



BOARD OF ETHICS

JOHN LATKIEWICZ, CHAIR
RYAN de la PENA, VICE CHAIR
ROSE RAMOS-BENZEL, SECRETARY

KEVIN McGINNIS, MEMBER
DEAN TOYOFUKU, MEMBER
CHANTAL ZARBAUGH, MEMBER

Meetings of the Board of Ethics will be conducted as follows until further notice:

- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Commission's website upon completion and approval.

Public Comments and Testimony:

- **Written testimony** will be accepted for any agenda item herein.
 - Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address), may be submitted to adavis@kauai.gov or mailed to the Board of Ethics, c/o Office of Boards and Commission, 4444 Rice Street, Suite 300, Lihue, Hawaii 96766.
 - Written testimony received by the Board of Ethics at least 24 hours prior to the meeting will be distributed to all Board of Ethics Members prior to the meeting.
 - Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Board during the meeting and added to the record thereafter.
 - Any late testimony received will be distributed to the to the members after the meeting is concluded.
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- **Oral testimony** will be taken during the public testimony portion of the meeting.
 - It is recommended that anyone interested in providing oral testimony register at least 24 hours prior to the meeting by emailing adavis@kauai.gov or calling (808) 241-4917. Any request to register shall include your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address).
 - Per the Board of Ethics' and Chair's practice, there is a three-minute time limit per testifier per agenda item.
 - Individuals who have not registered to provide testimony will be given an opportunity to speak on an agenda item following the registered speaker.

SPECIAL ASSISTANCE

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS PLEASE CONTACT THE OFFICE OF BOARDS AND COMMISSIONS AT (808) 241-4917 OR ADAVIS@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 ALTERNATIVE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.



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REGULAR MONTHLY MEETING NOTICE AND AGENDA

Friday, July 21, 2023

1:00 p.m. or shortly thereafter

Līhu`e Civic Center

Pi`ikoi Building, Suite 300

4444 Rice Street, Līhu`e, HI 96766

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting of the Open Session

1. June 16, 2023

E. PUBLIC TESTIMONY

F. DISCLOSURES

Volunteers:

1. Kevin McGinnis, Board of Ethics
2. Dennis Eguchi, Kekaha Host Community Benefits Citizens Advisory Committee (CAC)
3. Garrett Agena, Kekaha Host Community Benefits Citizens Advisory Committee (CAC)
4. Tyler Rodighiero, Cost Control Commission
5. Howard Leslie, Police Commission
6. Graham Odenheimer, Board of Review

G. ANNOUNCEMENTS

Next Meeting: Friday, August 11, 2023, at 1:00 p.m.

H. 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: Aaron Larrimore, Deputy County Attorney

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Commission:	BOARD OF ETHICS	Meeting Date	June 16, 2023
Location	Boards & Commissions Conf. Room	Start of Meeting: 1:00 p.m.	End of Meeting: 1:12 p.m.
Present	Chair John Latkiewicz, Members: Kevin McGinnis, Dean Toyofuku, Chantal Zarbaugh. Also: Deputy County Attorney Aaron Larrimore. Boards & Commissions Office Staff: Administrator Ellen Ching, and Administrative Specialist Anela Davis.		
Excused	Vice Chair Ryan de la Pena, Secretary Rose Ramos-Benzel,		
Absent			
SUBJECT	DISCUSSION	ACTION	
A. Call To Order B. Roll Call	Chair Latkiewicz welcomed new member Kevin McGinnis to the Board. Administrative Specialist Davis conducted roll call.	Chair Latkiewicz called the meeting to order at 1:00 p.m. Roll call: Member McGinnis: present Member Toyofuku: present Member Zarbaugh: present Secretary Ramos-Benzel: excused Vice Chair de la Pena: excused Chair Latkiewicz: present Four members present, which constituted a quorum.	

SUBJECT	DISCUSSION	ACTION
C. Approval of Agenda	<p>For the record Chair Latkiewicz confirmed with Administrator Ching that there was no one in the audience and that she would not have to ask for testimony after every agenda item.</p> <p>Chair Latkiewicz entertained a motion to approve the agenda.</p>	<p>Member Toyofuku moved to accept the agenda as submitted. Member Zarbaugh. seconded.</p> <p>Motion carried 4:0</p>
D. Approval of Minutes	<p>Minutes of the Open Session: 1. April 21, 2023</p> <p>Chair Latkiewicz entertained a motion to approve the minutes.</p> <p>Member Zarbaugh noted an error in the spelling of her name on page 3, “Zarvaugh” should be “Zarbaugh”.</p>	<p>Member Toyofuku moved to accept the minutes of June 16, 2023, as submitted.</p> <p>Member Toyofuku amended his motion to accept the minutes of June 16, 2023, as amended. Member McGinnis seconded.</p> <p>Motion carried 4:0</p>
E. Public Testimony	None.	
F. Communication	<p><u>BOE 2023-10 Letter from Brian L. Takeshita, Chief Clerk, House of Representatives dated May 11, 2023, regarding House Resolution No. 8 adopted by the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.</u></p> <p>Chair Latkiewicz entertained a motion to receive BOE 2023-10.</p>	<p>Member McGinnis moved to receive BOE 2023-10. Member Toyofuku seconded.</p> <p>Motion carried 4:0</p>

SUBJECT	DISCUSSION	ACTION
<p>G. Business</p>	<p><u>BOE 2023-11 Discussion and possible action regarding House Resolution No. 8.</u></p> <p>No questions or discussion.</p>	
	<p><u>BOE 2023-12 Review and Discussion on SB 1513, enacted as Act 19, SLH 2023: Relating to Public Agency Meetings.</u></p> <p>Deputy County Attorney Larrimore gave an overview of SB 1513. He noted that this legislation makes it easier for the public to get information on what happened in an executive session by giving a summary of what occurred during an executive session when it reconvenes in Open Session. What will be included in the summary will depend on what is discussed and the circumstance of a complaint, for example.</p> <p>Administrator Ching added that she would state the action taken without going into specifics.</p> <p>Member McGinnis confirmed that counsel will be available to help craft the summary.</p>	
<p>H. Disclosures</p>	<p><u>Volunteers:</u></p> <ol style="list-style-type: none"> 1. Dennis Eguchi, Kekaha Host Community Benefits Citizens Advisory Committee (CAC) 2. Robert Westerman., Kekaha Host Community Benefits Citizens Advisory Committee (CAC) 3. Trevor Ford, Fire Commission 4. Walton Hong, Police Commission 5. John Calma, Police Commission 6. Paul Pancho, Cost Control Commission 7. Andre Lister Cost Control Commission 8. Alice Luck, Cost Control Commission <p>Member McGinnis clarified that Mr. Calma is a retired Public Defender. Administrator Ching confirmed that he is retired.</p>	<p>Member McGinnis moved to approve #1-#8. Member Toyofuku seconded.</p> <p>Motion carried 4:0</p>

SUBJECT	DISCUSSION	ACTION
I. Announcements	Next Meeting: Friday, July 21, 2023, at 1:00pm	
J. Adjournment		Hearing no objections Chair Latkiewicz adjourned the meeting at 1:12 p.m.

Submitted by: _____ Reviewed and Approved by: _____
Anela Davis, Administrative Specialist John Latkiewicz, Chair

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