

**MAUI COUNTY BOARD OF ETHICS**

**October 09, 2019  
12:30 p.m.**

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

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OFFICE OF THE  
COUNTY CLERK

**AMENDED 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 September 11, 2019 minutes.
3. Public Testimony
4. Old Business
  - a. Financial Disclosure Statements:  
**NONE**
  - b. Communication Items:  
**NONE**
  - c. Review and approval of Advisory Opinion No. 19A-09 KAMA, TASHA, County Councilmember, dated August 07, 2019 regarding direction on any potential conflict of interests with her future participation in discussions and voting on,

Resolution of Bank Of Americas Commitment To Provide Mortgages For Native Hawaiians On Hawaiian Home Lands.

- d. Update from Corporation Counsel regarding the logistics of making County of Maui (“COM”) Advisory Opinions “Public” and available on the COM Board of Ethics web page.
- e. Update from the Permitted Interaction Group (PIG) regarding revisions to the Maui County Board of Ethics Financial Disclosure Statement (FDS) form and instructions for calendar year 2020.

5. New Business

- a. Financial Disclosure Statements: Elected and Appointed

**NONE**

- b. Communication Items:

**NONE**

- c. Request for an Advisory Opinion No. 19A-10 (PAF 19-184) dated September 03, 2019 from KING, KELLY T., County Chair, seeking commentary on a “drafted” document, *Policies and Procedures for Mass Mailings*, intended to provide guidance to COM Councilmembers on appropriate content and recipients of mass mailings, and establishing a fair and transparent process for mass mailings.

- i. *Withdrawal of Advisory Opinion No. 19A-10 was received via email on Tuesday, October 01, 2019, from requestor, Chair Kelly T, King.*

- d. Request for an Advisory Opinion No. 19A-11 dated September 20, 2019 from PULMANO, LEILANI, a member of the, County West Maui Community Plan Update Committee (CPAC), regarding direction on any potential conflict of interests with her future participation in discussions and/or voting on future planning of urban growth boundaries (UGB) specifically, Villages of Lealii and if her affiliation with Hawaii Housing Finance & Development Corporation (HHFDC) as its Chair constitutes a violation of Section 10-4.4. of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.

- e. An update and discussion on the first Hawaii State Ethics Commission Conference attended by, Board members and staff in September on Oahu.

- f. Lobbyist Registration:

**NONE**

6. Announcements

**NONE**

7. Schedule Next Meeting Date and Discuss Next Meeting Business

**November 13, 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 September 11, 2019 minutes.
3. Old Business
  - a. Financial Disclosure Statements: Boards & Commissions  

Becraft, Jamie
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  - b. Communication Items:  
**NONE**
4. New Business
  - a. Financial Disclosure Statements: Boards and Commissions  

O'Neil, Patrick
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  - b. Communication Items:  
**NONE**
  - c. Chair's initial report regarding Complaint No.19-05 by a member of the public against County employees alleging violation of Article 10, Sections 10-1 and 10-4, of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
  - d. Chair's report and recommendation of Complaint No.19-06 by a member of the public against a County official alleging violations of Sections 10-1., 10-4.1.b., 10-4.1.c., 10-4.1.e., and 10-4.4. of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.

5. Announcements

**NONE**

NEXT REGULAR MEETING

**November 13, 2019  
12:30 p.m.  
Planning Conference Room**

**NOTE: END OF EXECUTIVE SESSION**