

BEFORE THE BOARD OF ETHICS

COUNTY OF HAWAI'I

In the Matter of the Petition by

DR. HOLEKA GORO INABA,

Petitioner.

PETITION NO. 2025-02

INFORMAL ADVISORY OPINION

Initial Review: February 13, 2025

INFORMAL ADVISORY OPINION

By Petition dated December 30, 2024, with the Hawai'i County Board of Ethics (hereinafter "the Board"), Petitioner Dr. Holeka Goro Inaba (hereinafter referred to as "Petitioner"), who is the elected County Council Member for District 8 North Kona and serves as Council Chair, requested an Informal Advisory Opinion from the Board regarding the application of section 2-83(b), Fair Treatment, of the Hawaii County Code, to sections 2-92, Entitlement and 2-97, Other allowable expenses. Petitioner sought guidance as to whether the travel expenses related to council members attending the Kona-Kohala Chamber of Commerce annual luncheon and Daniel R. Sayre Memorial Foundation Annual Gala would be paid for using county funds.

At its duly noticed meeting on February 13, 2025, in an open hearing, the Board reviewed and considered the above-captioned Petition pursuant to Rule 4 of the *Rules of Practice and Procedure of the Board of Ethics*. Petitioner identified he is presently the County Council Chair. Petitioner explained that council members will attend events, such as the Kona-Kohala Chamber of Commerce annual luncheon and Daniel R. Sayre Memorial Foundation Annual Gala, in their official capacity as a council members. As Council Chair, Petitioner would approve the travel

related expenses for the other council members. Petitioner explained that his own travel expenses as a council member would be reviewed by the County Clerk. Petitioner requested the Board's opinion as to whether or not the reimbursement of such travel expenses with county funds, per sections 2-92 and 2-97, of the Hawaii County Code, would otherwise violate the Code of the Ethics under Hawai'i County Code Section 2-83(b), Fair Treatment.

The Board, having deliberated and considered and giving appropriate weight to the testimony and evidence submitted by the Petitioner, and having considered the arguments presented, hereby renders the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. To the extent that any of these Findings of Fact are Conclusions of Law, they are to be so construed.

A. The Petition

2. Petitioner is an officer of the County, in that he is the County Council Member representing District 8 North Kona, and Council Chair.

3. As Council Chair, Petitioner is charged with approving in-State travel expenses of employees of the legislative branch per section 2-94, of the Hawai'i County Code.

4. Hawaii County Code Section 2-92 Entitlement reads:

All officers and employees of the County, including members of boards, committees and commissions, shall be entitled to travel and other necessary expenses connected with the performance of their official duties in accordance with the provisions of this section and subject to procedures prescribed by the director of finance and approved by the mayor.

5. Council members attend various events outside of county time but in their official capacity, such as the Kona-Kohala Chamber of Commerce annual luncheon and Daniel R. Sayre Memorial Foundation Annual Gala.

B. Board's Ruling

6. Based on the evidence and testimony presented, the Board finds there is no violation of the Code of the Ethics under Hawai'i County Code Section 2-83(b), Fair Treatment.

7. Board Member Kelly Valenzuela moved that the Board find that there is no violation for Petitioner to use county funds to pay for their travel expenses to attend events in their capacity as a council member.

8. Board Member Paul "Scotty" Paiva seconded the motion. The motion passed 5 in favor, 0 against.

CONCLUSION OF LAW

Based upon the evidence presented and the Board's review of the Hawai'i County Code of Ethics and the *Rules of Practice and Procedure of the Board of Ethics*, the Board finds and concludes that council members that attend events in their official capacity may seek payment for their travel expenses.

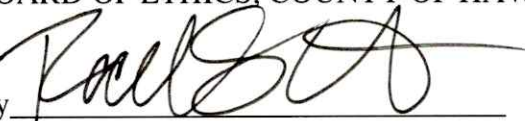
ORDER

Pursuant to Board Rule 4.9, this Informal Advisory Opinion shall be filed and a copy shall be sent to the Petitioner.

Dated: Hilo, Hawai'i, April 23rd, 2025.

BOARD OF ETHICS, COUNTY OF HAWAI'I

By



RACHEL SHORT
Chair

APPROVED AS TO FORM
AND LEGALITY:



SYLVIA A. WAN
Deputy Corporation Counsel

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