

Mia Shiraishi
Chair

Susan Burriss
Vice Chair

Mary Tudela
Secretary

Members:
John Latkiewicz
Dean Toyofuku

**COUNTY OF KAUA'I BOARD OF ETHICS
NOTICE OF TELECONFERENCE AND AGENDA**
Tuesday, July 21, 2020
1:00 p.m. or shortly thereafter

Microsoft Teams Audio: +1 469-848-0234, Conference ID: 546 242 962#

This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Open Session Minutes of June 9, 2020
Open Session Minutes of June 16, 2020

TESTIMONY

COMMUNICATION None

REQUEST FOR AN ADVISORY OPINION

None

BUSINESS

BOE 2020-20

Discussion and possible action on the County Departments return to a 5 days a week, 8 hours per day schedule as it relates to changes in the Board of Ethics meeting schedule.

BOE 2020-21

Approval of change in meeting schedule to the second Monday of the month starting August 10, 2020 at 1:00pm by teleconference until meetings can be held in person.

DISCLOSURES

Employees:

1. Adam Roversi, Housing Director

such executive session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). Discussions held in Executive Session are closed to the public.

cc: Office of the County Attorney

PUBLIC COMMENTS and TESTIMONY

SPEAKER REGISTRATION

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number, and agenda item via email at asegreti@kauai.gov; or by calling 808-241-4917.

On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given the opportunity to speak on an item following oral testimonies of registered speakers.

Each speaker is limited to a three-minute presentation on each item.

WRITTEN TESTIMONY

Prior to the Day of the Meeting: Testimony may be emailed: asegreti@kauai.gov faxed: 808-241-5127, or mailed: County of Kauai, Office of Boards and Commissions, Board of Ethics, 4444 Rice St., Ste. 300, Lihue, HI 96766.

SPECIAL ASSISTANCE

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR ASEGRETI@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

Draft to be Approved

COUNTY OF KAUAI
Minutes of
Special Meeting
OPEN SESSION

Board/Commission:	BOARD OF ETHICS	Meeting Date	June 9, 2020
Location	Teleconference	Start of Meeting: 1:30 p.m.	End of Meeting: 2:01 p.m.
Present	Chair Mia Shiraishi, Vice Chair Susan Burriss, Secretary Mary Tudela. Members: John Latkiewicz, Dean Toyofuku. Also: Special Counsel Nadine Ando, Boards & Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti.		
Excused			
Absent			
SUBJECT	DISCUSSION	ACTION	
Call To Order		Chair Shiraishi called the meeting to order at 1:30 p.m. Roll call: Member Latkiewicz: present Member Toyofuku: present Secretary Tudela: present Vice Chair Burriss: present Chair Shiraishi: present Five members present, which constituted a quorum.	

SUBJECT	DISCUSSION	ACTION
<p>Executive Session</p>	<p><u>ES-020: BOE 2020-16 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 conduct an informal hearing regarding Complaint 20-001 under Rule 6.2 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 and F, the Kaua'i County Code 1987 as amended by June 2019 Code Supplement, Article 1, Section 3-1.4 and 3-1.6.</u></p> <p><u>No officer or employee of the county shall:</u></p> <p>e. <u>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>f. <u>Use county property for other than public activity or purpose.</u></p> <p><u>and other related matters where consideration of matters affecting privacy will be involved, and to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities as they may relate to this agenda item.</u></p> <p>Chair Shiraishi entertained a motion to move into Executive Session.</p> <p>The Board moved into Executive Session at 1:43 pm.</p>	<p>Vice Chair Burriss moved to go into executive session. Member Toyofuku seconded.</p> <p>Voice vote 5 ayes, 0 nays.</p> <p>Motion carried 5:0</p>

SUBJECT	DISCUSSION	ACTION
Return to Open Session	Ratify Board actions taken in Executive Session.	The board resumed in Open Session at 1:59 pm Secretary Tudela moved to ratify decisions made in Executive Session. Member Latkiewicz seconded. Voice vote 5 ayes, 0 nays. Motion carried 5:0
Announcements	Next Meeting: Tuesday, June 16, 2020 – 1:00p.m., Teleconference	
Adjournment	Chair Shiraishi entertained a motion to adjourn.	Member Toyofuku moved to adjourn. Member Latkiewicz seconded. Voice vote 5 ayes, 0 nays. Motion carried 5:0 Meeting adjourned at 2:01 p.m.

Submitted by: _____ Reviewed and Approved by: _____
Anela Segreti, Administrative Specialist Mia Shiraishi, Chair

- Approved as circulated.
- Approved with amendments. See minutes of _____.

Draft to be Approved

COUNTY OF KAUAI
 Minutes of Meeting
 OPEN SESSION

Board/Commission:	BOARD OF ETHICS	Meeting Date	June 16, 2020
Location	Teleconference	Start of Meeting: 1:05 p.m.	End of Meeting: 2:41 p.m.
Present	Chair Mia Shiraishi, Vice Chair Susan Burriss (joined at 1:09 p.m.), Secretary Mary Tudela. Members: John Latkiewicz, Dean Toyofuku. Also: Deputy County Attorney Charles Foster. Boards & Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti.		
Excused	Deputy County Attorney Todd Jenson		
Absent			
SUBJECT	DISCUSSION	ACTION	
Call To Order		Chair Shiraishi called the meeting to order at 1:06 p.m. Roll call: Member Latkiewicz: present Member Toyofuku: present Secretary Tudela: present Chair Shiraishi: present Four members present, which constituted a quorum. Vice Chair Burriss: joined at 1:09 p.m.	

SUBJECT	DISCUSSION	ACTION
Approval of Minutes	<u>Open Session Minutes of May 19, 2020</u> No revisions.	Member Toyofuku moved to approve Open Session Minutes of May 19, 2020. Member Latkiewicz seconded. Voice vote: 4 ayes, 0 nays Motion carried 4:0
Testimony	<u>None</u>	No action
Communication	<u>None</u>	No action
Request for an Advisory Opinion	<u>None</u>	No action
Business	<u>BOE 2018-18 Update on statement regarding Council member Brun.</u> Ellen Ching, Administrator, updated Board that the statement and County Attorney’s letter (both on file) have been uploaded to the Boards webpage and sent as a link to inquiries. <p style="text-align: center;">Vice Chair Burriss joined the meeting at 1:09 p.m.</p> Chair Shiraishi updated Vice Chair Burriss on what she missed.	No action
Disclosures	<u>Employees:</u> 1. Michelle Lizama, Deputy Director of Finance 2. Teresa Tumbaga, Deputy County Attorney 3. Todd Raybuck, Chief of Police	Member Latkiewicz moved to approve the disclosures of Michelle Lizama, Teresa Tumbaga and Todd Raybuck. Vice Chair Burriss seconded. Voice vote: 5 ayes, 0 nays Motion carried 5:0

SUBJECT	DISCUSSION	ACTION
	<p><u>Volunteers:</u></p> <p>4. Dee Crowell, Liquor Control Commission 5. Laurie Yoshida, Salary Commission</p> <p><u>Candidates:</u></p> <p>6. Edgar Justus IV, Candidate for County Council</p> <p>7. Clint Yago, Candidate for County Council</p> <p>Members discussed concerns over Mr. Yago’s entry of “new job” under Employment section and blanks under Sections VI, VIII, IX, they request clarification on these items.</p> <p>8. Wally Nishimura, Candidate for County Council 9. Billy DeCosta, Candidate for County Council</p> <p>11. Jade Battad, Candidate for County Council</p> <p>Vice Chair Burriss questioned salary stated as monthly vs. annual. Board discussed sending back a disclosure for amounts of income. This one does not seem correct, disclosure request annual salary and should be clarified for consistency.</p>	<p>Member Toyofuku moved to approve the disclosures of Dee Crowell and Laurie Yoshida. Vice Chair Burriss seconded. Voice vote: 5 ayes, 0 nays Motion carried 5:0</p> <p>Secretary Tudela moved to return Clint Yago’s disclosure for clarification that there is no current income and Sections VI, VIII, and IX. Vice Chair Burriss seconded. Voice vote: 5 ayes, 0 nays Motion carried 5:0</p> <p>Vice Chair Burriss moved to return Jade Battad’s disclosure for clarification on whether salary stated is annual. Member Latkiewicz seconded. Voice vote: 5 ayes, 0 nays Motion carried 5:0</p>

SUBJECT	DISCUSSION	ACTION
	<p style="text-align: center;">10. Rory Parker, Candidate for County Council</p> <p>Members discussed that Mr. Parker’s entry on none for employment and income and whether this could be accurate. Chair Shiraishi stated that she read he identifies as a house husband. Secretary Tudela stated that he did say none so he consciously completed the form. Board discussed that they have no problem with it as he intentionally entered none.</p> <p>Chair Shiraishi called for a motion to approve Candidates numbers 6,8,9, and 10.</p>	<p>Secretary Tudela moved to approve Candidates 6-Edgar Justus IV, 8-Wally Nishimura, 9-Billy DeCosta, and 10-Rory Parker. Vice Chair Burriss seconded.</p> <p>Voice vote: 5 ayes, 0 nays Motion carried 5:0</p>
<p>Executive Session</p>	<p>Pursuant to Hawai‘i Revised Statutes §92-4, §92-5 (a) (2) and (4), §92-6 (a) (b), the purpose of this Executive Session is to consult with the Board’s legal counsel on issues pertaining to Resolution 2019-1 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; the Board’s and the County’s powers, duties, privileges, immunities, and /or liabilities as they may relate to this item, deliberate and take such action as appropriate.</p> <p><u>ES-018 Executive Session Minutes of May 19, 2020</u></p> <p><u>ES-022: BOE 2020-19 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 rescheduling of the informal hearing regarding Complaint 20-001 and other related matters where consideration of matters affecting privacy will be involved, and to consult with its attorney on questions and issues pertaining to the Board’s powers, duties, privileges, immunities and liabilities as they may relate to this agenda item.</u></p>	<p>Member Toyofuku moved to go into executive session. Secretary Tudela seconded.</p> <p>Voice vote 5 ayes, 0 nays. Motion carried 5:0</p>

SUBJECT	DISCUSSION	ACTION
	The Board moved into Executive Session at 1:27pm	
Return to Open Session	Ratify on Board actions taken in Executive Session.	<p>The Board resumed in Open Session at 2:40 p.m.</p> <p>Secretary Tudela moved to ratify decisions made in Executive Session. Member Toyofuku seconded. Voice vote 5 ayes, 0 nays. Motion carried 5:0</p>
Announcements	<p>Next Meeting: Tuesday, July 21, 2020 – 1:00 p.m., Teleconference</p> <p>Possible change in meeting day to be discussed by email.</p>	
Adjournment		Without objection the meeting was adjourned at 2:41 p.m.

Submitted by: _____ Reviewed and Approved by: _____
 Anela Segreti, Administrative Specialist Mia Shiraishi, Chair

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