

**State of Hawai'i
Office of Hawaiian Affairs
560 North Nimitz Hwy.
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting
Thursday, January 12, 2017, 10:00 am**

I. CALL TO ORDER

Chair Rowena M. Akana called the Office of Hawaiian Affairs Board of Trustees Meeting to order at 10:03 am. Those present were as follows:

Attendance

Trustee Rowena M. Akana, Chair	Trustee Peter Apo (left 10:10 am)
Trustee Leina'ala Ahu Isa, Vice Chair (arrived 10:05 am; left 10:10 am)	Trustee Robert K. Lindsey, Jr. (left 10:10 am)
Trustee Dan Ahuna (left 10:10 am)	Trustee Carmen Hulu Lindsey (left 10:10 am)
Trustee Keli'i Akina	Trustee Colette Machado (left 10:10 am)

Excused

Trustee John Waihe'e IV

Staff Present

Dr. Kamana'opono Crabbe, CEO	Deidra Alo
Darolyn H. Lendio, Board Counsel	Everett Ohta
Lora Lee Contreras, Chief of Staff	Hawley Iona
Nathan Takeuchi, Board Secretary	Jerome Yasuhara
Kay Watanabe	John Rosa
Imiola Gora-Aina	Jonathan Ching
Kauikeaolani Wailehua	Kai Markell
Claudine Calpito	Kawika Riley
Davis Price	Kealoha Fox
U'ilani Tanigawa	Lisa Victor
Lehua Itokazu	Mehana Hind
Dayna Pa	Miles Nishijima
Paul Harleman	Momilani Lazo
Maria Calderon	Sterling Wong
Lady Elizabeth Garrett	Timmy Wailehua
Liana Pang	
Makana Chai	

Others Present

Jordan K. Inafuku	Les Kondo
Keali'i Makekau	Keawe Kaholokula
Mililani Trask	Kelli Makino
Ryan Kanaka'ole	Joann Tsark
Nainoa Reyes	Toni Nickens
Kauwila Sheldon	Pohai Ryan
Pua Correa	Tammy Smith
Greg Wiles	Raymond Galdiera

Kaukaohu Wahilani
Kaiulani Milham
Keao Costa
Sarah Keahi
Haunani Apoliona

Kauai Pratt-Aquino
Kailihiwa Vaughan-Darval
Makanani Sala
Ilima Ho-Lastimosa
Leimomi Khan

Chair Akana announced that the following items under V. New Business will be deferred from the agenda to another meeting:

- B. Agenda Item V Approval of the Ad Hoc Committee to Review Applications for OHA CFO Position; and
- C. BOT #17-01: Re-Designation of Position Title from “Chief Executive Officer” to “Administrator”

Chair Akana said before we do item number two, I would like to offer this to the beneficiaries who are here this morning to testify. I’m going to read a section of the Sunshine Law so that we’re all clear today about what we will testify on. This is §92-3, Open Meetings: “Every meeting of all boards shall be open to the public and all persons shall be permitted to attend any meeting unless otherwise provided in the constitution or as closed pursuant to sections 92-4 and 92-5; provided that the removal of any person or persons who willfully disrupts a meeting to prevent and compromise the conduct of the meeting shall not be prohibited. The boards shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item. The boards shall also afford all interested persons an opportunity to present oral testimony on any agenda item. The boards may provide for reasonable administration of oral testimony by rule.” So I want to make it clear that today, anyone offering testimony must speak to the agendaed item and nothing personal and I will say ahead of time that no testimony will be taken unless it is written regarding the personnel matter of the Administration and the Board of Trustees. If you came to speak on that matter, we will take your written testimony and insert it into the record, but you will not be able to speak on that matter today. It is not on the agenda. Thank you.

II. APPROVAL OF MINUTES

Chair Akana said so now I will seek a motion on the approval of the minutes, number two, for October 20, 2016, December 8, 2016, and December 15, 2016.

Trustee Machado said Madame Chair, are you deferring Roman numeral two “A” for the minutes or is it all three?

Chair Akana said I’m seeking a motion.

Trustee Machado said but could you repeat the approval of the minutes you are suggesting?

Chair Akana said I’m on number two.

Trustee Machado said right, “A,” “B,” and “C,” are what you are recommending?

Chair Akana said yes, I’m asking for a motion to approve those minutes.

Trustee Machado said that’s clarifying.

Chair Akana said thank you.

Trustee Ahu Isa moved, and Trustee Hulu Lindsey seconded, to approve the minutes of October 20, 2016, December 8, 2016, and December 15, 2016.

Chair Akana said any discussion? If not roll call vote.

Motion

Trustee Ahu Isa moved, and Trustee Hulu Lindsey seconded, to approve the minutes of October 20, 2016, December 8, 2016, and December 15, 2016.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA	1		X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE HULU LINDSEY		2	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE COLETTE MACHADO			X			
TRUSTEE JOHN WAIHE'E						1
CHAIR ROWENA AKANA			X			
TOTAL VOTE COUNT			8	0	0	1
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passed with eight (8) YES votes, no (0) NO votes, no (0) abstentions, and one (1) excused.						

III. COMMUNITY CONCERNS / BENEFICIARY COMMENTS

Trustee Machado said Madame Chair, one more point of clarification. Just to verify, you're deferring Roman numeral five "B" and "C" to another time?

Chair Akana said yes.

Trustee Machado said okay, thank you.

Chair Akana said thank you.

Trustee Apo said I have a query. So, in your original statement about community concerns, not being able to address something unless it is on agenda.

Chair Akana said yes.

Trustee Apo said if someone came because they received an agenda that stated item "B" and "C," does that mean that is now off the table?

Chair Akana said yes.

Trustee Hulu Lindsey said no, uh-uh. Excuse me, Madame Chair,

Trustee Apo said I want to make sure. We should clarify that.

Trustee Hulu Lindsey said I think that our agenda was posted and if the people came to talk about those two items, they need to be heard.

CEO Crabbe said correct.

Chair Akana said let me refer to our attorney.

Board Counsel Lendio said under Chapter 92-3, if the item is no longer on the agenda, then oral testimony need not be taken. It is at the discretion of the Chair and the Chair has indicated that no oral testimony will be taken. However, written testimony can be submitted on those particular agenda items and those agenda items will then be put on a future agenda and people can testify verbally and submit written testimony.

Vice Chair Ahu Isa said Chair, I have a question.

Chair Akana said Trustee Ahu Isa.

Vice Chair Ahu Isa said it says community concerns so I don't think it has to do with what's on the agenda. They're here to speak as a community concern. When I was on the Board of Education we had the same thing, community concerns, even if we had an agenda that had different items. It doesn't have to be only to speak on the item on the agenda. That's my humble opinion. Thank you, Chair.

Board Counsel Lendio said it is at the discretion of the Chair to accept oral testimony on an item that is not on the agenda today.

Trustee Hulu Lindsey said Madame Chair, I'd like to make a motion that we hear people on those two items that you're deferring.

Trustee Apo said second.

Board Counsel Lendio said again, it is up to the discretion of the Chair, under 92-3.

Trustee Apo said Madame Chair, under parliamentary law, no motion is out of order. All motions are valid and I'd like to have a vote on it.

Chair Akana said it is the discretion of the Chair and I am not going to allow it.

Recess

Chair Akana called a recess at 10:07 am and reconvened the meeting at 10:09 am.

Trustee Ahuna said can I make a comment, please? I just want to know, were the beneficiaries given notice of these changes in how we hear testimony?

Chair Akana said Mr. Ahuna, everybody is aware that we follow Sunshine Law. Everybody. We are a public Trust following Sunshine Law.

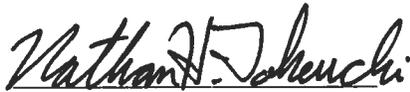
Trustee Machado said it's unfair, this approach. Not to hear the community and the people's concerns.

Trustees Ahu Isa, Ahuna, Apo, Hulu Lindsey, Robert Lindsey, and Machado left the meeting at 10:10 am.

IV. ADJOURNMENT

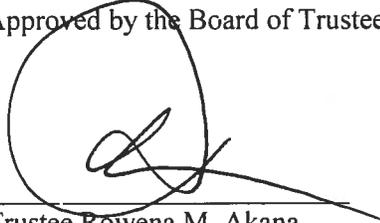
Having lost quorum, Chair Akana adjourned the meeting at 10:10 am.

Respectfully Submitted,



Nathan H. Takeuchi
Board Secretary

Approved by the Board of Trustees on March 9, 2017:



Trustee Rowena M. Akana
Chair, Board of Trustees