

COUNCIL OF THE COUNTY OF MAUI  
**COMMITTEE OF THE WHOLE**

February 3, 2006

**Committee  
Report No.**

06-12

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Committee of the Whole, having met on January 17, 2006, makes reference to County Communication No. 05-384, from the Mayor, recommending the removal of Sandra Silva from the Board of Ethics.

Your Committee notes that Ms. Silva currently serves on the Board of Ethics with a term set to expire on March 31, 2008.

Your Committee further notes that Article 13, Section 13-2.5 of the Charter of the County of Maui provides in relevant part that a member of a board and commission appointed by the mayor with approval of the council "...may be removed for cause upon recommendation of such removal by the mayor and the approval of two-thirds of the entire membership of the council."

At its meeting, your Committee met with the Senior Executive Assistant to the Mayor and a Deputy Corporation Counsel.

There was no public testimony.

The Senior Executive Assistant indicated that Ms. Silva had notified the Mayor approximately 18 months ago that she would no longer be able to serve on the Board of Ethics. Although a letter of resignation was requested from Ms. Silva, none was received. The Senior Executive Assistant said that the Mayor had made several attempts to contact Ms. Silva by telephone and correspondence, through a County Investigator, and through Ms. Silva's attorney. All attempts to contact Ms. Silva were unsuccessful.

Your Committee discussed the frequency of such incidences where a member of a board, commission, or committee ceases to participate. The Senior Executive Assistant indicated that this situation occurs occasionally, but appointees do not normally become completely unreachable for a long period of time. He indicated that the Mayor tries to work with the appointee and will avoid recommending removal of volunteers whenever

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possible. Your Committee suggested that the Administration establish a consistent policy for a member's lack of attendance at board, commission, and committee meetings.

Your Committee voted to recommend removal of Sandra Silva from the Board of Ethics and filing of the communication.

Your Committee of the Whole **RECOMMENDS** the following:

1. That Sandra Silva be **REMOVED** from the Board of Ethics by the approval of two-thirds of the entire membership of the council;
2. That a copy of this committee report be **TRANSMITTED** to the Mayor of the County of Maui; and
3. That County Communication No. 05-384 be **FILED**.

Adoption of this report is respectfully requested.

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