

COUNTY OF KAUAI  
Minutes of Meeting  
OPEN SESSION

Approved as circulated 9/20/19

Board/Commission:	<b>BOARD OF ETHICS</b>	Meeting Date	<b>August 23, 2019</b>
Location	Mo‘ikeha Building, Liquor Conference Room 3	Start of Meeting: 1:05 p.m.	End of Meeting: 1:56 p.m.
Present	Chair Dean Toyofuku arrived at 1:10pm, Vice Chair Mia Shiraishi, Secretary Susan Burriss. Members: Ryan de la Pena, Maureen Tabura  Also: Deputy County Attorney Maryann Sasaki. Boards & Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti.  Testifier: Jade Fountain-Tanigawa, County Clerk		
Excused	Mary Tudela		
Absent			

SUBJECT	DISCUSSION	ACTION
<b>Call To Order</b>		Vice Chair Shiraishi called the meeting to order at 1:05 p.m. with four members present which constituted a quorum.
<b>Approval of Minutes</b>	<u>Open Session Minutes of July 19, 2019</u>	Ms. Tabura moved to approve the minutes of July 19, 2019 as submitted. Mr. de la Pena seconded. Motion carried 4:0.
<b>Communication</b>	<u>None</u>	
<b>Request for Advisory Opinion</b>	<u>RAO 2019-05 Possible Conflict of Interest and Request for Advisory Opinion dated July 10, 2019, from Mason Chock relating to Bill No. 2752, a bill for an ordinance amending zoning designation in Puhi, Kaua'i (Island School, Applicant) (ZA-2019-2).</u>  Ellen Ching, Administrator, explained that this issue has appeared before Council and	

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	<p>that Council Member Chock did recuse himself from the voting.</p> <p>Jade Fountain-Tanigawa, County Clerk, explained that Council Member Chock asked that the item be sent though the Council has acted on in and the Mayor has signed the bill, he wanted on record, just in case another issue is presented involving Island School. They can resubmit, understanding that it has been received.</p> <p>Ms. Ching confirmed that this item has been received and they Board will not be issuing an advisory opinion.</p> <p><u>RAO 2019-06 Possible Conflict of Interest and Request for Advisory Opinion dated July 15, 2019, from Arryl Kaneshiro relating to participation on the technical advisory committee for the Lihue Airport Master Plan.</u></p> <p>Ms. Ching explained that a consultant has been retained and this is to develop a master plan for the Lihue facility. In the past interface with this facility and the County has been where the taxis will park and occasionally resolutions directed to the airlines.</p>	<p>Ms. Tabura moved to receive RAO 2019-05 for the record. Ms. Burriss seconded. Motion carried 4:0</p> <p>Mr. de la Pena moved to find no conflict of Interest for RAO 2019-06. Ms. Burriss seconded. Motion carried 4:0</p>
<p><b>Business</b></p>	<p><u>BOE 2018-17 Explicit recommendation on the steps to be taken at the Charter level and the administrative level to improve the <b>existing</b> countywide disclosure requirement coupled with a fine schedule for non-compliance. Memorandum to Board of Ethics.</u></p> <p>Ms. Ching requested a deferral.</p> <p>Vice Chair Shiraishi asked for a motion. Chair Toyofuku joined the meeting at 1:10pm and apologized for his tardiness.</p>	<p>Mr. de la Pena moved to defer BOE 2018-17. Ms. Tabura seconded. Motion carried 5:0</p>

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	<p><u>BOE 2019-08 Review Advisory Opinions RAO 13-006 and RAO 18-004.</u></p> <p>Ms. Ching requested a deferral, she explained that she was not aware that it was part of her duties to write the Advisory Opinions and she thought that someone else was doing it and vice versa for the other person. She has drafted it and will be sending it out.</p> <p><u>BOE 2019-22 Discussion on Board putting out a notice to County employees regarding ethics requirements for former employees.</u></p> <p>Ms. Ching requested a deferral.</p>	<p>Mr. de la Pena moved to defer BOE 2019-08. Ms. Tabura seconded. Motion carried 5:0</p> <p>Mr. de la Pena moved to defer BOE 2019-22. Ms. Tabura seconded. Motion carried 5:0</p>
<p><b>Disclosures</b></p>	<p><u>Employee/Elected Official</u></p> <ol style="list-style-type: none"> <li>1. Arthur Brun, County Council</li> </ol> <p><u>Volunteer</u></p> <ol style="list-style-type: none"> <li>2. Kevin Mince, Police Commission</li> <li>3. Reid Kawane, Charter Review Commission</li> </ol>	<p>Ms. Tabura moved to accept Disclosures 1,2,3 as deemed complete. Mr. de la Pena seconded. Motion carried 5:0</p>
<p><b>Executive Session</b></p>	<p>Chair Toyofuku entertained a motion to enter into Executive Session pursuant to HRS §92-4, §92-5 (a) (2) and (4), §92-6 (a) (b), the purpose of this Executive Session is to consider the evaluation, dismissal or discipline of an employee or officer of the County in which charges have been alleged against an employee or officer where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held; and to consult with the Board's legal counsel on issues pertaining to the Board's and the County's powers,</p>	

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	<p>duties, privileges, immunities, and /or liabilities as they may relate to this item, deliberate and take such action as appropriate.</p> <p>The Board moved into Executive Session at 1:18pm.</p>	<p>Ms. Tabura moved to go into executive session. Ms. Burriss seconded. Motion carried 5:0.</p>
<b>Return to Open Session</b>	<p>Ratify Board actions taken in Executive Session.</p>	<p>The Board resumed in Open Session at 1:55 pm</p> <p>Ms. Burriss moved to ratify decisions made in Executive Session. Mr. de la Pena seconded. Motion carried 5:0</p>
<b>Announcements</b>	<p>Next Meeting: Friday, September 20, 2019 – 1:00 p.m., Mo‘ikeha Building, Liquor Conference Room 3.</p> <p>Ms. Burriss announced that she will not be at next meeting.</p>	
<b>Adjournment</b>		<p>Ms. Shiraishi moved to adjourn the meeting, Mr. de la Pena seconded. Chair Toyofuku adjourned the meeting at 1:56 p.m.</p>

Submitted by: \_\_\_\_\_  
 Anela Segreti, Administrative Specialist

Reviewed and Approved by: \_\_\_\_\_  
 Dean Toyofuku, Chair

( X ) Approved as circulated.

( ) Approved with amendments. See minutes of \_\_\_\_\_ meeting.