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MAUI COUNTY BOARD OF ETHICS

STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS

REGULAR MEETING

Held at the Planning Conference Room, Kalana Pakui Building, 250 High Street, Wailuku, Maui, Hawaii, commencing at 12:34 p.m., on July 10th, 2019.

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

BOARD MEMBERS PRESENT:

ACTING CHAIRPERSON: DAVID COURSON
 SARA GADARIAN
 DONNA CLAYTON
 WILLIAM CURTIS, JR.
 DAVID WEISS
 GERALDINE LEWIS

STAFF PRESENT:

DEPUTY CORPORATION COUNSEL: GARY MURAI
COMMISSION SECRETARY: CORY-LYNN VICENS

1 (July 10th, 2019, 12:34 p.m.)

2 * * *

3 ACTING CHAIR COURSON: (Gavel.) We'll call the
4 July 10th, 2019 meeting of the Maui County Board of Ethics
5 meeting to order. The chair is off island today and so I am
6 attempting to fill his big shoes and I need all the help that
7 I can get because I can't adequately fill his shoes at all, so
8 please feel free to assist me in chairing this meeting.

9 Let the minutes state that the meeting was called to
10 order at 12:31 -- 12:32 and a quorum is present.

11 Is there a motion to approve the June 12th, 2019
12 minutes?

13 MEMBER GADARIAN: I move to approve the June 12th,
14 2019 minutes.

15 ACTING CHAIR COURSON: It's been moved. Is there a
16 second?

17 MEMBER WEISS: Second.

18 ACTING CHAIR COURSON: It's been moved and seconded
19 that the minutes be approved. Is there any discussion?

20 (No response.)

21 ACTING CHAIR COURSON: If not, the chair will
22 entertain a motion to -- accept a motion to approve the
23 minutes. And it has been moved and it has been seconded. All
24 in favor?

25 (Response.)

1 ACTING CHAIR COURSON: Opposed?

2 (No response.)

3 ACTING CHAIR COURSON: All right. Is there any
4 public testimony today?

5 MS. VICENS: Chair, we have Chair Kelly King here
6 today.

7 ACTING CHAIR COURSON: Yes. Ms. King, if you'd
8 please come to the podium.

9 MS. KING: Okay.

10 ACTING CHAIR COURSON: And state your name.

11 MS. KING: Thank you. Kelly King, Maui Council
12 Chair. And I'm here regarding a -- I'm not sure -- clear on
13 why there's an executive session to do a status update, but
14 just in checking with legal counsel at OPS, they found it
15 potentially legally inappropriate, but there's also in your
16 board of ethics' rules on page 101-39, a section that says
17 that if the board votes to hold an informal hearing in
18 executive session, the respondent may request an open hearing,
19 in which case an open hearing shall be held. I just wanted to
20 request that that be -- whatever that status update is, that
21 that be held open session.

22 ACTING CHAIR COURSON: Yes, that is true, you do
23 have that right to request that. Is there any reason, Counsel
24 or Board, that we cannot move forward with that at this point
25 in time?

1 MR. MURAI: I tell you what, when we get to it --
2 why don't we do this: When we get to the -- well, Chair, I
3 think what we need to do is because Chair King has requested
4 and she's the respondent of the complaint, she's requested
5 that the matter be dealt with in open session, which is her
6 right, so what we need to do is have a motion to amend the
7 agenda to remove this matter from closed session and -- and I
8 think, you know, maybe looking at this agenda again, we may
9 have been -- not been really exact in our terms because the
10 rules do allow for complaints -- well, a variety of matters to
11 be held in a closed session, but the parties do have the right
12 to request an open session. So why don't we, at the
13 appropriate time -- which could be now -- I'm sorry, I take it
14 back. At the appropriate time we will -- the chair could
15 entertain a motion to amend the agenda. The motion to amend
16 the agenda would require a vote -- a two-thirds vote, so --
17 which we are able to do today.

18 ACTING CHAIR COURSON: All right. Let's -- thank
19 you, Counsel.

20 At this time you've heard counsel's recommendation
21 and the chair will entertain a motion to amend the agenda
22 regarding the status report on Complaint --

23 MR. MURAI: Well, sorry, before you do that,
24 Ms. King, did you want to proceed with your public testimony
25 no matter what or --

1 MS. KING: Well, I don't know if the status update,
2 if there's an interaction then that I -- if not, I wanted to
3 just present the council with --

4 MR. MURAI: My -- just so you -- my understanding is
5 that -- my understanding is that all -- all this is, is just
6 notifying the members that the complaint has been scheduled
7 for the August meeting, and that's --

8 MS. KING: Okay. So then let me give you my public
9 testimony --

10 MR. MURAI: Okay.

11 MS. KING: -- because it pertains to that --

12 MR. MURAI: Okay.

13 MS. KING: -- complaint, so I -- and the complaint
14 is from a constituent who --

15 ACTING CHAIR COURSON: Ms. King, before you proceed,
16 the chair, once again, will entertain a motion to amend the
17 agenda regarding public testimony regarding the status report
18 on Complaint No. 19-03 pertaining to the letter sent notifying
19 the complainant and respondent of the informal hearing date
20 set for Wednesday, October 14th, 2019 in executive session.
21 Is there such a motion?

22 MEMBER CURTIS: So moved.

23 ACTING CHAIR COURSON: It's been moved. Is there a
24 second?

25 MEMBER GADARIAN: Second.

1 ACTING CHAIR COURSON: It's been moved and seconded.
2 All in favor?

3 (Response.)

4 ACTING CHAIR COURSON: Opposed?

5 (No response.)

6 ACTING CHAIR COURSON: All right. Please proceed.

7 MS. KING: Okay. Thank you. Okay. So I just
8 wanted to bring to the attention of the ethics board the
9 council rules, because I know the complaint has to do with my
10 participation in a discussion on an item. And regarding
11 abstaining or recusing oneself from -- for council members
12 from a certain vote, in the council rules on page 11, it's
13 Section 9 -- Rule 9(d), it reads, "Abstaining Member's
14 Participation: An abstaining member shall be permitted to
15 participate in the discussion of the matter, provided that the
16 member shall refrain from advocating the member's interest on
17 which the abstention is based during the discussion and
18 further provide that the member shall not attend any executive
19 meeting on the matter." So the vote was not -- I recused
20 myself from that vote and there were no executive sessions on
21 that. And this is -- this was in the council rules from two
22 years ago and the council rules in this exact in the term that
23 we're in now.

24 And I also wanted to submit to you that I have
25 transcripts from last -- the last term when we had the same

1 discussion from that discussion, that budget committee hearing
2 where the chair, who was Riki Hokama, quotes -- is quoted as
3 saying, "Ms. King can participate in discussion, but Ms. King
4 cannot vote or make motions or second motions. She can
5 participate in the discussions as we have it stated in the
6 rules of the council."

7 So, you know, we were confused that the board would
8 go ahead with addressing the complaint when it clearly is
9 allowed for, but in case you didn't know, I just thought I
10 would bring that to your attention.

11 ACTING CHAIR COURSON: Thank you so much,
12 Councilmember King.

13 Do any members -- do any members of the board have
14 any questions for Councilmember King? Questions or comments?

15 Yes, David.

16 MEMBER CURTIS: For -- should this occur in August,
17 would it be your preference that it's moved from the executive
18 session in August to the open session in August?

19 MS. KING: Yes. Yes, definitely.

20 MEMBER CURTIS: Okay.

21 MR. MURAI: You know, I do have a comment. I think
22 because the complainant Ms. Schaeffer isn't present, it was --
23 I think what the board did was -- what we did was we amended
24 the agenda to take the discussion of the setting in August out
25 of closed session and put it in regular session.

1 Ms. King, so when the time comes in August, I think
2 it'll still stay in executive session because that's how it's
3 been calendared and because Ms. Schaeffer isn't here, I think
4 what I'll probably do is keep it that way, but, of course,
5 you're free to at the time, because it's your right to request
6 an open hearing -- it may have to stay on the calendar that
7 way for the actual hearing of the complaint, because the only
8 thing on the agenda was not the complaint itself, but just the
9 notice to the board members that it's set for August.

10 MS. KING: Right. Okay.

11 MR. MURAI: And so we'll -- you'll probably have to
12 redo the same thing again, which is request that it be held in
13 open session.

14 MS. KING: Okay. And in the event that I won't be
15 able to be here, I can do that by writing?

16 MR. MURAI: Sure.

17 MS. KING: In writing.

18 MR. MURAI: Sure.

19 MS. KING: Okay. All right.

20 MEMBER WEISS: I have a question.

21 MS. KING: Yes.

22 MEMBER WEISS: So you when you were just reading the
23 council rules you had mentioned that there was something about
24 advocating, but it was -- but I didn't catch it. Was it
25 saying that you could advocate for a measure or you should

1 abstain from advocating?

2 MS. KING: It doesn't say -- it didn't talk
3 advocating for a measure.

4 MEMBER WEISS: Oh, all right.

5 MS. KING: That's part of the discussion, is you can
6 advocate for the measure as long as it's not -- "provided the
7 member shall refrain from advocating the member's interests,"
8 so the measure was advocated for the -- I mean, when we have
9 discussions, whether you're recused or not, you're always
10 allowed to advocate for for or opposed. That's part of the
11 discussion.

12 MEMBER WEISS: But it said you can or cannot
13 advocate for your interest?

14 MS. KING: For the special interest, yeah. So if I
15 had been advocating for money for a company or something like
16 that, that would be illegal, that would be in violation of the
17 rules, but advocating for the actual issue is separate.

18 MEMBER WEISS: Which was a tax issue on --

19 MS. KING: Right.

20 MEMBER WEISS: -- biodiesel?

21 MS. KING: Right.

22 ACTING CHAIR COURSON: Are there any further
23 questions?

24 Yes.

25 MEMBER CURTIS: If Ms. King feels that there's

1 county documents that may be helpful to this, should we have
2 her submit it for the August --

3 MR. MURAI: Well, it's up to Ms. King what kind of
4 defense or case she wishes to put on.

5 MEMBER CURTIS: Okay.

6 MR. MURAI: But I guess just by the board's
7 interest, that's kind of like the indication to her that the
8 board is interested in any rules of council that might be
9 relevant.

10 MS. KING: Yeah. We were actually fairly surprised
11 that the board would take this up, because it has been
12 practice of the council over years and years that you can
13 advocate, you can speak to an issue one way or another, as
14 long as you're not voting, if you've recused yourself. And
15 that was a voluntary recusal.

16 ACTING CHAIR COURSON: Any further questions or
17 comments?

18 MS. KING: So I'm happy to leave this copy of the
19 council rules with you folks.

20 MEMBER WEISS: That would be helpful.

21 MEMBER CURTIS: We're going off the county charter.

22 MR. MURAI: You can give it to -- give it to Cory.

23 MS. KING: There's three bodies of information: One
24 is the charter, one is the county code, and the other is the
25 Maui County Council Rules, and those are affirmed --

1 reaffirmed every year -- every term. So these are the council
2 rules for the term of 2019 to 2021 and they're the same as the
3 previous council rules as far as that paragraph goes.

4 MEMBER CURTIS: Okay. Thank you.

5 MS. KING: I also have, if you'd like to have the
6 minutes of the previous year's -- it's -- this issue came up
7 last term, but, of course, there were no ethics charges
8 levied, but I have the minutes from the session from the
9 previous term where we also discussed that. I recused myself
10 and was urged by the chair that you can still participate in
11 the discussion, so I can leave those.

12 ACTING CHAIR COURSON: Councilmember King, any
13 material, any information you choose to leave with the board,
14 we'll gratefully receive that.

15 MS. KING: Okay.

16 MR. MURAI: Board Members, I do want to caution
17 folks -- and I know that the chair has invited questions for
18 the testifier, but remember now, the only thing on the agenda
19 today is the status of the matter, not the matter itself.

20 MEMBER CURTIS: Okay.

21 MR. MURAI: So -- and especially so because the
22 complainant Ms. Schaeffer is not present, so we probably
23 should not get too deep into the details at this, at this
24 hearing. At this meeting, rather.

25 ACTING CHAIR COURSON: Thank you, Counsel.

1 Thank you, Councilmember King.

2 MS. KING: I have a comment on another -- I don't
3 know if you want me to make that at this time. The item --
4 there was a letter sent to the mayor and myself regarding one
5 commissioner's private use of the Maui County seal. Do you
6 want me to --

7 ACTING CHAIR COURSON: Is this a different matter
8 regarding the status report on Complaint No. 19-02?

9 MS. KING: Yeah. It's on your agenda item.

10 ACTING CHAIR COURSON: Yeah.

11 MS. KING: It's a different matter.

12 ACTING CHAIR COURSON: Please proceed.

13 MS. KING: Okay. So this is the Item 5.c and it's
14 under New Business. So I just wanted to give the board an
15 update and let you know that my office is working -- as we
16 were asked to do by -- I believe it was your board, we are
17 working on guidelines for the use of the county seal because
18 that question of whether a particular commissioner misused the
19 seal in his or her, I think, Facebook publications or
20 something. So we are going to be proposing an ordinance
21 change that will give us those guidelines, just to let you
22 know. So I appreciate you sending that letter and asking for
23 that, because I think it is needed if it's not being
24 understood, especially by our volunteer commissioners.

25 ACTING CHAIR COURSON: Very good. Thank you.

1 MS. KING: Okay. That's all I have for now.

2 ACTING CHAIR COURSON: Thank you so much,
3 Councilmember King.

4 MS. KING: Thank you.

5 ACTING CHAIR COURSON: Appreciate that.

6 Is there any further public testimony?

7 (No response.)

8 ACTING CHAIR COURSON: If not, we'll proceed to Old
9 Business, Financial Disclosure Statements: There are none.

10 Communication Items: There are none.

11 New Business: We do have new business, a financial
12 disclosure of Traci Fujita, and the chair will entertain a
13 motion to acknowledge receipt of the financial disclosure for
14 Traci Fujita.

15 MEMBER CLAYTON: So moved.

16 MEMBER GADARIAN: Second.

17 ACTING CHAIR COURSON: Okay. It's been moved and
18 seconded acknowledging receipt of the financial disclosure.
19 Is there a motion to accept the financial disclosure?

20 MEMBER GADARIAN: Sorry. We don't accept --

21 ACTING CHAIR COURSON: I'm sorry. To approve the
22 financial disclosure as submitted.

23 MR. MURAI: Acknowledge receipt.

24 ACTING CHAIR COURSON: To acknowledge receipt. I'm
25 sorry, to acknowledge receipt, yes. And we have moved that.

1 Is there any discussion?

2 (No response.)

3 ACTING CHAIR COURSON: If not, all in favor of
4 acknowledging receipt of the financial disclosure?

5 (Response.)

6 ACTING CHAIR COURSON: Opposed?

7 (No response.)

8 ACTING CHAIR COURSON: All right. So moved. That
9 is received.

10 Communication Items: None.

11 Next is the review of the chair's letter to Mayor
12 Victorino and as we have already heard from Chair Kelly King
13 regarding the private use of the Maui County seal --

14 Counsel, would you please review the status of that,
15 where we are right now.

16 MR. MURAI: Well, Mr. Chair, this is not an action
17 item, this is simply -- at the last meeting what the board did
18 was in lieu of issuing an advisory opinion, the board felt it
19 was more appropriate that the use of county seal, the county
20 seal be handled legislatively. Because what the board
21 acknowledged was that its advisory opinion is just that, it's
22 only advisory, and it would only apply to county employees.
23 The board was more concerned with private or commercial use or
24 misuse of the county seal. So I'm personally, you know, happy
25 that the council is willing to take this up. As the board

1 noted when the board saw that the state, Hawaii County, and
2 the City and County of Honolulu, they handled it
3 legislatively, we thought that that was the best thing to do,
4 which was to defer to the county council. And, anyway, so
5 this letter is just more for the board members' information
6 and records.

7 ACTING CHAIR COURSON: Are there any questions
8 regarding any of the statements that counsel made regarding
9 this review?

10 (No response.)

11 ACTING CHAIR COURSON: Thank you, Counsel.

12 If not, let's move on to Item No. d, Review and
13 Approval of Advisory Opinion No. 19A-06, the request from
14 Mikki Klee, an engineer with the department of public works in
15 the engineering division, dated June 4th, 2019 regarding the
16 potential conflict of interest by accepting employment with a
17 private company as project engineer.

18 MR. MURAI: And, Mr. Chair, all members have
19 received a draft of the advisory opinion in their board
20 packets and the original is in front of you for signature. So
21 as long as the board members -- the board approves the form of
22 that opinion --

23 ACTING CHAIR COURSON: Yes.

24 MR. MURAI: -- and as long as it accurately captures
25 the board's, you know, informal advisory opinion rendered at

1 the last meeting, then I'd ask that the board approve that
2 draft and circulate it for signature today.

3 ACTING CHAIR COURSON: Does any member of the board
4 see any reason why this should not be approved and circulated
5 for signatures?

6 MEMBER GADARIAN: I move to approve the Advisory
7 Opinion No. 19A-06.

8 MEMBER CURTIS: Second.

9 ACTING CHAIR COURSON: It's been moved and seconded.
10 All in favor?

11 (Response.)

12 ACTING CHAIR COURSON: Opposed?

13 (No response.)

14 ACTING CHAIR COURSON: All right. We'll sign this
15 and this will be coming around for your signature.

16 Thank you, Sara.

17 Next is Item No. e, a Request for an Advisory
18 Opinion by Cy Fukagawa, Real Property Appraiser, dated July
19 1st, 2019 regarding the board's direction in order to avoid
20 potential conflict of interest with a part-time job.

21 Is Mr. Fukagawa here?

22 MS. VICENS: Chair, he is not.

23 ACTING CHAIR COURSON: All right.

24 MR. MURAI: You know, Mr. Chair, I was expecting
25 him -- we were expecting him to be here. I know that Cory had

1 spoken with him and -- I know you and I had discussed this
2 matter briefly before the meeting, but -- I think you have a
3 couple of options: Proceeding without him or if you believe
4 that his presence or presence of anyone else may be necessary
5 to provide the board with sufficient information so they can
6 render an opinion, we could either reset it for August or we
7 could take a brief recess and see whether we can get
8 Mr. Fukagawa down here.

9 ACTING CHAIR COURSON: Thank you, Counsel.

10 In the interests of time and also because of the
11 importance of this matter, I, for one, have some questions
12 that I would like to personally ask Mr. Fukagawa regarding
13 this matter and so at this time the chair will entertain a
14 motion to reschedule this for the August 14, 2019 meeting.

15 MEMBER CURTIS: So moved.

16 ACTING CHAIR COURSON: Thank you. Is there a
17 second?

18 MEMBER GADARIAN: Second.

19 ACTING CHAIR COURSON: Any discussion?

20 (No response.)

21 ACTING CHAIR COURSON: All in favor?

22 (Response.)

23 ACTING CHAIR COURSON: Opposed?

24 (No response.)

25 ACTING CHAIR COURSON: That passed unanimously.

1 Rescheduled, then, for August 14, 2019.

2 And he will receive appropriate notification?

3 MS. VICENS: Yes.

4 ACTING CHAIR COURSON: Thank you.

5 MS. VICENS: Yes, Chair. I'll make sure to call as
6 well as electronically remind him about this meeting in
7 August.

8 ACTING CHAIR COURSON: Yes. It is requested that he
9 personally be here, we do have some questions that we would
10 like to ask.

11 MS. VICENS: Will do.

12 ACTING CHAIR COURSON: Thank you.

13 Next will be Lobbyist Registration. We have one for
14 Joy Gold.

15 MEMBER CURTIS: Chair.

16 ACTING CHAIR COURSON: Yes.

17 MEMBER CURTIS: On the last matter.

18 ACTING CHAIR COURSON: Yes.

19 MEMBER CURTIS: Should we suggest to Mr. Fukagawa
20 that he bring his supervisor as Ms. Klee did for her matter?
21 Or recommend. Or is that --

22 ACTING CHAIR COURSON: I'm not sure that that would
23 be a requirement.

24 MEMBER CURTIS: Not a requirement, just a
25 suggestion.

1 ACTING CHAIR COURSON: If he -- yes, if he would
2 choose to do that, then certainly.

3 MS. VICENS: Chair, we do, when we are notifying
4 those who are seeking an advisory opinion, that if they would
5 like to bring future employer --

6 ACTING CHAIR COURSON: Yes.

7 MS. VICENS: -- or current employer or anyone else
8 to testify on this, they are welcome to.

9 ACTING CHAIR COURSON: Thank you. So that's already
10 included.

11 MS. VICENS: We will reiterate again.

12 ACTING CHAIR COURSON: Great. Thank you for
13 reiterating.

14 And good point. Thank you so much.

15 Lobbyist Registration for Joy Gold. Is there a
16 motion to acknowledge receipt of the lobbyist registration?

17 MEMBER CLAYTON: So moved.

18 ACTING CHAIR COURSON: Moved. Is there a second?

19 MEMBER GADARIAN: Second.

20 ACTING CHAIR COURSON: Discussion?

21 (No response.)

22 ACTING CHAIR COURSON: If not, all in favor?

23 (Response.)

24 ACTING CHAIR COURSON: Opposed.

25 (No response.)

1 ACTING CHAIR COURSON: Okay. We'll acknowledge
2 receipt of that.

3 The next item would be the Tom Blackburn-Rodriguez
4 letter dated June 1st, 2019. The request to be terminated as
5 an unpaid lobbyist for Na Hale O Maui effective June 1st,
6 2019. Just simply an acknowledgment of receipt of this
7 letter. Chair will entertain a motion to acknowledge receipt
8 of this letter dated June 1st.

9 MEMBER CLAYTON: So moved.

10 ACTING CHAIR COURSON: It's been moved. Is there a
11 second?

12 MEMBER GADARIAN: Second.

13 ACTING CHAIR COURSON: It's been moved and seconded.
14 Discussion?

15 (No response.)

16 ACTING CHAIR COURSON: All in favor?

17 (Response.)

18 ACTING CHAIR COURSON: Opposed?

19 (No response.)

20 ACTING CHAIR COURSON: Okay. It's been carried
21 unanimously.

22 The next item is Announcements. The update on the
23 Hawaii State Ethics Commission Conference in Honolulu on
24 Thursday, September 5th, 2019.

25 Counsel, do you have any additional information

1 regarding that?

2 MR. MURAI: No, I don't have anything more to add
3 other than what we discussed previously, which is the state
4 ethics commission has invited us to participate in a state
5 ethics -- in a statewide conference, which is the first of its
6 kind. I understand that the state ethics commission has
7 invited the boards of ethics of four counties and so I believe
8 that we've already indicated our -- our willingness to
9 participate. However, we -- you know, because of the Sunshine
10 Law, we're constrained in the number -- and budget, we are
11 constrained in the number of people we can send and -- so,
12 anyway.

13 ACTING CHAIR COURSON: Thank you, Counsel.

14 Are any of you interested in attending this
15 conference?

16 MR. MURAI: We've already talked about that.

17 ACTING CHAIR COURSON: Oh, I'm sorry. Okay. That's
18 been -- that's been discussed.

19 MR. MURAI: Yes.

20 ACTING CHAIR COURSON: All right.

21 MEMBER GADARIAN: Oh, well, how about David?

22 MR. MURAI: Oh, yeah. Well, that's the thing,
23 September 5th, so, David, I don't whether you are --

24 ACTING CHAIR COURSON: I'll be deep in the jungles
25 of Vanuatu on September 5th.

1 MR. MURAI: We'll be thinking of you.

2 ACTING CHAIR COURSON: Thank you. All right. Item
3 No. 7 --

4 MEMBER GADARIAN: I believe that --

5 ACTING CHAIR COURSON: Sara.

6 MEMBER GADARIAN: I'm sorry. I believe Bill had
7 indicated an interest.

8 MEMBER CURTIS: Well, it was Matt and potentially
9 David and --

10 MEMBER WEISS: Kind of the pecking order going down.

11 MEMBER CURTIS: And David. And if no one else is
12 interested in the third slot, I was interested.

13 ACTING CHAIR COURSON: Thank you. Thank you, Bill.
14 Thank you so much for that. That's duly noted.

15 MEMBER GADARIAN: It depends on the hours because
16 that's -- coming from the other side.

17 MR. MURAI: Right. You know, Sara, I can appreciate
18 that. You know, my -- in communicating -- in talking to Dan
19 Gluck, the state ethics chair, it's not an overnight, it's a
20 day conference, so he was thinking of having it someplace
21 in -- I'm not sure, I guess the state has some kind of a
22 facility in the Kalihi area, so close to the airport. And so
23 he was asking us, Well, when would we like to start? In other
24 words, to allow time for neighbor island travel. And so I had
25 suggested that, you know, Well, maybe 9:00 or 9:30 might be a

1 good start time, because the -- this way you could take, say,
2 a 7:30, 8:00 flight out of Maui and get to the site fairly
3 quickly. As I said, it's not in Waikiki, it's not even in
4 downtown, so it should not be too difficult, but -- so, Sara,
5 I realize you're driving in from Lahaina and we'll keep that
6 in mind.

7 MEMBER GADARIAN: Yes. That was my question.

8 MR. MURAI: I don't know if you can find -- unless
9 you can find a flight from Kaanapali.

10 MEMBER GADARIAN: Yes, I can.

11 MR. MURAI: Well, you know, that might be
12 something --

13 MEMBER GADARIAN: Mokulele.

14 MR. MURAI: That might be something we want to look
15 at. But that's for you to work out with Cory.

16 MEMBER GADARIAN: Oh, okay.

17 ACTING CHAIR COURSON: So Bill and Cory, you will --
18 I'm sorry, Bill and Sara, you will communicate with Cory
19 regarding that.

20 MEMBER CURTIS: I believe it's gonna be Matt, Sara,
21 and David.

22 ACTING CHAIR COURSON: Okay. David, you're going as
23 well? Excellent.

24 MEMBER WEISS: You know, depending on who's going.

25 MR. MURAI: So I think what we decided is officers

1 would go and if there's any open slots, then members would be
2 eligible based on their term, I mean, the most senior member.

3 MEMBER WEISS: Tenure.

4 ACTING CHAIR COURSON: Excellent, excellent. Very
5 good.

6 Any further comments or questions regarding that
7 matter?

8 (No response.)

9 ACTING CHAIR COURSON: If not, the --

10 MR. MURAI: Oh. It was -- I'm sorry to interrupt.

11 ACTING CHAIR COURSON: Please.

12 MR. MURAI: But we had moved the matter out of
13 closed session, the status report on Complaint 19-03.

14 ACTING CHAIR COURSON: Yes.

15 MR. MURAI: And I'm not sure what Matt had wanted to
16 report. All I'm aware of is that this is just a reminder to
17 folks that the complaint which had been continued from June
18 has been reset for August 14th.

19 ACTING CHAIR COURSON: Duly noted. Thank you,
20 Counsel.

21 MR. MURAI: And that's the extent of -- I don't know
22 what -- whether the chair had anything else to add, but that's
23 the extent of my understanding of why it's on the agenda.

24 ACTING CHAIR COURSON: Any questions for counsel
25 regarding that rescheduling?

1 (No response.)

2 ACTING CHAIR COURSON: If not, Item No. 7 is the
3 next meeting date, which is August 14th, 2019, 12:30 p.m. here
4 in the planning conference room.

5 The chair will entertain a motion to adjourn regular
6 session and reconvene in executive session. Is there such a
7 motion?

8 MEMBER WEISS: So moved.

9 ACTING CHAIR COURSON: It's been moved. Is there a
10 second?

11 MEMBER GADARIAN: Second.

12 ACTING CHAIR COURSON: All in favor?

13 (Response.)

14 ACTING CHAIR COURSON: All right.

15 (Pause in Proceedings: 1:01 p.m.-1:15 p.m.)

16 ACTING CHAIR COURSON: And now the chair will
17 reconvene into --

18 MR. MURAI: We're now back in regular session.

19 ACTING CHAIR COURSON: Now back in regular session
20 and the chair will entertain a motion to adjourn regular
21 session.

22 MEMBER CURTIS: Approve everything in executive.

23 MR. MURAI: We're going to do two things: We're
24 going to entertain a motion to ratify all actions taken in the
25 executive session.

1 ACTING CHAIR COURSON: Okay.

2 MR. MURAI: And assuming that happens, then we may
3 adjourn and I don't think we need a motion to adjourn. The
4 agenda calls for adjournment at this time, so you can just
5 announce the adjournment.

6 MEMBER GADARIAN: I move to ratify the actions taken
7 in executive session.

8 MEMBER CURTIS: Second.

9 ACTING CHAIR COURSON: Is there a second? It's been
10 moved and seconded. All in favor?

11 (Response.)

12 ACTING CHAIR COURSON: Passed unanimously. (Gavel.)
13 Adjourned.

14 (The proceedings were adjourned at 1:16 p.m.)
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C E R T I F I C A T E

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

I, Sandra J. Gran, Certified Shorthand Reporter for the State of Hawaii, hereby certify that on July 10th, 2019, at 12:34 p.m. the proceedings was taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

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

DATED this 25th day of July, 2019, in Maui, Hawaii.



Sandra J. Gran, RPR
Hawaii CSR 424