

RECEIVED

**MAUI COUNTY BOARD OF ETHICS**

August 14, 2019  
12:30 p.m.

2019 AUG -6 AM 11: 02

Department of Planning Conference Room  
Kalana Pakui Building  
Wailuku, Maui, Hawaii

OFFICE OF THE  
COUNTY CLERK

**AGENDA**

**BOARD MEMBERS**

Matthew Macario, Chair  
David Courson, Vice Chair  
Sara Gadarian, Secretary  
Rachel Phillips  
Donna Clayton  
Napua Greig-Nakasone  
William Curtis, Jr.  
David Weiss  
Geraldine Lewis

**AGENDA ITEMS ARE SUBJECT TO CANCELLATION.**

For a confirmation of the meeting date and time, and for scheduling of agenda items, please contact Board Staff 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 July 10, 2019 minutes.
3. Public Testimony
4. Old Business

- a. Financial Disclosure Statements:

**NONE**

- b. Communication Items:

- Review and Approval of Advisory Opinion No. 19A-07 from Cy Fukagawa, Real Property Appraiser III, dated July 01, 2019 regarding Board's direction in order to avoid potential conflict of interest with a part-time job pursuant to Article 10, Section 10-4 of the Code of Ethics.

- c. Informal Hearing on Complaint No. 19-03 by a member of the public against a County Official alleging violations of Sections 10-1 and 10-4(1)(c) of the Code of Ethics with regard to conflict of interest, and Complainant's request to amend Complaint to include violation of Section 10-4(1)(d), of the Charter of the County of Maui, Code of Ethics, to wit: "Use county property or personnel for other than public activity or purpose."

5. New Business:

- a. Financial Disclosures: Elected & Appointed

**NONE**

- b. Communication Items:

**NONE**

- c. Review and Approval of Advisory Opinion No. 19A-08 from SPENCE, WILLIAM, former County Planning Director, dated, July 17, 2019, regarding potential conflict of interest post County employment by attending and appearing before the Attainable Housing for Maui Nui Working Group as an independent Consultant pursuant to Article 10, Section 10-4, Code of Ethics.

- d. Request for formation of a Permitted Interaction Group (PIG) to discuss and review revisions to Maui County Board of Ethics Financial Disclosure Statement (FDS) form and instructions for calendar year 2020.

- e. Lobbyist Registration:

Gough, George N.
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6. Announcements

**NONE**

7. Schedule Next Meeting Date and Discuss Next Meeting Business

**September 11, 2019  
12:30 p.m.  
Planning Conference Room**

**NOTE: END OF REGULAR SESSION**

## B. EXECUTIVE SESSION

With reference to the agenda items listed below, 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), the following agenda items 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 July 10, 2019 minutes.
3. Old Business
  - a. Financial Disclosure Statements: Boards & Commissions

**NONE**

- b. Communication Items:

**NONE**

4. New Business
  - a. **Financial Disclosures: Boards & Commissions**

Oato, Vernon M.
Thomson, Dale L.
West, Stephen W.

- b. Communication Items:

**NONE**

- c. Chair's report and recommendation of Complaint No.19-04 by a member of the public against a former County employee alleging violation of Article 10, Section 10-1, of the Code of Ethics.

5. Announcements

**NONE**

NEXT REGULAR MEETING

**September 11, 2019  
12:30 p.m.  
Planning Conference Room**

**NOTE: END OF EXECUTIVE SESSION**