

BEFORE THE BOARD OF ETHICS

COUNTY OF HAWAI'I

In the Matter of the Petition by

LINDSEY IYO,

Petitioner.

PETITION NO. 2025-05

INFORMAL ADVISORY OPINION

Initial Review: February 13, 2025

INFORMAL ADVISORY OPINION

By Petition dated February 3, 2025, with the Hawai'i County Board of Ethics (hereinafter "the Board"), Petitioner LINDSEY IYO (hereinafter referred to as "Petitioner") who is employed as the Recreation Division Administrator of the County of Hawai'i Parks & Recreation ("Parks & Recreation"). In her private capacity, Petitioner is the Secretary/Treasurer of the non-profit board of Keaukaha School Foundation. Petitioner requested an Informal Advisory Opinion from the Board regarding the application of section 2-83, Fair Treatment, and section 2-84, Conflicts of Interest, of the Hawaii County Code. Petitioner sought guidance as to whether or not there was a conflict with the non-profit organization, Keaukaha School Foundation, seeking a grant of Contingency Relief Funds from the Hawaii County Council in light of Petitioner's public and private positions.

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 she is employed full-time by Parks & Recreation. Petitioner is also the Secretary/Treasurer of Keaukaha School Foundation which is a non-profit organization established to support and increase access to learning opportunities for

the haumāna of the Keaukaha Elementary School. Petitioner serves in the capacity as Secretary/Treasurer of Keaukaha School Foundation as a volunteer. Petitioner is seeking clearance for Keaukaha School Foundation to be able to apply for and receive Contingency Relief Funds from the Hawaii County Council.

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 employee of the County of Hawai'i Parks & Recreation.

3. Petitioner is a volunteer and serves in the capacity of Secretary/Treasurer on the board of the non-profit Keaukaha School Foundation.

4. Petitioner's duties as the Recreation Division Administrator of the Parks & Recreation are separate and apart from her volunteer duties as Secretary/Treasurer of Keaukaha School Foundation.

5. Keaukaha School Foundation has in previous years applied with Council Member District 3 for the consideration of Contingency Relief Funds to support the non-profit's community classes.

6. The Keaukaha School Foundation's applications for Contingency Relief Funds has had no connection with the Petitioner's employment with the County.

7. The Board finds that there is no conflict of interest with Keaukaha School Foundation applying for and receiving Contingency Relief Funds from the Hawaii County Council, irrespective of Petitioner being on the board of said organization.

B. Board's Ruling

8. Based on the evidence and testimony presented, the Board finds that there is no conflict of interest for the Petitioner.

9. Board Member Paul "Scotty" Paiva moved that the Board find that there is no conflict of interest under the Hawai'i County Code of Ethics.

10. Board Member Kelly Valenzuela 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 the Petitioner, in her capacity as Secretary/Treasurer on the non-profit board of Keaukaha School Foundation, can apply for and can receive Contingency Relief Funds from the Hawaii County Council.

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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