

BEFORE THE BOARD OF ETHICS

COUNTY OF HAWAI'I

In the Matter of the Petition by

BRITTANY CASTRO,

Petitioner.

PETITION NO. 2025-06

INFORMAL ADVISORY OPINION

Initial Review: February 13, 2025

INFORMAL ADVISORY OPINION

By Petition dated February 03, 2025, with the Hawai'i County Board of Ethics (hereinafter "the Board"), Petitioner BRITTANY CASTRO (hereinafter referred to as "Petitioner") who is employed as a Clerk for the County of Hawai'i Parks and Recreation ("Parks & Recreation"). In her private capacity, Petitioner is the Secretary/Treasurer on the non-profit board of the organization, Nā Mamo Ha'aheo. Petitioner requested an Informal Advisory Opinion from the Board regarding 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, Nā Mamo Ha'aheo, 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, and similar Petition 2025-04 together, 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 Nā Mamo Ha'aheo which is a non-profit organization to promote culture and traditions of the

various ethnicities in Hawai‘i, to include perpetuating traditions of lei-making and pā‘ū horseback riding. Petitioner serves in the capacity as Secretary/Treasurer of Nā Mamo Ha‘aheo as a volunteer. Petitioner is seeking clearance for Nā Mamo Ha‘aheo 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 Nā Mamo Ha‘aheo.

4. Petitioner’s duties as a Clerk of the Parks & Recreation are separate and apart from her volunteer duties as Secretary/Treasurer of Nā Mamo Ha‘aheo.

5. Nā Mamo Ha‘aheo applied with Council Member District 1 and District 2 for the consideration of Contingency Relief Funds to support the non-profit’s community classes.

6. The Nā Mamo Ha‘aheo’s application for Contingency Relief Funds had no connection with the Petitioner’s employment with the County.

7. The Board finds that there is no conflict of interest with Nā Mamo Ha‘aheo 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 Kelly Valenzuela moved that the Board find that there is no conflict of interest under the Hawai'i County Code of Ethics.

10. 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 the Petitioner, in her capacity as Secretary/Treasurer on the non-profit board of Nā Mamo Ha'aheo, can apply for and 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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