

HAWAI‘I COUNTY BOARD OF ETHICS

MINUTES – REGULAR SESSION

Wednesday, May 14, 2025

10:01 a.m. – 10:33 p.m.

County Council Chambers

Hawai‘i County Building

25 Aupuni Street

Hilo, Hawai‘i 96720

Members and Staff Present:

Rachel Short, Chair

Lisa Fukumitsu, Vice Chair

Paul “Scotty” Paiva, Member

Kelly Valenzuela, Member

Sylvia Wan, Deputy Corporation Counsel

Noah Agustin, Secretary Assistant

1. CALL TO ORDER (10:01 a.m.)

Ms. Short called the meeting to order at 10:01 a.m. Present in chambers were Rachel Short, Lisa Fukumitsu, and Paul “Scotty” Paiva. Kelly Valenzuela appeared via Zoom. Also present was Deputy Corporation Counsel, Sylvia Wan, and Secretary Assistant, Noah Agustin.

Ms. Valenzuela: Sylvia, can you guys hear me?

Ms. Short: Yeah.

Ms. Wan: Yes, we can. We’re about to start.

Ms. Valenzuela: Okay. Sorry, I couldn’t hear you guys, okay. I’ll turn my mic-, thank you.

Ms. Short: Morning everyone, I am Chair, Rachel Short, and this is the Board of Ethics Meeting for May 14, 2025, being held both in-person here at the Hilo Council Chambers, as well as virtually using the Zoom platform. I’d like to review some protocols with all of our Zoom participants. All cameras must be turned on at all times during your hearing. One person speaks at a time with absolutely no side conversations. Please mute your device when you are not speaking to improve the audio quality for all. For Zoom participants, please raise your hand and wait for recognition from myself before speaking to ensure we make a clean and clear record. Prior to speaking, please state your name so that all parties know who’s speaking. Speak slowly, clearly, and close to your

microphone, and please limit distraction at this time by turning off all phones and mobile devices. As a general reminder for all of our Board of Ethics members, please state your name before speaking today. I'd like to now do introductions here for our Board of Ethics. If we can go down the line and state our names and position, I will go first. I am your Chair, Rachel Short.

Ms. Fukumitsu: Good morning, Vice Chair Fukumitsu.

Mr. Paiva: Member Paul "Scotty" Paiva.

Ms. Valenzuela: Good Morning, Kelly Valenzuela, Board Member-...

Ms. Short: And I'll also note for the record, Deputy Corporation Counsel, Sylvia Wan, our Board's attorney, as well Noah Agustin, the Board of-, assistant secretary who's here assisting.

2. STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS (10:02 a.m.)

Ms. Short: Um, at this time, we will take statements from the public on agenda items. Public testifiers can testify now or just prior to their agenda item. Uh, are-...

Ms. Wan: No testifiers, Chair, at this time-...

Ms. Short: No testifiers, awesome. Let's keep going.

3. APPROVAL OF THE REGULAR SESSION MINUTES (10:02 a.m.)

a. Approval of the regular session minutes of April 23, 2025

Ms. Short: Moving right along to agenda item 3(a), the approval of the regular session minutes from April 23, 2025. Do we have any public testimony on this agenda item? I see a nod-...

Ms. Wan: Um, Chair, at this point, we have no public testifiers whatsoever. I will key you in at the top of any agenda item if we do.

Ms. Short: Perfect, thank you. Has everyone read the regular session minutes of April 23, 2025?

Ms. Fukumitsu: Yes.

Ms. Valenzuela: Yes.

Ms. Short: Assuming yes, can I get a motion to approve those minutes?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve the regular session minutes of April 23, 2025.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: I second, Kelly Valenzuela.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion passes.

Motion and Vote: Vice Chair Fukumitsu moved to approve the Regular Session minutes of April 23, 2025; Board Member Valenzuela seconded; All Members voted aye. Motion Passes. (10:03 a.m.)

4. UNFINISHED BUSINESS (10:03 a.m.)

a. Petition 2025-07: Review of draft Informal Advisory Opinion

Ms. Short: Moving right along to unfinished business. Calling petition 4(a), 2025-07, the review of the draft of an informal advisory opinion. Has everyone read this informal advisory opinion?

Ms. Fukumitsu: Yes.

Ms. Valenzuela: Yes.

Ms. Short: Seeing a nod of head yesses, and hearing some, can I get a motion to approve this?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve the informal advisory opinion for petition number 2025-07.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: Kelly Valenzuela, I second.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes, I will sign right now. Today is the 14th.

Motion and Vote: Vice Chair Fukumitsu moved to approve the draft Informal Advisory Opinion for Petition 2025-07; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:04 a.m.)

b. Petition 2025-08: Review of draft Informal Advisory Opinion

Ms. Short: Thank you. Petition 2025-08, the review draft of an informal advisory opinion. Has everyone had a chance to read this?

Ms. Fukumitsu: Yes.

Ms. Valenzuela: Yes.

Ms. Short: Can I get a motion to approve?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve informal advisory opinion peti-, uh, regarding petition number 2025-08.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes. I'll sign right now. 14th.

Motion and Vote: Vice Chair Fukumitsu moved to approve the draft Informal Advisory Opinion for Petition 2025-08; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:05 a.m.)

c. Petition 2025-09: Review of draft Informal Advisory Opinion

Ms. Short: Calling petition 2025-09, the review draft of an informal advisory opinion. Assuming everyone has read this, can I get a motion to approve?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve informal advisory opinion on petition number 2025-09.

Ms. Short: Can I get a second?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion passes. I'll sign right now.

Motion and Vote: Vice Chair Fukumitsu moved to approve the draft Informal Advisory Opinion for Petition 2025-09; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:06 a.m.)

d. Petition 2025-10: Review of draft Informal Advisory Opinion

Ms. Short: Calling petition 2025-10, the review of a draft informal advisory opinion. Assuming that all members have read this, can I get a motion to approve?

Ms. Wan: Do you want to just give them a second? Did everybody read?

Ms. Fukumitsu: Uh, yes.

Ms. Wan: Okay, thank you. You can continue.

Ms. Short: Can I get a motion to approve?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve the informal advisory opinion on petition number 2025-10.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes, I'll sign right now.

Motion and Vote: Vice Chair Fukumitsu moved to approve the draft Informal Advisory Opinion for Petition 2025-10; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:07 a.m.)

e. Petition 2025-11: Review of draft Informal Advisory Opinion

Ms. Short: Petition 2025-11, the review draft of an informal advisory opinion. Assuming everyone has read this informal advisory opinion, can I get a motion to approve?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve the informal advisory opinion for petition number 2025-11.

Ms. Short: Can I get a second?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes. I will sign right now. This is 11.

Motion and Vote: Vice Chair Fukumitsu moved to approve the draft Informal Advisory Opinion for Petition 2025-11; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:07 a.m.)

f. Petition 2025-12: Review of Draft Informal Advisory Opinion

Ms. Short: Calling petition number 2025-12, the review of a draft informal advisory opinion. Assuming that all Board Members have read this, can I please get a motion to approve?

Ms. Fukumitsu: Vice Chair Fukumitsu, move to approve the informal advisory opinion on petition number 2025-12.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes, I'll sign right now.

Motion and Vote: Vice Chair Fukumitsu moved to approve the Informal Advisory Opinion for Petition 2025-12; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:08 a.m.)

g. Petition 2025-13: Review of Draft Order Dismissing Petition

Ms. Short: Calling petition number 2025-13, the review of a draft order dismissing a petition. Assuming that all Board Members have read this draft order dismissing petition, can I get a motion to approve?

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to approve the order dismissing petition-, or-, draft order dismissing-, dismissing petition on petition number 2025-13.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Hearing-, any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes, I will sign that right now. Fuego today.

Motion and Vote: Vice Chair Fukumitsu moved to approve the Informal Advisory Opinion for Petition 2025-13; Board Member Valenzuela seconded; All Members voted aye; Motion Passes. (10:09 a.m.)

5. NEW BUSINESS (10:09 A.M.)

- a. Petition 2025-14: Review of a Petition from a County Employee seeking clearance and guidance regarding a potential conflict of interest.

Ms. Short: Moving along to agenda item number 5, new business. Calling petition 2025-14 at this time, the review of a petition from a county officer seeking clearance and guidance regarding a potential conflict of interest. Can we get the petitioner to come up to the mic, please, and state your name for the record?

Mr. Holbrook: David Holbrook.

Ms. Short: Are you requesting a closed hearing today?

Ms. Wan: One, one second Chair.

Ms. Short: Sorry.

Ms. Wan: We are, we are fast and furious-...

Ms. Short: I know, we're on fire today-...

Ms. Wan: ... let's have a moment-, if you can please turn on your mic-...

Ms. Short: I'm efficient man-...

Ms. Wan: ... right in front of you-...

Ms. Short: ... time is money-...

Ms. Wan: ... it'll glow a light, there you go-...

Mr. Holbrook: Okay-...

Ms. Wan: ... and if you can, please, state your name in the mic-...

Mr. Holbrook: ... uh, David Holbrook.

Ms. Wan: ... thank you. And, for this particular petition, uh, Chair it's a-...

Ms. Short: I see open hearing, yeah-...

Ms. Wan: ... yes, are you still okay with having an open hearing?

Mr. Holbrook: Yeah, that's fine.

Ms. Wan: Okay, thank you. You can continue, Chair. Sorry.

Ms. Short: Okay, thank you. Yeah, if you could please just state your name for the record-, you already did that, and then just tell us a little bit about what you're seeking the Board's guidance on today.

Mr. Holbrook: Uh, David Holbrook. Um, I've come to work for the County in 2019 as a building inspector, and, um, at the time of my interview, I was advised that-, I had a drafting business drawing house plans, and I was advised that might be a conflict of interest, so, I discontinued the business. And I haven't really thought about it since, until very recently. Another building inspector, who I work with, um, came to you and was given permission to draw house plans for permitting and things, as long, uh-, I think there was some conditions involved. But, anyway-, so, I wanted to come before you and ask, uh, the same question. Uh, is that permissible and not a violation of ethics?

Ms. Short: Thank you for that. Do any of-...

Ms. Wan: Uh, Deputy Corporation Counsel Sylvia Wan-...

Ms. Short: Please.

Ms. Wan: ... I'm just going to, um-...

Ms. Short: Perfect.

Ms. Wan: ... I guess, bring, bring to the Board's attention the prior decision that the-...

Ms. Short: Yeah.

Ms. Wan: ... Board has made relating to the previous building inspector. That was petition number 2024-22 for, um, petitioner Kevin Rieswig,

that was held in open hearing. So, if the Board does want to hear anything from that particular order, I do have a copy with me today if the Board wants me to read any portion thereof. But, just as a summary, as I remember it, um, that particular building inspector was proposing to do, um, pre-made house plans that were going to be packages that would otherwise be sold. And as far as the person that would be going before the building department, um, as far as seeking permits and whatnot, it would be the homeowner, the ultimate homeowner, who's going to be building that particular home. So, you may want to ask questions along those lines for this particular petitioner.

Mr. Holbrook: Uh, well my intent is to-, for example, I have a-, you know, a building contractor who's asked me to draw a set of plans for him. Uh, it was a cus-, a custom house. Um, otherwise he's also has a-, starting a website where he is going to have some model homes available for customers to choose from, um, to have built. And he wants four or five sets of plans available. So, I would provide a set of plans that's complete and ready for, uh, submission, except for a title page with site plan and things like that. So, my job would only be to prepare the plans, he would handle submissions and building for his customers. Uh, kind of a similar thing that Kevin was, uh, looking at I think, but, um-...

Ms. Short: Thank you very much, Mr. Holbrook. Does anyone on the Board have questions at this time? Scotty?

Mr. Paiva: So, is that what you're looking at-, just limited to drawing plans for that one contractor?

Mr. Holbrook: Um, at this point in time, yes.

Mr. Paiva: So, no future plans after that is done and-...

Mr. Holbrook: Well, I don't know-...

Mr. Paiva: Yeah, that's, that's why I'm asking.

Mr. Holbrook: ... but, he may want me to draw more plans for individual customers-, it would be custom. But, uh, quite frankly, I don't have time to do much more than that, uh, because I am full-, work full time for the County, and I just-, it just takes too long to prepare a set of plans. I wouldn't start a business again-...

Mr. Paiva: So, no plans to do it like a business for individuals, like Joe K. coming up and asking you to draw house plans?

Mr. Holbrook: Um, I would have to evaluate the situation but mostly I'm probably going to say no because I, like I said, I don't have time. If, uh-, when I had my business, I would have three or four jobs going at once, and, um, it was a full-time job. There's just no time, um, to work full time here and then have multiple projects going on the side. I'd have to work 80-hours a week, and I have too much yard work to do.

Mr. Paiva: Thank you.

Ms. Wan: Deputy Corporation Counsel Sylvia Wan. I'm just going to try to clarify where I think Scotty was going. I think what Scotty's trying to figure out, with his questions from you, is, um, to what degree do you want this opinion to be providing you advice? Do you want this opinion to be providing advice just for this immediate job that you're contemplating, or do you want this opinion to be providing you advice for any other part-time drafting work that you may do in the immediate future?

Mr. Holbrook: I would like it to be any other part-time drafting work in the future. Um, the income is going to be helpful, but at the same time, uh-, like I said, it's not going to go crazy because I just don't have the time and resources to do that, and um-...

Ms. Short: Kelly's-...

Ms. Valenzuela: Okay, I have a question. Um, so first and-, first of all, thank you so much. I commend you for coming in and, um, coming before the Board of Ethics and, and asking, um, you know, or asking for, maybe, for us to advise. Um, so, one, the benefit would be good because as an inspector, which you are an inspector, correct?

Mr. Holbrook: Yes.

Ms. Valenzuela: Building inspector. So, it's very beneficial to have an inspector draw plans because you already know what they should and shouldn't be doing. Um, so, that's number one. Um, the other thing

is when those plans are brought in by the owners, who does those inspections?

Mr. Holbrook: Oh, uh-...

Ms. Valenzuela: Who-...

Mr. Holbrook: ... I can-...

Ms. Valenzuela: ... who-...

Mr. Holbrook: ... go ahead.

Ms. Valenzuela: Uh, my-, I guess my question-, where I'm going with this is, when they bring the plans in, um, are, are you part of that? Um, is your supervisor part of that? Or is it something that you could-, you could say- well, obviously your name's on the plans, but you would recuse yourself from anything that would have to do-...

Mr. Holbrook: Correct. I can, I can clarify the process. Uh, when a set of plans is submitted, it goes to the building clerks and they do their intake process which would be recording, for example, contacts on the plans and the source of the plans, um, and my name would be there as an agent. So, um, I would clearly be involved in that process. And then the plans go through various, uh, stages to become a building permit or get permitted, and then that permit is issued. Um, it goes to the, uh, applicant, and they start their building process. When they start calling for inspections, um, depending on where the project is being built, uh, all the inspectors have a specific inspection area. So, uh, I'm 1-5 and part of 1-6, um, was it-, first two numbers in a TMK. Uh, then if something that was permitted falls into that area then I would automatically recuse myself from doing the inspections, and I would also be notified if there was a permit issued, and I would notify my supervisor that I have a set of plans in the works. Regardless of where it would go, um, as far as, you know, which inspector it would go to, um, he would be aware of that, so, he could reassign it to somebody else if it's in my inspection area. Um, I've already had that happen once. Uh, a foundation inspection came up for a commercial building in Pepe'eko that I drew before, uh, I became a county employee, and it was in my inspection area at the time. So, I advised my supervisor at the time that, um, okay, I drew these plans, and he assigned the inspection to somebody else.

Ms. Valenzuela: I see. Um, what, what areas are you currently assigned for your inspection?

Mr. Holbrook: I have, uh, Hawaiian Paradise Park and part of Orchidland.

Ms. Valenzuela: Okay. Thank you.

Mr. Holbrook: Yeah. And I might also say that we're going to begin-, Hilo side is going to start inspecting, uh, North and South Kohala, and, um, part of Waikoloa area to relieve the overload on-, in Kona side.

Ms. Valenzuela: Okay, thank you.

Ms. Short: Do any of our Board Members have any other questions? I have two quick questions.

Mr. Holbrook: Yeah.

Ms. Short: Um, so, you've kind of already answered this, but you would never be in the position where you were signing off on your own drawings?

Mr. Holbrook: No, that is completely out of my-...

Ms. Short: Okay.

Mr. Holbrook: ... area of responsibilities-...

Ms. Short: You would alert your supervisor who would then give it to someone else-...

Mr. Holbrook: ... well, no, the building clerks review everything that comes in, evaluate everything, if there's anything missing, they send them back. Then they pass them on through when they're ready to go. They go to planning, then they go to engineering and go to state health department and then it come back to our plans examiners-...

Ms. Short: Okay.

Mr. Holbrook: ... who would examine, and then when the permits issues, uh, we don't actually hear about it or see about it until somebody requests an inspection.

Ms. Short: Okay. So, you would recuse yourself at the inspection process?

Mr. Holbrook: Correct.

Ms. Short: Okay. Understood. And, I just-, to clarify, are you trying to start a side business again, or are you just looking to like-...

Mr. Holbrook: No.

Ms. Short: ... a few things here and there with the option?

Mr. Holbrook: No. I-, this one contractor says he's building 5-6-, he's building 4-5 houses a year now. He wants to build 5-6 and he wants to have a number of model homes that he can, uh, offer to people, and he'll have, of course, his material list all together and everything else-...

Ms. Short: Right.

Mr. Holbrook: ... that'll be a quicker process.

Ms. Short: Okay. Just very similar to the model homes in petition number-. So, if I may, for the Board-, I don't know if it would be helpful-, stop me if I'm wrong, in thinking about, um, formulating a motion, maybe it would be helpful to have Sylvia read part of what we decided for the previous-...

Ms. Wan: If the Board would find it helpful, I can, I can, uh, read for the Board it's ruling for petition 2024-22.

Ms. Short: I would find that helpful, I don't know about you guys-...

Ms. Valenzuela: Yes, please, yeah. Start with that.

Mr. Paiva: For me, before we get to that point, I would like to hear from his Building Department, or his, his, work department, that it's okay with them that what he had proposed as far as being reassigned to another, um, inspector, just-, versus just hearing it from him. I'd like to hear it from their department head or whoever is above him, who'd be assigning the-...

Mr. Holbrook: Well, that's already happened once.

Ms. Wan: So-...

Mr. Paiva: I, I would like to hear from them to make sure it's, it's okay with them.

Mr. Holbrook: Okay. Well, my supervisor, uh, Mark Stroud is out the rest of the week, but I can have him contact you, uh, next week if that would work or-...

Ms. Wan: Um, so, I'm just going to note for the Board that this particular opinion was issued and signed off on in February of this year, so, three months ago. We have not heard any, anything to the contrary from the department, um, and my understanding is a similar process was already explained from the previous petition, and it, and it was also brought to light, uh, about this recusal process, as far as building inspectors having plans from their previous employment coming through. So, it does already appear to be a part of their internal structure.

Mr. Paiva: So, appear or confirmed?

Ms. Wan: If you would like me to do that I could. I could, I could reach out to the department.

Mr. Paiva: I would. I don't know how the other Board Members feel.

Ms. Fukumitsu: Vice Chair Fukumitsu. I see kind of-, I, I think I see where Scotty's going with this, and if we're going to continue to, um-...

Ms. Wan: Approve this.

Ms. Short: Yeah.

Ms. Fukumitsu: ... approve this and others, I-, it-, I just want to, like, you-, and for me, work flow process, right-...

Ms. Wan: Yeah.

Ms. Fukumitsu: ... with respect to a supervisor, that if this is going to be the door that we're opening to all building inspectors, I don't know what that volume could look like, and I don't want to step over a supervisor's-...

Ms. Wan: Kuleana.

Ms. Fukumitsu: Yes-...

Ms. Short: Yeah.

Ms. Fukumitsu: ... and say everybody can do it, and then now, as a supervisor, I've got-...

Ms. Wan: You've got your entire department of-...

Ms. Fukumitsu: And that's just it, right? I just want to-...

Ms. Wan: Yeah.

Mr. Holbrook: Well, I, I know everybody pretty well, and nobody else is remotely interested in doing anything like that, but you, you never know. It is a-...

Ms. Short: Right.

Mr. Holbrook: ... good point.

Ms. Wan: Yeah.

Ms. Fukumitsu: We set a precedent, right?

Mr. Holbrook: Once you, once you open the door, then it's available to-...

Ms. Short: And I think that's-...

Ms. Wan: And, and that's completely fine and valid. So, if the Board does want to do that, um, you might need to motion-...

Ms. Short: To table.

Ms. Wan; ... to table this particular petition to the next meeting for that purpose. Um, and, and what I would like is if the Board can give some direction to myself being the staff, as far as do you want me to request the building's division supervisor to be present? Or, or whom, whom from the department would you like to be present to speak to this internal process?

Mr. Paiva: Member Paiva. If, if a letter would work, just asking him for something in-, him or her, for something in writing.

Ms. Wan: Okay.

Mr. Paiva: I know their time is busy and important and-, versus coming here and sitting, you know, for a-...

Ms. Wan: For how long-...

Mr. Paiva: ... a yes, no, and-, or, I, I would think a letter would suffice with-, and if they can include their existing procedures that they have for the other building inspector that we approved.

Ms. Wan: Okay. So, that's, um, I believe that that is doable. Uh, what I would like, just so we can make this official, is if someone can do a motion that encapsulates the question that you would like me to present to the director, then I can go ahead and do that and facilitate that for the Board for the next meeting.

Ms. Short: So, someone, it sounds like, wants to make a motion, to table this so that Sylvia may reach out to the building inspector to find out X.Y.Z., okay. Kelly, I saw your hand go up.

Ms. Valenzuela: Yeah. So, okay, so, I'm thinking, I'm just forward thinking. Um, in a, in a, in a broader sense, right? So, you know, because the cost of living in Hawai'i is so high, and I think it's beneficial to, um, you know-, our county employees, to be able to moonlight and/or maybe take on some other work-, maybe there should be, um-, or we could look on something, uh, a procedure, form-, um, and this is for all departments, right, because these are building inspectors-, it's just one aspect. There might be other people in the other departments that would like to do something else to help supplement their income which is, you know, huge in Hawai'i right now. Um, you know, to take it broader instead of case, by case, by case, maybe-, I don't know on an HR level to just say, you know, if you're doing something, if you have another job, this is what I'm doing and the letter's given to your supervisor and, you know, everyone's aware, you know, because honesty and forthcoming is amazing. I mean, just you coming forward today, and I congratulate you for that, so, it's just, just a thought I had. To not just limit to one department. Just maybe some forward thinking.

Ms. Wan: Deputy Corporation Counsel Sylvia Wan. So, at this time, I, I can appreciate the sentiment. Um, however, presently, the Board would be otherwise limited to the petition at hand. Um, that may be

something that the Board could consider in the future, but, um, it would be outside of the scope of this particular petition.

Ms. Valenzuela: Understood. Thank you.

Ms. Short: So-...

Mr. Paiva: So, Member Paiva-...

Ms. Short: Thank you.

Mr. Paiva: ... I move that we table, for this meeting, petition 25-14, to reach out to Mr. Holbrook's department for his department-, his or her department head, or it's representative, to fact find if this procedure that Mr. Holbrook is trying to endeavor, as far as, um, working part-time, off of County resources and or time, and if they do have existing policies in place for other building inspectors that are doing the similar part-time outside work for those procedures, then if it's okay with that department, or their feelings about what this proposal entails.

Ms. Wan: Thank you. Before there's a second, may I translate a little bit? Your question? I just want to make sure I clarify?

Mr. Paiva: Yeah, yeah, go ahead.

Ms. Wan: Okay. So, what you're seeking is input from, uh, Mr. Holbrook's department head or department head's representative, relating to, um-, rather informing the Board of what is the present conflict procedure for building inspectors that otherwise have, um, building plans that come before the department, right, as far as, um, conflicting out that particular building inspector's work, in, in otherwise going through the process, of, of getting reviewed and inspected within the department. Is that correct?

Mr. Paiva: Yes, thank you.

Ms. Wan: Okay.

Mr. Paiva: Very well paraphrased.

Ms. Wan: Okay, thank you.

Mr. Holbrook: Uh, I mention-, oh, go ahead-...

Ms. Wan: Sorry, you'll need a second.

Ms. Short: Can I get a second to that motion please?

Ms. Fukumitsu: Vice Chair Fukumitsu, second.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes. So, Mr. Holbrook, I believe that means that we're going to follow up-...

Ms. Wan: Yes.

Mr. Short: ... with the department-...

Mr. Holbrook: And Mark Stroud is my supervisor-...

Ms. Wan: Okay.

Mr. Holbrook: ... he's the supervising building inspector, and, uh, Aaron Spielman is the, uh, deputy building chief, and there is a acting building chief at this point in time, the former-, or the building chief was put on, uh, suspension for some reason.

Ms. Wan: Okay. Um, at this time, what I'll do on the Board's behest is I'll reach out to, um, Mark and Aaron relating to who would be the appropriate department head or representative to respond to this question, and to request a response in writing to present to the Board at it's next hearing which will be in June.

Mr. Holbrook: Okay.

Ms. Short: Thank you, Sylvia.

Ms. Wan: Thank you.

Ms. Short: Thank you very much, Mr. Holbrook.

Mr. Holbrook: Thank you.

Mr. Paiva: Thank you Mr. Holbrook. I, and I apologize for stretching this out a little bit long, longer, but we just want to make sure we cross the t's and dot the i's. Thank you for your patience and understanding.

Motion and Vote: Board Member Paiva moved to continue the review of Petition 2025-14 to the next Board of Ethics Meeting; Vice Chair Fukumitsu seconded; All Members voted aye; Motion Passes (10:29 a.m.)

6. EXECUTIVE SESSION (10:31 a.m.)

Ms. Short: Moving along to agenda item number 6, executive session. Can I get a motion from a Board Member to enter executive session?

Ms. Wan: Well, I'm sorry, um. I'm going to pause you now, at this moment Chair, I'll just note that the items that are set for executive session are review of financial disclosures, gift disclosures. At this time, because we have Ms. Valenzuela appearing by Zoom, we would otherwise not have enough quorum to adequately review and approve all of those, um, in person.

Ms. Short: Okay.

Ms. Wan: So, at this point, it may behoove the Board to continue those matters to the next meeting where you may have a quorum physically present.

Ms. Short: Can I get a motion to table the matters for executive session to our June meeting so that we may have a quorum?

Ms. Wan: For those matters.

Ms. Short: For those matters.

Ms. Fukumitsu: Vice Chair Fukumitsu, I move to table this disc-, table the executive session, review of confidential financial disclosures, to our next meeting in June. Do I have to say the day? I don't-, sorry, June-...

Ms. Wan: So, that's all of agenda item 6.

Ms. Fukumitsu: All of agenda item 6 to the next Board of Ethics meeting in June.

Ms. Short: Can I get a second to that motion?

Ms. Valenzuela: Kelly Valenzuela, I second it.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes.

Motion and Vote: Vice Chair moved to continue all of the items in agenda item 6 to the next Board of Ethics Meeting; Board Member Valenzuela seconded; All Members voted aye; Motion Passes (10:32 a.m.)

7. ANNOUNCEMENTS (10:32 a.m.)

Ms. Short: And that brings us to agenda item number 7 which is announcements. Our next monthly meeting of the Board of Ethics is scheduled tentatively for Thursday, June 12, at 10:00 a.m., here at the Hawai'i County Building, Council Chambers, in Hilo.

8. ADJOURNMENT (10:32 a.m.)

Ms. Short: Finally, moving on to agenda item number 8, can I get a motion to adjourn?

Mr. Paiva: Member Paiva, I move to adjourn today's meeting.

Ms. Fukumitsu: Vice Chair Fukumitsu, second.

Ms. Short: Any discussion to be had? Hearing and seeing none, I'll call for a vote. All in favor, please say aye.

All members say aye in unison

Ms. Short: Any opposition, please say nay. Hearing and seeing none, the motion so passes. We are adjourned at 10:33 a.m. Have a good day everybody.

Ms. Valenzuela: Thank you, you guys are-, uh, am I still on?

Ms. Short: Yeah.

Ms. Valenzuela: Just wanted to say, I, I apologize, I'm not in person. I have two home inspections on this side today.

Ms. Wan: It's okay, you're fine-...

Ms. Short: You're good-...

Ms. Wan: ... you're fine-...

Ms. Short: ... we appreciate you showing up Kelly.

Mr. Paiva: Hey, hey Kelly, can we get, can we get, um, your, your department head's policy on doing inspections on-, I'm sorry, I-, hi, hi, good to see you.

Ms. Valenzuela: You too guys, a hui hou. Bye bye.

Motion and Vote: Board Member Paiva moved to adjourn the meeting; Vice Chair Fukumitsu seconded; All Members voted aye; Motion Passes (10:33 a.m.)

Respectfully submitted:

Noah Agustin, Secretary Assistant