

# HAWAI‘I COUNTY BOARD OF ETHICS

## MINUTES – REGULAR SESSION

Wednesday, June 12, 2025

10:01 a.m. – 12:18 p.m.

County Council Chambers

Hawai‘i County Building

25 Aupuni Street

Hilo, Hawai‘i 96720

### Members and Staff Present:

Lisa Fukumitsu, Vice Chair

Christopher Ho, Member

Paul “Scotty” Paiva, Member

David Bruno, Member

Sylvia Wan, Deputy Corporation Counsel

Cameron Takamura, Deputy Corporation Counsel

Noah Agustin, Secretary Assistant

Khayla-Lei Peiler, Secretary

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

Ms. Fukumitsu called the meeting to order at 10:01 a.m. Present in chambers were Lisa Fukumitsu, Christopher Ho, David Bruno and Paul “Scotty” Paiva. No members appeared via Zoom. Also present was Deputy Corporation Counsel Cameron Takamura, Deputy Corporation Counsel Sylvia Wan, Board Secretary Khayla-Lei Peiler and Secretary Assistant, Noah Agustin.

Ms. Fukumitsu: Ok, good morning everyone I am Vice Chair Lisa Fukumitsu and this is the Board of Ethics June 12, 2025 meeting being held both in person 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, uh all cameras must be turned on at all times during your hearing one person speaks at a time no side conversations, mute your device when you’re not speaking to improve audio quality for all. For Zoom participants raise your hand and wait for recognition by the Chair before speaking to ensure we make a clean and clear record. Prior to speaking please state your name so that all parties know who is speaking, speak slowly, clearly and be close to the microphone. Limit distractions, turn off mobile phones and other devices. And as a general reminder for all Board of Ethics members please state your name before speaking throughout our hearing today. Uh if we could move on to introductions, Board of Ethics... of the Board of Ethics members, um, we can each go down the line and state our names, I’ll go first. Vice Chair Lisa Fukumitsu.

Mr. Ho: Member, Chris Ho.

Mr. Bruno: Member, David Bruno.

Mr. Paiva: Member, Scotty Paiva.

Ms. Fukumitsu: Also present are Deputy Corporation Counsel Cameron Takamura, the Boards attorney, and Board of Ethics Secretary Khayla-Lei Peiler, and Noah Agustin as they will be assisting the Board.

Mr. Takamura: Uh, for the record I'd like to note that um there is a quorum.

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

Ms. Fukumitsu: Now we will take statements from the public on agenda items. Public testifiers can now testify... can testify now or just prior to the agenda item they wish to testify on. DCC Takamura will keep time. Or is it DCC Wan?

Mr. Takamura: Uh I'll do it.

Ms. Fukumitsu: It's DCC Takamura. Everyone gets three minutes at two point five minutes DCC Takamura will announce such. Cameron do we have any public testifiers at this time?

Mr. Takamura: Uh, no. The clerk has indicated that there are no testifiers in person or on Zoom.

Ms. Fukumitsu: May the record reflect there is no public testimony at this time. Do I say that? Ok, sorry.

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

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

Ms. Fukumitsu: Ok, moving on to approval of the regular session minutes of May 14, 2025. Do we have any public testimony on this agenda item? Ok. There is no public testimony. Has everyone read the regular session minutes as uh of May 14, 2025? Assuming yes can I get a motion to approve the regular session minutes from May14, 2025?

Mr. Ho: Chris Ho. Move to approve the regular session minutes of May 14, 2025.

Ms. Fukumitsu: Can I get second?

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: Any discussion?

Mr. Bruno: Uh, yes Chair. I did notice um a couple items for uh possible change. The date uh shows April 23 instead of May 14.

Ms. Fukumitsu: Oh I see at the top of the... on page one.

Mr. Bruno: Yes. And then additionally on well numbered page 20 um it was just before the executive session uh there's on the motion to continue the review uh it's actually the Petition was 2025-14. It says 2025-07.

Mr. Takamura: So if you want to do it as amended I'd ask uh however raised the motion to amend there motion to adopt as uh amended.

Ms. Fukumitsu: So that's would be...that would be Chris yeah?

Mr. Ho: That is me but...

Ms. Fukumitsu: You move to amend...is that right?

Mr. Takamura: Yes. So whoever made the motion um would say that they want to amend to approve the minutes of May 14, 2025 as amended.

Mr. Ho: Move to amend the minutes of the motion to approve the minutes of May 14, 2025 as amended.

Ms. Fukumitsu: Can I get a second?

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: Any further discussion? All those in favor?

*\*All members say aye in unison\**

Ms. Fukumitsu: All those opposed? The motion passes....

**Motion and Vote: Board member Ho moved to approve the Regular Session minutes of May 14, 2025 as amended; Board Member Paiva seconded; All Members voted aye. Motion Passes. (10:06 a.m.)**

**4. UNFINISHED BUSINESS (10:06 a.m.)**

a. Petition 2025-14: Review of draft Informal Advisory Opinion

Ms. Fukumitsu: Moving on to agenda item 4 Unfinished business. Calling Petition 2025-14. Oh no, no no wait do we have executive session minutes? That's it right? Ok, sorry calling Petition 2025-14. Review of a petition from a county officer seeking clearance and guidance regarding a potential conflict of interest. Do we have any public testimony on this agenda item? Ok, no public testimony for this matter the Board continued in order to request information from the department of public works relating to their conflict procedures, relating to building inspectors and building plans authored by their said inspector outside of their county work. At the request of the Board DCC Wan sent an email to acting Director Neil Azevedo on May 28, 2025. Has DPW provided a responses to the Boards question?

Mr. Takamura: Uh, as of this morning we have not received a response.

Ms. Fukumitsu: Can we get the petitioner to come up to the mic please? Yes? Is that where were at? Ok.

Mr. Paiva: Member Paiva may I make a comment? Before then? Um, the email from Sylvia to Mr. Azevedo. Mr. Azevedo is referenced to Kevin Reiswig I think is the name here on the email. Idk if I'm pronouncing his name right. This is Holbrook right?

Ms. Fukumitsu: Yes.

Mr. Takamura: Uh ok, um yeah if the Board wishes I can do a follow-up email with the correct name.

Mr. Paiva: Yeah thanks, that might be the problem why he didn't respond.

Ms. Fukumitsu: Yup, thank you.

Mr. Takamura: So at this point um it would be up to the Board to decide whether or not you want to just re-issue the email and continue this item to

the next meeting or proceed. So if you could have a motion and then you could have a discussion on how to proceed.

Mr. Paiva: So this is member Paiva. I move that we um make a follow up request with the correction to the email for referencing Mr. Holbrook versus Mr. Reiswig. I'm not sure if I'm pronouncing that name right. But the name on the current email and um until the next meeting.

Mr. Bruno: This is member Bruno. Uh, second.

Ms. Fukumitsu: Oh is there any discussion?

Mr. Ho: Um Chris Ho. So if we could also...Scotty if you would be so inclined to a friendly amendment to also add and update to the correct Petition number.

Ms. Fukumitsu: Wait what is that?

Mr. Ho: Cause the email references... oh never mind. Ok so I actually what I believe was done um was um she did reference... oh I see... it's just the Petitioners name with this... a different Petitioner's name with this particular petition but also added um another petition that we dealt with before that had the same thing with that Petitioner's name.

Mr. Paiva: Yeah but this current one is Mr...

Mr. Ho: Yup.

Ms. Fukumitsu: I see. I need a second yeah?

Mr. Takamura: No, you had a second.

Ms. Fukumitsu: Oh I did. Ok so...

Mr. Takamura: So you can call for the vote at this point.

Ms. Fukumitsu: All those in favor?

***\*All members say aye in unison\****

Ms. Fukumitsu: All those opposed. Ok so motion passes so this...

Mr. Ho: Make sure you record your vote.

Ms. Fukumitsu: Oh sorry, Vice Chair Fukumitsu aye. So um this motion passes and then this agenda item will be continued to our next meeting?

Mr. Takamura: Yeah so based on the motion I will send a revised email to Director Azevedo with correct name and this item will be continued to a further um meeting.

**Motion and Vote: Board member Paiva moved to continue the Petition while Deputy Corporation Counsel re-issues the email to Acting Director Neil Azevedo with corrections; Board Member Bruno seconded; All Members voted aye. Motion Passes. (10:10 a.m.)**

Ms. Fukumitsu: And so for our Petitioner whose here, our petitioner is here today.

Mr. Takamura: If you have any questions you can ask him.

Ms. Fukumitsu: I'm so sorry that were... do you have something to say?

Mr. Holbrook: Well I might suggest that um you also email the Deputy Building Chief. Aaron Spielman. And uh you could even try emailing my immediate supervisor which is Mark Shroud. You might get a more timely response.

Ms. Fukumitsu: Ok I do see... it's Aaron Spielman I think he was on that email communication from DCC Wan.

Mr. Holbrook: Oh he was? Ok.

Ms. Fukumitsu: Yes. Yes. And what was the um other persons name?

Mr. Holbrook: Mark Stroud. He's the uh Supervising Building Inspector. He would be the individual that I would notify if I were having a set of plans go through the system.

Mr. Takamura: Ok I guess I would ask for. If you want to add that Mark Stroud name onto it then uh we can do a supplemental motion.

Ms. Fukumitsu: So I need to call for a motion?

Mr. Takamura: Uh yeah.

Ms. Fukumitsu: Um can I get a motion to add Mark Stroud, uh Supervising Building Inspector to that email communication.

Mr. Paiva: Member Paiva I move to add that additional name to the previous request.

Ms. Fukumitsu: Can I get a second?

Mr. Bruno: Member Bruno. I second.

Ms. Fukumitsu: Any discussion? Ok all those in favor?

*\*All members say aye in unison\**

Ms. Fukumitsu: Opposed? Ok motion passes. So DCC Takamura you'll go ahead and...

Mr. Takamura: Uh yes I'll send it out today.

Ms. Fukumitsu: Ok, I'm so sorry. So this petitioner is done for today? Ok, thank you so much hopefully we'll get this cleared up by the next time.

**Motion and Vote: Member Paiva moved to add the additional recipient Mr. Mark Shroud to the email requesting information from Department of Public Works; Board Member Bruno seconded; All Members voted aye; Motion Passes. (10:12 a.m.)**

**5. NEW BUSINESS (10:12 A.M.)**

- a. Communication 25-01: Transmittal from State of Hawaii House of Representatives of House Resolution No. 65, adopted by the Thirty-Third Legislature of the State of Hawai'i Regular Session of 2025.

Ms. Fukumitsu: Ok moving on to agenda item number five new business. Calling agenda item Communication 25-01. Transmittal of the State House of Representatives of House Resolution No. 65. Do we have any public testimony on this agenda item. Ok there's no public testimony. Has everyone read Communication 25-01 and the attached House resolution number 65? Can I get a motion to receive and file Communication 25-01?

Mr. Ho: Chris Ho. Move to receive and file Communication 25-01.

Ms. Fukumitsu: Can I get a second?

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: Discussion?

Mr. Paiva: Yes.

Ms. Fukumitsu: Ok.

Mr. Paiva: So hopefully this will help the rules committee draft their rules and pretty much adopt the state rules.

Ms. Fukumitsu: Ok can I... is there any other discussion to be had?

Mr. Bruno: Member Bruno. I just have a question. Do we have a copy of the States standards? Is that available or?

Mr. Takamura: Uh it's available online. I can... either you can look it up or I can email it to you.

Mr. Bruno: Ok, no I'll look it up. Thank you.

Ms. Fukumitsu: Um ok. Calling for a vote all those in favor?

*\*All members say aye in unison\**

Ms. Fukumitsu: All those opposed? May the record reflect...

Mr. Takamura: Oh sorry uh Chair. Was that your vote as aye too?

Ms. Fukumitsu: Aye. Yes. Sorry. May the record reflect the motion has carried.

**Motion and Vote: Board Member Ho moved to receive and file Communication 25-01; Member Paiva seconded; All Members voted aye; Motion Passes (10:14 a.m.)**

**6. EXECUTIVE SESSION (10:14 a.m.)**

Ms. Fukumitsu: Ok moving on to agenda item number six. Executive session. Can I get a motion from a Board Member to go into executive session.

Mr. Ho: Chris Ho. Move to go into executive session to review Confidential Financial Disclosure Forms filed pursuant to Section 2-91.1(d), of the Hawai'i Code of... uh the Hawai'i County Code, by County board and commission members and designated County

employees, where confidential personnel matters will be reviewed and where this board may also consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pursuant to Hawai'i Revised Statutes Sections 92-4, 92-5(a)(2), 92-5(a)(4).

Ms. Fukumitsu: Can I get a second?

Mr. Bruno: Member Bruno. Second.

Ms. Fukumitsu: Any discussion? Do we have any public testimony on this agenda item.

Mr. Takamura: Um seeing no testifiers, there's no public testimony.

Ms. Fukumitsu: All those in favor?

*\*All members say aye in unison\**

Ms. Fukumitsu: All those opposed? May the record reflect the motion carries and we are going to...with four votes in favor. And were going to move into executive session.

**Motion and Vote: Board member Ho motioned to enter in Executive Session; Board Member Bruno seconded; All Members voted aye; Motion Passes (10:16 a.m.)**

*Board enters Executive Session (10:16 a.m.)*

*Board enters Open Session (12:04 p.m.)*

Ms. Fukumitsu: Vice Chair Fukumitsu. Can I get a motion from a Board member to accept for filing the financial disclosures present in agenda item 6 A one.

Mr. Ho: Chirs Ho. I have a language question before I make this motion. Do I need to say accept and file? Or can I just say accept?

Mr. Takamura: Uh well technically it... the language of your rules and the statute is to acknowledge receipt and file but I think accept and file is ok.

Mr. Ho: Ok. Thank you. Chris Ho move to accept and file 6A 1.

Ms. Fukumitsu: Uh can I get a second?

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: Any discussion? All those in favor say aye.

*\*All members say aye\**

Ms. Fukumitsu: May the record reflect that motion carries with four members present. Move to file...motion...well I don't know what else to say.

Mr. Takamura: The motion carries. With four votes in favor of.

Ms. Fukumitsu: Uh the motion carries with four votes in favor of. Ok.

**Motion and Vote: Board Member Ho motioned to accept and file agenda Item number 6A 1; Board member Paiva seconded; All members voted aye; Motion passes (12:07 p.m.)**

Ms. Fukumitsu: Can I get a motion on what...how to proceed regarding agenda item 6B 1-69.

Mr. Ho: Chris Ho. Move to continue due to discrepancies items 6B 4,5,7,8,10,11,12,13,14,15,16,17,19,27,28,31,34,35,37,38,39,40,41, 42,45,46,47,50,55,56,58,59,62,63,65,66,67,and 68.

Mr. Takamura: Sorry clarifying question so did 50 have a discrepancy?

Mr. Ho: Yes.

Mr. Takamura: Ok.

Mr. Ho: No. Excuse me 50 did not. My apologizes. I retract number 50 and instead insert 51.

Ms. Fukumitsu: Can I get a second?

Mr. Bruno: Member Bruno. Second. Can I offer a friendly amendment? At this time? Amend it to accept and file as well as to authorize the Board staff to contact.

Mr. Takamura: Sorry these ones were for um to continue for uh based on discrepancies not to accept and file.

Mr. Bruno: Ok so my friendly amendment...thank you... is to authorize Board staff to contact the uh members to get clarifications and update on the forms.

Ms. Fukumitsu: Do I need a second on the? Ok can I get a second on the amendment to the motion is that correct?

Mr. Ho: No you need a second to my initial motion.

Ms. Fukumitsu: Ok I need a second to Chris' motion?

Mr. Paiva: Member Paiva second.

Ms. Fukumitsu: And then discussion. And then...or no? We have the amendment how do I?

Mr. Ho: You would do the discussion ok and in the discussion he can bring up his amendment.

Ms. Fukumitsu: So ok for discussion and I'm sorry Board member Bruno if you could go ahead with your...

Mr. Bruno: Ok sorry for out of time. For timing. We want to authorize the Board staff to contact the individuals to get clarification or get the discrepancies resolved. So we want to authorize them to do that.

Ms. Fukumitsu: Ok so now there's... Thank you. So now there's an amendment to the motion.

Mr. Ho: I guess I have a question. When it comes to us having done these in the past is it not procedure to already have board staff reach out to the individuals? Would we actually need to grant them the ability to do so? Cause I don't think we've ever done that before.

Mr. Takamura: It's just to be explicit as to what you're uh extending to the Board staff to do.

Mr. Ho: Ok. So then I accept the friendly amendment.

Ms. Fukumitsu: Ok what do I need to do now?

Mr. Ho: And now you would need a second since I've accepted.

Ms. Fukumitsu: Can I get a second?

Mr. Paiva: Member Paiva. Second.

Ms. Fukumitsu: Any discussion? All those in favor say aye.

*\*All members say aye\**

Ms. Fukumitsu: All those opposed say nay. May the record reflect that motion carries with four uh members present. The amended motion passes. No? The amendment. I don't know what to say. The amendment has been accepted.

Mr. Ho: And now you gotta go into the as a whole with the amendment.

**Motion and Vote: Board Member Ho motioned to accept amendment by Board member Bruno to authorize Board Staff to contact the individuals to get clarification or get the discrepancies resolved; Board member Paiva seconded; All members voted aye; Motion passes (12:12 p.m.)**

Ms. Fukumitsu: Oh ok. So can I...No I just call for the vote. Do I have to tell you what I'm calling for the vote on?

Mr. Ho: Yeah.

Ms. Fukumitsu: Ok so um can I get...can I get a vote on the motion to continue...do I have to say that?

Mr. Ho: Just say the motion as amended.

Ms. Fukumitsu: The motion as amended. Ok. All those in favor?

***\*All members say aye\****

Ms. Fukumitsu: All those opposed? Nay. So may the record reflect that the amended motion passes. Yes?

Mr. Takamura: Yes. By four votes in favor.

Ms. Fukumitsu: By four votes in favor of. Ok.

**Motion and Vote: Board Member Ho motioned to continue due to discrepancies items 6B 4,5,7,8,10,11,12,13,14,15,16,17,19,27,28,31,34,35,37,38,39,40,41,42,45,46,47,51,55,56,58,59,62 ,63,65,66,67,and 68; Board member Paiva seconded; All members voted aye; Motion passes (12:13 p.m.)**

Ms. Fukumitsu: Ok now what?

Mr. Ho: I have another one.

Ms. Fukumitsu: Yes.

Mr. Ho: Madam chair I have another motion.

Ms. Fukumitsu: Please go ahead.

Mr. Ho: Um Chris Ho move to continue due to a lack of quorum of present Board Members um agenda item 6B 18, 25, 50, and that's it.

Ms. Fukumitsu: Can I get a second?

Mr. Takamura: Uh sorry I would like to clarify that it's uh lack of quorum of disinterested Board Members. To vote on your guys own stuff so just to clarify that. There is quorum for everything else it's just as to this one there is not a quorum of disinterested Board Members.

Mr. Ho: What Cameron said because I feel like it makes sense to other people.

Ms. Fukumitsu: Ok can I get a second?

Mr. Paiva: Member Paiva Second.

Ms. Fukumitsu: Calling for the vote. All those in favor? Oh no. Discussion. Sorry. Any discussion? Ok. All those in favor say aye.

*\*All members say aye\**

Ms. Fukumitsu: All those opposed? Nay. May the record reflect the motion carries with um four votes in favor of.

**Motion and Vote: Board Member Ho motioned to continue items 6B 18, 25, and 50 due to lack of quorum of disinterested Board Members; Board member Paiva seconded; All members voted aye; Motion passes (12:14 p.m.)**

Mr. Ho: Madam Chair I have another motion.

Ms. Fukumitsu: Go head.

Mr. Ho: Uh Chris Ho move to accept and file all other items not previously listed in the previously mentioned motions.

Ms. Fukumitsu: Can I get a second?

Mr. Bruno: Member Bruno. Second.

Ms. Fukumitsu: Discussion?

Mr. Ho: So this would approve and file or accept and file however you want to word it all the other ones received for signatures by the

four present Board of Ethics members. That have no discrepancies whatsoever.

Ms. Fukumitsu: Calling for the vote. All those in favor say aye.

*\*All members say aye\**

Ms. Fukumitsu: All those opposed? Say nay. Oh Board member Fukumitsu. Aye. May the record reflect the motion carries with four members voting in favor.

**Motion and Vote: Board Member Ho motioned to accept and file all other agenda Items under 6B; Board member Bruno seconded; All members voted aye; Motion passes (12:15 p.m.)**

Mr. Takamura: I can do the executive session report. Uh so pursuant to HRS 92-4b um the discussions that occurred regarding um item 6A and 6B are not subject to disclosure as disclosures would tend to um would frustrate the purpose for which they're held pursuant...which were pursuant to HRS 92-5(a)(2) and (a)(4) um and the final action of the Board occurred in open session.

## **7. ANNOUNCEMENTS (12:16 p.m.)**

Ms. Fukumitsu: Ok moving on to agenda item number seven announcements the next monthly meeting of the Board of Ethics is scheduled tentatively for Thursday, July 15, 2025 at 10am at the Hawaii County Building Council Chambers 25 Aupuni Street Hilo Hawaii.

Mr. Ho: Madam Chair before we adjourn may I have a moment of personal privilege?

Ms. Fukumitsu: Yes.

Mr. Ho: Chris Ho. So I just wanted to um say that this will be my last um Board of Ethics meeting I have um. I will be resigning at the close of this meeting. It has been an absolute pleasure um and an honor to work along side all of you and to DCC Wan thank you so much for your guidance as well as DCC Frenz who is not here who stepped in for a little while and Cameron I leave them in your very capable hands. So thank you all so much. Khayla, thank you. Noah, thank you.

Ms. Fukumitsu: Calling for a vote all those opposed?

Mr. Paiva: I second.

Ms. Fukumitsu: Ok yes.

Mr. Takamura: Oh sorry they said you uh, the clerks said you read the wrong date for the adjournment.

Mr. Agustin: For the next meeting.

Ms. Fukumitsu: Next monthly meeting July...

Mr. Agustin: It's supposed to be Wednesday July 16.

Ms. Fukumitsu: Ok so um going back to agenda item 7 announcements regarding the next monthly meeting it's scheduled tentatively for Wednesday, July 16, 2025 at 10am at the Hawaii County Building Council Chambers 25 Aupuni Street Hilo Hawaii.

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

Ms. Fukumitsu: Ok um moving on to agenda item number 8. Adjournment. Can I get a motion to adjourn?

Mr. Bruno: Member Bruno, I motion to adjourn.

Mr. Paiva: Member Paiva, second.

Ms. Fukumitsu: All those in favor say aye.

*\*All members say aye in unison\**

Ms. Fukumitsu: All those opposed say nay. May the record reflect the motion carries with four votes in favor so this meeting is adjourned. Yay have a wonderful day.

**Motion and Vote: Board Member Bruno moved to adjourn the meeting; Board Member Paiva seconded; All Members voted aye; Motion Passes (12:18 p.m.)**

Respectfully submitted:

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Khayla-Lei, Secretary