



MAUI COUNTY BOARD OF ETHICS

c/o Department of the Corporation Counsel

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Wailuku, HI 96793

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OFFICE OF THE
COUNTY CLERK

AGENDA

(All meeting materials are available at: <https://mauicounty.gov/DocumentCenter/Index/5092>)

PURSUANT TO CHAPTERS 91 AND 92, HAWAII REVISED STATUTES, AS AMENDED NOTICE IS HEREBY GIVEN OF A REMOTE PUBLIC MEETING OF THE MAUI COUNTY BOARD OF ETHICS.

DATE: Tuesday, May 17, 2022

TIME: 12:30 p.m.

REMOTE LOCATION: Interactive conference technology via BlueJeans videoconferencing, www.bluejeans.com, enter Meeting ID: 625 166 061

BOARD MEMBERS: **Chair:** David Weiss, **Vice-Chair:** William Curtis, Jr., **Secretary:** Geraldine Lewis Scott Parker, Kelly Lanilei Maluo-Pearson, Kathryn Reeves Shroder, Steven Sturdevant, Shanna Willing, *Vacant*

PHYSICAL LOCATION: Members of the public may observe the remote meeting or provide testimony in-person using audio/visual technology at the, **County of Maui Service Center – Department of Liquor Control Conference Room**, 110 'Ala'ihi St, Suite #212A, Kahului, HI 96732, (off of Ho'okele St.)
Note: Board members may not be physically present at this location.

MEETING ACCESS & VIDEO TESTIMONY: To access the meeting, provide video testimony or watch the meeting by computer or other mobile device, log onto <https://bluejeans.com> and enter the Meeting ID: 625 166 061 or use the meeting link, <https://bluejeans.com/625166061>

Testifiers via video may sign-up to testify by sending a Direct Message in the Chat function to the Board Secretary, signifying their intention to testify, noting the agenda item number, and providing contact information (optional). Testimony shall not be submitted within the Chat function, the Chat function may not be used to contact Board members, or other meeting participants, for commenting on the agenda items, or other matters. Individuals may be disconnected from the meeting for breaking decorum.

Testifiers are asked to mute their audio and video when they are not testifying.

PHONE ACCESS & TESTIMONY: To provide testimony OR listen to the meeting, **Dial 1-408-915-6290 (toll-free) and enter Meeting ID: 625 166 061**

Testifiers via Phone will be called by the Chair after video testimony has concluded.

IN-PERSON TESTIMONY: Testifiers in the Conference Room will be called by the Chair after Video and Phone testimony has been heard.

ORAL TESTIMONY: All testifiers will be afforded three (3) minutes to testify. If unable to conclude, you may request to return at the end after all other testifiers to complete your testimony upon approval by the presiding officer, time limits for testimony may be modified and approved by a majority of the Board

WRITTEN TESTIMONY: Whether sent via fax, email, or USPS, written testimony should be received by the Department of the Corporation Counsel by noon, two business days before the meeting to ensure distribution to the Board members. Email written testimony to, boardofethics@mauicounty.gov; Fax “Attention: Board of Ethics” to (808) 270-7152; or mail to the Board of Ethics c/o the Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii 96793. While the Board requests that written testimony be submitted by a certain date and time, testimony submitted after such date and time will still be accepted by the Board.

ORDER OF BUSINESS

1. CALL TO ORDER AND ROLL CALL
2. Public Testimony on any agenda Item
3. Old Business
 - a. Financial Disclosure Statements (“FDS”) Elected & Appointed Officers and Candidates for Elective Office.
 - Review amended FDS from Deputy Director Gary Ambrose, Department of Public Works. [\(FDS\)](#)
 - Review amended FDS from Deputy Director Jordan Molina, Department of Public Works. [\(FDS\)](#)
 - b. Review and approval of Advisory Opinion No. 22A-04 received February 18, 2022, from a former COUNTY OF MAUI EMPLOYEE of the DEPARTMENT OF PLANNING, whether County officials/agencies can contract them for professional services to -and appear before- any agencies of the County of Maui. [\(AO No 22A-04\)](#)
 - c. Review and approval of Advisory Opinion No. 22A-05 (PAF 22-020) received February 28, 2022, from KELLY TAKAYA KING, COUNCILMEMBER, whether it is permissible for Maui County residents to use the South Maui District Office for the purpose of providing testimony to the State of Hawaii Legislator. [\(AO No 22A-05\)](#)
 - d. Review and approval of Advisory Opinion No. 22A-06 (PAF 22-043) received March 03, 2022, from ALICE L. LEE, COUNCIL CHAIR, whether the County Council should continue to request an advisory opinion for those County of Maui legislative-branch appointees who are appointed to a board or commission and whether Councilmembers should recuse themselves if one of their a legislative-branch appointees is nominated for a board or commission. [\(AO No 22A-06\)](#)
 - e. Review and approval of Advisory Opinion No. 22A-07 received April 04, 2022, from County employee KIMBERLEY WILLENBRINK, DEPARTMENT OF WATER SUPPLY, whether she can offer her services to the public on understanding the new County of Maui permitting process. [\(AO No 22A-07\)](#)
 - f. Status of County of Maui E-filing system for Financial Disclosure Statement forms project implementation.

4. New Business

a. Request for an Advisory Opinion No. 22A-08 dated April 02, 2022, from EVAN DUST, an Executive Assistant to Councilmember Natalie “Tasha” Kama, a partner in a Social Media consulting firm and a Commissioner on the Cost of Government, requesting direction on any potential conflict of interests with his future participation in discussions and/or voting on issues related to his county employment or Councilmember Kama. [\(AO No 22A-08\)](#)

b. Request for an Advisory Opinion No. 22A-09 dated April 21, 2022, from a member of the BOARD OF WATER SUPPLY (BWS), who is President of Kahikinui Hawaiian Homelands Association, Kahikinui, Maui, Hawai’i, recipients of potable water from Ulupalakua, whose water meter was licensed to the Department of Hawaiian Homelands (DHHL), requesting direction on any potential conflict of interest with future participation in discussions and/or voting on matters related to DHHL water issues, in accordance with Section 10-4.4. of the Revised Charter of the County of Maui, as amended (“Charter”). **Closed Session**

c. Lobbyist Registrations, Amended, & Resignation: [\(Lobbyist Registration\)](#)

NAME	Registration or Resignation
Fernandez, Cesar	Registration – Pacaso Inc.

d. Financial Disclosure Statements (“FDS”) Elected & Appointed Officers and Candidates for Elective Office.

[\(FDS Elected-Appointed\)](#)

NAME	ELECTED & APPOINTED
Baz, Sananda K.	Managing Director.
Du Pont, Michael	Deputy Director, Transportation
Hart, Jordan	Deputy Director, Planning
Johnson, Gabriel L.	Councilmember
Kama, Natalie A.	Councilmember
Kaohu, Kathy L.	County Clerk
Kagami, Michael S.	First Deputy, Prosecuting Attorney
King, Kelly T.	Councilmember
Krueger, James G.M.	Deputy County Clerk
Lee. Alice L.	Councilmember
Martin, Andrew H.	Prosecuting Attorney
Marvel, Samuel	Deputy Director, Parks & Recreation
Molina, Jordan K.K.	Director, Public Works
Peters, Karla H.	Director, Parks & Recreation
Silva, Layne N.	Director, Liquor Control
Sinenci, Shane	Councilmember
Sugimura, Yuki Lei	Councilmember
Thomson, Richelle	First Deputy, Corporation Counsel
Victorino, Michael P.	Mayor

(FDS Candidates)

NAME	CANDIDATE
Bell, Cullen H.M.M.	Mayor
Cook, Thomas M.	County Council-South Maui
DeLeon, David P.	County Council-Makawao, Haiku, Paia
Kama, Natalie A.	County Council - Kahului
Lee, Alice	County Council - Wailuku
Nobriga, Buddy James M	County Council - Kahului
Paltin, Tamara A.M.	County Council – West Maui
Schwartz, Jason “Jack” W.	County Council - Kahului
Sinenci, Shane M.	County Council – East Maui
Victorino, Michael P.	Mayor

5. Communications

6. Announcements: None

7. Discussion of agenda items and next meeting date: **June 08, 2022, at 12:30 PM**

8. Executive Session

With reference to agenda items listed, one or more executive sessions are anticipated. In particular, the Board of Ethics anticipates it may 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. The Board may also convene in Adjudicatory Session pursuant to Hawai'i Revised Statutes (“HRS”) Section 92-6. The following items may be considered in Executive Session pursuant to HRS Sections 92-5(a)(2), 92-5(a)(4), and 92-6(a).

A. Old Business

- Chair’s report and recommendation on Complaint No. 22-07 from a member of the public, against a County of Maui Police Department employee alleging a Code of Ethics violation of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended (“Charter”).

B. New Business

- I. Non-filing of confidential Financial Disclosure Statement forms by Maui County Board and Commission members thru May 6, 2022, as required pursuant to Section 10-3.2. of the Revised Charter of the County of Maui, as amended (“Charter”) and §04-101-44 (c) Board of Ethics Rules.

NAME	BOARD OR COMMISSION
Trish Egge	Board of Variances and Appeals
Lu Ann Lankford-Faborito	Cost of Government
Daniel O’Brien	Cost of Government
Robbie Sanches	Liquor Control Adjudication Board
Ian Bassford	Cultural Resources Commission

Andrew de la Cruz	Cultural Resources Commission
Brandis Sarich	Cultural Resources Commission
Emily Spencer	Cultural Resources Commission
Lori Buchanan	Molokai Planning Commission
Louella Albino	Molokai Planning Commission
Colette Machado	Molokai Planning Commission
James “Kimo” Apana	Real Property Tax Review Board

II. Review of Confidential Financial Disclosure Statement forms filed by Board and Commission members. (FDS Board & Commission)

NAME	BOARD OR COMMISSION
Aiwohi, Lahela K.	Police Commission
Alacodor, Erin S.T.	Lanai Planning Commission
Alcon, Punahele	Fire and Public Safety Commission
Almeida, Allan J.	Liquor Control Adjudication Board
Andrion, Dylan K.	Fire and Public Safety Commission
Ball, John	Maui Redevelopment Agency
Baltazar, Emmanuel A.	Board of Variance and Appeals
Batangan, Kelson K.	Charter Commission
Boswell, James Aaron W.	Liquor Commission
Burns, Dwight K.	Fire and Public Safety Commission
Canto, Doreen N.	Charter Commission
Cathcart, Harold	Liquor Control Adjudication Board
de la Cruz, Zane P.	Lanai Planning Commission
De Rego, Frank R., Jr.	Police Commission
Deslauriers, Paul C.	Charter Commission
Dudoit, Shane T.	Liquor Control Adjudication Board
Dust, Evan P.	Cost of Government
Franklin, Carolyn	Real Property Tax Appeals Board
Freitas, Kawika S.D.	Planning Commission
Garrick, Tambara M.	Salary Commission
Green, Caron M.	Board of Variance and Appeals
Gima, Reynold M.	Lanai Planning Commission
Ginoza, Kyle K.	Fire and Public Safety Commission
Greig, William	Planning Commission
Hipolito, Melvin	Planning Commission
Ho, Andrew	Liquor Control Commission
Ho, Sylvia	Liquor Control Commission
Kanuha, Doradeen M.	Fire and Public Safety Commission
Kapoi, Karey Anne	Charter Commission

Kawamura, Georgina K.	Real Property Tax Appeals Board
Kelly, Debra N.	Molokai Planning Commission
Kincaid, Max, Jr.	Fire and Public Safety Commission
Kuoha, Keoni J.	Charter Commission
La Costa, P. Denise NMI	Planning Commission
Lanias, Stanford K.	Salary Commission
Lay, Ivan	Board of Variance and Appeals
Lindsey, Ashley A.	Planning Commission
Loo, Rhonda	Cost of Government
Mano, Matthew J.K.	Police Commission
Mardfin, Douglas Ward	Charter Commission
Martin, Peter K.	Salary Commission
Matsumoto, Patrice M.	Liquor Control Commission
Misaki, Edwin T.	Salary Commission
Mossman, Kaulana K	Liquor Control Adjudication Board
Mowat, Bridget A.	Molokai Planning Commission
Nakama, Grant T.	Salary Commission
Nobriga, Buddy James	Board of Water Supply
Olson, Ashley	Charter Commission
Padilla, Melissa	Liquor Control Adjudication Board
Pali, Kellie R.N.	Planning Commission
Patel, Snehal B.	Liquor Control Commission
Poepoe, Karen K.	Cultural Resources Commission
Poepoe, La'akea K.	Molokai Planning commission
Preza, Shelly	Lanai Planning Commission
Purdy, George K., IV	Charter Commission
Richardson, William K.	Liquor Control Commission
Rodrigues, Emmett L.	Police Commission
Ruidas, Stanley	Liquor Control Commission
Sakamoto, Urette J.	Salary Commission
Shibuya, Charlene S.	Board of Variance and Appeals
Sterling, Donna	Board of Water Supply
Suzuki, Sharon M.	Civil Service Commission
Takashima, Ross	Board of Variance and Appeals
Tancayo, Travis K.	Police Commission
Thomas, Ralph J.	Board of Water Supply
Vares, Lisa O.	Fire and Public Safety Commission
Wagner, Mary R	Cultural Resources Commission
Watanabe, Alton K.	Civil Service Commission
West, Stephen W.	Board of Variance and Appeals

C. Communication

- Chair's report and recommendation on Complaint No. 22-08 from a member of the public, against a County of Maui Parks and Recreation employee alleging a Code of Ethics violation of the Revised Charter of the County of Maui, Code of Ethics (1983), as amended ("Charter").

RETURN TO REGULAR SESSION

9. Ratification of all actions taken in Executive Session.

10. MEETING ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

SPECIAL ASSISTANCE: If you require an auxiliary aid or service or an accommodation due to a disability, please contact the Board Staff no later than three business days prior to the scheduled meeting by calling 808-270-7740.

DOCUMENTS ON FILE:

Visit <https://www.mauicounty.gov/170/Board-of-Ethics> or <https://mauicounty.gov/DocumentCenter/Index/5092> for Board information and documentation. Contact Supporting Department, Department of the Corporation Counsel, Board Staff at: 808-270-7740, or 1-800-272-0117 (toll-free from Molokai and Lanai) for further assistance.

EXECUTIVE SESSION: An executive session may be called in order for the Board to consult with its attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities and liabilities, pursuant to Section 92-5 (a)(4), Hawaii Revised Statutes.

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with board/commission members participating in the meeting or with the public location identified above. If connection cannot be restored within 30 minutes, the meeting is automatically terminated.

PLEASE NOTE: If any member of the Board is unable to attend the scheduled meeting, please contact staff at least one day prior to the meeting date. Thank you for your cooperation.