

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

March 17, 2026

Online Only via Teams

CONVENE: 1:34 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Kauanoë Batangan, Chair
Councilmember Nohelani U‘u-Hodgins, Vice-Chair
Councilmember Tom Cook, Member (In 2:06 p.m.)
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member (Out 4:27 p.m.)
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member (Out 2:02 p.m.;
In 4:31 p.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: Kasie Apo Takayama, Senior Legislative Analyst
Clarissa MacDonald, Legislative Analyst
Peter Hanano, Legislative Attorney
Maria Leon, Committee Secretary
Ryan Martins, Council Ambassador
David Raatz, Director of Council Services

Residency Area Offices

Keomailani Hirata, Council Aide, Molokai Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Chaelin Ryu, Council Aide, South Maui Residency Area Office

(15+) additional attendees

ADMIN.: Lauren M. Akitake, Executive Director and Legal Counsel, Board of Ethics
(GREAT-5(5))
Kristine Tsukiyama, Deputy Attorney, Board of Ethics (GREAT-5(5))
Gail Raikes, Investigator, Board of Ethics (GREAT-5(5))
Ryssa Tam Ho, Administrative Assistant, Board of Ethics (GREAT-5(5))
Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation
Counsel (All)
John J. Gores, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-5(6))
Kristin K. Tarnstrom, Deputy Corporation Counsel, Department of the
Corporation Counsel (GREAT-11(27))
Catherine Hall, Deputy Corporation Counsel, Department of the Corporation
Counsel (GREAT-11(27))

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

OTHERS: Anna Elento-Sneed, President and Attorney, ES&A, Inc., A Law Corporation
(GREAT-5(6))
David J. Minkin, Partner, McCorriston Miller Mukai MacKinnon LLP
(GREAT-11(27))

Testifiers

Chivo Ching-Johnson (GREAT-5(5))
Johann Lall (GREAT-5(5))
Christopher Salem (GREAT-5(5) and -11(27))
Jasee Law (GREAT-5(5) and -5(6))

(15+) additional attendees

PRESS: *Akakū: Maui Community Television, Inc.*

CHAIR BATANGAN: . . .*(gavel)*. . . Will the Government Relations, Ethics, and Transparency Committee meeting of March 17, 2026, come to order. It is 1:34 p.m. I am your Chair, Kauanoë Batangan. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Committee Vice-Chair Nohelani U‘u-Hodgins.

VICE-CHAIR U‘U-HODGINS: Aloha, Chair. Aloha, everyone.

CHAIR BATANGAN: Councilmember Tom Cook is going to be joining us in a little bit, so we’ll say he’s excused for now. Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, community members. There’s no testifiers at the Lāna‘i District Office, and I am home in my workspace and ready to work. Thank you, Chair.

CHAIR BATANGAN: Thank you. Council Chair Alice Lee.

COUNCILMEMBER LEE: Good afternoon, Chair. And da’anzho from New Mexico and the Apache Indian Nation.

CHAIR BATANGAN: Thank you. Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha ‘auinalā, and da’anzho kākou. Streaming live and direct from Nāpili. I have one adult male, George Vierra, here with me in the house, and three minors who shall remain unnamed, two of the human variety, and one of the canine variety.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR BATANGAN: Thank you. I see Member Rawlins-Fernandez just logged in, so we’ll give her a minute. Councilmember Shane Sinenci.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER SINENCI: Aloha ‘auinalā, Chair, and da’anzho. Here at my home private residence. I’m here by myself, and there’s no testifiers in Hāna, Chair.

CHAIR BATANGAN: Thank you, Member Sinenci. Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Good afternoon, and is it da’lanzho [sic]?

COUNCILMEMBER LEE: Da’anzho.

COUNCILMEMBER SUGIMURA: Da’anzho. And looking forward to a productive meeting.

CHAIR BATANGAN: Thank you. From Corporation Counsel, we have with us Deputy Corporation Counsel Kolbe, Deputy Corporation Counsel Gores, and Deputy Corporation Counsel Tarnstrom. We also have with us representatives from the Board of Ethics...ES&A, Inc., A Law Corporation, and McCorriston Miller Mukai MacKinnon LLP. We also have with us our GREAT Committee Staff, and I now see Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha ‘auinalā kākou. E kala mai for my tardiness. I am alone in my vehicle. There are currently no testifiers at the Molokai District Office. And Chair, I’m going to have to step out for a little bit for a meeting that I could only schedule during this time, so my apologies. It looks like you have quorum, though, so you should be okay?

CHAIR BATANGAN: Yes. Thank you, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: I’ll be right back.

CHAIR BATANGAN: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR BATANGAN: All right. Everybody, good afternoon, and please see the last page of the agenda for information regarding connectivity. Now, before we begin our formal agenda today, I want to take a moment to acknowledge the incredibly difficult weekend our community has just endured. Over the past several days, we watched heavy rains cause severe flooding and inundation across our islands. We’ve seen homes destroyed, roads washed out, and families taking on the mental burden of wondering if they would lose everything to the elements. For many in our community, this weekend wasn’t just about the rain. It was about the sound of sirens and the sight of rising water triggering the deep-seated trauma of past natural disasters, especially previous floods and the wildfires of 2023. We know that our residents, especially those still displaced or rebuilding from the wildfires, every emergency alert carries the weight that is hard to describe. Whether it is fire or water, the anxiety of losing everything is a burden our people carry daily. In the face of these challenges, we saw the best of Maui County once again, and I want to extend a profound mahalo to our first responders, especially the

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

crews from Fire and Police departments, Public Works, and others who worked through the night in dangerous conditions to keep us safe; to Emergency Management for their tireless coordination and communication; and to the community, the nonprofit organizations and neighbors who checked on our family and friends and who moved quickly to mitigate damage. We are resilient people, but resilience does not mean we don't feel the pain. As we move through today's business, especially on the item related to Tre' Evans-Dumaran, let us keep those affected by this weekend's flooding in our thoughts and remain committed to building a safer, more prepared Maui Nui for everyone. Thank you.

COUNCILMEMBER SUGIMURA: Nicely said.

ITEM 5(5): BOARD OF ETHICS PRIORITIES (Rule 7(B))

CHAIR BATANGAN: Okay. Members, first up today we have representatives from the Board of Ethics with us to share the Board of Ethics' vision, priorities, and opportunities for Council collaboration. Director, may I please ask that you introduce yourself and your team?

MS. AKITAKE: All right. Good afternoon, Chair, Vice-Chair, and Committee Members. I am Lauren Akitake. I am the Executive Director and Legal Counsel to the Maui County Board of Ethics. I do have my team here with me. I have our new attorney, Kristine Tsukiyama. She started yesterday. I have our investigator here, Gail Raikes, and our assistant, Ryssa Tam Ho. I want to thank you for the opportunity to share where the board stands today, our vision for ethical governance, and our priorities for 2026, and opportunities to collaborate with the Council in strengthening transparency, fairness, and public trust. I also want to thank Chair Batangan, the GREAT Committee, and the Office of Council Services for your proactive engagement with our office to strengthen the County's ethics framework. Let's see. Are our slides up?

CHAIR BATANGAN: While they get settled, Members, if there are no objections, I will be designating these individuals as resource persons under Rule 18(A) of the Rules of the Council due to their expertise on the matter.

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: Thank you.

MS. AKITAKE: All right. Thank you. The Maui County Board of Ethics has served the County for more than 40 years. It's an all-volunteer board tasked with adjudicating complaints against County employees or board and commissions' members, reviewing financial disclosure statements, and issuing advisory opinions. In 2024, the public approved a board-initiated Charter amendment establishing full-time Staff, significantly expanding the board's ability to carry out its mission. Our office officially launched in August of 2025. In the first 100 days, we built the office from the ground up, hiring Staff, establishing systems, and revising 44 administrative rules to make the office

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

operational. I met with each Councilmember, the Mayor, and several department directors, deputies, and key Staff, and I shadowed the State Ethics Commission and met with the Honolulu Ethics Commission, drawing on their more than 50 years of experience. With your support, we quickly staffed our office with three employees, but soon it became clear the workload required additional capacity. And again, with your support, we now have four Staff and we're looking to hire a paralegal. We also implemented an attorney of the day system, which I handled daily for seven months. But as I mentioned, as of yesterday, I am pleased to...I'm very pleased that our second attorney, Kristine Tsukiyama, is now with our office. She's a Maui girl, a Baldwin High School valedictorian. She's also a UH Regent Scholar, and she has extensive civil litigation experience on both Maui and O'ahu. Looking ahead, the board has identified several priorities where our ethics framework can be strengthened and where we are anticipating working closely with the Council. These priorities include adopting a Countywide nepotism policy, modernizing our lobbyist rules, updating our gift rules, extending board jurisdiction over former employees and board and commissions members to six years, which would be consistent with the State. Several of these initiatives will require Council partnership through an ordinance amendment, Charter amendment, or policy support. I'll briefly walk through each of these priorities. The purpose of a nepotism law is to ensure that hiring, supervising, and employment decisions are based on merit, qualifications, ability, and equal opportunity, not on favoritism or family relationships. This promotes fairness, transparency, and public confidence in government. Currently, Maui County does not have an anti-nepotism Countywide rule. Since the Council last considered this issue in 2013 and 2014, several developments have occurred. The State enacted a nepotism law in 2023, Hawai'i County adopted one in 2025, and the Maui County Fire Department issued an internal nepotism guidance in 2025. These recent examples suggest implementation is feasible. During our February board meeting, we spoke with Kee Campbell, Enforcement Director of the State Ethics Commission, who researched and drafted the State's law. It was discussed that anti-nepotism policies are widely considered best practice across public, private, and nonprofit sectors, and roughly half of U.S. states have such laws. Mr. Campbell explained that the State rolled out their law covering roughly 95 percent of State employees, about 55,000 to 60,000 people, with a six-month transition for good cause exemption requests, which were decided publicly by the Ethics Commission. They received approximately 15 such requests, 1-5. He also noted that in the majority of cases, hiring or supervision structures can be adjusted to comply with the rule. Our board has asked me to present a draft rule modeled on the State's law at our April meeting, after which it would be transmitted to the Council for discussion and potential adoption following budget season. Our current lobbyist rules are very limited. While we define lobbyists and require registration, that's about it. We lack clear standards, such as when registration is required, reporting of lobbying expenditures, and restrictions on gifts from lobbyists. Currently, Maui County is the only county in Hawai'i without comprehensive lobbyist rules. Comprehensive rules would allow the public to see who is lobbying County government and how much is being spent on which initiative. The State also requires lobbyists to complete ethics training before registering and to repeat that training every two years. I want to thank Chair Batangan and Peter Hanano for their support in developing draft rules modeled after the State and Hawai'i County frameworks. In April, a State Ethics Commission attorney will join our

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

board meeting for discussion, and in May, the board plans to review draft rules before transmitting them to Council for consideration and feedback. Next, we have gifts. Our current gift rules are also minimal. Charter Section 10-4 prohibits gifts that are solicited, accepted, or received under circumstances in which it can be reasonably inferred that the gift is intended to influence official duties or to reward for official actions. Those who are required to file financial disclosures must report gifts of \$50 or more from a single source. Previously, a quick guide to gifts was on our website and referenced a \$25 gifts of aloha, but that language is not part of our rules and has since been removed from our website. Our board formed a permitted interaction group, which is considering new rules based on the State's three-part test. First, who is the gift from? What is the value of the gift? What is the County purpose of the gift? We plan to update our gift rules through our board administrative rules accompanied by training during implementation, and we will continue consulting with the Council as these updates are developed. As I've heard at the State level regarding this framework, you don't have to bring me manapua to meet with me. Our goal is to ensure that County decisions are guided by ethics and fairness, and to avoid influence and the appearance of influence, which erodes public trust. Our additional priorities include a Charter amendment allowing two consecutive terms for board members, extending jurisdiction to six years. Right now, if a respondent resigns today, the board immediately loses jurisdiction, even when probable cause of an ethics violation has been found by the board. We had a contested case scheduled for this month, and probable cause was found by our board, and we immediately lost jurisdiction when the respondent resigned. And this...so we had one this month, and in the recent...in the past few years, this is the third such instance where this has occurred. Lastly, establishing a comprehensive ethics training program is on our priority list. Currently, Maui County ethics training occurs only at onboarding, while City and County of Honolulu employees, they complete training at onboarding and every two years, and the State, they do it at onboarding and every four years. A few statistics. In the last seven months, I've issued 101 informal advisory opinions. Formal advisory opinions have increased significantly. We have had 23 formal advisory requests in the first two-and-a-half months of 2026, compared to 15 in all of 2025, and 19 in 2024. I am happy to report that most of the 23 this year were addressed informally by the attorney of the day, avoiding the need to wait for a Council...a board meeting. Complaints more than doubled in 2025 compared with 2024, and in 2026, we are on track to exceed last year's level. We also review 204 financial disclosure statements annually, and our investigator now assists in reviewing them more thoroughly, including requests for clarification and amendments when needed. Finally, Maui County currently has 143 registered lobbyists, representing 203 organizations. In closing, I want to thank you for your continued support and collaboration. At its core, our work is about upholding the public's trust, and we look forward to partnering with the Council to advance our shared responsibility in the year ahead. Thank you.

CHAIR BATANGAN: Thank you, Director Akitake. Before moving on to discussion, I'll receive testimony for GREAT-5(5). Note, Members, that this is only for our first agenda item. We'll be taking up testimony on each item as it comes up. I also want to note that I recognize not everybody who may want to testify today is able to do so, and so I'll plan to defer GREAT item 11(27) and not take any legislative action on any item for today. Okay. Staff, is there anybody wishing to testify at this time?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. MACDONALD: Yes, Chair. The first individual who would like to testify is Chivo Ching-Johnson, to be followed by Johann Lall.

CHAIR BATANGAN: Thank you. Chivo, you have three minutes. Oh, e kala mai, I need to read the testifying rules. Testifiers wanting to provide testimony should sign up in the lobby, join the online meeting via the Teams link, or call in to the phone number noted on today's agenda. Written testimony is encouraged and can be submitted via the eComment link at mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items as the item is called up. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone, which are star-5 to raise or lower your hand, and star-6 to mute and unmute. Staff will add names to the testifier list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name you're logged in under or the last four digits of your phone number when it is your time to testify. At that time, Staff will also enable your microphone and video. Please ensure your name appears in Microsoft Teams as the name you prefer to be referred to or as anonymous if you wish to testify anonymously. If you're in person, please notify Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item. If you're still testifying beyond that time, I will kindly ask you to complete your testimony. Once you're done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take each person up in an orderly fashion. All right. Chivo, you have three minutes.

COUNCILMEMBER PALTIN: Chair, could I get a point of clarification? You said that we're not taking action. The only item...I mean, we don't take action on a 7(B). The...only the third item was action-related. I didn't see any eComment testimony, just the one written testimony on this. Like, are you saying we're not taking action on the third item?

CHAIR BATANGAN: Yes, Member Paltin. My plan was to defer the item and bring it back.

COUNCILMEMBER PALTIN: Oh, okay. Is there...because my understanding is this is our last meeting before budget.

CHAIR BATANGAN: Before budget, correct.

COUNCILMEMBER PALTIN: Is there --

CHAIR BATANGAN: Yeah.

COUNCILMEMBER PALTIN: -- time sensitivity to that last item?

CHAIR BATANGAN: Not to my knowledge.

COUNCILMEMBER PALTIN: Oh, okay.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Thank you.

COUNCILMEMBER PALTIN: Thanks.

CHAIR BATANGAN: Okay. Staff, was there anything else that I missed? Okay. Staff, can I ask that you call up the testifier again?

MS. MACDONALD: Yes, Chair. The first testifier is Chivo Ching-Johnson, to be followed by Johann Lall.

CHAIR BATANGAN: Thank you. Chivo, the floor is yours. *(pause)* Sorry, you're still muted. *(pause)* Staff, is he enabled on our side?

MS. MACDONALD: Yes, Chair.

CHAIR BATANGAN: I think you need to just hit the unmute mic button on your end.

MS. MACDONALD: Yeah. On the top right-hand corner, you may just need to hit the button that has a line through it with a mic. Yeah.

. . . OPEN PUBLIC TESTIMONY ON ITEM 5(5) . . .

MR. CHING-JOHNSON: Yeah, I got it.

CHAIR BATANGAN: There you go. We can hear you now.

MR. CHING-JOHNSON: Thank you.

CHAIR BATANGAN: All right. Staff, can you start the timer now?

MR. CHING-JOHNSON: Aloha 'auinalā kākou. Da'anzho to you all. I hope everybody's doing well. It's nice to be here today. Thank you. I really wanted to thank the GREAT Committee and all of the Councilmembers for...for the support you have offered the Board of Ethics. And I...I really enjoy being on that board, and I am particularly happy since Lauren has...has taken the helm, and now we have Kristine Tsukiyama, Gail, and Ryssa, and some very, very good Staff. It has surprised me that there are so many incidents of...of ethics violations from minor and small type things all the way up, and it really heartens me to...to know that we're trying very hard to bring our rules up to snuff, and Lauren has been working on that diligently. You know, for example, the...the fact that when someone is caught doing something unethical, they can just resign, and then they're free. You know, and that...that just doesn't work. There are a lot of these rules that she had brought up that we really ask you for your support on. And I basically wanted to thank you for all you have done for our board. Thank you.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Thank you. Members, any clarifying questions for the testifier? Seeing none. Thank you. Can I ask that you call up the next testifier, please?

MS. MACDONALD: Yes, Chair. The next testifier is Johann Lall, to be followed by Christopher Salem.

MR. LALL: Aloha. Johann Lall, I'm testifying on behalf of myself. I was surprised by that presentation because I thought the gifts of aloha was a thing, but apparently it's like an unspoken rule. I do think that should be a rule because it's kind of a standard thing to bring, like, donuts or, like, malasadas or...or whatever, if you have a meeting. And I've actually been in a meeting with a State person where I brought donuts, and he was, like, afraid to eat the donuts. He was like, it's against the rules. Like, it might be a bribe or whatever. So, I basically had to force the guy to...to eat a donut, and...and it wasn't a situation where I was being regulated or anything. So, there's no opportunity for it to be a bribe. So, I do think there is such a thing as like too much ethics rules. I did want to address their new rules. A while back, I don't know if this actually went through, but there was discussion about having hearings all be private, even if a person wanted their matter to be addressed publicly. And I actually filed an appeal with the Office of Information Practices in August of 2024. And I don't know what the status is, but the reason I filed that is because State Sunshine Law says that if a person wants to have something heard publicly, they...they actually have that right. So, I would, if...if possible, ask the...the ethics folks about that if they know anything about the status of that appeal and if that's still a rule. The other thing is they...I believe they have a rule now that if you file a complaint, you can't discuss it publicly. And I do understand the reason for that, but that seems like a free speech violation. So, I would also ask about the status of that and whether that's...that's a legal thing at...at all. And then also going back to the gifts of aloha, I wonder if there could be some discussion about the matter where two Councilmembers asked about the gifts they received, the 'ō'ō sticks. Because to me, that seems like kind of not...it's not...it's not a bribe, it's like a symbolic thing. So, maybe there's an opportunity where you could accept gifts like that and have them become, like, County property or, like, property of your office rather than, like, a personal thing. So, maybe there's some opportunity to kind of loosen certain rules but also be more in favor of like openness and also have strong rules and strong enforcement when it's something important. And that's my comments. Mahalo.

CHAIR BATANGAN: Thank you. Members, any clarifying questions for the testifier? Seeing none. Thank you very much. Staff, can you call up the next testifier, please?

MS. MACDONALD: Yes, Chair. The next and currently final person signed up to testify is Christopher Salem.

MR. SALEM: Good afternoon, Councilmembers and Council Chair...or Committee Chair. Excuse me for that. I really enjoyed that. That's not my point today, but I enjoyed that testifier's statements on that. I'm really happy that these rules don't apply to youth sports because when we travel inter-island, if I didn't bring gifts of Krispy Kreme, et cetera, to the other administrators of whatever sport it may be, I think that it would be considered almost being rude. So, I think there's way too much focus on that whole

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

instead of the donut by the Board of Ethics. I mean, to me, if you're going to consume something, that's not a bribery, but irregardless [*sic*] of that. Director just mentioned the appearance of influence, and she also referenced six years. I would hope we get some clarification. Six years on what? That was just...that was a PowerPoint reference, but I'm not sure what it's about, and it wasn't part of my testimony. So...but my testimony today addresses the item, that being at its core, this proposal appears to conflict with the intent of the Charter. This collaboration of Board of Ethics was established to serve as an independent check on County government, not as a collaborative partner with the very bodies that may be required to investigate or assist in investigation. I think that's what the Charter amendment speaks to, and I think the Council should consider, instead of listening to PowerPoints, maybe giving legislative direction as to what, in fact, not about donuts, but what is the role of the Board of Ethics, and what is the authority of the role [*sic*] of Ethics, specifically. We've had multiple cases here recently brought to the Board of Ethics that are very serious, as Chivo just said. One involves the County Auditor, and one involves his legal representation and nondisclosures of his involvement of the matters of which the Auditor is auditing, and also his disclosure that Corporation Counsel interfered with the Auditor's duties while I was a Staff member of the Office of the Mayor, trying to adopt legislation to collect on the infamous developer deferral agreements. So, there's real ethics, and the out card they use, which we just received the letter, similar to what Corp. Counsel does, they speak to that's outside their authority. How is that possible that the County Auditor brings in a private attorney who is involved in the very action that has suspended the audit? He drafted the warranty deeds to alter a government contract from three lots to five. Any Councilmember could spend ten minutes and review that action was completely in violation of law. There's no such thing as a five lot deferral agreement. However, which is now we've exhausted our administrative remedies, and that's the game . . .(*timer sounds*) . . . they play, we've gotten a letter saying, oh, that's not an ethical violation that's within our jurisdiction. So, what happens next?

CHAIR BATANGAN: Thank you, Mr. Salem.

MR. SALEM: Here we go.

CHAIR BATANGAN: Can you please conclude?

MR. SALEM: Yes, I will. The conclusion is, because of that out card they use, which is not supported by the rules they've adopted, we now go to court again. That's the game. You force citizens to file lawsuits. So, there'll be another one against the County Auditor on this matter. It's something that you folks could resolve in about 15 minutes.

CHAIR BATANGAN: Thank you, Mr. Salem.

MR. SALEM: So, I don't agree.

CHAIR BATANGAN: Please wrap up.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MR. SALEM: I'll finish it with that. I don't agree with the PowerPoint and the...and all of the flowery discussion of the great things they're doing. I do not agree, not on the high levels of transparency and accountability.

CHAIR BATANGAN: Thank you.

MR. SALEM: Thank you so much.

CHAIR BATANGAN: Members, any clarifying questions for the testifier? Seeing none. Staff, is there anybody else wishing to testify?

MS. MACDONALD: Chair, there's no one else signed up, but I see someone approaching the podium.

MR. LAW: Hey, Mr. Batangan, I was just wondering if you were running for election?

CHAIR BATANGAN: Mr. Law, you have three minutes. Oh, that was it? Members, any clarifying questions for the testifier?

COUNCILMEMBER PALTIN: Chair?

CHAIR BATANGAN: Member Paltin.

COUNCILMEMBER PALTIN: I just wanted to let you know that we didn't hear the ringer in virtual.

CHAIR BATANGAN: Okay. That's helpful. Thank you.

COUNCILMEMBER PALTIN: I don't know if you guys heard something, but we didn't.

CHAIR BATANGAN: Thank you. Staff, can we look into that before we take up the next item?

MS. MACDONALD: Yes, Chair, we'll work on that.

CHAIR BATANGAN: Okay. Is there anybody else wishing to testify?

MS. MACDONALD: There is no one else who signed up to testify. I do see Mr. Salem's hand is up again, but he's testified for this item.

CHAIR BATANGAN: Thank you.

MS. MACDONALD: Would you like me to do a last call?

CHAIR BATANGAN: Yes.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or Microsoft Teams, please raise your hand. This is final call...three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR BATANGAN: Thank you. Members, seeing that there are no more individuals wishing to testify, without objection, I will now close oral testimony on this item.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON ITEM 5(5) . . .

CHAIR BATANGAN: Thank you. As a reminder, written testimony will continue to be accepted. Chair recognizes that we have with us Member Cook.

COUNCILMEMBER COOK: Sorry for being late.

CHAIR BATANGAN: No problem. Okay. Members, Chair will be implementing a three-minute questioning period per Member with a one-minute follow-up round if needed. I will start on this side of the room. Sorry. My left, which is Member Sinenci, and then we'll work our way down. Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. And beside the gifts, I mean, like a lot of the testifiers had said, it's almost like a cultural...a cultural thing. And as...as Mr. Lall had mentioned, and Mr. Salem, if you...if you do kind of show up to a meeting without...I guess maybe it's just more of a cultural tradition to bring...to bring some kinds of gifts. Like we always do that, omiyage, where whenever we're visiting our conferences, we often bring omiyage to the other councilors and councilmen when we visit, especially on the mainland. But I guess my question was for the omiyages, is that something that we can address with...with you?

CHAIR BATANGAN: Director Akitake.

MS. AKITAKE: Thank you, Chair. Thank you, Councilmember Sinenci, for that question. The revision to the gift rules, the way the State has gone, it will be...there's a...there's a cultural shift that will need to be looked at and discussed. So, there's a lot more discussion that needs to be had. And we do not intend to change our rules without a framework and a lot more discussion so people can understand it. Definitely, I understand omiyage. The State laws has a lot of carve-outs for various things. But the thought of something you can consume, a donut versus a \$300 steak dinner. So, there's a lot that needs to be discussed in that regard. So, we can't just exempt food in general. So, the three-part test is, who is it from? What is the County purpose? And what's the value? So, if it's from a lobbyist, you know, a \$50 something from a lobbyist versus a \$15 a tray of donuts from a school group showing up. That's...so, there are no bright lines in that regard. But the State's experience is that when there are bright lines, like a \$25 gift of aloha or a \$50, there are abuses. There could be quite a few 24.99 steak dinners from Ruth Chris...dinners from Ruth Chris, which is not 24.99. So, we will

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

discuss that at our board when our permitting interaction group comes back with their report. And we will roll out any new rules very deliberately so that the community knows why we are going in a certain direction and to make sure people understand that direction. So, no panicking right now. It's just that that gift rules, gifts of aloha, is not in our rules anywhere. So . . . *(timer sounds)*. . . that needed to be taken down.

COUNCILMEMBER SINENCI: Okay. And then next time, if you can address the...I guess, the 'ō'ōs that are more of a traditional. And if we keep it in the...in the office, you know, most times it kind of just decorates and shows what we've participated in.

CHAIR BATANGAN: Thank you. Director?

MS. AKITAKE: Thank you, Chair. Thank you, Councilmember, for that question. Before I started, there are two opinions, published opinions about the 'ō'ō sticks. And...and please take a look at that. Thank you for asking to the Councilmembers who asked.

COUNCILMEMBER SINENCI: Okay.

MS. AKITAKE: The decision did...did mention that it is a very high-cost item. And it...there are these types of items that can be maintained for County purposes. There's actually a specific rule on it. So...and one of the things, though, is if...when people know what our ethics rules are and how they're going to be interpreted, then on the frontend, they could make different choices on what they use for those groundbreaking instead of a several hundred dollar 'ō'ō stick. Is there something else that's symbolic that could be used? You know, that...that sort of thing. So, please...please take a look at those advisory opinions. Thank you.

COUNCILMEMBER SINENCI: Okay. Will do. Thank you.

CHAIR BATANGAN: Thank you. Members, were you able to hear the timer this time around? No. So, we have to try again, Staff. While they're working on that, I will recognize Member U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. The 'ō'ō thing was a fun conversation to have because it was with an expensive piece of wood. And then there's other times where you go to some and they use like invasive wood that they don't necessarily have a high value, but nonetheless. Okay. I do have a question picking up on omiyage. What do we do about lei? Because there are times, and...and this is one where I'm going to argue that we cannot let our culture or let our ethics, our version of ethics get involved in our culture because that is a cultural thing.

CHAIR BATANGAN: Director?

VICE-CHAIR U'U-HODGINS: And lei can be very expensive.

CHAIR BATANGAN: Oh. Director?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. AKITAKE: Thank you. Thank you, Chair. And thank you, Councilmember. Absolutely. Lei is carved out.

VICE-CHAIR U'U-HODGINS: Okay. Good.

MS. AKITAKE: Of...a specific carve-out of the State's rule.

VICE-CHAIR U'U-HODGINS: As long as it's not like a lei of gift cards.

MS. AKITAKE: Yes.

VICE-CHAIR U'U-HODGINS: Okay. That's fine.

MS. AKITAKE: No money leis.

VICE-CHAIR U'U-HODGINS: Okay.

MS. AKITAKE: The idea is you cannot resell the lei.

VICE-CHAIR U'U-HODGINS: Okay. Okay. Great. Thank you so much.

MS. AKITAKE: So, no worry about lei.

VICE-CHAIR U'U-HODGINS: Okay. Good. I...I hear you on that one. And then we should expect some language and some policy changes to our nepotism law. Well, lack thereof, we're going to have some, as well as our lobbyists. Are we going to be kind of mirroring what the State does?

MS. AKITAKE: May I? Thank you, Chair. Thank you, Councilmember. Absolutely.

VICE-CHAIR U'U-HODGINS: Okay. Good.

MS. AKITAKE: So, the Legislature actually passed two resolutions in the House directing County ethics boards to follow the State...State's rules.

VICE-CHAIR U'U-HODGINS: Okay. And then...

MS. AKITAKE: And...yes.

VICE-CHAIR U'U-HODGINS: Sorry. I only have three minutes. Can you tell me a good cause request? Like what is a good example of a good cause request to be discussed in public?

MS. AKITAKE: Thank you. Thank you for that question. You can look at the State's opinions. Those are publicly done.

VICE-CHAIR U'U-HODGINS: Okay.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. AKITAKE: One in particular was one in Hāna.

VICE-CHAIR U‘U-HODGINS: Okay.

MS. AKITAKE: There was an emergency hire situation. And I believe it was father-son. I’m not totally sure.

VICE-CHAIR U‘U-HODGINS: Okay.

MS. AKITAKE: But that was...that was an exemption that was --

VICE-CHAIR U‘U-HODGINS: Okay.

MS. AKITAKE: -- that was made.

VICE-CHAIR U‘U-HODGINS: Okay. I hear you on that. I don’t disagree. We do need rules and laws. But this is a small island. Half of us are related to the other half of us. Okay. And then my next question, I’m going to actually ask on behalf of Tom because he went through this a lot. But how are you folks going to help protect employees and elected officials from unfounded and malicious complaints? I know we heard from somebody earlier that you’re going to attempt to bar people from talking about them. But what happens when the attacks are quite constant and completely unfounded? What are you folks going to do on our behalf? And everybody --

MS. AKITAKE: Thank you, Chair.

VICE-CHAIR U‘U-HODGINS: -- else’s behalf as well?

MS. AKITAKE: Thank you, Councilmember. I...I feel that one. And I see that one. And we have an adjudicatory function that is recognized Statewide. There are other boards in the County that have an adjudicatory . . .*(timer sounds)*. . . function for the purpose of anyone can file an ethics complaint, valid or not. And so, if there is something valid to it, the board will find that and we will move forward with it. If there is not, it gets dealt with in an adjudicatory meeting. There are other remedies. I...I was a per diem District Court Judge. So, there are other avenues if elected officials are being harassed.

VICE-CHAIR U‘U-HODGINS: Okay. Thank you. I won’t need a second round. But if I could say, Member Johnson posted a really good article the other day about “corruptomania,” and we’re kind of dealing with that on every aspect right now. But thank you.

MS. AKITAKE: Thank you.

CHAIR BATANGAN: Thank you, Member U‘u-Hodgins. Member Johnson, I look forward to seeing that article. And Members who are tuning in online, were you able to hear the timer this time? Still no. Okay.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER JOHNSON: I was...I was involved in the... in the conversation. I might have missed it. I don't know. I can't recall. . . .*(laughing)*. . .

CHAIR BATANGAN: I guess part of the point is --

COUNCILMEMBER JOHNSON: It has to be loud.

CHAIR BATANGAN: -- that it should be...it should be loud enough where you...you hear it, though --

COUNCILMEMBER PALTIN: Yeah.

CHAIR BATANGAN: -- you shouldn't have to be --

COUNCILMEMBER PALTIN: I mean --

CHAIR BATANGAN: -- paying close enough attention to...

COUNCILMEMBER PALTIN: -- I don't recall hearing anything.

CHAIR BATANGAN: Okay. Well --

COUNCILMEMBER JOHNSON: Riveting conversation.

CHAIR BATANGAN: -- we're getting reports from Staff in the side offices that they can hear it, but I don't think everybody's able to. So, we will persevere. Next up, Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. Thank you for coming today. I apologize, I missed the presentation. Is this only about gifts? Are we talking about lobbying and people who...having to file...go and get opinions from the Ethics...Board of Ethics before they either participate or continue to participate in things?

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you. We covered our priorities for 2026, includes lobbyist rule revisions, nepotism rule...a rule, we don't have a rule right now, also gifts that we intend to work on through our administrative rules, extending board jurisdiction over former employees to six years, which is in line with what the State has right now, and also a Charter amendment for two terms for Board of Ethics members.

COUNCILMEMBER COOK: Thank you. So, I'll ask my question. I think it fits within the criteria. When we interview people to serve on boards and commissions, and sometimes if they are industry-related, they'll be asked to go before the Board of Ethics for a determination after they're placed. I look at that mostly of education, what is appropriate and inappropriate so people know when they need to recuse themselves or not. I have a challenge with this. If someone has anything to do with industry, it's a real clear cut about money or influence being somewhat determinable and quantifiable.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

We also have people who are put on for cultural or environmental priorities who may be extremely biased, but they're not necessarily scrutinized, or they're not subject to the same scrutiny because it's really difficult because they're not necessarily servicing a company or their pockets or this or that, but they may not be objective in their assessment of a rule, an ordinance, a project. So, do you have any...I don't know if I'm conveying my concern, but do you have any perspective on how we can hold everybody accountable that if they're on a board or commission and they have a responsibility to hear and respond? I'm...I'm going to be flat out. I think the Planning Commission's determination on the recent ruling, and it's going to come back to the Council, I'm just like, I don't get it. So, anyway, thank you.

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you, Chair. Thank you for that question, Councilmember Cook. I absolutely understand what you're saying. I do want to clarify, though, that the Board of Ethics, we administer the ethics rules. And so, we look at if there's a violation of the ethics rules. I know there are people who would like to expand our role, that they believe a certain way, this or that. And if we don't go to those items, then we are . . . *(timer sounds)* . . . unethical, and...and --

CHAIR BATANGAN: Time.

MS. AKITAKE: -- well, we have a lane that we stay in.

COUNCILMEMBER COOK: Comment, just one quick comment. I totally respect that. And that would be...that's crazy. You can't start...you shouldn't be picking winners and losers and right and wrong. I say that not so much because I'd like that to happen. I say that because I think we need to be conscious of having the rules work for everybody and everything. Thank you, Chair.

CHAIR BATANGAN: Thank you, Member Cook. So...

MS. AKITAKE: May I...may I answer --

CHAIR BATANGAN: Yes, Director.

MS. AKITAKE: -- if there's a question? Thank you so much. What I do want to say is we do look at secondary employment. We look at their primary employment, if they're a volunteer. We look at what kind of contracts they have with the County, if they are a registered lobbyist or they should be a registered lobbyist. What I found is that because we don't have lobbyist rules, really, the concept of being a lobbyist is not that well understood. And so, I think a little of what you're saying, some of those forces could come into play. And as we develop our rules and the understanding of these concepts, then I hope that can touch some of your concerns.

COUNCILMEMBER COOK: Thank you for that answer very much. And thank you for your patience with me, Chair.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Thank you, Member Cook. Member Paltin, can I ask, did you hear the timer or did you hear me say time? Okay. So, everybody heard the timer. Okay.

COUNCILMEMBER PALTIN: Heard the timer.

CHAIR BATANGAN: Just making sure. Thank you, Members. Member Rawlins-Fernandez is excused. So, moving on, Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. And thank you, Councilmember U'u-Hodgins, for reminding me of that article. And I'm going to reference it today. So, it's in *Civil Beat*, called Corruptomania is a Dangerous Thing, and it's by Neal Milner. And basically, his thesis is, if you go out on the street, everybody's talking about corruption, corruption. But his argument is, it's more incompetence than competence, which is an interesting way to take...take it on. But I think what he was saying that really kind of rung true to me is like everybody blames the mismanagement of...of our government on corruption, but a lot of times it's just...it's not that. It's more like, you know, incompetence. But I'd like to hear the...the definition, the legal definition of corruption because I'll read this little quote that really kind of nails it on the head. He says, studies show that public has a very wide definition of corruption that goes far beyond the legal meaning and includes things like ordinary legislative bargaining, policies you disagree with, and incompetence as well. So, you know, you said any file...or anyone can file an ethics complaint, and that sounds to me just like you can indict a ham sandwich. So, really, you know, a lot of these things can be foundless [sic], and I'd like to maybe hear your definition of what you...what the legal definition is of corruption.

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you. Thank you, Chair. Thank you, Councilmember Johnson. There's a lot to unpack there, so...

COUNCILMEMBER JOHNSON: I'm sure there is.

MS. AKITAKE: We...we do not move forward on corruption. We move forward on ethics violations, which can cover corruption. So, I unfortunately can't give you a definition of corruption, but I can tell you that we uphold the ethics rules, and we will hold people accountable for violating those. Going back to the article, thank you for raising that. The incompetence issue, I do have to be very clear about this. We do not...if there...there are frequently complaints about how County employees did their job, and we do...we're not subject-matter experts in the different departments, so we're not going to go in and tell someone they should have or should not have issued a building permit, or something of that nature. And there are people out there who really want us to do that, and that is not our lane. And so, going a little bit to what we do, and also Councilmember Cook, we look at the ethics rules, and that is our lane. People want it to be expanded, but to the extent there is an allegation of incompetence, that goes someplace else.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER JOHNSON: Okay. So, if you're looking at ethic rules, is it up on...on the portal, is it up on your website, and you can clearly say to the public this?

MS. AKITAKE: Yes. We make --

COUNCILMEMBER JOHNSON: Good.

MS. AKITAKE: -- sure of that.

COUNCILMEMBER JOHNSON: Can you say it for the record where it is?

MS. AKITAKE: Yes, it is at the very bottom . . . *(timer sounds)* . . . of our website. There are three sets of rules that we are governed by, so please go and look at them at the very bottom of our website.

COUNCILMEMBER JOHNSON: You heard it here first, folks. Thank you. That's my time.

CHAIR BATANGAN: Thank you, Member Johnson. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I got three minutes, so if I cut you off, I don't mean to be rude. I...I think I did hear you clarify that the State passed an anti-nepotism policy in 2023. Is that...and that they intended for it to be applied to all the counties? Is that what you said, or...

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you, Chair. Thank you, Councilmember. No, the State's nepotism policy only applies to State employees and board and commissions members of the State. That's 55 to 60,000 people. 95 percent, the judiciary and the Legislature are exempt.

COUNCILMEMBER PALTIN: And at one time, didn't you say, though, that the directive was for the State to adopt...for the counties to adopt the State policy? Did you say that --

MS. AKITAKE: Yes.

COUNCILMEMBER PALTIN: -- in talking to one of the Members? Was there a deadline on that?

MS. AKITAKE: No.

COUNCILMEMBER PALTIN: Oh, okay. I...I worked with, in my former job, brothers, and one was the captain of the other, and I'd say this is very sorely needed. The next one I have a question about is, I think I heard you say a lobbyist statistic, something like 95 percent or something. I was wondering, have you had an opportunity to clean up the lobbyist list? Because the last time I looked at it, it looked very out of date.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. AKITAKE: Thank you, Chair. Thank you so much for that. No, we need to clean up the list. There are some lobbyists from 2007 still on the list, so that number is likely not accurate. However, it is definitely on the to-do list. We want to update the rules, though, the substance of it, but we have an eye. We will clean up the list.

COUNCILMEMBER PALTIN: Oh, okay. And then I guess going back to the...the Countywide nepotism rule about the...the counties adopting the State's policy, like is that a cut and paste kind of thing where the State has a written policy and we're just adopting the policy, or are we like putting it into legislation as well? Or is a rule for the Board of Ethics sufficient?

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you, Chair. Thank you, Councilmember. It is not...we are not going to be able to do a nepotism rule through our admin rules. This is going to come through the Council. It needs to be a Maui County Code, and it needs to be discussed at length. So, the Hawai'i County's policy is virtually identical to the State's. Their definition of family and household member is a little different, but it covers the same substance. So, we will . . .(timer sounds). . . have a much larger discussion about that.

COUNCILMEMBER PALTIN: Okay. I heard the bell. Thank you.

CHAIR BATANGAN: Thank you, Member Paltin. Member Sugimura?

COUNCILMEMBER SUGIMURA: Congratulations. Every time you appear or appear, you give us more and more of what you're doing, and...and welcome to your Staff. Nice to see you hiring good people. In the Auditor's February 2026 fraud report, in there, he does...oh, thanks. He does say that we need to have a...exactly what you're doing. So, I look forward to seeing what you come up with. What is your process? You're just going to pass it by your board, and then you'll come up with what your board agrees to, and...and then propose a nepotism ordinance?

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you, Chair. Thank you for that question. It is...it was noted in the audit that we do not have one, and it is best practice to have one. We had a very thorough discussion with Kee Campbell in our February meeting. We actually went through every concern the Council raised in 2013 and 2014, and we discussed those at length. I want to say about 80 percent of those concerns are not actually...do not pan out as concerns in the way the rule is now written. So, ten years on, they've been able to address some of those concerns, and the . . .(inaudible). . . concerns that have meant that this has not moved forward. So, we have taken a deep dive at the board level for nepotism. I highly recommend everyone watch that discussion, because we touched every concern from the Council in 2013/2014, and Kee Campbell talked about the process, researching other states, and how they decided on what they decided on. Also showing that jurisdiction over 55 to 60,000 employees resulted in approximately 15 good cause exemption requests. So, the numbers show that this is doable.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER SUGIMURA: Okay. Can I ask a question?

MS. AKITAKE: Sorry. Go ahead.

COUNCILMEMBER SUGIMURA: So, what about existing employees? So, if you have departments that hire...you know, that has nepotism, what...what does your policy recommend for...for that?

MS. AKITAKE: There are two...two options. One...and...and Kee Campbell explained that it's not correct to use the words retrospective and prospective. Indiana went a different route than Hawai'i, so we can get into that and decide which way to go. But the idea is they...the State did a six-month delay in the start of their policy, and after six months, everyone had to be in compliance. And so, if they couldn't get into compliance, then they would ask for a good cause exemption, which there were 15 of those. But he said the vast, vast majority of situations, you can "shuffle the deck" in hiring or supervising, mostly supervising, and it would be in line with the rule.

COUNCILMEMBER SUGIMURA: Also the Auditor's report. The action must appropriate funds for the establishment of a Countywide fraud...Countywide . . .(timer sounds). . . fraud hotline, and a centralized intake system. So, if I could just finish that one sentence. So, what you're doing, would it kind of encompass some of this, or is it two separate thoughts?

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you. The County Auditor, it's my understanding they're going to start a fraud, waste, and abuse hotline. I don't know what their timeline is, but we do expect to get referrals from that.

COUNCILMEMBER SUGIMURA: I see. So, that's how it would interplay.

MS. AKITAKE: Yes.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR BATANGAN: Thank you, Member Sugimura. Chair Lee?

COUNCILMEMBER LEE: Chair, I have no questions, primarily because in nine months and nine minutes, this will not apply to me. Thank you.

UNIDENTIFIED SPEAKERS: . . .(laughing). . .

CHAIR BATANGAN: Not that you're counting down the minutes. Okay. So, thank you, Director. Thank you, Members. So, I wanted to have this 7(B) so that you all and the public would understand what is being contemplated by the Board of Ethics and what our role will be in shaping that. You know, she mentioned some Charter amendments.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

Those will be taken up when we take up any proposed Charter amendments later this summer. There will be some Code amendments. She mentioned three, I think...the Countywide nepotism rule, the lobbyist rule, and then the jurisdiction over former employees. Drafts of those are being worked on now by Committee Staff and the Board of Ethics' Staff. The first draft will go to the Board of Ethics for review and comment before it comes back to us, and then we'll take those up over the summer. And then the last one is admin rules. So, those, we will not have a formal role in reviewing and approving before it goes out to the public for, you know, their thumbs up or thumbs down. But if you want to get involved in that process, it would be through the Board of Ethics internal administrative rulemaking process. I did have one question. Are you planning to create, like, a one-pager or a guidebook on some of the proposed changes? I think...you know, we heard from Members a lot of support for what's being proposed, but also a lot of questions as to how it will be implemented or what they need to do...what we need to do individually to be in compliance. Is there going to be any sort of resources to that effect?

MS. AKITAKE: For the proposed changes?

CHAIR BATANGAN: I guess, or after those proposed changes get adopted.

MS. AKITAKE: Absolutely. That is part of the training. We want to do written training materials, in-person training materials, online training materials. I...I understand the concern if we make a big rule change and just drop it on you and you don't know what it means, that doesn't help. That doesn't help. Change is difficult, and we want to help make that easier. And so, we're going to do our very best to...and certainly with the gift rules, rolling those out with enough information that people can go to to ask questions. And knowing that our office is going to be flooded with questions as well, people calling. So, we're hoping now that we have additional Staff and another attorney, we can have a lot of training materials available.

CHAIR BATANGAN: Thank you. And so, these are the priorities that we're...the Committee Staff is working with you and your Staff on. If Members have additional legislation that they would like to introduce to supplement this package, who would they reach out to?

MS. AKITAKE: I would be happy to talk with you. Also, we have agendized pretty...every meeting so far that I've been here, our strategic plan. So, we do want to hear from the public to engage in what they want to see that would be in our lane that we could...we could do to strengthen public trust. . . .(timer sounds). . . And so, either one-on-one or at our meeting.

CHAIR BATANGAN: Thank you, Director. Okay. Members, is there any desire for follow-up questions? Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Director Akitake. I just was wondering, you know, if you have calendars set for the various political cycles. In this morning's BFED, we were kind of informed that some of the spur of midterm changes

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

was due to, you know, whatever staffing changes or whatever of appointed people. And I think that highlights the importance of immediate training when there's a new elected official Administration, anything like that. And have you worked that into your calendar? Because I mean, it's a predictable cycle, and it's important enough to happen, like, right away. I know that with the boards and commissions, we couldn't issue any advisory opinions or ask for any advisory positions until they've been put on the boards and commissions. In an election year we should know the winner by mid-November. Could you start doing some training prior to swearing in so that, you know, whoever the choices are or whatever can hit the ground running?

CHAIR BATANGAN: Director?

MS. AKITAKE: Thank you, Chair. Thank you for that question. Absolutely. We...I know Office of Council Services, before our office started, did ethics training for each Councilmember. And so, with Chair, they communicated with my office, how do we want to handle this? And so, I did meet with Chair Batangan to do an ethics training with him. So, that is definitely on the radar, and I'm...I'm sure that the...the people who are...are elected are going to want that training early as well. So, we're available for that.

COUNCILMEMBER PALTIN: Elected and appointed, right?

MS. AKITAKE: And appointed, yes.

COUNCILMEMBER PALTIN: Okay. Thank you. Just wanted to make sure it's on your radar because it's so predictable. I mean, it's like a...it's scheduled already. Thank you.

CHAIR BATANGAN: Thank you, Member Paltin. Is there anybody else who has follow-up questions? Seeing none. Members, this item was posted for no legislative action. So, if there are no objections, I will defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: KRF)

ACTION: DEFER pending further discussion.

CHAIR BATANGAN: Okay. All right. That concludes the first item of business. If you guys don't mind, can I ask for a five-minute recess before we start the next one? Okay. So, the time is 2:37. We'll come back at 2:45. Thank you. . . .(gavel). . .

RECESS: 2:37 p.m.

RECONVENE: 2:46 p.m.

CHAIR BATANGAN: . . .(gavel). . . All right. Members, it is 2:46. Can the GREAT Committee meeting of March 17th please come back to order.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

ITEM 5(6): CASE UPDATE REGARDING CHELSIE EVANS, INDIVIDUALLY AND AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF TRE' PU'UWAILA'AHIAOLOPAKAAMELEHUANANI EVANS-DUMARAN, DECEASED, V. SCOTT MARTIN, CIVIL 2CCV-24-0000034

CHAIR BATANGAN: Second on the agenda is a Case Update Regarding the Chelsie Evans...Regarding *Chelsie Evans, Individually as a Personal Representative of the Estate of Tre' Pu'uwaila'ahiaolopakaamelehuanani Evans-Dumaran, Deceased, v. Scott Martin*, Civil 2CCV-24-0000034. Item is GREAT-5(6). Along with Deputy Corporation Counsel Gores, we have with us today representatives of ES&A, Inc., A Law Corporation, to provide us an update on this case. May I please ask that you introduce yourselves?

MR. GORES: John Gores, Deputy Corporation Counsel.

MS. ELENTO-SNEED: Anna Elento-Sneed. I'm the President and attorney with ES&A, Inc.

CHAIR BATANGAN: Thank you. Members, if there are no objections, I will be designating these individuals as resource persons under Rule 18(A) of the Rules of the Council due to their expertise on the matter.

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: Seeing no objections, may I now request opening comments from Deputy Corporation Counsel Gores and special counsel.

MR. GORES: Thank you, Mr. Chair. This is a case stemming from an incident that occurred in January of 2023. A lawsuit was commenced, initially was filed against Captain Scott Martin of the Fire Department here at the County of Maui. The plaintiff subsequently filed a first amended complaint to name of the County. The County brought a motion to dismiss, which was granted against the County by the Second Circuit Court. The Second Circuit Court actually issued...

UNIDENTIFIED SPEAKER: . . .(inaudible). . .

CHAIR BATANGAN: Thank you. Please continue.

MR. GORES: Thank you. The Second Circuit Court actually entered two orders dismissing the case against the County with prejudice. One was filed January 7th of 2025, and the other was filed February 5th of 2025, with the basis being this claim is barred by the exclusivity provision of the Hawai'i Workers' Compensation Act, as was similarly held in three prior wrongful death cases. However, the case against Captain Martin is still pending and active, and Ms. Elento-Sneed is here to do a presentation on that. Much of what she's probably going to discuss will implicate the powers, duties, privileges, immunities, and liabilities of the County, the Council, and this Committee, may...and much may have to be discussed in executive session.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. ELENTO-SNEED: Good afternoon, everyone. I'm here today because the Maui Corporation Counsel's Office asked me to answer any questions you might have regarding the status of the lawsuit, and because the County is funding Captain Martin's defense, it's entitled to limited disclosures within the terms of a stipulated protective order, which the plaintiff and...and the defendant have entered into in this lawsuit. I can answer any questions you may have pertaining to the case, provided the information you seek is part of the public record. But under the rules of professional conduct for lawyers in Hawai'i, I'm prohibited from revealing any confidential information relating to the representation of my client in the lawsuit. So, please ask the questions, and if I explain that I have to decline to answer, it is because the information you seek is either covered because it's confidential, covered by the attorney-client privilege, or covered by what we call the work product doctrine. So, with that...

CHAIR BATANGAN: Oh, thank you. Okay. Before we move on with testimony, I'd like to apologize to Tre' and his 'ohana for butchering his middle name, and would like to take a second stab, this time with my glasses on. I was caught off guard a little bit earlier. I was not expecting that. But it's the estate of Tre' Pu'uwaila'ahialopakaamelehuanani. Okay. So, before moving on to discussion, I'll receive public testimony on GREAT-5(6). Staff, is there anybody wishing to testify on this item?

MS. MACDONALD: Chair, there is nobody signed up, but I do see somebody approaching the podium.

. . . OPEN PUBLIC TESTIMONY ON ITEM 5(6) . . .

MR. LAW: Aloha awakea. It's Jasee Law from Kula Uka. Thank you, County. And thank you, Scott Martin. I never met...never met Tre' nor did I meet Scott Martin, but I'm not...I'm not much of a speech guy for words and stuff on occasions like this. I'm more leaning on towards Tre's side, and yeah, I appreciate that I'm even able to participate in this...in this conversation. The Hawaiian word for Tre' is me'e, hero, and other than him being a firefighter and going out and helping people and saving lives and stuff, it didn't occur to me until this big storm here this weekend that he might have actually saved the life of someone else that would have put their selves into harm's way. And the Jesus guy said there's...you can do nothing better for...in this world than to give up your life for someone else, so I feel like that's what he did.

CHAIR BATANGAN: Thank you. Members, any clarifying questions? Member Paltin. Mr. Law, we have a question from Councilmember Paltin.

COUNCILMEMBER PALTIN: I just wanted to clarify, Mr. Tanner Mosher credited Tre' for his work in saving the firefighters in the Lahaina fire, so it's my understanding he saved more than one life.

CHAIR BATANGAN: Mr. Law?

MR. LAW: We never know what the future holds, Councilor Paltin.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER PALTIN: I would say at least six, if not more.

CHAIR BATANGAN: Thank you, Member Paltin. Any other questions for the testifier? Seeing none. Staff, is there anybody else wishing to testify on this item?

MS. MACDONALD: Chair, there is no one else who has signed up to testify. Would you like me to do a last call?

CHAIR BATANGAN: Yes, please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call...three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR BATANGAN: Thank you. Members, seeing as there are no more individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON ITEM 5(6) . . .

CHAIR BATANGAN: As a reminder, written testimony will continue to be accepted. Okay. Members, Chair will be implementing a three-minute questioning period per Member, and we can see if we need a follow-up round. I can start on Chair Lee's side of...of the Chamber, and I'll work my way down towards Member Sinenci. Chair Lee, do you have any questions?

COUNCILMEMBER LEE: No questions.

CHAIR BATANGAN: Thank you. Member Sugimura?

COUNCILMEMBER SUGIMURA: So, basically, the special counsel, you're representing the County, or you're representing...

MS. ELENTO-SNEED: No, I represent solely Captain Martin.

COUNCILMEMBER SUGIMURA: Oh, only Captain Martin. So, I just want to say that I met with Tre's mom, not the grandma, who I know by...she used to work with us, and I guess her husband. But I'm really grateful that you're bringing this up, because the day that I met with her, the family had the whole front lawn with signs of, I guess, sentiments that the family received from the community. It was very sad. And the thought that it left you with was, okay, what are we doing with the County? And the hard part is, I'm a mother, and just trying to imagine what the family must be going through, you know, living this day...day by day, and the...and the heartbreak, and what is the delay. So, these are probably statements during Corp...during...if...if you would, you know, take

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

us into executive session, I have more questions that may be related to this, but I guess I will...I will wait.

CHAIR BATANGAN: Thank you, Member Sugimura. Member Paltin?

COUNCILMEMBER PALTIN: Thank you. I'm not sure the whole things of what we're allowed to ask, but is...is there any possibility that some of the settling on the nonmonetary items being requested could happen?

CHAIR BATANGAN: Corporation Counsel?

MR. GORES: That would be a question that could only be answered in executive session, as it would implicate the powers, duties, privileges, immunities, and liabilities of the County.

CHAIR BATANGAN: Okay.

COUNCILMEMBER PALTIN: Okay. Another question. So, you cannot meet with the family?

CHAIR BATANGAN: Corporation Counsel?

MR. GORES: I believe the family did meet in our office once, and had a discussion and a presentation with us.

COUNCILMEMBER PALTIN: Do you know the date?

MR. GORES: It was on the day the judge in the circuit court dismissed this lawsuit with prejudice against the County.

COUNCILMEMBER PALTIN: Oh. So, there's no pending lawsuit right now?

MR. GORES: As to the County, the lawsuit has been dismissed with prejudice. The County has no liability as to that claim. The only claim left is the claim that's being brought against Captain Martin.

COUNCILMEMBER PALTIN: Is there a timeline for him?

MS. ELENTO-SNEED: The trial is scheduled for...one second, let me look. June 7th, 2027.

COUNCILMEMBER PALTIN: If Captain Martin retires or separates before then, we're still going to be with him? I mean, stand next to him?

MR. GORES: The County has an obligation to provide Captain Martin with a defense. And that is why Ms. Elento-Sneed is representing Captain Martin.

COUNCILMEMBER PALTIN: And that's regardless of his employment status with the County?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. ELENTO-SNEED: Yes.

COUNCILMEMBER PALTIN: And do we know a range of what we're...he...he's on the hook for?

MS. ELENTO-SNEED: As far as I can tell, based on statements by the plaintiff's attorney, they do not want money from Captain Martin. They believe that if they get a judgment . . . *(timer sounds)* . . . against Captain Martin, the County will have to pay for it.

COUNCILMEMBER PALTIN: Okay. But what...what is the dollar amount?

MS. ELENTO-SNEED: It's...yeah, I think you're going to have to go into executive session because that concerns the liabilities of the County, and is confidential information.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR BATANGAN: Thank you, Member Paltin.

COUNCILMEMBER PALTIN: I heard the bell.

CHAIR BATANGAN: So, Members, we can finish this round of questioning, and if there's a desire to go into executive session, we can take up that motion after we complete this round. Okay. And if you're on the fence as to whether or not it's a question for open or executive, my recommendation would be to ask and Corporation Counsel or special counsel can tell us whether or not they can answer it on the floor at this time. Okay. Next up, Member Johnson.

COUNCILMEMBER JOHNSON: Thank you. I have no questions in open session at this time.

CHAIR BATANGAN: Thank you, Member Johnson. Is Member Rawlins-Fernandez back? No. So, Member Cook?

COUNCILMEMBER COOK: I don't have any current questions.

CHAIR BATANGAN: Thank you, Member Cook. Member U'u-Hodgins?

VICE-CHAIR U'U-HODGINS: Thank you. My questions will primarily need to be discussed in executive session, so I can hold on. I know they need to be in an executive session. Thank you.

CHAIR BATANGAN: Thank you, Member U'u-Hodgins. Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. My apologies, the neighbors are working in their garage. Can the Corporation Counsel repeat the verdict again?

CHAIR BATANGAN: Corporation Counsel?

MR. GORES: I'm sorry, Councilmember, could you repeat your question?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER SINENCI: What was the...I guess, the judge's recommendation?

MR. GORES: The judge's decision was the lawsuit against the County is dismissed with prejudice. The County is not responsible. The exclusive remedy for an employee is to bring a workers' compensation claim under the Hawai'i Workers' Compensation Act, not to bring a circuit --

COUNCILMEMBER SINENCI: Got it.

MR. GORES: -- court action.

COUNCILMEMBER SINENCI: Okay. Thank you for that. Thank you, Chair.

CHAIR BATANGAN: Okay. At this time, I think that concludes our first round of question. Would anybody like to make a motion to go into executive session? Okay. I see a motion by Member Sugimura. I'll take the second from Member Cook. Let me find my notes related to executive session.

COUNCILMEMBER PALTIN: Roll call, please.

CHAIR BATANGAN: Oh, roll call. Okay. Okay. So, the Chair will entertain a motion to convene --

COUNCILMEMBER PALTIN: . . .*(inaudible)*. . .

CHAIR BATANGAN: -- an executive meeting in accordance with...

COUNCILMEMBER PALTIN: If you want to take the vote before you read the rules, just in case there's not enough votes to go into executive session, then you don't have to waste your time reading the rules.

CHAIR BATANGAN: Okay. Okay. I'm being advised I need to read the beginning portion before we take the motion...before we take the vote. So, we would convene executive...an executive meeting in accordance with Section 92-5(a)(4), Hawai'i Revised Statutes, to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, Council, and the Committee. And Section 92-5(a)(8), Hawai'i Revised Statutes, to deliberate or make a decision upon a matter requiring the consideration of information that must be kept confidential pursuant to a State or Federal law or a court order. Okay. I have a motion made by Member Sugimura, seconded by Member Cook to enter into executive session for resolution...I guess it's item GREAT-5(6). Any further discussion? Seeing none. I will ask for roll call.

MS. APO TAKAYAMA: Proceeding with roll call. Councilmember Cook.

COUNCILMEMBER COOK: Aye.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. APO TAKAYAMA: Councilmember Johnson.

COUNCILMEMBER JOHNSON: Yes.

MS. APO TAKAYAMA: Council Chair Lee.

COUNCILMEMBER LEE: Aye.

MS. APO TAKAYAMA: Councilmember Paltin.

COUNCILMEMBER PALTIN: No.

MS. APO TAKAYAMA: Councilmember Rawlins-Fernandez?

COUNCILMEMBER SUGIMURA: Excused.

CHAIR BATANGAN: Excused.

MS. APO TAKAYAMA: Councilmember Sinenci.

COUNCILMEMBER SINENCI: No.

MS. APO TAKAYAMA: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Aye.

MS. APO TAKAYAMA: Committee Vice-Chair U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Aye.

MS. APO TAKAYAMA: Committee Chair Batangan.

CHAIR BATANGAN: Aye.

MS. APO TAKAYAMA: Chair, that's six "ayes," two "noes," one excused. Motion carries.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

VOTE: AYES: Chair Batangan, Vice-Chair U‘u-Hodgins, and Councilmembers Cook, Johnson, Lee, and Sugimura.

NOES: Councilmembers Paltin and Sinenci.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Rawlins-Fernandez.

MOTION CARRIED.

ACTION: RECESS the open meeting and CONVENE the executive meeting.

CHAIR BATANGAN: Okay. So, for the record, the following personnel will be attending the executive session. That’s all Councilmembers in attendance...myself, Committee Chair Kauanoë Batangan, Committee Vice-Chair Nohelani U‘u-Hodgins, Councilmember Tom Cook, Councilmember Gabe Johnson, Councilmember Alice Lee, Councilmember Tamara Paltin, Councilmember Shane Sinenci, Councilmember Yuki Lei Sugimura...Office of the Council Services Staff, Peter Hanano, Legislative Attorney, and Maria Leon, Committee Secretary. Corporation Counsel, can I state...can I ask you to state who from the Department of Corporation Counsel or the Administration will be in executive session and your titles, please?

MR. KOLBE: Thank you, Chair. Thomas Kolbe, I will be the attorney sitting in and advising from a counsel and drafting perspective. Also present will be John Gores if there are any legal questions related to the lawsuit against the County. And our special counsel, Ms. Elento-Sneed, will be present to answer questions related to Scott Martin’s defense.

CHAIR BATANGAN: Thank you. Deputy Corporation Counsel, can I ask whether or not special counsel is entitled to remain in executive session since she’s technically representing Captain Martin rather than the County?

MR. KOLBE: I think she needs to be present here. I think you need to hear from the legal representatives who are handling the litigation and trial, which is scheduled for July of 2027...or June. So, I...I think she needs to be here. I anticipate that the majority of questions will really be related to the remaining claims, which are against Captain Martin, who is...we have a duty to defend, which means that you guys, as the people who authorize special counsel, would need to...to hear directly from her about the status of that and anticipated costs moving forward.

CHAIR BATANGAN: Okay. Thank you. Peter, is there anything else I’m supposed to ask before we move on to executive session?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MR. HANANO: Not that I can think of, but I would request a recess, Chair.

CHAIR BATANGAN: Okay. So, at this time, Chair would like to call for a five-minute recess to 3:12 p.m. We will reconvene in executive meeting. . . .(gavel). . .

RECESS: 3:07 p.m.

RECONVENE: 3:14 p.m.

CHAIR BATANGAN: Okay. Members, it is 3:14. I'd like to call this GREAT Committee meeting of March 17th back to order. As you may have noticed, we are still in open session. There's been a slight change of plans. OCS Director has informed me that we cannot bring special counsel into executive session since she does not represent the Council. The executive session's for us to be able to confer with our attorneys, and since she stated on the record that she does not represent this body or the County at large, we cannot bring her in with us. So, we might have a very short executive session, depending on how much of the answers we're able to get from Corporation Counsel. Okay. That being the case, I will take a two-minute recess now, and we will reconvene in executive session. This meeting of the Government Relations, Ethics, and Transparency Committee is now in recess. . . .(gavel). . .

RECESS: 3:15 p.m.

RECONVENE: 4:13 p.m.

CHAIR BATANGAN: . . .(gavel). . . The Government Relations, Ethics, and Transparency meeting will reconvene. It is 4:13 p.m. Members, we have just completed our executive meeting on GREAT-5(6). Peter, can I please ask that you provide a summary in accordance with Hawaii Revised Statutes Section 92-4?

MR. HANANO: Yes, thank you, Chair. Your Government Relations, Ethics, and Transparency Committee met in executive session on GREAT Committee item number 5(6) to discuss with its attorney, County's powers, duties, privileges, immunities, and liabilities, and also sought legal advice and questions from its attorney on issues related to the matter. Thank you, Chair.

CHAIR BATANGAN: Thank you. Members, is there any further discussion before the Chair's recommendation? Seeing none. This item was posted for no legislative action, so if there are no objections, I will now defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: KRF)

ACTION: DEFER pending further discussion.

CHAIR BATANGAN: Thank you.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

ITEM 11(27): RESOLUTION 26-15, AUTHORIZING THE EMPLOYMENT OF MCCORRISTON MILLER MUKAI MACKINNON LLP. AS SPECIAL COUNSEL IN TODD P. LYNAM, ET AL. V. COUNTY OF MAUI, ET AL.; CIVIL 2CCV-25-0003780, AND IN ANY FUTURE LITIGATIONS CHALLENGING ORDINANCE 5909 (2025)

CHAIR BATANGAN: Members, we have before us Resolution 26-15, entitled Authorizing the Employment of McCorriston Miller Mukai McKinnon LLP, as Special Counsel in *Todd P. Lynam, et al. v. County of Maui, et al.*; Civil Case 2CCV-25-0003780, and in Any Future Litigations Challenging Ordinance 5909 (2025). Resolution 26-15's purpose is to authorize the employment of McCorriston Miller Mukai McKinnon LLP, as special counsel to assist and represent as co-counsel the County of Maui Department of Planning and Kate Blystone in her official capacity or her successor as Director of Planning with the class action complaint for declaratory and injunctive relief in *Todd P. Lynam, et al. v. County of Maui, et al.*; Civil 2CCV-25-0003780, and in any future litigations challenging Ordinance 5909 (2025), for a total compensation not to exceed \$250,000. May I ask that you please introduce yourself, Corporation Counsel and proposed special counsel.

MS. TARNSTROM: Thank you, Chair. Kristin Tarnstrom, Deputy Corporation Counsel. I'm here with Catherine Hall. She's my co-lead on these litigations. She's also a Deputy Corporation Counsel. And we do have online David Hinken [sic] of...sorry, Minkin of McCorriston Miller Mukai MacKinnon.

CHAIR BATANGAN: Thank you. Members, if there are no objections, I will be designating these individuals as resource persons under Rule 18(A) of the Rules of the Council due to their expertise on this matter.

COUNCILMEMBERS: No objections.

CHAIR BATANGAN: All right. May I please have opening comments from Deputy Corporation Counsel Kristin Tarnstrom and special counsel.

MS. TARNSTROM: Thank you, Chair. And again, I apologize for getting David's name wrong. It is David Minkin, not David Hinken. I often get them confused...for no good reason. As this Council's aware, on December 15th, 2025, the body passed Bill 9, Ordinance 5909. And on December 24th, 2025, we received service of first complaint in the matter. And that is a class action complaint. There are currently only five individuals at that time. Sorry, there were five individuals who were named as plaintiffs. And that is Todd Lynam versus the County of Maui. That is filed in State court and is before Judge Drewyer. On January 22nd, 2026, we were served with the second action. And that is approximately 45 owners within Kā'anapali Royal that initiated a case challenging Bill 9. And that is also in State court, but it is before Judge Hamman. The actions made very similar challenges to the ordinance. They argued that Bill 9 was unlawful under 46...HRS 46-4, that it affected a regulatory taking, that it is a violation of due process, and equitable...sorry, equal protection. And they also made zoning

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

estoppel claims in those complaints and a violation of the contracts clause. Ultimately, our intention is to keep the work related to this litigation in-house as much as possible. That's why I have...Catherine Hall and I are co-leads on this matter. And we've already successfully prosecuted a motion to dismiss on several of the claims that were brought in...at least the first, the Lynam lawsuit. But since we don't know what to expect in this case, and there is a class action pending, we wanted to employ David Minkin's firm as they have an...expertise in class action cases. And we don't know what shape these litigations will take, as I noted. So, we have requested special counsel be identified as co-counsel in this case because it is our intention for Cathy and I to take on these cases for the most part as lead counsel. But Mr. Minkin will be, I don't want to say backup, but he'll be there to assist us should the cases become more numerous, needing more management.

MR. MINKIN: This is David Minkin. I've met most of you previously. One of the people that used to work with me after 13 years has left and gone over to a small plaintiff's firm, that's Jordan Inafuku. But I have...as I've indicated, I have really brilliant young lawyers with me such as Mr. Inafuku and Micah Miyasato and Sabrina Gouveia. I have handled class actions both as plaintiff's counsel as well as defense counsel. I also have handled planning issues and these types of things. I defended the County of Kaua'i when they did the pesticide ordinance. I also defended the County of Kaua'i and got dismissed lawsuits in Federal court when they had the landslides towards Hanalei and they restricted people from basically using their homes or using the road. And just for information purposes, I went to law school to be a prosecutor because I was a victim advocate in Honolulu. And then in law school, I actually liked real property land use matters. I spent 11-and-a-half years on the Zoning Board of Appeals in Honolulu, chair for nine-and-a-half years, and I've done cases all the way up to the Supreme Court involving government regulations, laws, and everything else. So, in this particular...these cases I've already provided and spoke with Corporation...Deputy Corporation Counsels on the pleadings that they've done and will just sit in the weeds basically until asked to do something.

CHAIR BATANGAN: Any other remarks from the Administration at this time?

MS. TARNSTROM: No, Chair. Thank you for the opportunity.

CHAIR BATANGAN: Thank you. So, for the public's information, I plan to recommend a deferral on this item today. Following the recent Kona low storms, members of our community were impacted in ways that may inhibit their ability to traverse to the County Building or join this meeting online. To promote transparency that will allow the public to observe the meeting or provide testimony before we consider action on this item, my plan is to bring this back up at a later point. That being said, I will now receive testimony for GREAT-11(27). Staff, is there anybody wishing to testify on this item?

COUNCILMEMBER PALTIN: Chair, can we clarify with the lawyer folks that this is not time sensitive?

CHAIR BATANGAN: Corporation Counsel?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. TARNSTROM: Thank you, Chair. Thank you, Member Paltin, for the question. That's...that's a hard question to answer. We had hoped to...to line up Mr. Minkin's firm to assist us as soon as possible in the case when we submitted this in January. There is presently a bit of a lull in activity in the litigations, that could always change. So, at present, there isn't a desperate need to line it up, but we'd hope to do it as soon as possible.

MR. MINKIN: And...

COUNCILMEMBER PALTIN: And you understand that we're going into budget, so we're not going to be taking this up for another at least couple months.

MS. TARNSTROM: Yes.

MR. MINKIN: And, Councilperson--David Minkin--I will continue to support the Corporation Counsel as necessary even if this isn't passed at this point in time. I am grateful for my 51 years in Hawai'i. I am grateful for the University of Hawai'i School of Public Health, which no longer exists. I am grateful for the University of Hawai'i Law School, which I am a graduate of, and I will continue to help. And I feel very honored to have been a prosecutor, victim advocate, and now assisting counties throughout the State. So, I will continue to assist them. Whenever it comes up, it comes up.

COUNCILMEMBER PALTIN: Thank you for that clarification, and condolences on the loss of Mr. Inafuku from your firm.

MR. MINKIN: I am feeling it very hard.

CHAIR BATANGAN: Thank you. Staff --

COUNCILMEMBER PALTIN: Thank you, Chair.

CHAIR BATANGAN: -- can you please call up the first testifier?

MS. MACDONALD: Yes, Chair. The first individual signed up to testify is Sam Small, to be followed by Christopher Salem.

CHAIR BATANGAN: Mr. Small, you have three minutes.

MS. MACDONALD: Chair, after reviewing those in the meeting, I don't believe Sam Small is still in the meeting, but I do see Christopher Salem. We could move to him for now?

CHAIR BATANGAN: Yeah, Mr. Salem, you have three minutes. Staff will come back to Mr. Small afterwards...or at the end of all testimony.

. . . OPEN PUBLIC TESTIMONY ON ITEM 11(27) . . .

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MR. SALEM: Thank you, Committee Chair. I appreciate it very much. I'm not speaking today necessarily on Bill 9. I really don't have a position on that. However, I do think there's a nexus between what just occurred a few hours ago and what we're embarking on right here today. In this process, all of these processes where we employ outside counsel, what we're seeing today is an opportunity to make change. The McCorriston firm is...first of all, is an excellent law firm. I have no position on 9, but I do have a position on the McCorriston firm, that being what I just said. The issue at hand is, is that I believe there should always be upfront disclosures as to, for example, in this case, what prior lawsuits and/or actions the firm has been involved with. This would apply to all firms, but specifically here today, the McCorriston firm was my law firm. My law firm, as it relates to the issues with the ones we're still dealing with. They also were the law firm for the Olowalu homeowners, and successfully forced that developer, Peter Martin, to come back on those millions of dollars of mitigations, many of which were fire mitigations that are not done. McCorriston firm, Randy Schmitt, was fantastic in that pursuit. The McCorriston firm also represented Anuenue Housing Group, which is a group that I personally formed, bringing in a nationwide affordable housing consultant and expert, and we settled the Palama Drive litigation. We settled that, not Corp. Counsel. And we brought the number down from 22 to probably 12, \$13 million by exposing the engineer's role in that. That was a year and a half. My close friend, Jay (*phonetic*), the attorney developer, he personally spent...I'm not going to disclose how much with the McCorriston firm or how much I spent with that firm, but I just think procedurally, just in case there is any potential conflicts--not that I'm saying there is with McCorriston, you can hear my support of them--but the bottom line is, they were our law firm, and I would love to read to you a letter that was referencing what Councilmember Hodgins said earlier about when people are making accusation, but it's pretty blistering from their firm regarding one of the former Public Works' directors, where he specifically said what his actions were illegal and done with a clear intent to benefit a client of the Munekiyo firm. And I could present that letter from the McCorriston law firm, taking a position on illegal conduct. So, it's very important that when these attorneys come to the floor, that they put out there where they've been involved in actions in the County of Maui, just so people may know there's conflict . . . (*timer sounds*). . . but I don't think...but I don't think--I'll finish--I certainly don't believe, in this firm's case, that there's conflicts related to Bill 9, but I'm not one to speak to that, but I can speak to my experience with them as a paying client. So, thank you very much. I appreciate your time.

CHAIR BATANGAN: Thank you. Members, any questions for the testifier? Thank you, Chair Lee. . . (*inaudible*). . . Okay. Staff, is there anybody else wishing to testify?

MS. MACDONALD: Chair, there's no one else on the list apart from Sam Small, but I don't see him in the meeting.

CHAIR BATANGAN: Okay. Can you do a last countdown, please?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

MS. MACDONALD: Yes, Chair. If anybody is in the Chamber and would like to testify, please let Staff know, or on Microsoft Teams, please raise your hand. This is final call...three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR BATANGAN: Thank you. Members, seeing as there are no more individuals wishing to testify, without objection, I will now close oral testimony on this item.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY ON ITEM 11(27) . . .

CHAIR BATANGAN: Thank you. As a reminder, written testimony will continue to be accepted. Okay. Members, it is 4:27. I recognize that Chair Lee had to leave for a prior commitment. Is there anybody else who has a hard stop? Okay. So, what is the pleasure of this body? I initially was thinking that we weren't going to spend that much time in executive session for the second item, and that there'd be plenty of time for this one, but now we're a little tight. So, my initial plan was to do a single round of questions and then see if there was an appetite to go into executive session. Since we are planning to defer and take this item up again, we may not need to do that. Would the Members like to do a single round of two minutes each? And then we can have the discussion as to whether or not we would want to go into executive. Is that...is that agreeable to everybody? Okay. So, seeing no objections, I think we'll go that route. I'll start on the opposite side of where I had normally been going and first call on Member Sinenci. You have two minutes.

COUNCILMEMBER SINENCI: No questions, Chair. Thank you.

CHAIR BATANGAN: Efficient, I like it. All right. Member U'u-Hodgins?

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I have a lot of questions but probably best saved for executive session, so I'm happy to save them for when this item returns. For now, I don't have any questions for open session. Thank you.

CHAIR BATANGAN: Thank you, Member U'u-Hodgins. Member Cook?

COUNCILMEMBER COOK: Okay. Echo my colleague. I don't really have...I have questions, but not...I think they're executive session. And I have no problem with deferring it so that we can have a comprehensive conversation about it in the future.

CHAIR BATANGAN: Thank you. Member Rawlins-Fernandez is excused. Member Johnson?

COUNCILMEMBER JOHNSON: No questions at this time, Chair. Thank you.

CHAIR BATANGAN: Thank you, Member Johnson. Member Paltin?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER PALTIN: Thank you. I'd like to thank Mr. Minkin for the things that he said earlier. My question is, how will you let us know when we need to take action? Because we're going to be like, you know, in the budget and we don't really do stuff. I was hoping to go into the South Maui Community Plan after that and get like, you know, time as well. So, how would you...how would you communicate to us that the...the issue is becoming urgent and we need to take action? And then is it that we drop everything during budget or we drop everything during South Maui Community Plan and take this up? Because I'm not sure what...what testifiers we're waiting for, because it still would need first reading at a full Council or just one reading as a resolution. I don't know if it takes two readings. So, I'm not really sure what we're waiting for here. Ms. Tarnstrom?

MS. TARNSTROM: Oh. Thank you, Member Paltin, for the question. There are methods...it sounds like Mr. Minkin was willing to work with us pending the passage of this resolution because we cannot pay any bills until this resolution is passed. But if there were some emergency where we needed to communicate with you, our office could consult GREAT Committee Staff as well as the Chair and...and inform you that we believe something immediate needs to happen more quickly. But...but yeah, you guys have a busy schedule.

COUNCILMEMBER PALTIN: Okay. I'm not in support of deferring this because like we do know we have a packed schedule. I'm not sure what any testifier would say that would make it be like we don't need to hire special counsel, you know, or like anybody that is suing . . . *(timer sounds)*. . . us have an input on who we would choose. So, I'm not supportive of deferral. Thank you.

CHAIR BATANGAN: Thank you, Member Paltin.

COUNCILMEMBER PALTIN: Yeah, I just don't think we should mess around with this.

CHAIR BATANGAN: Okay. Member Sugimura, followed by Member Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: Yeah, thank you. So, how many lawsuits have we had or have?

MS. TARNSTROM: Thank you, Member, for the question. We have two active lawsuits now. The two I mentioned, and that...that's all that we're aware of.

COUNCILMEMBER SUGIMURA: And have you done any work with one...the other...the other lawsuit?

MS. TARNSTROM: Yes. We successfully won a motion to dismiss two of the claims and one of the plaintiffs in the first lawsuit, the Lynam lawsuit. The second lawsuit, they have sought to amend their complaint and have been granted the authority to amend their complaint, but they have not filed the amended complaint yet.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER SUGIMURA: Okay. Okay. I'll wait. I have questions, but I'll wait for executive session.

CHAIR BATANGAN: Thank you. Member Rawlins-Fernandez, this is an opportunity to ask questions of Corporation Counsel and proposed special counsel in open session. You have two minutes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Chair. And before my time starts for the Sunshine Law disclaimer, I am in my vehicle with my husband, Makena Fernandez. Okay. So, my question for you, Chair, is when would you plan to take this up again? And when you take it up again, would that be the time that we would take...go into executive session? And then my...I guess the clarification on this, or for...I guess this is for you too. The question with this is, do we give authorization to Corp. Counsel to hire special counsel or not? So, if the question that you would like to have further discussion and provide more transparency to is just the status of litigation and, you know, where everything is at, that can be done as a different item or, you know, as a 7(B) or something.

CHAIR BATANGAN: Thank you, Member Rawlins-Fernandez --

COUNCILMEMBER RAWLINS-FERNANDEZ: So, those are my...

CHAIR BATANGAN: -- for the question. So, yeah, my intent was to bring this item back up after budget. If, you know, Corporation Counsel had reached out during budget and they needed something sooner, then we could discuss with them. When I had Committee Staff reach out this morning about deferral, given my discomfort with taking action without confidence that the public would be able to fully weigh in, I didn't get the sense that it was urgent and that they seemed okay with...with that plan. So, I didn't think this was time sensitive when I made the, you know, announcement at the beginning of this meeting. You know, the options on the table were to either cancel the item from the agenda or to, you know, hear testimony, take a round of questions, and then defer. I went with the latter since we did have them come all the way here, and that's kind of how we ended up where we're at. Regarding your question on the 7(B), I think that would be taken up as a separate item, not heard under this...or maybe, I don't know, I would . . . *(timer sounds)*. . . defer to Staff. But since the resolution we have before us is to hire co-counsel, special counsel as co-counsel, I don't know if I would necessarily bring up a status update under this item. I would probably seek a different legislative vehicle to hear a status update.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo for that responses. I did hear the timer, but just to, you know, like finish this...this discussion, is it that you feel that there would be public testimony that would provide information to Council for us to consider not hiring Mr. Minkins' law firm for special counsel as co-counsel? Is...is that the issue?

CHAIR BATANGAN: It wasn't necessarily on the item. I just looked through the items on all of the agendas posted for this week and noted that this would be the only one in which

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

this body would take action. And hearing from my constituents, you know, how some of them are still dealing with the after effects, I didn't want to be the only guy taking action. I figured the happy compromise would be that we would hear public testimony, answer...or ask some questions now, defer, and then come back. I also didn't get the sense that this was time urgent when I had made the decision. And so, I guess that's...that's where my head was at when I...I made the call earlier. I just didn't want --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Chair, for --

CHAIR BATANGAN: -- to be taking action in...

COUNCILMEMBER RAWLINS-FERNANDEZ: -- that explanation.

COUNCILMEMBER PALTIN: Point of clarification.

COUNCILMEMBER RAWLINS-FERNANDEZ: I just...my position is similar to Member Paltin. I don't...I don't see...I...I'd prefer to take action, but I hear Member Paltin with a point of information.

CHAIR BATANGAN: Member Paltin?

COUNCILMEMBER PALTIN: I...I have never seen this on a Council agenda. Was it direct referred? Because direct referred implies that it's time sensitive. Is that not how we're doing it? Like otherwise, it would have been placed on a Council agenda and then referred to this Committee, and then so on and so forth. But if we...if this was direct referred to you, like why are we skipping steps then?

CHAIR BATANGAN: That's a good question. Okay. So, Staff, can I confirm that it was direct referred to the Committee? So, the answer from Staff is yes, it was direct referred. I personally did not know that that was why. I just thought direct referral was possible because we had an item in the Committee List of Legislation that allowed for it and thought I was saving time at full Council. I didn't realize that it had other implications beyond me trying to save us time.

COUNCILMEMBER PALTIN: Because I mean, if it's not time sensitive, it could have gone the regular route and been on the Council agenda, and then get referred here, and given people all kind of other opportunities to testify and whatnot. So, maybe we should look into consistency in that.

CHAIR BATANGAN: Appreciated. Yeah, at the time, I didn't know. I was just asked if I would prefer to have this direct referred and said yes to save time at full Council. But I am now aware of the implications that come with it and might have more discussion with Staff in the future.

COUNCILMEMBER PALTIN: Thank you.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: I guess I was hoping not to spend so much time on process here and more time dedicated to Corporation Counsel and the proposed special counsel or co-counsel. Does anybody have any other questions that they would like to ask of them at this time? I know we are a little bit past when we normally would...would adjourn, but we do have them here and I want to be respectful of their time. Member Paltin?

COUNCILMEMBER PALTIN: Thank you. I think this firm did a great job for us after the fire with Mr. Inafuku. Sorry you lost him again. My question, I guess, is for Ms. Tarnstrom. What is it that makes you folks have chosen him? Because it's a little bit different than a fire situation, but he...Mr. Minkin did say that, you know, he has worked with County a lot. Like, what was the determining factor for you folks if you folks were the ones to choose this firm? Like, what was the standout reason? Because I'm not a lawyer.

MS. TARNSTROM: Thank you, Member Paltin, for the question. We went through our procurement process. We have to go through a HRS 103D process in hiring a special counsel or outside counsel for any matter. So, there was a committee formed of myself, Catherine Hall, and Thomas Kolbe based on his experience in previous class actions and the fire. We looked at our...our file...and I won't go into discussions as to the basis for our decision as it is attorney work product privilege, but Mr. Minkin's firm was our top choice.

COUNCILMEMBER PALTIN: Oh, I like to hear that. So, we didn't get any like second string or anything. We...we got, the top choice and he's willing to wait for us. Thank you so much. Again, sorry for your loss of Mr. Inafuku, but I'm pleased to hear that you have other bright young minds working with you and I can't wait to meet them. Or is it...is it you, Mr. Minkin, that is going to be the main dude?

MR. MINKIN: I...I am the talking head, but I have a brain trust and the brain trust has been the young associates who have been with us from law school days to being associates. And like Mr. Inafuku, he came here after his first year of law school, after his second year became an associate, became a partner in six years, was my partner for a number of years. I...I am still working with him on some cases, but he is now off with Alapa & Otake and wanting to do more plaintiff's type work. Just...and part of it is that he believes--and I don't think it's true from my perspective of knowing him for 13 years--he thinks with two young children, a second grader and a kindergartner, as well as his volleyball with Spike and Serve and 'Iolani School, that he will have more time. But his DNA is such that I don't think he'll have more time.

COUNCILMEMBER PALTIN: Thank you. I have no desire to be a lawyer whatsoever, but if I did, I might consider working with you. But no desire, sorry.

MR. MINKIN: . . . *(laughing)* . . . Thank you.

CHAIR BATANGAN: Thank you. Okay. Members, noting the time, is there any appetite to go into executive session now, or would you prefer to adjourn and then whenever we bring this back up?

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR BATANGAN: Okay. All right. So, let me find my place in the notes. Okay. If there are no objections, I will now defer this item for the reasons stated earlier. I think I heard objections. So, would you guys prefer a roll call? I think Staff, I have concerns because I started off the meeting and then started off this item by saying what I would prefer to do. So, if there's discussions to the contrary.

COUNCILMEMBER PALTIN: Roll call, please.

CHAIR BATANGAN: Is it just the roll call?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, Chair?

COUNCILMEMBER PALTIN: Just a roll call.

CHAIR BATANGAN: Yes, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I'm now in a public place, but for . . .*(inaudible)*. . . If your question is a procedural one, you know, you're...you're just the Chair. You're just facilitating. It's still the will of the body and...to make the decision. So, just because you committed to something at the beginning of the meeting doesn't mean we have to follow that. You know, if you would like to hear the concerns of your Committee Members and move forward with the resolution, you can.

CHAIR BATANGAN: Good to know. Thank you, Member Rawlins-Fernandez. Okay. So, that being the case, I would like to entertain a motion to defer this item. And then Staff, if we do get the motion and second, and ask for roll call.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR BATANGAN: So, moved from Member Cook, seconded by Member Sugimura. Staff...or I guess any discussion on the matter? Seeing none. Staff, can you please do a roll call?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, Chair?

CHAIR BATANGAN: Oh, I apologize --

COUNCILMEMBER RAWLINS-FERNANDEZ: I'll be voting no.

CHAIR BATANGAN: -- Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I'll be voting no on the motion. Mahalo.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Thank you, Member Rawlins-Fernandez. Staff?

MS. APO TAKAYAMA: Chair, proceeding with roll call vote. Councilmember Cook.

CHAIR BATANGAN: To defer.

COUNCILMEMBER COOK: Yes.

MS. APO TAKAYAMA: Councilmember Johnson.

COUNCILMEMBER JOHNSON: No.

MS. APO TAKAYAMA: Council Chair Lee.

CHAIR BATANGAN: Excused.

MS. APO TAKAYAMA: Councilmember Paltin.

COUNCILMEMBER PALTIN: No.

MS. APO TAKAYAMA: Councilmember Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: No.

MS. APO TAKAYAMA: Councilmember Sinenci.

COUNCILMEMBER SINENCI: No.

MS. APO TAKAYAMA: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Oh, yes.

MS. APO TAKAYAMA: Committee Vice-Chair U‘u Hodgins.

VICE-CHAIR U‘U-HODGINS: Aye.

MS. APO TAKAYAMA: Committee Chair Batangan.

CHAIR BATANGAN: Aye.

MS. APO TAKAYAMA: Chair, that’s four “ayes,” four “noes,” one excused. Motion fails.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

VOTE: **AYES:** **Chair Batangan, Vice-Chair U‘u-Hodgins, and Councilmembers Cook and Sugimura.**

NOES: **Councilmembers Johnson, Paltin, Rawlins-Fernandez, and Sinenci.**

ABSTAIN: **None.**

ABSENT: **None.**

EXCUSED: **Councilmember Lee.**

MOTION FAILED.

CHAIR BATANGAN: Okay. All right. That being the case, would anybody like to offer a motion to adopt the recommendation?

COUNCILMEMBER PALTIN: So moved.

CHAIR BATANGAN: Well, I guess we need a motion --

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

CHAIR BATANGAN: -- on the floor for discussion, so I was either going to pick adopt or reject, and she went with adopt.

COUNCILMEMBER COOK: Chair?

COUNCILMEMBER PALTIN: So moved.

COUNCILMEMBER RAWLINS-FERNANDEZ: Move to adopt.

CHAIR BATANGAN: Okay. So, we have...actually, can I ask for a recess so I can confer with Staff on what my options are as Chair? Thank you. So, I would like to ask for a five-minute recess...four-minute recess, reconvening meeting at 4:50. Thank you, Members. . . .*(gavel)*. . .

RECESS: 4:46 p.m.

RECONVENE: 4:53 p.m.

CHAIR BATANGAN: . . .*(gavel)*. . . It is 4:53 p.m. on March 17th. Will the Government Relations, Ethics, and Transparency Committee meeting please come back to order. All right. Members, so the options before us, as it was...as it was explained to me, are to approve of the resolution, to disapprove of the resolution. We could also lose quorum. So, if we move to approve and end up deadlocked, if we move to disapprove and end up

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

deadlocked, then I guess the option before the body would be to adjourn, which effectively would be the same as deferral. If we lose quorum and have to end the meeting as a result of lack of quorum, it would effectively be the same as deferral. Just wanted that on the record for you to consider before we take any further action. I see Member Paltin's hand up.

COUNCILMEMBER PALTIN: Oh, I just was checking if the motion and the second was still active.

CHAIR BATANGAN: I don't think so. So, you're welcome to make one at this time.

COUNCILMEMBER PALTIN: I move to approve the resolution...I move to recommend approval of the resolution to first reading. Is that the right words?

COUNCILMEMBER RAWLINS-FERNANDEZ: Second.

CHAIR BATANGAN: I think it's recommend adoption, but yes.

COUNCILMEMBER PALTIN: I move to recommend adoption of the resolution at first reading.

CHAIR BATANGAN: So, we have a motion by Member Paltin, a second by Member Rawlins-Fernandez. Discussion, Member Paltin.

COUNCILMEMBER PALTIN: Oh, thank you. You know, this law firm has represented us well throughout the fire. We have a good working relationship. As we heard from Ms. Tarnstrom, this is her first choice, and she would like to get working as soon as possible. I don't think we should monkey around with our first choice. This isn't the only opportunity to testify. We didn't receive any written testimony last I checked. And if people feel one way or another, they can always testify at the full Council. I see no reason to drag this out. It's a direct referral. It's...it's pretty standard. Like we're going to want to hire a lawyer, I believe. And this is...they did good by us for the fire, you know, I don't think anyone could dispute that. And that's the end of my first discussion.

CHAIR BATANGAN: Thank you, Member Paltin.

COUNCILMEMBER PALTIN: Thank you.

CHAIR BATANGAN: I'll recognize Member Rawlins-Fernandez as the seconder, and then I see Member U'u-Hodgins and Member Johnson.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Echo the comments Member Paltin shared in her remarks. We heard the qualifications of Mr. Minkin and his law firm, his experience with Kaua'i County lawsuits, which are specific to this lawsuit. And we did receive one testimony. So, it was in support of choosing Mr. Minkin's law firm. There will be another opportunity for folks to testify at full Council on this recommendation from the Committee. And I think...I understand and appreciate your concern about folks possibly not being able to make it to the Council Chambers to give

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

testimony in person or have Internet to even provide testimony . . . *(inaudible)*. . . I think if folks, you know, want to testify, hopefully they can at a later time. But also, that if we wanted to schedule this specific . . . *(inaudible)*. . . I think other folks may be more interested in speaking to, and not specific to the hiring of special counsel. That's the resolution that we're taking up, not, you know, the...the lawsuits. We can...we can . . . *(inaudible)*. . . another time. Mahalo.

CHAIR BATANGAN: Thank you, Member Rawlins-Fernandez. Member U'u-Hodgins, followed by Member Johnson.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. If we're going to vote right now, which I know we do have a motion on the floor, for me it's going to be no. I would like more time to discuss this issue. It's nothing against Mr. Minkin's firm. I know they do great work. We've worked with them several times. I'm just...we had this conversation in HLU Committee, and I did ask specifically if you were going to be requesting special counsel, and you said no. And so, now we're here today, and there are a couple of things I would like to discuss before we discuss the hiring of special counsel, which is what I would prefer to do if we're going to stay in Committee. But if we're not going to stay in Committee, then we can vote and be done with it, and we can bring this up again if need be. But I would like to probably go into executive session and continue to discuss all the things that we were at least told when we were voting on Bill 9, and how Mr. Minkin's firm will fold into that. I know you folks had that discussion with the Committee. I would like to be...I would like us to know how that went. I know it's only 250 at this point, which I'm kind of curious how long it's going to last. I'm not...I know you have your mic on, and I do want to hear from you. I just don't...are we...are we in discussion? Can she answer my questions, or are we...are we...am I...it's just a one-sided conversation, then we're going to vote, or what are we doing? Because I would like to hear from Corp. Counsel. That would be my preference, but I'm not too sure everybody's time.

CHAIR BATANGAN: So, we are in discussion, but I think this is a relevant question. So, Corporation Counsel?

MS. TARNSTROM: Okay. Thank you, Chair. And thank you, Member Hodgins, for the question. My recollection of that discussion was that it was a bit open-ended. We didn't know what sort of shape the litigations would take and what decisions would be made going forward once they began in the HLU meetings. I noted that I believed I would be lead on those cases, and I am, and Catherine thankfully joined our firm...our firm...our office, and she is --

VICE-CHAIR U'U-HODGINS: Yeah, yeah, it's a firm. Yeah.

MS. TARNSTROM: -- amazing, well-respected, and a force to be reckoned with. So, it is our intent, again, to keep as much as we possibly can between us and in-house. And the purpose of hiring on Mr. Minkin's firm is to assist if that becomes unworkable and the volume of cases become too high for us to manage just on our own.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

VICE-CHAIR U'U-HODGINS: Okay. Can I continue asking questions, or how...how is this going to play out? Because I have a lot of questions, and again, I thought we were going to go into executive session, and I don't want to put her or anybody else on the spot right now. I know it's 5:00, but I'm not comfortable --

COUNCILMEMBER PALTIN: Member U'u-Hodgins --

VICE-CHAIR U'U-HODGINS: -- to...yeah.

COUNCILMEMBER PALTIN: -- I'm okay with a friendly amendment if you want to amend it to go to executive session. I'm okay with it.

VICE-CHAIR U'U-HODGINS: It...can...oh, I'm not the Chair, but I don't know if everybody can stay. I'm not --

CHAIR BATANGAN: Yeah.

VICE-CHAIR U'U-HODGINS: -- too sure everybody's plans.

CHAIR BATANGAN: I think we're going to lose quorum if we keep going. So, I would ask for you to wrap up in a minute or two so that we can go to Member Johnson, and then we can discuss going into executive session since we have a queue.

VICE-CHAIR U'U-HODGINS: Okay. How long do you think, I guess, this \$250,000 will last in an active lawsuit? Because I don't think it's quite active yet, right?

MS. TARNSTROM: Thank you for the question. We have not utilized Mr. Minkin, and we have not had need to up until this point. So, it...I don't...I can't answer that with certainty as to how long it would last. It is a high number from our expectations. We...should things continue as they are now, it would take a very, very long time to reach that number, but we, of course, don't know what the future holds.

VICE-CHAIR U'U-HODGINS: Okay. I'll let...I'll let everybody ask their questions. Thank you.

CHAIR BATANGAN: Thank you, Member U'u-Hodgins. Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. So, I know, you know, executive session is kind of a concern here. Can...this is my question for the...the lawyers in the room. Can...let's say, for example, Councilmember U'u-Hodgins want to have a meeting with you guys? Can she set up a meeting with you guys, and you guys just talk? Or do we all have to do it in the executive session because of that? Well, let's listen to lawyers.

CHAIR BATANGAN: Deputy Corporation Counsel?

MS. TARNSTROM: Thank you, Chair. And thank you for the question. We'd be happy to meet with any Member individually and discuss the action.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBER JOHNSON: With Mr. Minkin as well?

MS. TARNSTROM: Oh, Mr. Minkin would not be able to attend because he would not be covered by attorney-client privilege. He would not be able to speak with you guys.

COUNCILMEMBER JOHNSON: That's where I was going to this because --

MS. TARNSTROM: Okay.

COUNCILMEMBER JOHNSON: -- maybe...like I'm just trying to find maybe a middle ground for Councilmember U'u-Hodgins to vote yes, and maybe she could come and have a meeting with you guys after and talk about her concerns. You know, Members, if we're 4-4, that's where we're at, but I...I'm trying to find a way that we could become 5-3 and get this done and still have those questions that you guys have answered. I'm just trying to come up with solutions, guys. That's all I got. Thank you.

CHAIR BATANGAN: Thank you, Member Johnson. I'm going to recognize Member Cook first since I know he has to leave in like a minute or two, and then Member Sugimura.

COUNCILMEMBER COOK: Thank you, Chair. My statements to Corp. Counsel, the Chair, the body, my colleagues...I'm the representative from South Maui. I am shocked at the cavalier, like, oh, we got this handled. There's going to be a tsunami of litigation. People have...I mean, I've just...and people cheering me on and encouraging the fact that we could get H-3 and H-4 passed, and maybe there was a path forward. Maybe the Administration was sincere, hoping the Administration was sincere, that people who are on this list and engaged in this now three- to five-year time frame are withholding litigation because they're hoping to be able to work with the County and...and accepting what has been proposed during this process, that there is a pathward [sic] forward. You're not losing your property rights. You're going to have an opportunity to do this, the opportunity to do that. What recently occurred with the Planning Commission going 5-1 against what the Council's recommendation of 8-1, when the Planning Commission...you know, it's just people talk to me and reach out to me are scared. They don't have faith. They're angry. They're frustrated. They don't want to litigate. People are approaching them to litigate. So, I don't think this is going to be a little deal that \$250,000 is going to be enough. I think you two are going to be just full-time nothing but this case the way it's rolling. So...also, I think that we have public testimony on everything. For my district to go like, oh, it's just...for people not to be informed of what's occurring and potentially before budget and stuff, how money's potentially going to be spent and...and it not...it just be sort of open-ending, and I feel cavalier. So, I'm not supportive. Okay. Go in...go in executive. I delayed my meeting if necessary. I told them I'll get there if I can. But I'm not supportive. I want to be supportive of the County. I want to be supportive of you. I want to be supportive of our local government. I don't have much confidence in the way this path is going. I definitely think it's inappropriate to wait until first reading and then bring this up, not having any public testimony. I mean, talk about doing Committee work on the floor. That potentially is a lot. So, anyway, thank you for my opportunity to share with my colleagues what I'm thinking.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

I know I didn't really ask you a question. I'm trying...I'm trying to communicate, though, where I'm coming from, what my concerns are respectfully. Thank you.

CHAIR BATANGAN: Thank you, Member Cook. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. I'll be fast because I'm...Member Cook has to go, and I think we're way past where we wanted to be. But I will tell you that going through, Tasha Kama had three full meetings of Bill 9, and she also asked about, you know, having to hire a special counsel. And the...there were a number of amendments that we tried to make onto Bill 9, but Corp. Counsel said, no, leave it as is. Then it's more defensible, and we kept on hearing that, hearing that. And so, we have this bill, exactly what you wanted, I think, we maybe changed the...the dates and made some adjustments to it. But we did it with your recommendation, and we did it thinking that you're going to handle this by yourself. So, I don't support hiring special counsel because you made us...well, me, I cannot speak for the other Councilmembers, but you made me feel that by not doing the amendments, it is exactly going to be a defensible case in case we get sued. So, it's almost insulting to Member Kama, who's not here, who handled the...the three heavy, heavy Committee meetings before she passed, and then to sit here and for us having to hear that we need to hire special counsel, and we couldn't add the amendments because we wanted to have this defensible, you know, whatever we were told, and so we didn't. We followed what you wanted us to do. You have a...you have the bill exactly like you wanted it, and so therefore, I cannot support having to hire special counsel. I would need more information.

CHAIR BATANGAN: Thank you, Member Sugimura. I do want to recognize that I see some Councilmembers with their hands up. I would like the chance to ask some questions before doing a second round of questions. So, I guess for Corporation Counsel, the notes that I inherited from Member Kama and from the recollection of her Staff is that you were confident that you would be able to represent the County for any future lawsuits. That sounds like that was not the case. Can I ask you to confirm?

MS. TARNSTROM: I can tell you my recollection...oh, and thank you for the question, but I can tell you my recollection. I can go check the minutes of those meetings. I remember getting that question, not being certain how to answer it because I couldn't tell you with any sort of certainty what would happen in the future, apart from that we would try to keep it in-house as much as possible, and I do believe that is what we are doing.

CHAIR BATANGAN: Part of the reason I didn't think this was very timely was because in my conversations with the Mayor during my appointment process, he was adamant that no lawsuits would be ripe until the sunset dates kicked in. Has something changed where you now need additional help before the sunset date hits?

MS. TARNSTROM: Thank you for the question. We can't control when other people decide to file. The...they can decide to file whenever...whenever they like. We did just prevail in a court agreeing with us that the takings claim is not ripe, so we successfully had that dismissed. So, I do believe that supports what the Mayor held and what you heard from him.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Thank you. For Mr. Minkin, there were a number of statements made by Corporation Counsel during the passage of Bill 9, which guided the final shape of the legislation. Primary amongst them was that Bill 9 needed to be passed clean in order to be defensible. I have not heard many attorneys outside of Corporation Counsel take that position. I'm curious to hear your thoughts.

MR. MINKIN: Having not sat in those meetings or that...or read the minutes, I don't know. I mean, I have been tasked from the Big Island to Honolulu Board of Water Supply to Kaua'i to defend legislation that has come out from the various councils and signed by the mayor, and sometimes even over a mayor's veto, right? I...I go into it and I believe that everyone should have a successful advocate on their...on their behalf. When I was asked to...you know, when I considered this particular matter, all I had was media accounts. I can tell you that because of my desire to give back, my rate is half my normal rate. So, that's what I'm doing here. And when...when...I forget which Councilperson asked, right, the 250,000, if I alone was working on it, that would be 625 hours. 625 hours, and that's...that's not going to happen, right? I mean, I delegate out if necessary, and if I need to put, you know, a super smart, really good associate to work with Corp. Counsel, I don't need to sit...I don't need to sit in that. I mean, that's the situation that's occurred with the fires, right? Jordan Inafuku, we had a team of people in the beginning, and then we basically delegated it between Jordan Inafuku and myself so that the carrier has never grumbled with us about how we're billing the case. That's the type of thing that I do because I look at every single bill. If I believe somebody has put...you know, spent way too much time, I'll knock it down. So, I'm being tasked with basically legislation is passed. I believe that it's my job as an advocate to ensure that that legislation stands, and that's what I...that's what I'm going to do, sir.

CHAIR BATANGAN: Thank you. I guess I was asking the question because I wanted to ensure philosophic alignment between Corp. Counsel and co-counsel.

MR. KOLBE: Tom Kolbe, Deputy Corporation Counsel. I think we're getting into dangerous territory here where we're talking about the strengths or weaknesses of a ripeness argument or other things, and what's agendized today is the consideration of special counsel as co-counsel to kind of help us through a process that is perhaps going to take a long time, perhaps not. And so, I just...I'm a little uneasy about us asking opinions in terms of whether or not they align with us from a legal perspective, because I think that's the type of thing that would need to be discussed in executive session, because it would go to the strengths and weaknesses of our liabilities.

CHAIR BATANGAN: Thank you, Corporation Counsel. Okay. So, that concludes my questions. I see some other hands and a desire for a second round of discussion. If we are going to take a vote on this matter today, is there any desire to go into special...executive session to ask those before we do our second round of questioning? I see some no, I see some yes. Okay. I guess...

UNIDENTIFIED SPEAKER: . . .(inaudible). . .

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Yeah, but if that's the will of the body, then that's the will of the body.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR BATANGAN: Yes, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I agree with Mr. Kolbe that the Councilmembers need to rein it in. That was...as he characterized it, I won't repeat it. I think you can just take a poll because like basically, if it's going to be a 4-4, then let's just end it now and then we can just take it up in executive session in another meeting. Like, that...that's my position. I...my colleagues didn't make their positions as clear as Member Paltin and I did in the earlier round. And now that they have and explained their position, which would be to not pass it...to not adopt...recommend adopting it today, then I don't really see the point in going into executive session now. We may as well just wait until we take it up again later. Because what I heard from Member Cook and Member Sugimura is they want to talk about the content of it and not the hiring of special counsel so much. I heard Member U'u-Hodgins, you know, share her concerns about hiring special counsel at all, and that's more relevant to the agenda item. But going into the Planning Commission's recommendation, that's way off topic. That...that...that is not appropriate for this discussion of hiring special counsel. And Member Sugimura didn't even vote for the amendments to keep the bill clean, so I don't even know what she's talking about. She didn't take the recommendation. She voted against it.

COUNCILMEMBER SUGIMURA: Object. Objections.

COUNCILMEMBER RAWLINS-FERNANDEZ: She voted . . .*(inaudible)*. . .

CHAIR BATANGAN: Yeah, Member Rawlins-Fernandez.

COUNCILMEMBER SUGIMURA: Chair?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, exactly. It's not appropriate, and it wasn't appropriate when you did it. Okay.

COUNCILMEMBER SUGIMURA: And you're not appropriate.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, not...

COUNCILMEMBER SUGIMURA: Objection.

COUNCILMEMBER RAWLINS-FERNANDEZ: You're not appropriate.

CHAIR BATANGAN: All right. Members, can we maintain decorum in the Chamber? I appreciate the...the passion, and I appreciate the guidance from Member Rawlins-Fernandez. You know, as a new Member of this body, I am still learning how to exercise the power of the Chair, and I appreciate the patience that you

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

guys have afforded me in that. So, can I ask for a two-minute recess to confer with Staff, and then...yeah. I'd like to ask for...for a recess to confer with Staff before figuring out how to navigate the rest of this meeting. I do want to recognize that I've seen --

COUNCILMEMBER COOK: Chair?

CHAIR BATANGAN: -- hands up for quite a while. Oh, I guess, Member Johnson.

COUNCILMEMBER JOHNSON: I...I...I'm sorry, I'm totally for the recess, but I have to leave soon. I just want to let you know, I...the crops are really ruined in this rain, and I...I've got...I just arrived on Lānaʻi because of the...the storm, so I got work to do before sunset, so I have to leave.

CHAIR BATANGAN: Thank you, Member Johnson. All right. That being the case, I'll take two minutes. So, reconvene...it is 5:17. I'll ask to reconvene at 5:19. . . .(gavel). . .

RECESS: 5:17 p.m.

RECONVENE: 5:21 p.m.

CHAIR BATANGAN: . . .(gavel). . . All right. Members, it is 5:21 on March 17th. Can the Government Relations, Ethics, and Transparency Committee meeting please come back to order. All right. Members, we have a motion on the floor which we need to dispense of before we can do anything else. Member Paltin, since you were the maker of the motion, would you like to withdraw your motion, or would you like me to call for the question? And if you do choose to call for the question, then I will recognize the hands that have been raised before we actually take...take the vote. I just want to know how you would like to proceed as the person who offered the motion.

COUNCILMEMBER PALTIN: I don't really care. I mean, I...I would like to get this done with because I know the frickin' pile of work we got coming up, and it's only going to get worse. I mean, the way I feel like is we're going to be in for a lot of long nights. This is my only paying job I have and I'm willing to do the work now, but whatever...whatever you want to do.

CHAIR BATANGAN: Okay. So that being the...

COUNCILMEMBER PALTIN: I mean, it's going to pile up.

CHAIR BATANGAN: Okay. So, that being the case, I will offer those who wanted to have more discussion the opportunity to ask their questions. I just ask that you be respectful of each other's time. Actually, Members...can you set a timer for two minutes in this round? I'll start with Member Johnson since I saw his hand first, and then Member Sinenci since I saw his second.

COUNCILMEMBER JOHNSON: Chair, in the interest of time, I'm ready to go. My point was, I have to leave.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CHAIR BATANGAN: Oh.

COUNCILMEMBER JOHNSON: That's why my hand was up.

CHAIR BATANGAN: Thank you. All right. Member Sinenci?

COUNCILMEMBER SINENCI: I'm not sure when you're going to call this up again since we are going into the budget session, so I'm...I'm for supporting it now, Chair.

CHAIR BATANGAN: Thank you, Member Sinenci. Any other quick discussion before we call for the question? Seeing...oh, is that a yes, Member Paltin? You have additional?

COUNCILMEMBER PALTIN: Sorry, that was my minor child asking me a question.

CHAIR BATANGAN: Okay.

COUNCILMEMBER PALTIN: My bad.

CHAIR BATANGAN: All right. That being the case, Staff, can you please do a roll call? The motion on the floor is to recommend adoption.

MS. APO TAKAYAMA: Yes, Chair, proceeding with roll call. Councilmember Cook.

COUNCILMEMBER COOK: No.

MS. APO TAKAYAMA: Councilmember Johnson.

COUNCILMEMBER JOHNSON: Yes.

MS. APO TAKAYAMA: Council Chair Lee.

CHAIR BATANGAN: Excused.

MS. APO TAKAYAMA: Councilmember Paltin.

COUNCILMEMBER PALTIN: Aye.

MS. APO TAKAYAMA: Councilmember Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Aye.

MS. APO TAKAYAMA: Councilmember Sinenci.

COUNCILMEMBER SINENCI: Aye.

MS. APO TAKAYAMA: Councilmember Sugimura.

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: ALL)

ACTION: DEFER pending further discussion.

CHAIR BATANGAN: We will...all right. Seeing none. That...okay. So, that brings us to the end of our agenda. This concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you very much, Members. The time is now 5:25. The GREAT Committee meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 5:25 p.m.

great:min:260317min:mll:ds

Transcribed by: Daniel Schoenbeck

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE MINUTES
Council of the County of Maui

March 17, 2026

CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 55 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 10th day of April 2026, in Wailuku, Hawai'i



Daniel Schoenbeck