Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 585 876 016#

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 January 8, 2021
Open Session Minutes of January 15, 2021

PUBLIC TESTIMONY

COMMUNICATION

BOE 2021-01 Possible conflict of interest and recusal dated January 19, 2021, from Councilmember Mason Chock regarding ES-1040 relating to the utilization of the Public Access, Open Space, Natural Resources Preservation Fund for the acquisition of real property for land conservation purposes.


BOE 2021-03 Letter from County Clerk Jade Fountain-Tanigawa dated February 1, 2021 regarding the 2020 County of Kaua‘i Lobbyist Registration.

REQUEST FOR AN ADVISORY OPINION

None
**BUSINESS**

BOE 2020-34  
Discussion and possible action regarding the adoption of the Charter Amendment on Disclosure Statements and next steps (Deferred 11/20/2020, 12/11/2020, 1/15/2021).

BOE 2021-04  
Review and discussion of Advisory Opinion in response to RAO 2021-01.

BOE 2021-05  
Review and discussion of Advisory Opinion in response to RAO 2021-02.

**DISCLOSURES**

Employees:
1. Tyler Saito, Deputy Prosecuting Attorney

Volunteers:
2. Fely Faulkner, Civil Service Commissioner
3. Leland Kahawai, Liquor Control Commissioner
4. Kenneth Rainforth, Salary Commissioner
5. Beth Tokioka, Civil Service Commissioner
6. Dean Pigao, Police Commissioner

**EXECUTIVE SESSION**

ES-001  
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 January 8, 2021 and January 15, 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.

ES-002: BOE 2021-06  
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 the resolution of Complaint No. 20-001 and other related matters.

ES-003: BOE 2021-07  
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 2, 2021, charging that an employee or officer of the County has a conflict of interest related to the Anahola Hawaiian Homes Association.

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.

No officer or employee of the county shall:

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.

E. Use the officer or employee’s official position to secure a special benefit, privilege, or exemption for the officer or employee or others.

F. Use county property for other than public activity or purpose.

RETURN TO OPEN SESSION
Ratify on Board actions taken in Executive Session.

ANNOUNCEMENTS
Next Meeting: Friday, March 19, 2021 at 1:00 p.m.

ADJOURNMENT

NOTICE OF EXECUTIVE SESSION
Pursuant to Hawaii Revised Statutes §92-7(a), the Board may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any 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: Charles Foster, Deputy 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.

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**SPECIAL ASSISTANCE**

IF YOU NEED AN AUXILIARY AID/SERVICE OR OTHER ACCOMMODATION 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.
COUNTY OF KAUAʻI  
Minutes of  
Special Meeting  
OPEN SESSION

<table>
<thead>
<tr>
<th>Board/Commission:</th>
<th>BOARD OF ETHICS</th>
<th>Meeting Date</th>
<th>January 8, 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Teleconference</td>
<td>Start of Meeting: 1:00 p.m.</td>
<td>End of Meeting: 1:49 p.m.</td>
</tr>
</tbody>
</table>
| Present           | Chair Susan Burriss, Vice Chair Mia Shiraishi, Secretary John Latkiewicz. Members: Dean Toyofuku, Mary Tudela  
Also: Special Counsel Nadine Ando, Boards & Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti. |
| Excused           | Kelly Gentry    |
| Absent            |                 |

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DISCUSSION</th>
<th>ACTION</th>
</tr>
</thead>
</table>
| Call To Order | Chair Burris called the meeting to order at 1:00 p.m.  
Roll call:  
Member Gentry: excused  
Member Toyofuku: present  
Member Tudela present  
Secretary Latkiewicz: present  
Vice Chair Shiraishi: present  
Chair Burris: present  
Five members present, which constituted a quorum. |
<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DISCUSSION</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive</td>
<td>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 and possibly make decisions regarding the resolution of Complaint No. 20-001 and other related matters.</td>
<td>Vice Chair Shiraishi moved to go into executive session. Secretary Latkiewicz seconded.</td>
</tr>
<tr>
<td>Session</td>
<td>Chair Burriss entertained a motion to move into Executive Session.</td>
<td>Voice vote 5 ayes, 0 nays. Motion carried 5:0</td>
</tr>
<tr>
<td>Return to Open</td>
<td>Ratify on Board actions taken in Executive Session</td>
<td>The board resumed in Open Session at 1:41 pm</td>
</tr>
<tr>
<td>Session</td>
<td></td>
<td>Roll Call:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member Gentry: excused</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member Toyofuku: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member Tudela present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secretary Latkiewicz: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vice Chair Shiraishi: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chair Burriss: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Five members present, which constituted a quorum.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member Tudela moved to ratify decisions made in Executive Session. Vice Chair Shiraishi seconded.</td>
</tr>
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<td></td>
<td></td>
<td>Voice vote 5 ayes, 0 nays. Motion carried 5:0</td>
</tr>
<tr>
<td>SUBJECT</td>
<td>DISCUSSION</td>
<td>ACTION</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------------------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>Announcements</td>
<td>Next Meeting: Tuesday, January 15, 2021 – 1:00p.m., Teleconference</td>
<td></td>
</tr>
<tr>
<td>Adjournment</td>
<td></td>
<td>Without objection Chair Burriss adjourned the meeting at 1:49 p.m.</td>
</tr>
</tbody>
</table>

Submitted by: ______________________________________________________________________
Reviewed and Approved by: ______________________________________________________________________

Anela Segreti, Administrative Specialist
Susan Burriss, Chair

( ) Approved as circulated.
( ) Approved with amendments. See minutes of ____________
COUNTY OF KAUA'I
Minutes of Meeting
OPEN SESSION

<table>
<thead>
<tr>
<th>Board/Commission:</th>
<th>BOARD OF ETHICS</th>
<th>Meeting Date</th>
<th>January 15, 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Teleconference</td>
<td>Start of Meeting: 1:02 p.m.</td>
<td>End of Meeting: 2:27 p.m.</td>
</tr>
<tr>
<td>Present</td>
<td>Chair Susan Burriss, Vice Chair Mia Shiraishi, Secretary John Latkiewicz. Members: Kelly Gentry, Dean Toyofuku, Mary Tudela. Also: Deputy County Attorney Charles Foster. Boards &amp; Commissions Office Staff: Administrator Ellen Ching and Administrative Specialist Anela Segreti. Requestors: Michael Contrades, Ka’aina Hull.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Excused</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absent</td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DISCUSSION</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Call To Order</td>
<td>Member Gentry joined the meeting at 1:12pm due to technical issues.</td>
<td>Chair Burriss called the meeting to order at 1:02 p.m.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Roll call:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member Gentry: tardy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Member Toyofuku: present</td>
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<tr>
<td></td>
<td></td>
<td>Member Tudela: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secretary Latkiewicz: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vice Chair Shiraishi: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chair Burriss: present</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Five members present, which constituted a quorum.</td>
</tr>
</tbody>
</table>
| Approval of Minutes | Open Session Minutes of December 11, 2020  
Secretary Latkiewicz corrected at the bottom of pg. 2, “Mr. Foster to give Deputy County Attorney “to” prepare, should be “time to prepare.” Continuing on page 2, third section, “He stated that “A” should be “a” company may have more. Top of page 3, If they have other reasons that outweigh this “than”, should be “then”.  
Member Tudela corrected on page 2, Tudela motioned and seconded. | Secretary Latkiewicz moved to approve the minutes as amended.  
Member Tudela seconded.  
Voice Vote:  
5 ayes, 0 nays  
Motion carried 5:0 |
<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DISCUSSION</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Testimony</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Communication</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>
| **Request for an Advisory Opinion** | **RAO 2021-01**  Request for an Advisory Opinion from Michael Contrades received January 4, 2021 relating to an offer of a part-time position as the Kaua'i Field Representative for Congressman-Elect Kaiali'i Kahele while also employed as a contract hire.  
  
  Member Tudela asked if Mr. Contrades knew when his contract will end and how many hours he works.  
  
  Mr. Contrades stated that his contract currently ends in April, he is aware there is more work but it is up to the County if he will continue.  He currently works 40 hours/week, and takes off as needed.  
  
  Member Tudela asked Mr. Foster and Ms. Ching regarding conflicts relative to campaigns, but is not sure if it is relevant to County employment.  
  
  Mr. Foster stated that there are no restrictions relative to this request.  He researched other counties and state ethic.  State ethics said that it is not an unusual case and should be dealt with like other employment issues.  He stated that it is unrelated to campaign issues.  
  
  Member Tudela clarified that if there is a finding of no conflict would they need to make it clear that campaigning is not allowed.  
  
  Mr. Foster stated that it’s at the Boards discretion to place any limitations, but it is not part of his request.  
  
  Member Toyofuku confirmed with Mr. Foster that he could not find any previous precedence and as far as the County Charter and Ethics Rules there is no ethical concerns.  He further stated that he is comfortable with approving, Mr. Contrades, as Mr. | Member Tudela moved to approve RAO 2021-01 for discussion.  Vice Chair Shiraishi seconded.                                                                                                                                 |
**SUBJECT**  | **DISCUSSION**  | **ACTION**
--- | --- | ---
Contrades has spoken to the Mayor and HR and they have no issues with it and is supportive. He also noted the response from the Federal Ethics with three conditions as well as Congressman Kahale’s understanding under those conditions. He understands that he will have to follow all federal rules and guidelines so is not concerned with the campaigning.

Chair Burriss entertained a motion.

Vice Chair Shiraishi thanked Mr. Contrades for providing the Board with information that the Board would want. She also appreciated that he stated that he will not engage in Federal work on County time and will recuse himself or seek Board clarification should a conflict arise along with the three conditions from Federal Ethics.

Vice Chair Shiraishi moved to find no conflict. Member Toyofuku seconded. Voice Vote: 6 ayes, 0 nays Motion carried 6:0

RAO 2021-02 Request for an Advisory Opinion from Ka'aina Hull received January 5, 2021 relating to an outside employment offer to be the Kaua'i Field Representative for the Office of Senator Brian Schatz.

Chair Burriss entertained a motion to receive or find no conflict.

The Board did not have any questions for Mr. Hull.

Chair Burriss entertained a motion to find no conflict.

Member Toyofuku stated that the request is similar to Mr. Contrades request except for a U.S. Senator and he also has the Mayor and Managing Director’s support. He wanted to make it clear that Mr. Hull will take his own personal time to conduct his duties as liaison for Senator Schatz.

Mr. Hull stated that he will take vacation when he has to take meetings or when the Senator visits.

Member Toyofuku pointed out that this is a similar situation to Mr. Izumo and for the record having Mr. Contrades and Mr. Hull as liaisons for a Congressman and a Senator on paper may be or will be a benefit to the County of Kauai.

Mr. Hull responded to concerns of campaigning activities. He stated that the Federal Secretary Latkiewicz moved to receive RAO 2021-02 for discussion. Member Tudela seconded. Voice Vote: 6 ayes, 0 nays Motion carried 6:0
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Standards are stricter than State and County standards, and that when campaigns occur at the Federal level salaried staff cannot take part in the campaign. He noted that staff may take leave away from the office to participate, but that he will not be participating with the campaign.</td>
<td>Member Tudela moved to find no conflict. Vice Chair Shiraishi seconded. Voice Vote: 6 ayes, 0 nays Motion carried 6:0</td>
</tr>
<tr>
<td>Business</td>
<td><strong>BOE 2020-34</strong> Discussion and possible action regarding the adoption of the Charter Amendment on Disclosure Statements and next steps (Deferred 11/20/2020, 12/11/2020). Ms. Ching suggested asking for a motion to defer due to length of agenda. Chair Burriss entertained a motion to defer.</td>
<td>Vice Chair Shiraishi moved to defer BOE 2020-34. Secretary Latkiewicz seconded. Voice Vote: 6 ayes, 0 nays Motion carried 6:0</td>
</tr>
<tr>
<td></td>
<td><strong>BOE 2020-37</strong> Discussion and possible action regarding Advisory Opinion in response to RAO 2020-05. For review only.</td>
<td>No action.</td>
</tr>
<tr>
<td>SUBJECT</td>
<td>DISCUSSION</td>
<td>ACTION</td>
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<td>---------</td>
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</tr>
<tr>
<td>11.</td>
<td>Rebecca Like, Second Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Jennifer Winn, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Kimberly Torigoe, Deputy Prosecuting Attorney</td>
<td></td>
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<tr>
<td>14.</td>
<td>Keola Siu, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Katherine Caswell, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Justin Kollar, Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Anne Clarkin, Deputy Prosecuting Attorney</td>
<td></td>
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<tr>
<td>18.</td>
<td>Tyler Saito, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Tracy Murakami, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Michelle Lizama, Deputy Director of Finance</td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Cecilio Balaris Jr., Liquor Control Acting Director</td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Nalani Brun, Office of Economic Development Director</td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Sarah Blane, Chief of Staff</td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Todd Dickenson, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Matthew Arakawa, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Michael Gibson, Deputy Fire Chief</td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>Leon Davenport III, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>28.</td>
<td>Henry Ross III, Deputy Prosecuting Attorney</td>
<td></td>
</tr>
<tr>
<td>29.</td>
<td>Jeen Hee Kwak Pang, Deputy Prosecuting Attorney</td>
<td></td>
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<tr>
<td></td>
<td>Volunteers:</td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Marissa Sandblom, Charter Review Commissioner</td>
<td></td>
</tr>
<tr>
<td>31.</td>
<td>Laurie Yoshida, Salary Commissioner</td>
<td></td>
</tr>
<tr>
<td>32.</td>
<td>Kenneth Rainforth, Police Commissioner</td>
<td></td>
</tr>
<tr>
<td>33.</td>
<td>Dean Toyofuku, Board of Ethics Member</td>
<td></td>
</tr>
</tbody>
</table>

Members noted that Tyler Saito is incomplete, position left blank and no source of income.

Secretary Latkiewicz is concerned about the use of abbreviations and incompleteness of positions being completely filled in. Board discussed enlarging that section to the electronic form, and ask for acronyms to be spelled out.

Secretary Latkiewicz noted that Kenneth Rainforth’s income includes his wife’s.

Secretary Latkiewicz moved to approve #1-#17 inclusive and #19-#31 inclusive. Member Tudela seconded.

Voice Vote:
6 ayes, 0 nays
Motion carried 6:0
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Board discussed whether more information is a problem, as well as breaking out Stocks and Bonds and specifying brokerage firm, assets manager versus the income of each, pension, stocks and bonds.</td>
<td>Secretary Latkiewicz moved to approve #33. Vice Chair Shiraishi seconded.</td>
</tr>
<tr>
<td></td>
<td>Chair Burriss entertained a motion to send back anything that is not submitted by category.</td>
<td>Voice Vote: 5 ayes, 0 nays Motion carried 5:0:1 Member Toyofuku abstained</td>
</tr>
<tr>
<td></td>
<td>Ms. Ching deferred to Mr. Foster regarding the motion and that it is a policy and is not an agenda item.</td>
<td>Member Tudela moved to return #18 for occupation and source of income. Secretary Latkiewicz seconded.</td>
</tr>
<tr>
<td></td>
<td>Mr. Foster stated that it can be a part of discussion but no action can be taken.</td>
<td>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</td>
</tr>
<tr>
<td></td>
<td>Chair Burriss entertained a motion to approve 1 - 17 inclusive and 19-31 inclusive and 33. Vice Chair Shiraishi pointed that Member Toyofuku’s needs to be separate.</td>
<td>Secretary Latkiewicz moved to return #32 for clarification on his own income, independent, and sources of income broken down. Vice Chair Shiraishi seconded.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Voice Vote: 6 ayes, 0 nays Motion carried 6:0</td>
</tr>
<tr>
<td>SUBJECT</td>
<td>DISCUSSION</td>
<td>ACTION</td>
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<tr>
<td>---------</td>
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</tr>
<tr>
<td>Executive Session</td>
<td>ES-035 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 December 11, 2020, 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. ES-036: BOE 2020-33 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 and possibly make decisions regarding the resolution of Complaint No. 20-001 and other related matters.</td>
<td>Member Toyofuku moved to go into executive session at 2:02pm. Member Tudela seconded. Voice vote: 6 ayes, 0 nays Motion carried 6:0</td>
</tr>
</tbody>
</table>

The Board moved into Executive Session at 1:52 pm

<p>| Return to Open Session | The Board resumed in Open Session at 2:23pm |
| Return to Open Session | Roll call: Member Gentry: present Member Toyofuku: present Member Tudela: present Secretary Latkiewicz: present Vice Chair Shirashi: present Chair Burris: present Six members present, which constituted a quorum. |</p>
<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DISCUSSION</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ratify on Board actions taken in Executive Session.</td>
<td>Member Tudela moved to ratify actions taken in Executive Session. Secretary Latkiewicz seconded.</td>
<td>Voice vote: 6 ayes, 0 nays Motion carried 6:0</td>
</tr>
</tbody>
</table>

**Announcements**  
Next Meeting: Friday, February 19, 2021 at 1:00pm

**Adjournment**
Vice Chair Shiraishi moved to adjourn the meeting Member Gentry seconded.
Voice vote: 6 ayes, 0 nays Motion carried 6:0
Meeting adjourned at 2:27pm.

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

(  ) Approved as circulated.
(  ) Approved with amendments. See minutes of___________
MEMORANDUM
January 19, 2021

TO: Arryl Kaneshiro, Council Chair
and Members of the Kaua'i County Council

FROM: Mason K. Chock, Councilmember

RE: POSSIBLE CONFLICT OF INTEREST REGARDING ES-1040
RELATING TO THE UTILIZATION OF THE PUBLIC ACCESS,
OPEN SPACE, NATURAL RESOURCES PRESERVATION
FUND FOR THE ACQUISITION OF REAL PROPERTY FOR
LAND CONSERVATION PURPOSES

Pursuant to Section 20.04(B) of the Kaua'i County Charter, Section 3-1.9 of
the Kaua'i County Code 1987, as amended, and Rule No. 8 of the Rules of the
Council of the County of Kaua'i, I hereby provide written disclosure on the record of
a possible conflict of interest relating to ES-1040, relating to the utilization of Public
Access, Open Space, Natural Resources Preservation Fund for the acquisition of
real property for land conservation purposes, as I was recently on the Board of
Directors for Mālama Hulē'ia who act as stewards of the land in Hulē'ia, which is on
the Public Access, Open Space, Natural Resources Preservation Fund Commission’s
list for potential acquisitions.

Out of an abundance of caution, I will recuse myself from the aforementioned
item at the January 21, 2021 Special Council Meeting and any subsequent
meetings.

Should you have any questions, please feel free to contact the Office of the
County Clerk, Council Services Division, at 241-4188.

AAO:mn
cc: January 27, 2021 Council Meeting Agenda
   County of Kaua'i Board of Ethics
   Council Services Staff
MEMORANDUM

January 19, 2021

TO: Arryl Kaneshiro, Council Chair
and Members of the Kaua‘i County Council

FROM: Luke A. Evslin, Councilmember

RE: POSSIBLE CONFLICT OF INTEREST REGARDING ES-1040
RELATING TO THE UTILIZATION OF THE PUBLIC ACCESS,
OPEN SPACE, NATURAL RESOURCES PRESERVATION
FUND FOR THE ACQUISITION OF REAL PROPERTY FOR
LAND CONSERVATION PURPOSES

Pursuant to Section 20.04(B) of the Kaua‘i County Charter, Section 3-1.9 of
the Kaua‘i County Code 1987, as amended, and Rule No. 8 of the Rules of the
Council of the County of Kaua‘i, I hereby provide written disclosure on the record of
a possible conflict of interest relating to ES-1040, relating to the utilization of the
Public Access, Open Space, Natural Resources Preservation Fund for the
acquisition of real property for land conservation purposes, as I was recently on the
Board of Directors for Malama Hulē‘ia who act as stewards of the land in Hulē‘ia,
which is on the Public Access, Open Space, Natural Resources Preservation Fund
Commission’s list for potential acquisitions.

Out of an abundance of caution, I will recuse myself from the aforementioned
item at the January 21, 2021 Special Council Meeting and any subsequent
meetings.

Should you have any questions, please feel free to contact the Office of the
County Clerk, Council Services Division, at 241-4188.

AAO:Ic

cc: January 27, 2021 Council Meeting Agenda
    County of Kaua‘i Board of Ethics
    Council Services Staff
February 1, 2021

Susan Burriss, Chair
and Members of the Board of Ethics
c/o Office of Boards & Commissions
4444 Rice Street, Suite 150
Līhu'e, Hawai'i 96766

Dear Chair Burriss and Members of the Board of Ethics:

RE: 2020 COUNTY OF KAUA'I LOBBYIST REGISTRATION

Ordinance No. 999, Relating to the Registration of Lobbyists was adopted by the Council of the County of Kaua’i on second and final reading on March 23, 2016 and approved by the Mayor on March 30, 2016. Pursuant to Ordinance No. 999, all lobbyists must file a Lobbyist Registration Statement with the Office of the County Clerk, as early as possible, but no later than five (5) days after engaging in lobbying. Lobbyists must also file a Lobbyist Contributions & Expenditures Statement on or before January 31st of each year, which shall cover the period from January 1st through December 31st of the previous year.

This letter is to notify you that as of December 31, 2020, the following lobbyists have submitted their Lobbyist Registration Statement and remain active:

1. ARAKAWA, David (Land Use Research Foundation of Hawai'i)
2. BELLES, Michael J. (Hawai'i Electrician’s Market Enhancement Program)
3. BELLES, Michael J. (Island School)
4. BELLES, Michael J. (PRW Princeville Development Company LLC)
5. BELLES, Michael J. (CIRI Land Development Company)
6. BRODY, Bev (Get Fit Kaua'i / Hawai'i Public Health Institute)
7. BUKOSKI, Kika G. (Plumber and Fitters UA Local 675)
8. CLAY, Murray Richard (Ulupono Initiative)
9. COOKE, Jesse K. (Ulupono Initiative)
10. COX, John (Kaua'i Island Utility Cooperative)
11. DELAUNAY, Christopher M. (Pacific Resource Partnership)
12. DEMELLO, Keith Anthony (Ulupono Initiative)
13. FREDERICK, Anne C. (Hawai'i Alliance for Progressive Action (H.A.P.A.))
14. GAUG, Kevan Greg (Ulupono Initiative)
15. GRAHAM JR., Max W.J. (Lorence H. Leight and Brit Momaday-Leight, Trustees)
16. GRAHAM JR., Max W.J. (PRW Princeville Development Company LLC)
17. HENNESSEY, Amy Melinda (Ulupono Initiative)
18. HOLLAND, Fern Anuenue (Hawai‘i Alliance for Progressive Action (H.A.P.A.))
19. JUNG, Ian Kawika (Hawai‘i Electrician’s Market Enhancement Program)
20. JUNG, Ian Kawika (PRW Princeville Development Company LLC)
21. KENT, Joseph (Grassroot Institute of Hawai‘i)
22. KINNEY, Nathaniel Keoki (Hawai‘i Construction Alliance)
23. KOBAYASHI, Ryan (Hawai‘i Laborers’ Union)
24. MIDDLEBROOK, Matthew (Airbnb, Inc.)
25. MUNEKATA, Micah-Seth K. (Ulupono Initiative)
26. PERRIELLO, Mark L. (Kaua‘i Chamber of Commerce)
27. PRATT, David W. (Island School)
28. RIETOW, Allan S. (The Nature Conservancy)
29. ROONEY, Kathleen King (Ulupono Initiative)
30. SAIKI, Valerie Kei (Hawai‘i Public Health Institute)
31. SOQUENO, Eugene Paul (Hawai‘i Building & Construction Trades Council)
32. THONGSAVAT, Adam (Airbnb, Inc.)
33. TOKIOKA, Beth (Kaua‘i Island Utility Cooperative)

As of the date of this letter, the following lobbyists have not submitted their 2020 Lobbyist Contributions & Expenditures Statement:

1. ARAKAWA, David (Land Use Research Foundation of Hawai‘i)

All Statements are considered public record and are posted on the Council’s website at www.kauai.gov/Council/LobbyistRegistration.

Should you have any questions, please feel free to contact the Office of the County Clerk, Council Services Division at 241-4188.

Sincerely,

JADE K. FOUNTAIN-TANIGAWA
County Clerk, County of Kaua‘i

cc: Ellen Ching, Boards & Commissions Administrator
reasonable in scope, and must specify as clearly as possible documents or data desired and show their relevancy.

(c) Time of Application. Application for subpoenas shall be made at least five (5) days prior to the hearing. If application is made at a later time, the Board may, in its discretion, continue the hearing or any part thereof.

(d) Enforcement. Enforcement of subpoenas served pursuant to these rules will be effected by written application of the Board to any circuit judge.

RULE 3: DISCLOSURE REQUIREMENTS

3.1 WHO MUST FILE

The mayor, councilpersons, all department heads and deputies, members of boards and commissions and the purchasing agent shall be required to file the disclosure pursuant to the Code of Ethics.

3.2 PUBLIC INFORMATION

Disclosures filed with the Board are public record. It is provided however that the personal contact information consisting of address and phone number shall be redacted before release of the document by the Office of Boards & Commissions to a member of the public.

3.3 PROCEDURE AFTER FILING

Each disclosure will be reviewed by the Board for conflicts of interest. If a conflict or potential conflict is found, the Board will so notify the individual and advise corrective action to be taken to avoid violation of the Code of Ethics. Where the situation is deemed to have precedential value, the Board will proceed as though the disclosure was a request for an advisory opinion, and after rendering such, circulate a deleted advisory opinion to appropriate county agencies, officers, and employees.

RULE 4: DISQUALIFICATION OF BOARD MEMBERS

4.1 REQUESTED DISQUALIFICATION

A party to a hearing may request disqualification of any Board member by filing an affidavit alleging that such member cannot act impartially because of personal bias or prejudice. Every such affidavit shall state the facts and reasons therefore, and shall be filed at least ten (10) days before the hearing. The Board
### Who Must File Disclosure Statements
#### Comparison between State and Counties of Hawai‘i

<table>
<thead>
<tr>
<th>EMPLOYEES</th>
<th>State of Hawaii</th>
<th>C &amp; C Honolulu</th>
<th>County of Hawai‘i</th>
<th>Maui County</th>
<th>County of Kaua‘i</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYEES</td>
<td>The permanent employees of the legislature and its service agencies, other than persons employed in clerical, secretarial, or similar positions</td>
<td>All full-time employees of the executive and legislative branches of the City and County of Honolulu who are exempt from civil service pursuant to sections 6-1103 and 6-1104, RC, but excluding all persons hired under the Comprehensive Employment and Training Act and under subsections (e), (f), (g), and (h) of section 6-1003, RCH</td>
<td>All regulatory employees of the County of Hawaii as defined and described in Section 2-91.1(7), HCC</td>
<td>N/A</td>
<td>Any employee delegated or authorized to act on behalf of the director of finance and deputy</td>
</tr>
</tbody>
</table>

“Regulatory employee” means:

a. Supervisors of inspectors employed by the department of public works and department of environmental management
b. Inspectors employed by the department of public works and department of environmental management
c. Supervisor of liquor control investigators
d. Liquor control investigators
e. Buyers and purchasing agents
f. Supervisors of real property tax appraisers
g. Real property tax appraisers
h. Planners employed by the department of water supply
i. Legislative auditor