

State of Hawai'i
Office of Hawaiian Affairs
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting
Thursday, February 25, 2016, 9:30 am**

I. CALL TO ORDER

Chair Robert K. Lindsey, Jr. called the Office of Hawaiian Affairs Board of Trustees Meeting to order at 9:32 am. Those present were as follows:

Attendance

Trustee Robert K. Lindsey, Jr., Chair	Trustee Carmen Hulu Lindsey (arrived 10:02 am)
Trustee Lei Ahu Isa	Trustee Colette Machado
Trustee Peter Apo	Trustee John Waihe'e IV (arrived 10:12 am)
Trustee S. Haunani Apoliona	

Excused

Trustee Dan Ahuna, Vice Chair	Trustee Rowena Akana
-------------------------------	----------------------

Staff Present

Dr. Kamana'opono Crabbe, CEO	Myrle Johnson
Robert G. Klein, Board Counsel	Francine Murray
Harold Nedd, Chief of Staff	Lisa Victor
Capsun M. Poe, Board Secretary	Kawika Riley
Kauikeaolani Wailehua	Paulette Hedemark
Liana Pang	Charene Haliniak
Lady Garrett	Kale Hannahs
Melissa Wennihan	Kealoha Fox
Reynold Freitas	Kamakana Ferreira
Garett Kamemoto	David Greer
Mehana Hind	Zach Villanueva
Shannon Chang	Everett Ohta
Candice Ancheta	Deja Ostrowski
Jim Patterson	Sterling Wong
Kanoe Pagdilao	Monica Morris

Others Present

Kealii Makekau

II. COMMUNITY CONCERNS

There were no Community Concerns.

III. UNFINISHED BUSINESS

Chair's Update

There were no Chair's Updates.

CEO's Update

Dr. Crabbe reported the Employee and Manager of the Quarter:

- Employee of the Quarter: Kristin Anderson, Research.
Dr. Crabbe read a statement written by Dr. Lisa Watkins-Victorino regarding Ms. Anderson, which ended with, "Simply put, she is quite awesome." Ms. Anderson thanked everyone around her for valuing the work she does. She added that a great boss makes you do so much more. She also recognized the other Executive Assistants for helping to be the backbone and keeping things on track.
- Manager of the Quarter: Derek Kauanoe, Governance.
Dr. Crabbe described Mr. Kauanoe as a calm member of Advocacy and believes he is a great asset to OHA. Mr. Kauanoe stated he was surprised to be recognized, loves working at OHA, and believes the recognition is a reflection of the entire Governance staff. He added that he hopes every day that what he and we do at OHA makes our ali'i proud.

IV. NEW BUSINESS

Motion

At 9:44 am, Trustee Machado moved, seconded by Trustee Ahu Isa, to waive the 72-hour materials distribution policy for Item IV. B. OHA Legislative Positioning – Matrix 1 dated February 24, 2016.							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			2	X			
TRUSTEE DAN AHUNA							X
TRUSTEE ROWENA AKANA							X
TRUSTEE PETER APO				X			
TRUSTEE HAUNANI APOLIONA				X			
TRUSTEE HULU LINDSEY							X
TRUSTEE COLETTE MACHADO		1		X			
TRUSTEE JOHN WAIHE'E							X
CHAIR ROBERT LINDSEY				X			
TOTAL VOTE COUNT				5	0	0	4
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED							
Motion passed with five (5) YES votes, no (0) NO votes, no (0) abstentions, and four (4) excused.							

BAE #16-01 – Second Reading

Trustee Machado reported the following on behalf of the Committee on Beneficiary Advocacy and Empowerment:

February 1, 2016

The Honorable Robert K. Lindsey, Jr., Chair
 Board of Trustees
 Office of Hawaiian Affairs

Chair Robert Lindsey,

Your Committee on Beneficiary Advocacy and Empowerment, having met on January 27, 2016, and after full-and-free discussion, recommends approval of the following action to the Board of Trustees:

ACTION

To approve an OHA Board of Trustees Executive Policy on International Engagement that will align with OHA’s mission:

“to mālama Hawai‘i’s people and environmental resources, and OHA’s assets, toward ensuring the perpetuation of the culture, the enhancement of lifestyle and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and nation, recognized nationally and internationally.”

Motion

At 9:46 am, Trustee Apoliona moved, seconded by Trustee Machado, to approve an OHA Board of Trustees Executive Policy on International Engagement that will align with OHA’s mission: “to mālama Hawai‘i’s people and environmental resources, and OHA’s assets, toward ensuring the perpetuation of the culture, the enhancement of lifestyle and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and nation, recognized nationally and internationally.”							
TRUSTEE		1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI	AHU ISA			X			
TRUSTEE DAN	AHUNA						X
TRUSTEE ROWENA	AKANA						X
TRUSTEE PETER	APO			X			
TRUSTEE HAUNANI	APOLIONA	1		X			
TRUSTEE HULU	LINDSEY						X
TRUSTEE COLETTE	MACHADO		2	X			
TRUSTEE JOHN	WAIHE‘E						X
CHAIR ROBERT	LINDSEY			X			
TOTAL VOTE COUNT				5	0	0	4
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED							
Motion passed with five (5) YES votes, no (0) NO votes, no (0) abstentions, and four (4) excused.							

OHA Legislative Positioning – Matrix 1 dated February 24, 2016

Trustee Machado reported the following on behalf of the Committee on Beneficiary Advocacy and Empowerment:

February 24, 2016

The Honorable Robert K. Lindsey, Jr., Chair
Board of Trustees
Office of Hawaiian Affairs

Chair Robert Lindsey,

Your Committee on Beneficiary Advocacy and Empowerment, having met on February 24, 2016 and after full and free discussion, recommends approval of the following action to the Board of Trustees:

To approve Administration's recommendations on *NEW BILLS (Items 1 – 18) and BILL POSITIONS FOR RECONSIDERATION (Items 19 – 25)*, along with the following revision:

CHANGE:

- Item 19, HB1525 from ~~Monitor~~ to COMMENT;

on the OHA Legislative Positioning Matrix dated February 24, 2016, as amended.

Motion

At 9:48 am, Trustee Machado moved, seconded by Trustee Apoliona, to approve Administration's recommendations on NEW BILLS (Items 1 – 18) and BILL POSITIONS FOR RECONSIDERATION (Items 19 – 25), along with the following revision:

CHANGE:

- Item 19, HB1525 from Monitor to COMMENT;

on the OHA Legislative Positioning Matrix dated February 24, 2016, as amended.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						X
TRUSTEE ROWENA AKANA						X
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA		2	X			
TRUSTEE HULU LINDSEY						X
TRUSTEE COLETTE MACHADO	1		X			
TRUSTEE JOHN WAIHE'E						X
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			5	0	0	4

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with five (5) YES votes, no (0) NO votes, no (0) abstentions, and four (4) excused.

OHA Legislative Positioning – Matrix 1 dated February 17, 2016

Trustee Machado reported the following on behalf of the Committee on Beneficiary Advocacy and Empowerment:

February 19, 2016

The Honorable Robert K. Lindsey, Jr., Chair
Board of Trustees
Office of Hawaiian Affairs

Chair Robert Lindsey,

Your Committee on Beneficiary Advocacy and Empowerment, having met on February 17, 2016 and after full and free discussion, recommends approval of the following action to the Board of Trustees:

To approve Administration's recommendations on *NEW BILLS (Items 1 - 54) and BILL POSITIONS FOR RECONSIDERATION (Items 55 - 62)*, along with the following revision:

CHANGE:

- Item 941, SB2944 from ~~Support~~ to MONITOR

on the OHA Legislative Positioning Matrix dated February 17, 2016, as amended.

Motion

At 9:50 am, Trustee Machado moved, seconded by Trustee Apoliona, to approve Administration’s recommendations on NEW BILLS (Items 1 - 54) and BILL POSITIONS FOR RECONSIDERATION (Items 55 - 62), along with the following revision:

CHANGE:

- Item 941, SB2944 from Support to MONITOR

on the OHA Legislative Positioning Matrix dated February 17, 2016, as amended.

TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						X
TRUSTEE ROWENA AKANA						X
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA		2	X			
TRUSTEE HULU LINDSEY						X
TRUSTEE COLETTE MACHADO	1		X			
TRUSTEE JOHN WAIHE‘E						X
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			5	0	0	4

MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED

Motion passed with five (5) YES votes, no (0) NO votes, no (0) abstentions, and four (4) excused.

Recess

Chair Lindsey called a recess at 9:52 am and reconvened the meeting at 10:02 am.

BOT Bylaws Amendment and Corresponding and Conforming Changes to BOT Executive Policies – First Reading

Chair Lindsey read the following statement:

- I must ask each of you to support this second attempt to set standards for ensuring that we are all appropriately held accountable for our actions.
- It is a responsibility that I take seriously, as should everyone on our board.
- We put our mission at risk when we act for the benefit of ourselves, rather than the good of our organization.
- Our lack of ability to police ourselves is an irregularity in our operations that must be corrected.
- For the effective functioning of our board, we must establish a procedure for imposing disciplinary sanctions when board rules are violated.

- And we need to approach this objective with urgency and unity.
- Given this reality, I must ask each of you to help our organization send a strong, unequivocal message that its Board of Trustees is committed to meeting the high standards of ethics, transparency, and accountability that are expected from oversight responsibilities.
- I also must now ask for your vote to approve the First Reading of an amendment to our bylaws that would help us better demonstrate that we are responsible stewards capable of exercising our authority in OHA’s best interest.

Motion

At 10:04 am, Trustee Machado moved, seconded by Trustee Apoliona, to amend, approve, adopt, and ratify OHA Board of Trustees’ By-Law Article XVII, “Trustee Code of Conduct and Sanctions for Violations of the Code of Conduct” and to approve, adopt and ratify a stand-alone policy which shall be titled “Code of Conduct and Sanctions for Violation of the Code of Conduct”.							
TRUSTEE		1	2	‘AE (YES)	A’OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA				X			
TRUSTEE DAN AHUNA							X
TRUSTEE ROWENA AKANA							X
TRUSTEE PETER APO				X			
TRUSTEE HAUNANI APOLIONA			2	X			
TRUSTEE HULU LINDSEY				X			
TRUSTEE COLETTE MACHADO		1		X			
TRUSTEE JOHN WAIHE’E				X			
CHAIR ROBERT LINDSEY				X			
TOTAL VOTE COUNT				7	0	0	2
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED							
Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.							

V. EXECUTIVE SESSION

Motion

At 10:08 am, Trustee Machado moved, seconded by Trustee Apoliona, to go into Executive Session to consider the following:

- VI. Executive Session**
- A. Consultation with Robert G. Klein, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding OHA Contract #3060. Pursuant to HRS 92-5(a)(4).

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA						X
TRUSTEE ROWENA AKANA						X
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA		2	X			
TRUSTEE HULU LINDSEY			X			
TRUSTEE COLETTE MACHADO	1		X			
TRUSTEE JOHN WAIHE'E			X			
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			7	0	0	2

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

The Board went into Executive Session at 10:08 am and exited Executive Session at 11:22 am.

VI. BENEFICIARY COMMENTS

There were no Beneficiary Comments.

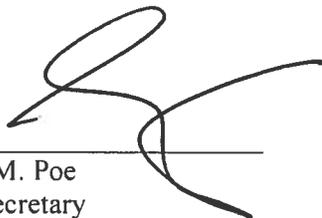
VII. ANNOUNCEMENTS

Chair Lindsey announced the next Board meeting will be held on Tuesday, March 15, 2016 at 9:30 am.

VIII. ADJOURNMENT

Having no further business, Chair Lindsey adjourned the meeting at 11:23 am.

Respectfully Submitted,



Capsun M. Poe
Board Secretary

Approved by the Board of Trustees on March 15, 2016:



Trustee Robert K. Lindsey, Jr.
Chair, Board of Trustees