

MAUI COUNTY BOARD OF ETHICS

**January 08, 2020
12:30 p.m.**

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

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OFFICE OF THE
COUNTY CLERK

AGENDA

BOARD MEMBERS

**Matthew Macario, Chair
Sara Gadarian, Secretary
Rachel Phillips
Donna Clayton
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, 3rd 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 December 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-13 dated October 30, 2019 from LUCERO, ANGELA, Executive Assistant to Councilmember Tamara Paltin, on her position with the Community Plan Advisory Committee (CPAC) and whether her employment poses a

conflict of interest being a member of CPAC, with the potential violation of Section 10-4(1)(c) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.

- d. Review and approval of Advisory Opinion No. 19A-15 dated November 18, 2019 from SILVA, MIKE, Chair, Public Works Commission (PWC), who is also a registered professionally engineer (PE), and any potential conflict of interest with PWC's PE members' future participation in discussions and/or voting on Street Naming Applications, when PWC member has a professional affiliation with a subdivision project related to the application, and the potential violation of Section 10-4(1)(c) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
- e. Review and approval of Advisory Opinion No. 19A-16 dated October 28, 2019 from PAYNE, DYLAN, member of the West Maui Community Plan Advisory Committee (CPAC), who is also a licensed Realtor associated with West Maui Land Company Inc. Real Estate Division whose brokerage firm is one of a number affiliate companies of West Maui Land Company Inc., and his future participation in discussions and/or voting on issues related to lands owned by the various "affiliate" companies located within the CPAC area, and the potential violation of Section 10-4(1)(c) of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
- f. Status update from Corporation Counsel regarding making County of Maui ("COM") Advisory Opinions "Public" and available on the COM Board of Ethics web page.

5. New Business

- a. Financial Disclosure Statements: Elected and Appointed
NONE
- b. Communication Items:
NONE

Request for an Advisory Opinion No. 19A-17 dated December 31, 2019 from HOAG, MARCIE, Safety Specialist III, Risk Management Division, Corporation Counsel, requesting direction as to whether the County of Maui employees may accept a "one-time discount coupon" towards their first produce box order from Island Fresh Delivery, a partner with the Blue Zone Hawaii-Central Maui. The County of Maui Kalana O'Maui building would be the drop-off location and the county is

endeavoring for this building to become the first certified Blue Zone Worksite.

- c. Request for formation of a Temporary Interaction Group (TIG) to discuss and implement/create a Maui County Board of Ethics “Quick Guide On Gifts” (1-sheet handout), for Maui County employees to reference.
- d. Lobbyist Registration:

NONE

6. Announcements

- Appointment of new Board of Ethics Member, Seward E. Akahi for a term expiring March 31, 2022, to fill a vacancy replacing Napua Greig-Nakasone.
- Resignation of Vice-Chair, David Courson, effective December 11, 2019.

7. Schedule Next Meeting Date and Discuss Next Meeting Business

**February 12, 2020
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 December 11, 2019 minutes.
3. Old Business
 - a. Financial Disclosure Statements: Boards & Commissions
NONE
 - b. Communication Items:
NONE
 - c. Informal Hearing on Complaint No.19-07 by a member of the public against a County official alleging a violation of Section 10-4.1.(d.), of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended.
4. New Business
 - a. Financial Disclosure Statements Boards and Commissions:
 - Janet Nalani Kainau
 - b. Communication Items:
NONE
5. Announcements
NONE

NEXT REGULAR MEETING

**February 12, 2020
12:30 p.m.
Planning Conference Room**

NOTE: END OF EXECUTIVE SESSION