

HAWAI‘I COUNTY BOARD OF ETHICS

MINUTES – REGULAR SESSION

Wednesday, April 11, 2007 – 10:00 a.m.

Ben Franklin Building
333 Kilauea Ave, 2nd Floor
Hilo, Hawai‘i 96720

Present: Wayne Joseph, Chair
Ann Lum, Vice Chair
John Dill, Member

Absent: Kerry Inouye, Member
Kendall Sharpless, Member

Also Present: Bobby Jean Leithead-Todd, Deputy Corporation Counsel
Karen Delimont, Secretary
Kehaunani (“Nani”) Masaki, Supervising Building Inspector
Donovan Akau, Building Inspector

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1. CALL TO ORDER

The Chair called the meeting to order at 10:01 a.m.

2. STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

There were no members of the public present.

3. APPROVAL OF MINUTES

Minutes of the March 14, 2007, Regular Session: Ms. Lum moved to accept and file the Regular Session minutes; Mr. Dill seconded the motion; all members voted aye. Motion carried.

Minutes of the March 14, 2007, Executive Session: Ms. Lum moved to accept and file the Executive Session minutes; Mr. Dill seconded the motion; all members voted aye. Motion carried.

4. COMMUNICATIONS

Communication 2007-19: Corporation Counsel Numbered Memorandum 2007-02
Re: County Surcharge on State Excise Tax from Craig T. Masuda, Corporation Counsel.

Motion and Vote: Ms. Lum moved to accept and file Communication 2007-19; Mr. Dill seconded the motion. All members voted aye. Motion carried.

Board of Ethics
Minutes of Regular Session
April 11, 2007

Communication 2007-22: The High Road No. 2007-1, March 2007.

Motion and Vote: Ms. Lum moved to accept and file Communication 2007-22; Mr. Dill seconded the motion. All members voted aye. Motion carried.

5. NEW BUSINESS

Petition 2007-01: Donovan W. Akau; Building Inspector working part-time for Home Depot.

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Petitioner requested that the Board of Ethics review his petition in Closed Session. Board entered into Closed Session at 10:05 a.m.

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The Board re-entered Regular Session at 11:04 a.m.

Motion and Vote: Ms. Lum moved that the Board of Ethics finds no direct conflict of interest with Code of Ethics Section 2-84, but Board realizes that Mr. Akau may become aware of illegal activity and unpermitted structures during his other position. Board strongly recommends that he report illegal activity to his supervisor because of public interest in safe structures and buildings. Board recommended that he report these findings to his other employer. Mr. Dill seconded the motion; all members voted aye. Motion carried.

The Board took a 5 minute recess beginning at 11:05 a.m. and resumed at 11:10 a.m.

6. UNFINISHED BUSINESS

a. Review of the Financial Disclosure Form and Clarification of the County Code.

Motion and Vote: Mr. Dill move to vote on changing Item 1 of the Confidential Disclosure form and remove “for Services Rendered” and change the third box, Item 1 from “Nature of Service Provided” to “Occupation.” Ms. Lum seconded the motion; all members voted aye. Motion carried.

Motion and Vote: Ms. Lum moved that the Board change the Item by Item Detailed Instruction Sheet, Item 1 to reflect the same changes; Mr. Dill seconded the motion. All members voted aye. Motion carried.

Board of Ethics
Minutes of Regular Session
April 11, 2007

b. Review draft of Hawai'i County Board of Ethics Handout for new employees, board and commission members and elected officials.

Motion and Vote: Mr. Dill moved that the Board table the Review draft of Hawai'i County Board of Ethics Handout for new employees, board and commission members and elected officials to the May 9th meeting; Ms. Lum seconded the motion. All members voted aye. Motion carried.

Motion and Vote: Mr. Dill moved to enter into Executive Session; Ms. Lum seconded the motion. All members voted aye. Motion carried.

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The Board entered Executive Session at 11:23 a.m.

7. EXECUTIVE SESSION

The Board re-entered Regular Session at 11:37 a.m.

Motion and Vote: Mr. Dill moved to accept the Confidential Financial Disclosures for Joanne Balberde-Kamali'i, Gilbert Benevides, Bertram Hashimoto, Ernest Matsumura, Harold Murata, Rene Siracusa and return the disclosure to Lori Shikuma for clarification on Item 1. Ms. Lum seconded the motion; all members voted aye. Motion carried.

8. ANNOUNCEMENT

The next regular monthly meeting is scheduled for Wednesday, May 9, 2007, at the Hilo Lagoon Centre, 101 Aupuni St., Suite 325, Corporation Counsel Conference Room, Hilo, Hawai'i 96720.

9. ADJOURNMENT

Motion and Vote: Ms. Lum moved to adjourn. Mr. Dill seconded the motion; and all members voted aye. Motion carried.

The meeting adjourned at 11:38 a.m.

Respectfully submitted:

Karen Delimont, Secretary