

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200**

**COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT
MINUTES**

December 16, 2015 1:30 p.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Trustee Lei Ahu Isa
Trustee Dan Ahuna
Trustee Haunani Apoliona
Trustee Hulu Lindsey
Trustee Robert Lindsey
Trustee Colette Machado

BOT STAFF:

A. U'ilani Tanigawa
Capsun Poe
Crayn Akina
Davis Price
Harold Nedd
Kama Hopkins
Lady Elizabeth Garrett
Lehua Itokazu
Liana Pang
Melissa Wennihan
Reynold Freitas

EXCUSED:

Vice-Chairperson Peter Apo
Trustee Rowena Akana

ADMINISTRATION STAFF:

Kamana'opono Crabbe, Ph.D., Pouhana / CEO
Lisa Victor, Pou Nui / COO
Derek Kauano, ADV-GOV
Jim McMahan, ADV
Jocelyn Doane, PUBL
Jonathan L Ching, ADV
Kawika Riley, ADV
Koalani Kaulukukui, CC
Sterling Wong, PUBL

GUESTS:

Sherry Broder, Esq.

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Beneficiary Advocacy and Empowerment for Wednesday, December 16, 2015 to order at **1:31 p.m.**

Chair Waihe'e notes for the record that **PRESENT** are:

MEMBERS			AT CALL TO ORDER (1:31 p.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
TRUSTEE	LEI	AHU ISA	PRESENT	
TRUSTEE	DAN	AHUNA	PRESENT	
TRUSTEE	HAUNANI	APOLIONA	PRESENT	
TRUSTEE	CARMEN "HULU"	LINDSEY	PRESENT	
TRUSTEE	ROBERT	LINDSEY	PRESENT	
TRUSTEE	COLETTE	MACHADO	PRESENT	

At the Call to Order, **SEVEN (7) Trustees are PRESENT**, thereby constituting a quorum.

EXCUSED from the BAE Meeting are:

MEMBERS			COMMENT
VICE-CHAIR	PETER	APO	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	ROWENA	AKANA	MEMO – REQUESTING TO BE EXCUSED

II. APPROVAL OF MINUTES

A. November 18, 2015

Trustee Ahuna moves to approve the minutes of November 18, 2015.

Trustee Hulu Lindsey seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e asks if anyone votes NO or ABSTAINS. There are no replies.

						1:33 p.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA				X			
DAN AHUNA		1		X			
ROWENA AKANA							EXCUSED
VICE-CHAIR PETER APO							EXCUSED
HAUNANI APOLIONA				X			
CARMEN HULU LINDSEY			2	X			
ROBERT LINDSEY				X			
COLETTE MACHADO				X			
CHAIR JOHN WAIHE'E				X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the MOTION CARRIES.

III. COMMUNITY CONCERNS*

None

IV. UNFINISHED BUSINESS

None

V. EXECUTIVE SESSION**

- A. Approval of Executive Session Minutes for November 18, 2015
- B. Consultation with OHA Counsel Sherry Broder, Esq., Koalani Kaulukukui, Esq., and John James McMahon, Esq., regarding questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities regarding public land trust revenues. Pursuant to section 92-5(a)(4), Hawai’i Revised Statutes.

Chair Waihe`e asks for a motion to resolve into Executive Session pursuant to HRS § 92-5(a)(4).

Trustee Ahuna moves to resolve into Executive Session.

Trustee Hulu Lindsey seconds the motion.

Chair Waihe`e asks if there is any discussion. There is none.

Chair Waihe`e asks if anyone votes NO or ABSTAINS. There are no replies.

						1:33 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA			X			
DAN AHUNA	1		X			
ROWENA AKANA						EXCUSED
VICE-CHAIR PETER APO						EXCUSED
HAUNANI APOLIONA			X			
CARMEN HULU LINDSEY		2	X			
ROBERT LINDSEY			X			
COLETTE MACHADO			X			
CHAIR JOHN WAIHE'E			X			
TOTAL VOTE COUNT			7	0	0	2

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

The committee resolved into Executive Session at 1:33 p.m. to discuss:

V. EXECUTIVE SESSION**

- A. Approval of Executive Session Minutes for November 18, 2015
- B. Consultation with OHA Counsel Sherry Broder, Esq., Koalani Kaulukukui, Esq., and John James McMahon, Esq., regarding questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities regarding public land trust revenues. Pursuant to section 92-5(a)(4), Hawai’i Revised Statutes.

The committee returned to Open Session at 2:36 p.m.

RISE AND REPORT

Chair Waihe'e states for the record that while in Executive Session the BAE Committee met with several attorneys regarding questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding public land trust revenues.

VI. NEW BUSINESS

A. BAE 15-10: Revision to the 2016 OHA Legislative Package

Trustee Ahuna moves to approve the following revision to the 2016 OHA Legislative Package:

- Add OHA-11, which is a new bill that relates to the amount of OHA's pro rata share of the public land trust.

Trustee Machado seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e asks if anyone votes NO or ABSTAINS. There are no replies.

						2:38 p.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI AHU ISA			X			
DAN AHUNA	1		X			
ROWENA AKANA						EXCUSED
VICE-CHAIR PETER APO						EXCUSED
HAUNANI APOLIONA			X			
CARMEN HULU LINDSEY			X			
ROBERT LINDSEY			X			
COLETTE MACHADO		2	X			
CHAIR JOHN WAIHE'E			X			
TOTAL VOTE COUNT			7	0	0	2

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

VII. BENEFICIARY COMMENTS*

None

VIII. ANNOUNCEMENTS

None

IX. ADJOURNMENT

Trustee Apoliona moves to adjourn the BAE meeting.

Trustee Machado seconds the motion.

Chair Waihe'e asks if there is any discussion. There is none.

Chair Waihe'e asks if any members vote NO or ABSTAIN. There are no dissenting votes.

						2:39 p.m.	
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
DAN	AHUNA			X			
ROWENA	AKANA						EXCUSED
VICE- CHAIR PETER	APO						EXCUSED
HAUNANI	APOLIONA	1		X			
CARMEN HULU	LINDSEY			X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO		2	X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

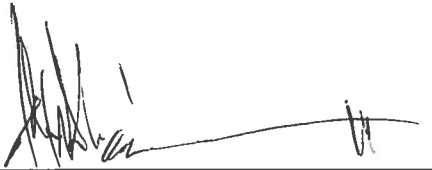
Chair Waihe'e adjourns the BAE meeting at 2:39 p.m.

Respectfully submitted,



Melissa Wennihan
Trustee Aide
Committee on Beneficiary Advocacy and Empowerment

As approved by the Committee on Beneficiary Advocacy and Empowerment on January 27, 2016.



Trustee John Waihe'e, IV
Chair
Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

- Notice of Excused Absence (2)