



# **BOARD OF ETHICS, County of Hawai'i**

**101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720**

## **A G E N D A**

Wednesday, April 9, 2008 – 10:00 a.m.

101 Aupuni Street, Suite 230

(Conference Room)

Hilo, Hawai'i 96720

**1. CALL TO ORDER**

**2. STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS**

**3. APPROVAL OF MINUTES**

Minutes of the March 12, 2008, Regular Session.

Minutes of the March 12, 2008, Executive Session.

**4. COMMUNICATIONS**

a. Communication No. 2008-37: From Lincoln Ashida to Hope Cermelj, dated March 14, 2008, regarding Ms. Cermelj's request to withdraw her petition.

b. Communication Nos. 2008-39 and 2008-40: Informal Advisory Opinions regarding Petition Nos. 2008-1 and 2008-2 from Elizabeth Hultman-Salfen.

c. Communication No. 2008-38: Informal Advisory Opinion regarding Petition No. 2008-3 from Barbara Lively.

d. Communication No. 2008-35: Renee Schoen's March 11, 2008, letter to Wayne Joseph regarding the Executive Session minutes of February 13, 2008.

**5. NEW BUSINESS**

a. Petition No. 2008-5: From Councilmember Bob Jacobson, requesting an opinion on the use of his photograph on his Council stationery letterhead.

b. Review and possible pursuit of an amendment to Section 2-85(b) of the Hawai'i County Code (the Ethics Code) regarding the prohibition of contracting with former employees and retirees.

**6. UNFINISHED BUSINESS**

- a. Report from counsel on the status of the Board’s request for a time limit for incumbents who are seeking reelection in an election year on sending mail-outs using County funds.
- b. Report from counsel on whether the Board is allowed to make grammatical and typographical corrections to its Rules of Practice and Procedure without following the public hearing requirements of Section 91-3 of the Hawai‘i Revised Statutes.
- c. Report from counsel on the status of Council Bill 209, relating to the imposition of administrative fines for violations of the County Code of Ethics (includes Communication 2008-42, an email from Lincoln Ashida, Corporation Counsel).
- d. Ongoing discussion on the Sunshine Law.

**7. EXECUTIVE SESSION (closed to the public)**

- a. Review of *Confidential Financial Disclosure Forms* filed pursuant to Section 2-91.1(d), Hawai‘i County Code, by County board and commission members, where personal matters will be reviewed:

	<b>Name</b>	<b>Position</b>	<b>Board, Commission, or Department</b>
1	David Abelaye	Assistant Building Inspector	Public Works Department
2	Wallace Adviento	Plumbing Inspector	Public Works Department
3	Donovan Akau	Building Inspector	Public Works Department
4	Rodney Astrande	Supervising Plumbing Inspector	Public Works Department
5	Daniel Banks	Member	Workforce Investment Board
6	Lawrence Brown	Planner	Planning Department
7	Colin Childs	Planner III	Planning Department
8	Rodney Crusat	Building Inspector	Public Works Department
9	Angela Debina	Building Inspector Aide	Public Works Department
10	Susan Gagorik	Planner VI	Planning Department
11	Perry Harada	Supervising Project Construction Inspector	Public Works Department
12	Bertram Hashimoto	Member	Workforce Investment Board
13	Peter Hendricks	Member	Board of Appeals
14	Jonathan Holmes	Planner III	Planning Department
15	Mark Jacobsen	Building Inspector	Public Works Department
16	Gary Kahoohanohano	Electrical Inspector	Public Works Department
17	Kelvin Keli	Electrical Inspector	Public Works Department

	<b>Name</b>	<b>Position</b>	<b>Board, Commission, or Department</b>
18	Bernard Konanui <i>(re-review)</i>	Member	Water Board
19	Francis Kuailani <i>(re-review)</i>	Member	Water Board
20	Alison Lee <i>(re-review)</i>	Member	Workforce Investment Board
21	Andrew Levin	1-Executive Director 2-Member	1-Mayor's Office 2-Workforce Investment Bd.
22	Karen Maedo	Member	Board of Appeals
23	Debra Maiava	Member	Workforce Investment Board
24	Robert Meierdiercks	Member	Water Board
25	Thomas Murray	Assistant Building Inspector	Public Works Department
26	Stanley Nakamura	Electrical Inspector	Public Works Department
27	Joseph Nakao	Supervising Plumbing Inspector	Public Works Department
28	Antoinette Nakatani	Engineering Technician III	Environmental Management Department
29	Sara Narimatsu	Member	Workforce Investment Board
30	Merton Ogata	West Hawai'i Superintendent	Environmental Management Department
31	Shelly Ogata	Commissioner	Planning Commission
32	Owen Okamoto	Building Inspector Aide	Public Works Department
33	Dana Okano	Planner IV	Planning Department
34	Richard Omija, Jr.	Construction Inspector	Public Works Department
35	Michael Quinajon	Supervising Electrical Inspector	Public Works Department
36	Alvin Rho	Commissioner	Planning Commission
37	Wayne Saiki	Supervising Electrical Inspector	Public Works Department
38	Doris Taketa	Building Inspector Aide	Public Works Department
39	Tod Tanimoto	Building Inspector	Public Works Department

## 8. ANNOUNCEMENTS

- a. The Corporation Counsel is presenting "Sunshine Law" training for County personnel and board and commission members on April 17, 2008, in Kona and on May 1, 2008, in Hilo (*see* "Training Notice").
- b. The Corporation Counsel is presenting "Government Records Law Training" for County personnel and board and commission members on April 30, 2008, in Kona and on May 15, 2008, in Hilo (*see* "Training Notice").

- c. The next monthly meeting of the Board of Ethics is scheduled for May 14, 2008, at 10:00 a.m. at the Department of Liquor Control's conference room at 101 Aupuni Street, Suite 230, Hilo.

## 9. ADJOURNMENT



***NOTE:*** *If you require an accommodation or auxiliary aid and/or services to participate in this meeting (i.e., sign language, interpreter, large print), please call 961-8304, ext. 101).*

### **NOTICE TO LOBBYISTS**

If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist (Article 15, Section 2-91.3(b), Hawai'i County Code).

A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." (Article 15, Section 2-91.3(a)(6), Hawai'i County Code.)

Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, Ben Franklin Building, 333 Kilauea Ave., 2<sup>nd</sup> Floor, Hilo, Hawai'i 96720.