



COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Received as presented 05/21/2021.

Board/Commission:	BOARD OF ETHICS	Meeting Date	April 16, 2021
Location	Teleconference	Start of Meeting: 1:01 p.m.	End of Meeting: 3:05 p.m.
Present	Chair Susan Burriss, Vice Chair Mia Shiraishi, Secretary John Latkiewicz. Members: Ryan de la Pena, Kelly Gentry, Dean Toyofuku. Also: Deputy County Attorney Charles Foster, Deputy County Attorney Aaron Larrimore. Boards & Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti.		
Excused			
Absent			
SUBJECT	DISCUSSION	ACTION	
Call To Order		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 Secretary Latkiewicz: present Vice Chair Shiraishi: present Chair Burriss: present Six members present, which constituted a quorum.	
Approval of Minutes	<u>Open Session Minutes of March 19, 2021</u>	Chair Burriss received the minutes with no amendments.	

SUBJECT	DISCUSSION	ACTION
Public Testimony	<u>None</u>	
Communication	<u>BOE 2021-11 Possible conflict of interest and recusal dated March 29, 2021, from Council Chair Arryl Kaneshiro relating to Bill No. 2818, the Mayor's proposed Operating Budget for Fiscal Year 2021-2022 - appropriations for Grove Farm Company, Inc.</u>	<p>Vice Chair Shiraishi moved to receive BOE 2021-11. Member Gentry seconded.</p> <p>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</p>
	<u>BOE 2021-12 Possible conflict of interest and recusal dated March 29, 2021, from Council Chair Arryl Kaneshiro relating to Bill No. 2818, the Mayor's proposed Operating Budget for Fiscal Year 2021-2022 - appropriations for Kaua'i Soil Conservation.</u>	<p>Member Toyofuku moved to receive BOE 2021-12. Vice Chair Shiraishi seconded.</p> <p>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</p>
	<u>BOE 2021-13 Possible conflict of interest and recusal dated March 29, 2021, from Councilmember KipuKai Kuali'i relating to Bill No. 2818, the Mayor's proposed Operating Budget for Fiscal Year 2021-2022 - appropriation for Sexual Assault/Domestic Violence Community Program.</u>	<p>Vice Chair Shiraishi moved to receive BOE 2021-13. Member Gentry seconded.</p> <p>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</p>
	<u>BOE 2021-14 Possible conflict of interest and recusal dated March 29, 2021, from Councilmember Mason Chock relating to Bill No. 2818, the Mayor's proposed Operating Budget for Fiscal Year 2021-2022 - appropriation for Leadership Development & Training.</u>	<p>Vice Chair Shiraishi moved to receive BOE 2021-14. Member de la Pena seconded.</p> <p>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</p>
Request for Advisory Opinion	<u>None</u>	

SUBJECT	DISCUSSION	ACTION
Business	<p><u>BOE 2021-15 Discussion and update regarding the Permitted Interaction Group (PIG).</u> <u>The purpose of the Permitted Interaction Group (PIG) is to recommend an ordinance defining regulatory employees required to submit a disclosure statement.</u></p> <p>Administrator reported that the Permitted Interaction Group (PIG) has not met yet and thanked the Deputy County Attorney’s for their work providing a draft ordinance for the PIG to work from. She also was able to get a list from Human Resources (HR) of equivalent County of Kauai staff to the County of Hawaii’s list. Able to now move on to having the PIG meet to review and start.</p> <p>Chair thanked all for work that was put in.</p>	No Action
Disclosures	<u>None</u>	
Executive Session	<p><u>ES-006 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 March 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 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,</u></p>	

SUBJECT	DISCUSSION	ACTION
	<p><u>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><u>ES-007: BOE 2021-16 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 March 16, 2021, charging that an employee or officer of the County has breached the Code of Ethics as set forth in the Kaua‘i County Charter section 20.01, Standards of Conduct.</u></p> <p><i>The Board moved into Executive Session at 1:11pm</i></p>	<p>Member de la Pena moved to go into executive session at 1:11 pm. Secretary Latkiewicz seconded.</p> <p>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</p>
<p>Return to Open Session</p>		<p>The Board resumed in Open Session at 3:02 p.m.</p> <p>Roll call: Member de la Pena: present Member Gentry: present Member Toyofuku: present Secretary Latkiewicz: present Vice Chair Shiraishi: present Chair Burriss: present Six members present, which constituted a quorum.</p>
	<p>Ratify on Board actions taken in Executive Session.</p>	<p>Member de la Pena moved to ratify actions taken in Executive Session. Secretary Latkiewicz seconded.</p> <p>Voice vote: 6 ayes, 0 nays Motion carried 6:0</p>
<p>Announcements</p>	<p>The Board thanked Deputy County Attorney Foster for his service to the Board and welcomed Deputy County Attorney Larrimore.</p>	

SUBJECT	DISCUSSION	ACTION
	Next Meeting: Friday, May 21, 2021 at 1:00pm	
Adjournment		Member Toyofuku moved to adjourn the meeting Member de la Pena seconded. Voice vote: 6 ayes, 0 nays Motion carried 6:0 Meeting adjourned at 3:05 p.m.

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

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