just skip the asterisk and make it

22 big bold.

23 And I'd like to say, too, I can't take much credit

24 for this. Sara and I were having email problems, but she was

25 the driving force on it.

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1 CHAIR MACARIO: All right. Thank you for that.

2 Go ahead, David.

3 VICE CHAIR COURSON: Mr. Chair, David Courson. I

4 would like to, number one, commend Sara and your committee.

5 MEMBER WEISS: I was commending her, I wasn't -- I

6 wasn't putting blame on her.

7 (Laughter.)

8 VICE CHAIR COURSON: I commend your committee for

9 the thorough work, the clear work, the outstanding work. It's

10 excellent in every single way.

11 The only recommendation I would have would be to

12 delete the first sentence at the bottom of page 1 which reads,

13 "Info marked with an asterisk is required." I would agree

14 with the previous comment that simply perhaps putting it in

15 bolder print, perhaps in red print, if that's necessary, "Form

16 will be returned incomplete if not filled in." We are

17 expecting the other forms to be completely filled in and I

18 think that it may cause some confusion if we have some

19 asterisks and other boxes without asterisks.

20 MEMBER CURTIS: Scratch all that.

21 CHAIR MACARIO: I would agree with that. How does

22 everyone feel about just removing all the asterisks completely

23 and as Dave had mentioned, removing that first sentence from

24 the bottom and just going with it?

25 MEMBER GADARIAN: I agree.

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1 MEMBER GREIG-NAKASONE: I agree.

2 MEMBER WEISS: Possibly rewording it a little bit.

3 It's a singular form. All forms -- something very simple, but

4 much more bold and maybe twice the font and that should

5 probably get the message over.

6 CHAIR MACARIO: Okay.

7 MEMBER GREIG-NAKASONE: (Inaudible comment.)

8 MEMBER CURTIS: This is nice not having separate

9 versions.

10 CHAIR MACARIO: I agree.

11 MEMBER GREIG-NAKASONE: Yeah.

12 MEMBER CURTIS: Having a single --

13 CHAIR MACARIO: And I like incorporating the rules

14 into the form itself.

15 MEMBER GREIG-NAKASONE: Yeah.

16 CHAIR MACARIO: I think that's -- or the

17 instructions, excuse me.

18 So, Lisa, let me ask you for your input. Would

19 you -- I had originally said that we would put this on next

20 month's agenda, but then I read -- I reread the agenda here

21 and it says review and possible decision, so I think there's

22 enough here so that we can actually decide on the form.

23 MR. UEOKA: Jeff Ueoka, deputy corp counsel. Let me

24 jump in here.

25 CHAIR MACARIO: Okay.

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1 MR. UEOKA: My understanding is you guys formed a  
 2 temporary investigative group.  
 3 CHAIR MACARIO: That's right.  
 4 MR. UEOKA: If this is the report back from a  
 5 temporary investigative group, Sunshine Law requires that you  
 6 take in information today and you guys don't vote to approve  
 7 the document or the report or the decision making they did  
 8 until the following meeting. So you guys can't --  
 9 CHAIR MACARIO: Oh, okay.  
 10 MR. UEOKA: -- can't vote on it today.  
 11 CHAIR MACARIO: Oh, that's helpful.  
 12 MR. UEOKA: And you guys might -- I don't know how  
 13 much of a rush you're in to do it, but I -- I don't advise you  
 14 guys, you can check with Gary, but I would even default the  
 15 statement as to say it's a presentation of the findings and  
 16 recommendations or something to that effect of the temporary  
 17 investigative group on this matter on your next agenda and on  
 18 the following agenda, vote on it at that one.  
 19 CHAIR MACARIO: Okay.  
 20 MR. UEOKA: This isn't -- I don't think you'll have  
 21 any problem Sunshine Law wise, but in an abundance of caution,  
 22 if you're not in a rush to get this passed out today or next  
 23 month --  
 24 MEMBER WEISS: This -- that would -- that schedule  
 25 would still make it available January 1 --

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1 MR. UEOKA: Yeah.  
 2 MEMBER WEISS: -- for the new filing.  
 3 CHAIR MACARIO: Okay.  
 4 MEMBER GADARIAN: I'm not sure about that. It  
 5 would -- we would have to defer to Lisa as to what kind of  
 6 time frame they have to put it online. This is an election  
 7 year, so people are taking office the 1st of January, 2019,  
 8 which means that that form has to be there before that. So if  
 9 we can possibly at least have -- we can have a report and  
 10 ask -- and have the final decision on November, if that would  
 11 do it, but not put it until two meetings, if that's okay with  
 12 the Sunshine Law.  
 13 MR. UEOKA: Chair, you guys can talk to Gary again  
 14 when he gets back, but I think this is good enough as a  
 15 statement, but it's -- it could be clearer --  
 16 CHAIR MACARIO: Okay.  
 17 MR. UEOKA: -- I guess I should say. I don't think  
 18 it's in violation, but I will tell you not to vote on it  
 19 today.  
 20 MEMBER GADARIAN: Yes.  
 21 MR. UEOKA: That I can say affirmatively. The idea  
 22 here is you want the public to have a chance -- because this  
 23 temporary investigative group met outside of open meetings and  
 24 stuff, you want the public to have a chance to review their  
 25 findings and also so if there was public concern, they could

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1 come and testify at the following meeting before you actually  
 2 deliberate and make a decision, that's the idea behind the  
 3 rule. Of course, it's -- I've advised, it's up you guys --  
 4 CHAIR MACARIO: Right.  
 5 MR. UEOKA: -- how you want to move forward.  
 6 CHAIR MACARIO: Okay.  
 7 MR. UEOKA: Thank you, Chair.  
 8 CHAIR MACARIO: I think that's appropriate. Why  
 9 don't we -- I guess I'll entertain a motion to defer further  
 10 discussion and final approval of the form to the next meeting  
 11 pending Gary's advice. He and I will talk before the next  
 12 meeting when we develop the agenda and so we can come up with  
 13 a plan.  
 14 Is there someone that's willing to make some kind of  
 15 a motion like that?  
 16 MEMBER GREIG-NAKASONE: So can we not finalize and  
 17 put up the special one so at least at the next meeting we have  
 18 a -- something to actually vote on?  
 19 MR. UEOKA: Oh, Chair, if I may. I believe --  
 20 MEMBER GREIG-NAKASONE: If that's --  
 21 MR. UEOKA: -- you guys -- no. You guys have had  
 22 your input. If you want to discuss further, of course --  
 23 MEMBER GREIG-NAKASONE: Oh, Oh, I see.  
 24 MR. UEOKA: -- but it would just essentially be the  
 25 subcommittee taking your input into consideration and

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1 revamping it, resubmitting. I don't think you have to defer  
 2 taking a vote on it because this is discussion and possible,  
 3 you can just defer the matter completely.  
 4 CHAIR MACARIO: Okay.  
 5 MR. UEOKA: You don't -- you don't have to defer to  
 6 you're going to vote on it to date certain. It would be a  
 7 possible agenda item on your next one to take action on it.  
 8 MEMBER CURTIS: Should we make a motion today to  
 9 take it out of the subcommittee and move it to the full  
 10 committee at the next meeting?  
 11 MR. UEOKA: No.  
 12 MEMBER CURTIS: No. Okay.  
 13 CHAIR MACARIO: It sounds like what counsel is  
 14 telling us is we should probably move on and then take it up  
 15 again next month.  
 16 MEMBER CURTIS: Okay.  
 17 CHAIR MACARIO: So let's -- let's go ahead and do  
 18 that. But I do think, based on the discussion today, we're  
 19 all in agreement on generally what our input will be, which is  
 20 remove the asterisks, rewrite that last line on the first  
 21 page, and I think that's probably it. Otherwise, thank you  
 22 all again for all your hard work in putting this together.  
 23 Okay. So let's go on to the --  
 24 MEMBER GADARIAN: Oh, sorry. There's -- there's one  
 25 just -- it's just a technicality, but it will be on when the

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1 form is produced for the next meeting that page 5, that the  
 2 space moved down so the gifts starts with -- on page 6 instead  
 3 of having just one sentence and then it --  
 4 MEMBER CURTIS: Oh, okay.  
 5 CHAIR MACARIO: Oh. So just a pagination issue.  
 6 Okay.  
 7 MEMBER GADARIAN: You can't move -- you can't  
 8 paginate it or move it?  
 9 MS. KAHUHU: I guess it can be done, but it's -- our  
 10 previous form has been like that and normally when people  
 11 document, that's how it's done where it's -- we don't have to  
 12 drop it because it says "See instructions below" and  
 13 provide the gifts, so it should start right there.  
 14 MEMBER GADARIAN: "Instructions below," you have to  
 15 start the instructions --  
 16 MS. KAHUHU: Yeah, not on the page.  
 17 MEMBER GADARIAN: -- someplace.  
 18 MS. KAHUHU: Our old form, if you look at the old  
 19 form, it is exactly like that too. But whatever you guys want  
 20 is fine.  
 21 MEMBER GADARIAN: I believe 2018 -- oh, well, the  
 22 whole thing is -- item 9 starts -- so, yeah, I see. This is  
 23 part of item 9, so you have to have it continue on the next  
 24 page. Okay.  
 25 CHAIR MACARIO: Okay. Well --

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1 MEMBER GADARIAN: Thank you.  
 2 CHAIR MACARIO: Gary Murai and I will discuss it and  
 3 figure out what's required and hopefully we can bring it back  
 4 next meeting and get it resolved. If not, we'll take as much  
 5 additional time as is necessary.  
 6 But thank you, again, to all of you for all of your  
 7 hard work on that.  
 8 All right. Next item on the agenda is 6.  
 9 Announcements: None.  
 10 Item 7. Schedule next meeting. November 14 here in  
 11 this room at 12:30.  
 12 Is there a motion to adjourn regular session and  
 13 move to executive session?  
 14 MEMBER GREIG-NAKASONE: Napua Greig-Nakasone. So  
 15 moved.  
 16 CHAIR MACARIO: Thank you.  
 17 Is there a second?  
 18 MEMBER WEISS: Weiss. Second.  
 19 CHAIR MACARIO: All right. All in favor?  
 20 (Response.)  
 21 CHAIR MACARIO: All opposed?  
 22 (No response.)  
 23 CHAIR MACARIO: Hearing none, that carries  
 24 unanimously.  
 25 (Pause in proceedings.)

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1 CHAIR MACARIO: We're back in regular session. Is  
 2 there a motion to adjourn regular session for the day?  
 3 MR. UEOKA: Can you guys do me a quick favor?  
 4 CHAIR MACARIO: Yeah.  
 5 MR. UEOKA: Can you do a motion to ratify all  
 6 decisions made in executive session?  
 7 CHAIR MACARIO: You bet.  
 8 Can I get a motion to that effect from someone,  
 9 please?  
 10 VICE CHAIR COURSON: Yes, Mr. Chair. I make a  
 11 motion to ratify all decisions made in executive session.  
 12 CHAIR MACARIO: All right. Is there a second?  
 13 MEMBER GADARIAN: Second. Sara Gadarian.  
 14 CHAIR MACARIO: All in favor?  
 15 (Response.)  
 16 CHAIR MACARIO: All right. All opposed?  
 17 (No response.)  
 18 CHAIR MACARIO: That carries unanimously.  
 19 Okay. So motion to adjourn our meeting for the day?  
 20 MEMBER CURTIS: One question.  
 21 CHAIR MACARIO: Sure.  
 22 MEMBER CURTIS: I had two financial disclosures,  
 23 maybe this was left over from a hearing.  
 24 CHAIR MACARIO: Oh, yes, I -- you're correct.  
 25 MEMBER CURTIS: (Inaudible) and Barbadillo.

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1 CHAIR MACARIO: Yeah. I meant -- I meant to note  
 2 that. So we had on the agenda for our last meeting, the  
 3 September meeting that was canceled, some financial  
 4 disclosures that we were supposed to take up at that meeting.  
 5 When the agenda for today's meeting was prepared, somehow  
 6 those were not included, so because the proper notice wasn't  
 7 given in the agenda for today's meeting, we had to defer those  
 8 to next month.  
 9 MS. KAHUHU: So please hold on to your copies.  
 10 CHAIR MACARIO: Hold on to the copies of those,  
 11 those remaining disclosures.  
 12 MEMBER WEISS: Should we also hold on to the -- the  
 13 18-10 complaint?  
 14 MS. KAHUHU: Please. Anything that's coming again  
 15 up again (inaudible).  
 16 CHAIR MACARIO: Okay. So that would be the SeaRay  
 17 Beltran advisory opinion and the Jonathan Todd complaint, so  
 18 hang on to those materials, if you would, please.  
 19 MEMBER CLAYTON: Oh, okay. SeaRay Beltran.  
 20 MR. UEOKA: Let's adjourn the meeting, Chair.  
 21 CHAIR MACARIO: Oh, okay, all right. All in favor  
 22 of adjourning the meeting?  
 23 (Response.)  
 24 CHAIR MACARIO: All opposed?  
 25 (No response.)

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CHAIR MACARIO: All right. That carries.  
(The proceedings were adjourned.)

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Reporter's Certificate

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1                    C E R T I F I C A T E

2        STATE OF HAWAII                    )  
3        COUNTY OF MAUI                    )     SS.

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5                    I, Sandra J. Gran, Certified Shorthand Reporter for  
6        the State of Hawaii, hereby certify that on October 10th,  
7        2018, at 12:30 p.m. the proceedings was taken down by me in  
8        machine shorthand and was thereafter reduced to typewritten  
9        form under my supervision; that the foregoing represents, to  
10       the best of my ability, a true and correct transcript of the  
11       proceedings had in the foregoing matter.

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

16  
17                    DATED this 28th day of October, 2018, in Maui,  
18        Hawaii.

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23        Sandra J. Gran, RPR  
24        Hawaii CSR 424  
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