



# BOARD OF ETHICS

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

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## A G E N D A

Wednesday, September 12, 2007 – 10:00 a.m.  
101 Aupuni Street, Suite 230  
(Department of Liquor Control – 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 August 8, 2007, meeting.

**4. COMMUNICATIONS**

Communication No. 2007-80: Letter to Lincoln Ashida from Kendall Sharpless, regarding her resignation from the Board of Ethics, dated July 15, 2007.

Communication No. 2007-86: Letter to Chair Wayne Joseph from Lincoln Ashida, re the residency of former Board member Sharpless, dated August 13, 2007.

**5. NEW BUSINESS**

- a. Discussion on Planning Commissioner Rene Siracusa's letter to the *Hawai'i Tribune-Herald* (Communication No. 2007-90) regarding Linda Berry's opinion on the Ho'onani Pet Supplies store (includes Communication No. 2007-91: letter from Gregory Henderson to the *Hawai'i Tribune-Herald* published August 22, 2007, regarding Ms. Siracusa's letter).
- b. Discussion on what proper conduct and inappropriate conduct is for members of the Board of Ethics.
- c. Discussion on the Sunshine Law.

**6. UNFINISHED BUSINESS**

- a. Report on status of *Ethics Guide for Hawai'i County Officers and Employees* booklet (includes Communication No. 2007-87: Letter to Mayor Kim and Council Chair Hoffmann from Lincoln Ashida, enclosing the *Ethics Guide* and requesting their favorable approval, dated August 13, 2007).
- b. Report on status of Board's request to amend Hawai'i County Code Section 2-91.1(c), regarding disclosures of financial interest, by increasing the amount of information provided and reflecting current salaries and market values of assets (includes Communication No. 2006-110: Letter to County Council from former Deputy Corporation Counsel Bobby Jean Leithead-Todd dated December 27, 2006).

- c. Report on status of Board's request for a time limit for incumbents who are seeking reelection in an election year on sending campaign literature using County funds (includes Communication No. 2006-106: Letter to County Council from former Deputy Corporation Counsel Bobby Jean Leithead-Todd dated December 1, 2006).
- d. Report on status of Board's request for authority from the Council to fine officials and employees who violate the Code of Ethics (includes Communication No. 2006-107: Letter to County Council from former Deputy Corporation Counsel Bobby Jean Leithead-Todd dated December 1, 2006, and Communication No. 2006-97: Letter to Board of Ethics from Wayne Joseph dated September 21, 2006).
- e. Report on status of Council Bill 132 for an ordinance to amend Chapter 2, Article 15, Section 28-82 of the Hawai'i County Code relating to the Code of Ethics (exempts "Officers" who have been appointed as members of boards or commissions with only advisory powers and functions from filing financial disclosures). (Includes Communication No. 2007-89: Letter to County Council from Lincoln Ashida re Bill 132, dated August 6, 2007.)
- f. Further review and discussion on the *Rules of Practice and Procedure of the Board of Ethics*.

**7. EXECUTIVE SESSION**

Review of *Confidential Financial Disclosure Forms* filed pursuant to Section 2-91.1(d), Hawai'i County Code, where personal matters will be reviewed:

Tricia Malanka, Board of Ethics

**8. ANNOUNCEMENT**

The next regular monthly meeting is scheduled for October 10, 2007, at 10:00 a.m. at the Ben Franklin Building, 333 Kilauea Avenue, 2<sup>nd</sup> Floor, Hilo, Hawai'i.

**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.