

BOARD OF ETHICS
COUNTY OF MAUI
REGULAR MEETING

ORIGINAL

Held at the Planning Conference Room, Kalana Pakui
Building, Wailuku, Maui, Hawaii, commencing at 12:30 p.m.,
on December 12, 2007.

REPORTED BY: RACHELLE PRIMEAUX, CSR #370

1 ATTENDANCE

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4 BOARD MEMBERS PRESENT:

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6 ALAN KAUFMAN, CHAIR

7 NANE ALULI VICE-CHAIR

8 JOCELYN BOUCHARD, SECRETARY

9 RANDOL LEACH

10 VINCENT R. LINARES

11 SHERI-ANN DANIELS

12 C. GRETCHEN GUY

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15 STAFF PRESENT:

16 KRISTI LYN UEOKA, BOARD SECRETARY

17 ADRIANNE HEELY, DEPUTY CORPORATION COUNSEL

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1 TRANSCRIPT OF PROCEEDINGS

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3 CHAIR KAUFMAN: I will call the Maui County Board
4 of Ethics, Wednesday, December 12th, 2007, regular session
5 to order. And our first order of business is to welcome our
6 new member, C. Gretchen Guy. We're so glad to have you.

7 BOARD MEMBER GUY: Thank you very much. I'm
8 thrilled to be here.

9 BOARD MEMBER LEACH: We usually get out about
10 five.

11 BOARD MEMBER GUY: That's what I was told, and so
12 I said where do I sign up?

13 CHAIR KAUFMAN: Gretchen, you've already
14 introduced yourself to myself, but just right around,
15 Vinnie, you want to introduce yourself, maybe say a few
16 things?

17 BOARD MEMBER LINARES: I know who Gretchen is.
18 I'm Vinnie Linares, Maui Community College, 35 years.

19 BOARD MEMBER GUY: Actor exemplar.

20 BOARD MEMBER LINARES: Thank you very much.

21 BOARD MEMBER BOUCHARD: I'm Jocelyn Bouchard. I'm
22 actually with the Maui Humane Society is my day job, and
23 welcome.

24 MS. HEELY: Hi, I'm Adrienne Heely. We met
25 earlier, Deputy Corporation Counsel. Welcome.

1 CHAIR KAUFMAN: Alan Kaufman, the Chair of the
2 Board of Ethics and veterinarian and a goat farmer and a few
3 other things. Yes, that's where you know me.

4 BOARD MEMBER ALULI: And my name is Nani Aluli.
5 And I'm envious of that white elephant, and I want it back.

6 BOARD MEMBER LEACH: Randol Leach, and I work with
7 Smith Barney, and welcome to our board.

8 BOARD MEMBER GUY: Thank you. And since everyone,
9 they've identified themselves professionally, not to solicit
10 business, but just so that we have a context, I'm with
11 Interisland Home Loans Powered by Countrywide.

12 BOARD MEMBER LEACH: Currently.

13 CHAIR KAUFMAN: We're very glad to have you.

14 BOARD MEMBER ALULI: Let's hope it remains so.

15 CHAIR KAUFMAN: The minutes of the November 14th
16 meeting have been circulated. Everyone has had a chance to
17 review. Are there any additions or corrections? If there
18 are no additions or corrections, I would accept a motion to
19 approve the minutes as circulated.

20 MS. HEELY: I apologize, Chair, just one
21 correction on page 13, line 10. It says the new deputy
22 corporation counsel Kimberly Vas Sloper. Her middle name is
23 Ball, B A L L, Sloper. Is it two L's? One L. So Vas
24 should be replaced with the Bal, B A L. That's all I have.

25 CHAIR KAUFMAN: And I think she's related to me.

1 BOARD MEMBER LINARES: I had a question, too.

2 CHAIR KAUFMAN: Another question?

3 BOARD MEMBER LINARES: Yeah, it say Board Member
4 Linares is not present. And obviously you see later on, I
5 am. So do you put in the notes when somebody shows up?

6 BOARD MEMBER LEACH: It shows when you walked in.

7 MS. UEOKA: On page 5.

8 BOARD MEMBER LINARES: Okay. Thank you. I didn't
9 read very carefully, did I?

10 CHAIR KAUFMAN: And for the record, we'll note
11 that Sheri-Ann Daniels has now joined us. Thank you. Good
12 to have you here, Sheri-Ann. And opposite you is our newest
13 board member C. Gretchen Guy.

14 BOARD MEMBER GUY: Thank you.

15 CHAIR KAUFMAN: With the corrections and notations
16 of the minutes, is there a motion to approve?

17 BOARD MEMBER ALULI: I'll move that the minutes be
18 received.

19 CHAIR KAUFMAN: Thank you, Nani. Is there a
20 second?

21 BOARD MEMBER LINARES: Second.

22 CHAIR KAUFMAN: Thank you, Vinnie. All in favor?

23 (A chorus of aye's.)

24 CHAIR KAUFMAN: Opposed?

25 (None.)

1 CHAIR KAUFMAN: Then the minutes have been
2 accepted. There is no public testimony today. And we'll
3 move right into old business, and we're going to move right
4 along because there is no financial disclosures.
5 Communication items. Under new business, we do have a
6 financial disclosure, which is an amendment from Brian Moto.
7 And if the board members have had a chance to review that
8 disclosure, are there any questions with regard to it?
9 Seeing none, may I have a motion to accept it?

10 BOARD MEMBER BOUCHARD: So moved.

11 CHAIR KAUFMAN: Thank you, Jocelyn. And a second?

12 BOARD MEMBER LEACH: Second.

13 CHAIR KAUFMAN: Good. All in favor?

14 (A chorus of aye's.)

15 CHAIR KAUFMAN: Opposed, no. It's been accepted.
16 Communication items. We have a letter to the Board of
17 Ethics from Peter Soman dated November 11th regarding his
18 resignation from the board. And our executive secretary has
19 a comment.

20 MS. UEOKA: Thank you, Chair. Just to inform the
21 rest of the board, although we did receive this letter from
22 Peter Soman resigning, this isn't an official resignation.
23 He has to send a letter directly to the mayor, and I have
24 advised him of that. The mayor doesn't take correspondence
25 through us. So in order for him to resign, he needs to

1 write a letter directly to the mayor stating his reasons for
2 the request for resignation. And to date, he has not, from
3 what I understand. I'm going to follow up again with him on
4 that.

5 CHAIR KAUFMAN: And that being the case, I would
6 assume that today's minutes will note him as absent as
7 opposed to excused.

8 MS. UEOKA: Yes.

9 CHAIR KAUFMAN: Very good. Thank you for that
10 clarification.

11 BOARD MEMBER ALULI: One question, Chair. Just
12 for my own clarification, what happens in the event that he
13 doesn't send that letter to the mayor? Does it stay in a
14 state of limbo ad infinitum?

15 MS. UEOKA: I'm actually not sure.

16 MS. HEELY: After reviewing your rules, there may
17 be a section in there relating to attendance and attendance
18 required and if there's two unexcused absences or so, but I
19 would have to review the exact section.

20 CHAIR KAUFMAN: Please refresh my memory. Didn't
21 we just discuss very recently discuss the idea of three
22 unexcused absences?

23 BOARD MEMBER ALULI: Yeah.

24 CHAIR KAUFMAN: Did we take action on that?

25 BOARD MEMBER ALULI: I don't think we did take

1 action.

2 BOARD MEMBER BOUCHARD: I think it got referred
3 for something or another.

4 CHAIR KAUFMAN: I want you to know your Chair
5 finds great comfort in the fact that everybody is as unclear
6 as I am.

7 MS. UEOKA: I will let you guys know I'm going to
8 put some severe pressure on him at this point.

9 CHAIR KAUFMAN: I'm sure his official resignation
10 will be due shortly.

11 BOARD MEMBER LINARES: I'm just intrigued by the
12 fact that being with Homeland Securities is a conflict of
13 interest.

14 CHAIR KAUFMAN: How much salt would you like to
15 take with that letter?

16 BOARD MEMBER LINARES: Not too much.

17 CHAIR KAUFMAN: I don't think there's any clear
18 conflict of interest. Whatever the motivation or putting
19 his name in for the board or not being on the board, it's
20 clear at this time, it's not his intention. And all we
21 really need him to do is write the resignation letter to the
22 mayor.

23 Moving on, there are no lobbyist registrations.
24 Under announcements, we have our calendar for the year 2008,
25 and I believe our executive secretary again is going to make

1 a comment.

2 MS. UEOKA: If you notice, all of our 2008
3 meetings are scheduled except for the June meeting. We do
4 have a problem with that date because the second Wednesday
5 of that month is a holiday. And so we do not work that day.
6 That's June 11th. The planning conference room is available
7 the week before, that's June 4th, or two weeks later, which
8 is June 25th. I attached a calendar to the dates. I'm not
9 sure if you would like to try and do June 18th, but we would
10 have to relocate to a different venue, because this room
11 will not be available that day.

12 So at that point, corporation counsel should have
13 a room large enough to hold a meeting there.

14 CHAIR KAUFMAN: Yes, Vinnie.

15 BOARD MEMBER LINARES: I would prefer that it be
16 before the 18th because I'm usually gone by the 18th. I'm
17 gone in June and July.

18 CHAIR KAUFMAN: The Chair is going to ask if the
19 4th suits everyone's calendar?

20 BOARD MEMBER LINARES: Yes.

21 CHAIR KAUFMAN: Is there anyone who is not
22 available on the 4th of June?

23 BOARD MEMBER BOUCHARD: I will be away on the 4th
24 of June. I have a conference on the first week of June.

25 CHAIR KAUFMAN: Would the board prefer to have

1 Jocelyn or Vinnie here?

2 BOARD MEMBER LINARES: Or come up with another
3 date.

4 CHAIR KAUFMAN: Just so it's clear to me, we have
5 one member who can't attend on the 18th and one who cannot
6 attend on the 4th.

7 BOARD MEMBER LEACH: I think you've got to flip a
8 coin.

9 BOARD MEMBER GUY: Is there anything on the
10 charter that requires us to meet monthly? Only because a
11 lot of the boards I've sat on, during the summer, we go dark
12 either June or August because of travel schedules.

13 CHAIR KAUFMAN: I can relate that for this
14 particular board, we typically do have business to conduct.
15 That's not to say that it hasn't had to be deferred on
16 occasion mostly for lack of a quorum rather than for lack of
17 business. I think we should schedule one of the two dates,
18 and if there's nothing happening this summer, we can rejoice
19 in the future and not have the meetings. If there's no
20 objection, the Chair will recommend that the 4th of June be
21 the date.

22 And there is no objection, so we'll plan for the
23 4th of June to meet, and it will be in this room.

24 MS. UEOKA: All right. I will send a revised
25 calendar to everybody with the correct dates on it.

1 CHAIR KAUFMAN: Thank you very much, Kristi.

2 This is the end of the regular session agenda, and
3 it's time to move into the executive session. And Gretchen,
4 you'll be entertained by the protocol to do this. Would
5 someone like to make a motion to move into executive
6 session? Who is going to be bold today, Sheri-Ann?

7 BOARD MEMBER DANIELS: I will because I did it the
8 last time.

9 With reference to the agenda items listed below,
10 one or more executive meetings are anticipated. In
11 particular, the Board of Ethics anticipates it will consider
12 the evaluation, dismissal or disciplining of an officer or
13 employee of the County of Maui, where considerations of
14 matters affecting privacy will be involved. The board may
15 also consult with the board's attorney on questions and
16 issues pertaining to the board's powers, duties, privileges,
17 immunities and liabilities. Therefore, pursuant to Hawai'i
18 Revised Statutes HRS Sections 92-5(a)(2) and (4), the
19 following items may be considered in executive session. The
20 board may also convene in adjudicatory session pursuant to
21 HRS Section 92-6.

22 BOARD MEMBER GUY: Second.

23 CHAIR KAUFMAN: Specifically, under new business
24 to review financial disclosures.

25 BOARD MEMBER DANIELS: Specifically, under new

1 business, we'll need to review financial disclosures of Guy,
2 Haake and Ruidas.

3 CHAIR KAUFMAN: And that was the motion. A
4 second, please.

5 BOARD MEMBER GUY: Second.

6 CHAIR KAUFMAN: Thank you, Gretchen. All in
7 favor?

8 (A chorus of aye's.)

9 CHAIR KAUFMAN: Very good.

10 (Whereupon, the Board went into Executive
11 Session.)

12

13 MEETING RESUMES

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15 CHAIR KAUFMAN: We're back into regular session.

16 And our next meeting is January 9th, and it will be right
17 here. And if there's no further business, can we have a
18 motion to adjourn.

19 BOARD MEMBER LINARES: I move that we adjourn.

20 BOARD MEMBER ALULI: Wait, I've got one. When is
21 our Christmas party?

22 CHAIR KAUFMAN: We have a motion adjourn. You
23 have to be good to go to Christmas parties, Nani. Is there
24 a second?

25 BOARD MEMBER ALULI: I'll second.

1 CHAIR KAUFMAN: Second. Thank you very much. All
2 in favor?

3 (A chorus of aye's.)

4 CHAIR KAUFMAN: The meeting is adjourned, and I
5 want to thank all of the members of the board, Kristi,
6 corporation counsel. We have come through what has
7 certainly not been the easiest year for this board. We've
8 persevered. It's a wonderful thing. I want to thank you
9 all for your best efforts and especially for making the last
10 meeting of the year the shortest of the year.

11 (The meeting ended at 12:47 p.m.)

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C E R T I F I C A T I O N

I, RACHELLE PRIMEAUX, Notary Public for the State of Hawaii, certify:

That the proceedings contained herein were taken by me in machine shorthand and were thereafter reduced to print under my supervision by means of computer-aided transcription; that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am neither attorney for any of the parties hereto nor in any way concerned with the cause.

Dated this 28th day of December 2007.



NOTARY PUBLIC, State of Hawaii

My commission expires 6/14/08