



COUNTY OF KAUAI  
Minutes of Meeting  
OPEN SESSION

Approved as submitted 10/15/21.

Board/Commission:		<b>BOARD OF ETHICS</b>	Meeting Date	<b>September 17, 2021</b>
Location	Teleconference		Start of Meeting: 1:00 p.m.	End of Meeting: 3:23 p.m.
Present	Chair Susan Burriss, Vice Chair Mia Shiraishi. Members: Ryan de la Pena, Kelly Gentry, Dean Toyofuku. Also: Deputy County Attorney Aaron Larrimore. Boards & Commissions Office Staff: Administrator Ellen Ching and Support Clerk Malialani Kelekoma.			
Excused	Secretary John Latkiewicz			
Absent				
SUBJECT	DISCUSSION			ACTION
<b>Call To Order</b>				Chair Burriss called the meeting to order at 1:00 p.m.  Roll call: Member de la Pena: present Member Gentry: present Member Toyofuku: present Secretary Latkiewicz:excused Vice Chair Shiraishi: present Chair Burriss: present Five members present, which constituted a quorum.
<b>Approval of Minutes</b>	<u>Open Session Minutes of August 13, 2021</u>  Vice Chair corrected page 2 second sentence underlined, starting with Chair Burriss, should be deleted.			Vice Chair Shiraishi moved to accept the minutes as corrected. Member Toyofuku seconded.  Voice vote: 5 ayes, 0 nays Motion carried 5:0

SUBJECT	DISCUSSION	ACTION
<b>Public Testimony</b>	<u>None</u>	
<b>Communication</b>	<u>None</u>	
<b>Request for Advisory Opinion</b>	<u>None</u>	
<b>Business</b>	<u>BOE 2021-28 Review letter sent to Councilmember Cowden re: RAO 2021-03 dated August 26, 2021.</u>	No action
<b>Disclosures</b>	<u>None</u>	
<b>Executive Session</b>	<p><u>ES-017 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 August 13, 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>	

SUBJECT	DISCUSSION	ACTION
	<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><u>ES-012 BOE 2021-22 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 July 29, 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 E, Standards of Conduct.</u></p> <p><u>ES-013 BOE 2021-23 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 July 29, 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 E, Standards of Conduct.</u></p> <p><u>ES-014 BOE 2021-24 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 July 29, 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 E, Standards of Conduct.</u></p> <p><u>ES-015 BOE 2021-25 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 July 30, 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 E, Standards of Conduct.</u></p> <p><u>ES-016 BOE 2021-26 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 August 3, 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 E, Standards of Conduct.</u></p>	<p>Member de la Pena moved to move to Executive Session at 1:08 p.m.          Member Toyofuku seconded.</p> <p>Voice Vote: 5 ayes, 0 nays.          Motion carried 5:0</p>

SUBJECT	DISCUSSION	ACTION
<p><b>Return to Open Session</b></p>		<p>The Board resumed in Open Session at 3:20 p.m.</p> <p>Roll call:            Member de la Pena: present            Member Gentry: present            Member Toyofuku: present            Secretary Latkiewicz:excused            Vice Chair Shiraishi: present            Chair Burriss: present            Five members present, which constituted a quorum.</p>
	<p><u>Ratify on Board actions taken in Executive Session.</u></p>	<p>Member de la Pena moved to ratify the actions taken by the Board in Executive Session on ES-017. Member Toyofuku seconded.</p> <p>Voice Vote: 5 ayes, 0 nays.            Motion carried 5:0</p> <p>Member de la Pena moved to ratify the actions taken by the Board in Executive Session on the ES-012 through ES-016 inclusive. Member Toyofuku seconded.</p> <p>Voice Vote: 4 ayes, 1 abstention, 0 nays.            Motion carried 5:0</p>
<p><b>Announcements</b></p>	<p>Next Meeting: Friday, October 15, 2021 at 1:00pm</p>	

SUBJECT	DISCUSSION	ACTION
<b>Adjournment</b>		Hearing no objections Chair Burriss adjourned the meeting at 3:23 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 \_\_\_\_\_