



COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Approved as submitted 04/16/21.

Board/Commission:	BOARD OF ETHICS	Meeting Date	March 19, 2021
Location	Teleconference	Start of Meeting: 1:01 p.m.	End of Meeting: 2:03 p.m.
Present	Chair Susan Burriss, Vice Chair Mia Shiraishi, Secretary John Latkiewicz. Members: Ryan de la Pena, Kelly Gentry, Dean Toyofuku, Mary Tudela. Also: Deputy County Attorney Charles Foster. Boards & Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti.		
Excused	Deputy County Attorney Aaron Larrimore		
Absent			

SUBJECT	DISCUSSION	ACTION
Call To Order	Prior to the start of the meeting, the Board welcomed Ryan de la Pena as their newest Board Member.	Chair Burriss called the meeting to order at 1:01 p.m. Roll call: Member de la Pena: present Member Gentry: present Member Toyofuku: present Member Tudela: present Secretary Latkiewicz: present Vice Chair Shiraishi: present Chair Burriss: present Seven members present, which constituted a quorum.
Approval of Minutes	<u>Open Session Minutes of February 19, 2021</u>	Member Tudela moved to approve the minutes of February 19, 2021 as submitted. Vice Chair Shiraishi seconded. Voice Vote: 7 ayes, 0 nays Motion carried 7:0

SUBJECT	DISCUSSION	ACTION
Public Testimony	<u>None</u>	
Communication	BOE 2021-09 2020 Kauai Lobbyist Contributions & Expenditures Statement dated <u>March 11, 2021</u> and 2021 Kauai Lobbyist Registration dated <u>March 12, 2021</u> received from <u>David Arakawa</u> .	Vice Chair Shiraishi moved to receive BOE 2021-09. Member Gentry seconded. Voice Vote: 7 ayes, 0 nays Motion carried 7:0
Request for Advisory Opinion	<u>None</u>	
Business	<p><u>BOE 2021-10 Discussion and possible action regarding establishing and defining the scope of a Permitted Interaction Group (PIG). The purpose of the Permitted Interaction Group (PIG) would be to recommend an ordinance defining regulatory employees required to submit a disclosure statement.</u></p> <p>Chair Burriss asked for volunteers to serve on the Permitted Interaction Group (PIG).</p> <p><i>Member Latkiewicz dropped from meeting at 1:07pm, rejoined at 1:09pm</i> <i>Member de la Pena dropped from meeting at 1:09pm, rejoined at 1:16pm</i></p> <p>Chair Burriss clarified with Administrator Ching on how PIG will be convened and how many members need to be on the PIG, three (3) or less.</p> <p>Chair Burriss suggested a group of three (3) and named members de la Pena, Gentry and Secretary Latkiewicz.</p> <p>Administrator Ching clarified that a motion is needed to form PIG, name members and define the scope.</p> <p>In addition Administrator Ching explained that just defining regulatory employees is not</p>	<p>Member Tudela moved to form Permitted Interaction Group (PIG) with Members Ryan de la Pena, Kelly Gentry and Secretary John Latkiewicz. Member Toyofuku seconded.</p> <p>Voice Vote: 7 ayes, 0 nays Motion carried 7:0</p> <p>Member Tudela moved that the scope of PIG is to draft an ordinance defining “regulatory employees” required to submit a disclosure statement. Vice Chair Shiraishi seconded.</p> <p>Member Tudela amended her motion and moved that the scope of</p>

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	<p>the end. There are additional steps that needs to be done for the ordinance to enacted and codified in the County Code of Ordinances. She stated that the PIG would be working with Deputy County Attorney Foster on this.</p> <p>Deputy County Attorney Foster suggested leaving discretion with the PIG in terms of how they want to proceed.</p> <p>Chair Burriss asked Boards & Commissions staff to contact PIG members and schedule meeting and for an update at the next meeting.</p>	<p>PIG is to draft an ordinance defining “regulatory employees” required to submit a disclosure statement and to design the process for implementation. Vice Chair Shiraishi re-seconded the amended motion.</p> <p>Voice Vote: 7 ayes, 0 nays Motion carried 7:0</p>
<p>Disclosures</p>	<p><u>Volunteers:</u></p> <ol style="list-style-type: none"> 1. Susan Remoaldo, Kauai Historic Preservation Review Commission 2. Ryan de la Pena, Board of Ethics <p>Member de la Pena recused himself from #2, Ryan de la Pena.</p>	<p>Member Tudela moved to approve #1. Member Gentry seconded.</p> <p>Voice Vote: 7 ayes, 0 nays Motion carried 7:0</p> <p>Member Toyofuku moved to approve #2. Secretary Latkiewicz seconded.</p> <p>Voice Vote: 6 ayes, 0 nays, 1 recused Motion carried 6:0</p>
<p>Executive Session</p>	<p><u>ES-005 Pursuant to Hawai’I Revised Statutes §92-4, §92-5(a)(4), §92-9(a)(1-4) and (b), the purpose of this Executive Session is for the Board to approve or amend the Executive Session Minutes of February 19, 2021 and to consult with its attorney on issues pertaining to the Board’s powers, duties, privileges, immunities, and /or liabilities as they may relate to this item.</u></p> <p><u>ES-004: BOE 2021-08 Pursuant to Hawai’I Revised Statutes §92-4 and §92-5 (a) and (2) and (4), the purpose of this Executive Session is for the Board to discuss a notarized formal complaint received February 8, 2021, charging that an employee or</u></p>	

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	<p><u>officer of the County has breached the Code of Ethics as set forth in the Kaua’I County Charter section 20.02 B, 20.02 E and 20.02 F.</u></p> <p><u>No officer or employee of the county shall:</u></p> <p><u>B. Disclose information which, by law or practice, is not available to the public and which the officer or employee acquires in the course of the officer or employee’s official duties or use such information for the officer or employee’s personal gain or for the benefit of anyone.</u></p> <p><u>E. Use the officer or employee’s official position to secure a special benefit, privilege, or exemption for the officer or employee or others.</u></p> <p><u>F. Use county property for other than public activity or purpose.</u></p> <p><i>The Board moved into Executive Session at 1:26</i></p>	<p>Secretary Latkiewicz moved to go into executive session at 1:26 pm. Vice Chair Shiraishi seconded.</p> <p>Voice Vote: 7 ayes, 0 nays Motion carried 7:0</p>
<p>Return to Open Session</p>		<p>The Board resumed in Open Session at 2:00 p.m.</p> <p>Roll call: Member de la Pena: present Member Gentry: present Member Toyofuku: present Member Tudela: present Secretary Latkiewicz: present Vice Chair Shiraishi: present Chair Burriss: present Seven members present, which constituted a quorum.</p>
	<p>Ratify on Board actions taken in Executive Session.</p>	<p>Secretary Latkiewicz moved to ratify actions taken in Executive Session. Member de la Pena seconded.</p>

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		Voice vote: 7 ayes, 0 nays Motion carried 7:0
Announcements	<p>Chair Burriss announced that it was Member Tudela's last meeting, stating that she will be missed.</p> <p>Member Tudela thanked the Board stating that it's been a pleasure working with wonderful people in dealing with sensitive topics with grace, and wished everyone well.</p> <p>Board members stated thanks. Administrator Ching also thanked Member Tudela for her service.</p> <p>Next Meeting: Friday, April 16, 2021 at 1:00pm</p>	
Adjournment		<p>Member Tudela moved to adjourn the meeting Member de la Pena seconded.</p> <p>Voice vote: 7 ayes, 0 nays Motion carried 7:0</p> <p>Meeting adjourned at 2:03 p.m.</p>

Submitted by: _____ Reviewed and Approved by: _____
 Anela Segreti, Administrative Specialist Susan Burriss, Chair

- (X) Approved as circulated.
- () Approved with amendments. See minutes of _____