



MAUI COUNTY BOARD OF ETHICS

c/o Department of the Corporation Counsel
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2022 AUG -3 PM 3:09

OFFICE OF THE
COUNTY CLERK

AGENDA

Documents related to agenda items listed are hyperlinked and also available on the Board's website
<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: August 10, 2022

TIME: 12:30 p.m.

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

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in-person using audio/visual technology at the, Planning Department Conference Room, 250 S. High St., Kalana Pakui Bldg., Wailuku, Hawaii 96793
Board members may not be physically present at this location.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans. To view and/or provide testimony via computer or mobile device, log onto www.bluejeans.com and enter **Meeting ID: 625 166 061** or use the meeting link, <https://bluejeans.com/625166061>

PHONE ACCESS: To listen to the meeting or provide testimony via phone dial 1-408-915-6290 (toll-free) and enter Meeting ID: 625 166 061
Testifiers via phone will be called after video testimony has concluded.

TESTIMONY PROCEDURES

Oral or written testimony on any agenda item will be accepted.

Testimony will be taken at the beginning of the meeting and when each item is deliberated. Testifiers may only testify once per item.

Testifiers are to provide your name and the agenda item number testifying on.

Testifiers are limited to three (3) minutes to testify per each agenda item. If unable to conclude, testifier may request additional time; time limits for testimony may be modified and approved by a majority of the Board.

IN-PERSON TESTIMONY: Sign-up at the physical location. Testifiers will be called upon after video and phone testimony has been heard.

REMOTE TESTIMONY: Testifiers via video may sign-up using the Chat function by sending a Direct Message to the Board Secretary, signifying your intention to testify. 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.

All participants (non-board member) are asked to mute their audio and video at all times, except when called upon by the Chair to testify or speak.

WRITTEN TESTIMONY: Whether sent via fax, email, or USPS, legible 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 but, Board members may not be able to review it prior to the meeting.

ORDER OF BUSINESS

1. CALL TO ORDER AND ROLL CALL

2. Public Testimony
Pursuant to the Sunshine Law, testimony will be taken at the beginning of the meeting. However, public testimony will also be allowed prior to any deliberation on any individual item on the agenda.

3. Old Business

a. Review and approval of Advisory Opinion No. 22A-10 received July 01, 2022, from a MEMBER OF THE MAUI PLANNING COMMISSION, whether their deposit on a Lot in a subdivision in Wailuku, had any potential conflict of interest with future participation in discussions and/or voting on issues related to the seller of the subdivision should they come before their commission.
[\(AO No 22A-10\)](#)

b. Financial Disclosure Statements (“FDS”) for Candidates for Elective Office
[\(FDS Candidates\)](#)

NAME	CANDIDATE
Johnson, Gabriel	Council – Lanai
Schwartz, Jack W.	County Council – Kahului

4. New Business

a. Financial Disclosure Statements (“FDS”) Elected & Appointed Officers.
[\(FDS Elected & Appointed\)](#)

NAME	ELECTED & APPOINTED
Arce, Rogerene L.M.	Director, Dept. of Agriculture
Takakura, Jacalyn M.C.	Deputy Director, Dept. of Planning
Yap, Weston M.	Deputy Director, Dept. of Agriculture

5. 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 their 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), subsections (2) and (4), and 92-6(a).

a. New Business

Review of Confidential Financial Disclosure Statement forms filed by Board and Commission members.

NAME	BOARD OR COMMISSION
Apana, James H.	Real Property Tax Review
Gills, Gordon M.	Fire and Public Safety Commission
Kamaunu, Kapono P.	Cultural Resources Commission

RETURN TO REGULAR SESSION

6. Executive Session Vote

- Item No. 5.a.

7. Next Meeting Date and Time – September 14, 2022, at 12:30 PM

8. Agenda Setting

9. ADJOURN

NOTE:

Agenda Items Are Subject to Cancellation.

Meeting Location Is Subject to Change Without Notice.

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 (3) business days prior to the scheduled meeting by calling 808-270-7740 or by email to boardofethics@mauicounty.gov

DOCUMENTS ON FILE: Visit <https://www.mauicounty.gov/170/Board-of-Ethics> for Board information and documentation. Contact the Board Secretary Department, Department of the 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) and subsection (4), Hawaii Revised Statutes.

INTERRUPTION IN VIDEO/AUDIO: If the connection between a 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 thirty (30) minutes to restore communication when audiovisual communication cannot be maintained with board members participating in the meeting or with the public location identified above. If connection cannot be restored within thirty (30) minutes, the meeting is automatically terminated.