

Kurt Akamine  
Chair

Mark Hubbard  
Vice-Chair

Warren Perry  
Secretary

Members:  
Kathy Clark  
Calvin Murashige  
Brad Nagano  
Paul Weil

**COUNTY OF KAUA'I BOARD OF ETHICS**  
**NOTICE OF SPECIAL MEETING AND AGENDA**

Wednesday, August 8, 2012

1:30 p.m. or shortly thereafter

Mo'ikeha Building, Meeting Room 2 A/B

4444 Rice Street, Līhu'e, HI 96766

**CALL TO ORDER**

**EXECUTIVE SESSION**

Pursuant to H.R.S. §92-4 and H.R.S. 92-5 (a) (2) and (4), the purpose of this executive session is to consider the evaluation, dismissal or discipline of an employee or officer of the County in which charges have been alleged against an employee or officer where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held; and to consult with the Board's legal counsel on issues pertaining to the Board's and the County's powers, duties, privileges, immunities, and/or liabilities as they may relate to this item, deliberate and take such action as appropriate.

**ES-23**

Special Counsel Motion to Compel compliance with a Subpoena Duces Tecum issued by the Board of Ethics pursuant to investigations authorized by:

**ES-2:** BOE 11-003 a. Resolution 2011-1, adopted January 13, 2012, defining the scope for an investigation into an allegation that an employee or officer of the County has improperly used county resources (ongoing)

**ES-3:** BOE 11-004 a. Resolution 2011-2, adopted January 13, 2012, defining the scope for an investigation into a complaint alleging that an employee or officer of the County has improperly disclosed information and used their position to secure a benefit, privilege or exemption for themselves or others (ongoing)

**ES-8:** BOE 12-002 a. Resolution 2012-1 amending Resolution 2011-1, adopted March 9, 2012, defining the scope for an investigation into an allegation that an employee or officer of the County has improperly used county resources and or County property for other than public activity or purpose (ongoing)

**RETURN TO OPEN SESSION**

Ratify Board of Ethics actions taken in Executive Session for items: ES-23

*An Equal Opportunity Employer*

## **ANNOUNCEMENTS**

Next Meeting: Friday, August 10, 2012 – 9:00 a.m., Mo’ikeha Building, Liquor Conference Room

## **ADJOURNMENT**

### **NOTICE OF EXECUTIVE SESSION**

Pursuant to Hawaii Revised Statutes §92-7 (a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a).

c: Mona Clark, Deputy County Attorney

### **PUBLIC COMMENTS and TESTIMONY**

Persons wishing to offer comments are encouraged to submit written testimony at least 24-hours prior to the meeting indicating:

1. Your name and if applicable, your position/title and organization you are representing;
2. The agenda item that you are providing comments on; and
3. Whether you will be testifying in person or submitting written comments only.
4. If you are unable to submit your testimony at least 24 hours prior to the meeting, please provide 10 copies of your written testimony at the meeting clearly indicating the name of the testifier; and

While every effort will be made to copy, organize and collate all testimony received, materials received on the day of the meeting or improperly identified may be distributed to the members after the meeting is concluded.

The length of time allocated to persons wishing to present verbal testimony may be limited at the discretion of the chairperson or presiding member.

#### **Send written testimony to:**

Board of Ethics  
Attn: Barbara Davis  
Office of Boards & Commissions  
4444 Rice Street, Suite 150  
Līhu‘e, HI 96766  
Email: [bdavis@kauai.gov](mailto:bdavis@kauai.gov)  
Fax: 241-5127 Phone: 241-4919

#### **SPECIAL ASSISTANCE**

If you need an alternate format or an auxiliary aid to participate, please contact the Boards & Commissions Support Clerk at 241-4919 at least five (5) working days prior to the meeting.