



BOARD OF ETHICS

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

A G E N D A

Wednesday, January 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 December 12, 2007, Regular Session.

Minutes of the December 12, 2007, Executive Session.

4. **COMMUNICATIONS**

The Board's Informal Advisory Opinion that incumbents using County funds for mail-outs within six months of an election may constitute an unfair advantage as defined by Section 2-83 of the Ethics Code.

5. **NEW BUSINESS**

Board-initiated inquiry and possible investigation/hearing regarding whether it is a violation of the Code of Ethics for Council members to use County funds to pay for newspaper advertisements. The Board will consider a formal resolution, pursuant to Rule 5.2 of the Rules of Practice and Procedure of the Board of Ethics, to determine whether an investigation shall be conducted and a hearing held concerning an alleged violation of the Code of Ethics by various Council members in using County funds to pay for newspaper advertisements. If the resolution is passed, the Board may investigate the matter and hold a hearing immediately thereafter, or may schedule a hearing for a future meeting date. The Board may also consider issuing an informal advisory opinion concerning this matter. (Includes Communication Nos. 2007-131, 2007-132, and 2007-133, letters from Lincoln Ashida, Corporation Counsel, on the issue, and Communication No. 2007-130, from Emily Nae'ole.)

6. **UNFINISHED BUSINESS**

- a. Report on status of *Ethics Guide for Hawai'i County Officers and Employees* booklet.
- b. 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.
- c. Report on status of Board's request for authority from the Council to fine officials and employees who violate the Code of Ethics.

d. Further review and discussion on the *Rules of Practice and Procedure of the Board of Ethics*, including:

(1) Further discussion on updating or developing a special code of conduct for Board of Ethics members.

e. Ongoing discussion on the Sunshine Law.

7. EXECUTIVE SESSION

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:

<u>Name</u>	<u>Board or Commission</u>
Takashi Domingo (<i>re-review</i>)	Planning Commission
Wayne Joseph	Board of Ethics
Sean Oda	Pension Board
Shelly Ogata	Planning Commission
David Omura	Pension Board
Paulette Pavao (<i>re-review</i>)	Environmental Management Commission
Emma Yoshiko Sousa	Pension Board
Michael Sumja	Police Commission

8. ANNOUNCEMENT

The next monthly meeting of the Board of Ethics is scheduled for February 13, 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., 2nd Floor, Hilo, Hawai'i 96720.