

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
Courtyard Marriot King Kamehameha's Kona Beach Hotel
Conference Room 6
75-5660 Palani Road
Kailua-Kona, HI 96740

Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, September 7, 2017
9:30 am

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE LEINA'ALA AHU ISA
TRUSTEE DAN TRUSTEE DAN AHUNA
TRUSTEE ROWENA AKANA
TRUSTEE W. KELI'I AKINA
TRUSTEE CARMEN HULU LINDSEY
TRUSTEE ROBERT LINDSEY
TRUSTEE JOHN WAIHE'E IV

ROBERT G. KLEIN, BOARD COUNSEL

EXCUSED:

TRUSTEE PETER APO

ADMINISTRATION STAFF:

KAMANA'OPONO CRABBE, CEO
KAWIKA RILEY, CHIEF
KANOE TJORVATJOGLOU CUP CHOY, COC
KAIPO KI'AHA, DPM
ALICE SILBANUZ, DPM
JONATHAN CHING, LAND
KALEENA KWE-PATCHO, DPM
WAYNE TANAKA, PP
KAMUELA BANNISTER, COC
KALENA BLAKEMORE, COC
SHANE PALACAT-NELSEN, COC

BOT STAFF:

CAROL HOOMANAWANUI
LŌPAKA BAPTISTE
DAYNA PA
LADY GARRETT
KAY WATANABE
PAUL HARLEMAN
LEHUA ITOKAZU
CLAUDINE CALPITO
MELISSA WENNIHAN
KAUI WAILEHUA
KAMA HOPKINS

GUESTS:

IPO TORIO
BO KAHUI
EMILY NAEOLE
LEILA KEALOHA
MICHELLE KAUHANE
SEPA TANOAI

I. CALL TO ORDER

Chair Colette Machado Calls the Board of Trustees meeting to order at 9:32 am. Roll call is taken; Trustees Ahu Isa, Ahuna, Akina, Akana, Carmen Hulu Lindsey, Robert Lindsey, Waihe'e, and Machado are present; constituting a quorum of eight (8) trustees. An excuse memo was received from Trustee Peter Apo.

I would like a 72 Hour Waiver for the following items:

- II. Approval of Minutes
 - A. August 1, 2017
 - B. August 9, 2017 (site visit)
 - C. August 9, 2017 (Community Meeting)
 - D. August 10, 2017
 - E. August 16, 2017

Trustee Dan Ahuna moves for a 72 Hour waiver for the items II. A., B., C., D., and E.

Trustee Carmen Hulu Lindsey seconds the motion.

Chair Colette Machado calls for a roll call vote.

Trustee Dan Ahuna moves for a 72 Hour waiver for the items II. A., B., C., D., and E. Trustee Carmen Hulu Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		x			
TRUSTEE ROWENA AKANA			x			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY		x	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			x			
CHAIR COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passed with eight (8) YES votes, and one (1) excused.						

Chair Colette Machado – Before we continue, I would like to ask for your kōkua for those that have come to testify before the Trustees. We have two sections to for consideration for public testimony. One is what we call public testimony which is limited to the agendized items they are limited to Wao Kele o Puna Cultural Management Plan along with the resolution to thank those who helped with the CMP. If you choose to testify under public testimony it is limited to this items. We have community concerns you can talk about anything from A-Z. The only restriction is that when I ask for your kōkua you have five minutes to allow you to address the board.

I want to introduce the Trustees to my right is Trustee Keli'i Akina, Trustee Rowena Akana, Trustee Carmen Hulu Lindsey, Trustee John Waihee, Trustee Robert Lindsey. On my left is Trustee Dan Ahuna, and we have Trustee Leina'ala Ahu Isa. We greet you with Aloha from our respective kuleana and we want to begin with II.

II. APPROVAL OF MINUTES

- A. August 1, 2017**
- B. August 9, 2017 (site visit)**
- C. August 9, 2017 (Community Meeting)**
- D. August 10, 2017**
- E. August 16, 2017**

Trustee Dan Ahuna moves to the approve the Minutes of August 1, 2017, August 9, 2017 (site visit), August 9, 2017 (Community Meeting), August 10, 2017, August 16, 2017.

Trustee Carmen Hulu Lindsey seconds the motion.

Chair Colette Machado – Any discussion, hearing none, roll call vote.

Trustee Dan Ahuna moves to the approve the Minutes of August 1, 2017, August 9, 2017 (site visit), August 9, 2017 (Community Meeting), August 10, 2017, August 16, 2017.						
Trustee Carmen Hulu Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		x			
TRUSTEE ROWENA AKANA			x			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY		x	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			x			
CHAIR COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passed with eight (8) YES votes, and one (1) excused.						

III. PUBLIC TESTIMONY/COMMUNITY CONCERNS

Chair Colette Machado – We are now on Public Testimony. I would like to call Aunty Emily Naeole. I'd like to thank you for your years of service in defending Wao o Kele. It is so good to see you.

Ms. Emily Naeole – (sings Praise God from Whom all Blessings Flow) Mahalo. My name is Emily Naeole I was born in Pahoia in 1956 to Gabriel Kealoha and Mary Kealoha. I been in Puna all my life I am going to be 61 on the 23rd of this month. I got arrested for the first time in my life at Wao Kele o Puna. At 10 years old I was raised in 'Opihikao, I used to walk down the road, I used to see the maile vines, and I used to go gather the bushes and start picking at 10 years old. That is why I am a native gather, I make lei poo for 35 years, Christmas wreaths. When Wao Kele was threatened in 1989. I remember going there for my first ceremony with Aunty Pua Kanahale and I took my whole family, three daughters and a son. We went over there it was so beautiful. I thinking it was October 1989, we had a ceremony, we all carried a pōhaku, and we went up to the site and we built an ahu. That was my first experience there.

When I went in '89 December and I arrested and taken to Police station in Hilo and strip-searched. It was an illegal stripe search, I think 13 wahines, I was the only Hawaiian the rest was haole. But with that mana'o, we actually sued Police Department for the illegal strip search. I own a house today on the Hawaiian Homes in Maku'u because of this strip search.

I was arrested in '89 at Wao Kele o Puna, I was a plaintiff for Palikapu Dedman Pele Defense Fund. The lawsuit against the State of Hawaii illegal land swamp. In 1991, I have a son 26 years old I named him Wao Kele o Puna, I said you was arrested there lock it in History. I went to Oahu when OHA was going to purchase Wao Kele o Puna I came to speak. I said I have a son Wao Kele o Puna that is why I am over here speaking. I whip everything in to shape. I was the City Council lady in 2007 and we had a big blessing in Wao Kele o Puna. I heard Senator Dan Inouye say, Emily I made a mistake, because he knew I was arrested there. That afternoon I went to sit on my mother's grave and tell my daddy, you would be proud of me today daddy because this is what happened we got the land back.

I wanted to thank OHA to let me step at the last minutes with this council. I came to speak to you in Hilo. I going be involved and I need to be involved all the way till I hala I going be involved in Wao Kele o Puna.

Our Maku‘u Hawaiian Homes in Puna, we want to be involved. We been trying to be involved from day one so this is my president Paula Kekahuna, we just feel that we are the po‘e Hawaii. Hawaiians are in Puna and we want to part of the package. I want to approve this Comprehensive Management Plan. I want to thank everyone involved. Mahalo Nui Loa.

Ms. Aulii Mitchell – Aloha kakahiaka my name is Aulii Mitchell. I will be reading Leila Kealoha’s testimony that was brought.

Aloha, my name is Leila Kealoha and a member of the Puna Community on the island of Hawaii. I have served on the ‘Aha Kūkā council that helped to be an advisor to the comprehensive management plan of Wao Kele o Puna. I apologize that I could not be there in person today and testify on behalf of our community to ask for your support. Although I am teacher and my students are my concern at this time. I work as Educator, Forestry Specialist and Board member to many communities, cultural practitioner and most of all a daughter, wife and mother for those in our Puna community. I am writing to ask that you make no hesitation in approving the Wao Kele O Puna Comprehensive Management Plan. I graciously ask that you take into consideration the importance of this forest and all that it has to offer our community. This is a forest that serves as the watershed literally to our entire community. It is a gathering place for many of our people, it has been for many generations. This forest serves a great importance to what has been the seed bank for many other areas. Wao Kele o Puna is a place where we the people hope to continue our gathering practices physically and spiritually. This forest is a living example that we will be able to teach our keiki for generations of how to malama aina, a living laboratory classroom. If we do not teach them then who will. I would like you to consider the importance of your decision to approve this comprehensive management plan and what impact it will have in our community. The forest needs our help, the ability for our people to be part of the management process will be critical to the success of board. It is an area that is massive in size, yet with laulima, many hands working together the job can be done. We the community can and will be a part of helping to restore, revive and contribute to the success of the forest in all ways possible. Please allow the people in our community to help in this process and to continue to be a part of what we have been doing all of these years. The power to move forward is in your hands and the beneficiaries of our island here in Puna ask you to approve this comprehensive management plan designated for Wao Kele o Puna. Again I appreciate your time and consideration in the matter and I look forward to working with all of you in the near future.

Mahalo Nui Loa, Leila Kealoha.

Ms. Naeole – I just want to say that Leila is my brother’s child. Leila belongs to my other brother John, so we are in the family and we have been working the process for couple generations.

V. NEW BUSINESS

Chair Colette Machado – I would like to take out of order and move to new business. We will not move on to item V.A. RM #17-11 and I’d like to call on Trustee Robert Lindsey.

A. RM #17-11 Approve the Wao Kele o Puna Comprehensive Management Plan (CMP).

Trustee Robert Lindsey moves to approve the Wao Kele o Puna Comprehensive Management Plan (CMP).

Trustee Dan Ahuna seconds the motion.

Trustee Robert Lindsey moves to Approve the Wao Kele o Puna Comprehensive Management Plan (CMP).						
Trustee Dan Ahuna seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA		x	x			
TRUSTEE ROWENA AKANA			x			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY	x		X			
TRUSTEE JOHN WAIHE'E			x			
CHAIR COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passed with eight (8) YES votes, and one (1) excused.						

B. Presentation of an OHA Resolution recognizing and thanking the 'Aha Kūkā Advisory Council members, the Pele Defense Fund, the Maku'u Farmers Association, and the U.S. Forest Service for participating in the creation of the Comprehensive Management Plan for Wao Kele o Puna.

Chair Colette Machado – I want to thank Trustee Carmen Hulu Lindsey from the Resource Manamngnet Committe who vetted this matter and brought it before the BOT for consdieration. Our of curtesy because Trustee Robert Lindsey represents this island I asked him to make the motion. With that said is there any comments that we proceed to take the vote.

Trustee Leina'ala Ahu Isa – I would like to speak in support of the motion. I strongly feel that areas is our responsibilty and for the future generations.

Trustee Keli'i Akina – I will vote with an enthusaticice amen to this master plan, it is a wonderful accomplishment. I congratulate all of you. I want to say this the game is not over though. It is just begining. The master plan is a blueprint but not a garauntee so we have to keep our work up. In fact as for us as your Trustees at OHA, in order to empower the master plan it is very improatnat that we take this organization, tighten our belts, improve our financial opeartions, raise better revenues and come up with a master plan on how we will raise more reveeneues for our legacy lands. That is what I am going to be promoting. I wanted to say that because I wanted to make everyone aware that my comments earlier in the prior meeting regarding Wao Kele o Puna were not against the master plan. It was simply to say that this is the begining but lets build OHA into a strong organization that can finance this plan and lets not make promises that we fail to keep. Thank you everyone for working on this project.

Trustee Robert Lindsey – I would like to applaud all the hard work that went in to putting together this comprehensivc manamngnet plan. It excites and pleases me that this plan is driven by your community. I ask that we move forward in formalizing our vote on the plan please.

Chair Colette Machado – I apologize we already voted on the resolutions we will be presenting them today. Congratulations. I would like to call Jonathan Ching to provide an overview of the comprehensive management plan and the work that our land division has been doing.

Jonathan Ching – Aloha mai kakou. We have worked on this plan since 2013 driven by Kukaumana and Kawika Burgess at that time saying we need a plan so that we can move forward with something that was organized and with vision. That is what we did we put together a 9 member group from the a diverse section of the community from the Hilo Puna area many of which had genealogical ties, they are educators, community members, foresters, and people who were all about the forest and were there for the right reasons. It started with the Pele Defense Fund back in the '80s, there was a protest, that turned into a land swap, OHA gets the land back, we stop the geothermal development, it's a sacred place. The Pele Defense Fund was very clear that it was a sacred place not just to Pele, the forest deities and the water that is made there but for the people as well. Their case resulted in Wao Kele o Puna being one of the places that is reserved for traditional and cultural practices. It is a kīpuka and has been a kīpuka historically. Peter Young who was the DLNR Chair at the time of the transfer had done some research and talked about this Ai Lā'au lava flow that comes before the Pele the goddess there is Ai Lā'au. Wao Kele o Puna is the kīpuka that is left at that flow which recedes Puna and it is doing that again and will continue to do that with what we do with this plan.

The Pele Defense Fund, we worked with them, they had a plan that they submitted a number of years ago. We incorporated the plan, the team put that together, the Aha Kūkā discussed that, and they aligned with it and tried to incorporate what we could. They are still involved today as part of the decision making. They are one of the people who I will mention in a little while who has contributed to the plan.

We've worked with DLNR and will continue to work with DLNR but OHA took this kuleana back in 2014 under the direction of Pouhana and Kawika Burgess. Thank goodness for that because now we are here and in the right direction. Just a little bit of theoretical approach was to incorporate the voice of the people, Hawaiian values and acumens and the best forest practices that we could afford and these folks brought that to the table.

Over 15 people were asked in that area about what is important here and what do you want to see. That has always been what we based our plan on. Then in 2015, we started our first meetings with Aha Kūkā and the consultants come on board. They say that you better go out there again and check with your people. Not just the people of Puna but the beneficiaries of Puna so we did that. We've had a number of meetings, we met on a monthly basis and then we had two big public meetings in which people came in. Finally, the Pele Defense Fund had done a meeting where they presented their plan again in its entirety early on so that everyone could hear that and we could align. The forest service was involved and also DLNR but Forest Service came to one of our Kūkā meetings to talk about rapid 'ōhi'a death also very prevalent in Puna. With the voice of our beneficiaries, the Hawaiian knowledge of our kupuna and of our new generation and the commitment of our community and best forest practices we have this guidance we can now follow. I just wanted to assure you that this is just a guide for your action plan. I'd like to introduce Kalena Blakemore who is our new land specialist in Hilo. She has a lot of work to do and this plan that we will come back to you over and over again to talk about our action plan and figure out what we can afford and what kind of expenditures we can expect and we are good for the next two years in terms of the budget that you have approved.

I am going to ask Kalena to call up the working group members who are here of the Aha Kūkā so that we could recognize them of their service of 2 ½ years on this long process and for what is to come.

Kalena Blakemore presents the following individuals who could attend the meeting with their resolution:

Luana Jones
Emily Naeole
Paula Kekahuna
Fay Hanohano

IV. UNFINISHED BUSINESS

Chair Colette Machado – We will now proceed to Unfinished Business we are asking for Kamana‘opono Crabbe to provide an update.

A. CEO’s 15-Minutes Update on Ho‘oulu Lāhui Aloha and OHA Activities

Kamana‘opono Crabbe – Aloha, I just have three updates I shared them last night at our community meeting. The first is that every year the Office of Hawaiian Affairs engages in the legislature. Either we introduce bills that support our native community and our people or at the same time we have to defend or oppose bills that we feel may be threatening or harmful. Every year our public policy and advocacy staff goes out into the community and meet with different Hawaiian organizations to look at what their concerns are so that we are aware when we go into the legislature this year and every year it begins in January and ends in May. We are in an active process we have been doing that for the past 4 months. We come and present a full package to the board for their approval by October or November. We have some idea as to what bills we should be looking to introduce January. That is an ongoing process the board will be presented with the package along with a matrix we develop every year.

Second, we started our strategic planning for our report to the community. In 2009 the board approved of the strategic plan for 2010-2018 we are responsible for reporting back to the community these past years what OHA has invested in education, in health, cultural, land, economic self-sufficiency and governance. In the community report you will be able to see is where our grant funding went, the financial part in which we did activities and the exact activities and projects that we engaged in and how much impact we made in accomplishing the strategic plan. This will be the first committee report that OHA has done and it is going to take a lot of work. We want you to know it is something that the board is very supportive of, the greater accountability to the community the work that OHA does.. You can expect that to be done in a year a half. Right now, our staff is in the process of collecting all the information over these past years. We will be sending out the report to the community and updating the community.

Lastly a number of community people came and had expressed about the recent contract regarding the Hawaii Focused Charter schools. A number of Trustees heard the concerns and I was asked to provide and update on the current process within OHA. Every two years OHA has a biennium budget, it goes through a thorough process and review by the board. They approve the budget and including funding for our grants. Last night I misstated that this particular solicitation was a RFP it is not, it’s a grant solicitation and the grant solicitation is for services for administering Charter School Funding. So the board last year, actually the year before agreed to do a line item of \$1.5 million for Charter School support.

We have a process and procedures, which each grant process goes through and there is a panel of review. The evaluate the application and proposal, this year there were only two applicants. KALO and CNHA, the results of that were submitted to the Board or the decision-making was submitted to the Board on June 22nd. Last night certain Trustees were concerned of when they were informed. There were additional emails that were forwarded as well.

Currently the concerns were that the new contractee who is CNHA the Executive Director Michelle Kauhane is here. There were a number of concerns regarding why did CNHA receive the proposal. So the actually criteria was to facilitate grant reporting, experience in coordinating conferences and implementation initiatives to increase capacity for entity or organization such as the Charter School. It is not specific to education, it is really about management of the funds. The current process as I understand it from my staff, there is ongoing discussions with CNHA as far as the deliverables of that contract. I want to make sure the rights were objective and we have a fair process both of Charter Schools as well as the new contractee.

Right now, because we are in that process and the concerns that were brought by the community we have an opportunity to reassess. But we also should hear from CNHA since they are the new contractee. I understand that there will be a convening on September 25 at Kamehameha Schools, I am directing our Chief Operating Officer, our Chief Financial Officer and our grants manager to attend that meeting so that we have very good understanding from Hawaiian Focus Charter Schools what their concerns are as well as the opportunity for CNHA to hear what their concerns are about. Hopefully we can come to some resolution. We will provide a summary report to the board after that September 25th meeting. That is where the process is right now. We have Michelle Kauhane the executive director and I have expressed some of the concerns that were brought up last night. She is willing to address some of them and turn it over to the Chair..

Chair Colette Machado – Michelle has actually signed up for Community Concerns we can take that out of order now and ask if the Trustees have any questions directly for Michelle Kauhane with CNHA.

VI. COMMUNITY CONCERNS

Trustee Leina‘ala Ahu Isa - What is this meeting that Kamana‘opono Crabbe is talking about at Kamehameha Schools September 25th.

Ms. Michelle Kauhane – So the meeting on September 25th is a meeting that is coordinated by Kamehameha Schools that I learned of after discussing this contract that they bring the Po‘o of each of the Native Hawaiian Focus Charter School together as a way to speak to all of them at once I asked if we could have some time on that agenda since they will all be in the same place at the same time. That is what that is for.

Trustee Dan Ahuna – So Michelle the reason why is cause Kamehameha gives a matching fund.

Ms. Kauhane – Yes cause Kamehameha also provides funding for the Charter Schools. I want to say thank you for the opportunity. I was watching the livestream last night and I was shocked at the conversation and I flew in this morning to clarify and answer some of the concerns. First, I want to say that we were notified in late June. At the time I received a voice message from your OHA Grants, I think it was Misti Pali to be exact while I was in Oregon. I returned her call when I returned in July to be notified that we were awarded what we bid on. As was explained by Kamana‘opono Crabbe for grant administration of the OHA funds and to coordinate a convening of the Native Hawaiian Charters.

On August 5th I received an email that was forwarded to me by my Board Chair Alvin Parker who is a part of the Na Lei Na‘auao Alliance, an email that was forwarded to him by Ipo Torio, asking for a copy of CNHA’s proposal which I directed my staff to share with the schools because it is public information. We’ve bid on the contract and we shared that with the folks on the email, which included Taffi Wise, Ipo Torio and Alvin Parker. I also set up conference call with Taffi Wise, which we held four days later on August 9th. In which we spoke for about 2 hours and she did share the concerns. First and foremost, they were shocked that CNHA bid on the contract, so we talked a little bit about why we did. So I am here today to really answer some of the concerns after my conversation with Taffi and after watching the livestream video last night. First, a foremost I hear that the biggest concern is the allocation of the funds and how that gets separated amongst the schools. There is a formula, which OHA worked with the schools to determine, we did not determine that nor are we changing that. So what they were allocated last year they will receive the same allocation that they got last year this year. That is OHA’s decision that is not a CNHA decision. Second, I sent a letter on August 16th to each of the school leaders sharing that after my conversation with OHA that there would be no change to the allocation that they are each receiving. But to acknowledge Kamana‘opono Crabbe there are smaller schools that are concerned about that existing formula. Some of them feel that as the smaller school that allocation is not fair. Again, that is not our decision we didn’t come up with that formula that was determined and we will disperse. Our job is to disperse the funds we act and were contracted as a grant administrator.

I understand that there was also concern that we did not get prior approval by the schools or support letters from the school, your RFP did not require that. That is not to say that we shouldn't work closely with them. What I can tell you is that through our policy round tables and through our annual Native Hawaiian Education caucuses, the need for parity which I hear Trustee Dan Ahuna bring up last night, the need for parity to get allocation per pupil allocation that are unfair by disbursement by the State DOE has been the number one priority for about 4 years now coming out of our education caucus. The reason for CNHA putting this proposal in is to address that issue. To stop talking about the need for parity and to act on it. To use our status as an intermediary to attract national philanthropic funding to come through the council so that we can try and increase that allocation to leverage the funds that are non-KS, non-OHA dollars, so that we can increase per pupil allocation that is the goal. That we have agreed as a community time and time again priorities then adopted and brought to our board saying they need parity they need facilities, they need assessment in language. We have continued to advocate for those, we didn't make those up they come up from Native Hawaiian education schools and educators. So we acted on it. Our core value in trying to leverage your dollars is to do just that. If we need parity, we need to try and attempt to leverage the funding provided by our Trust and bring those to our schools and to our students.

CNHA is not in the business of education. I heard that last night. We are not direct service providers, providing education to our keiki. To be clear your RFP did not ask me to be that. Your RFP was specific to be a grant administrator and a convener for a conference. Which I am sorry we have lots of expertise in that. We were the ANA regional grant training and technical assistance provider for many years, we have created the grant process for Hawaii Tourism Authority from its RFP process to its scoring criteria, to evaluation and outcome measurement. We have expertise in the RFP and the services that you asked for and we scored appropriately. So you're correct we are not in the business of education nor were you seeking an education provider. CNHA has spent the last 6 to 8 years working very closely with Native Hawaiian Educators, bringing White House officials to various Charter Schools, bringing Foundations to Charter Schools to tell their story to help leverage philanthropic dollars. Because it's a kuleana that we take seriously. We are not trying to be them, we're not trying to run them over but we are trying to leverage with the abilities we have to bring parity to the students as was recognized through our caucuses. Again, I will tell you that we are following a national best practice as an intermediary. Bringing funds from outside of Hawaii and a perfect example is USDA funding. You want to do economic development in your community, we won \$600,000, we dispersed those to communities to do their projects. We are simply trying to do the same thing with education funds. So if you are offended by our decision to leverage your funds I find it difficult to have to apologize for that.

But what caught me off guard last night, Trustee Rowena Akana is that you made a threat in 2013 in writing that you will support anything by CNHA because of a position of our prior director against, in an opted about Huena Power. I will say to you that you have stood firm in your commitment. You continue to be beat up, tear down and make public displays against beneficiary organizations that I will not tolerate. I am asking this board that you step up to your level of Trusteeship. Gather the facts and understand clearly, before you create a dynamic where I have to fly here to Kona because you are making accusations and inaccurate drama. I will not take the grand standing of our leadership of this precious organization that represents all of us out of that context. That is why I flew in today.

I fully embrace that we have work to do with the schools. I have met with Kamehameha and OHA to see how do we make it easier on the Charters, how do we do less reporting so that they focus on doing the work at hand and yes, I acknowledge Susie and Ipo, I had a chance to catch up with them this morning. That we did not reach out them prior to that submitting our grant proposal. I acknowledge that we have work to do, we have bridges to build. That we did not apply for that to create tension to huli your system, to say that what you were doing is not meaningful. We understand that you do meaningful work that you do amazing work in lifting up our keiki, no doubt about it. We don't have to argue over that. What we do need to do is clear a pathway so that we can honor the work that you've done for these years. It is not our intention to undo what you did. I will

tell you briefly that in my conversation with OHA, I left money on the table. Because this was, the first time that we did this, I didn't ask for the entire amount and I put my best guess forward because it was a proposal. I have since talked to a teacher at Hālau Ku Mana and explained how your annual convening works, how you bring students in and what happens there. We did not allocate for that which is why I reached out to Kamehameha, to say how do we save dollars in getting ourselves there and instead, when they are here we save those dollars to help students. I've also asked OHA that with the \$10,000 that I left on the table to allocate that for student travel. So I just want to be clear that our goal is not to run over the hard work of Charter schools for the last 17 years but rather to lift it up to continue working with KALO which we have done and OHA as well as KS on public policy, and also to bring philanthropy.

In our shop I am telling them our goal is to really about three keys, about public relations about lifting up the good work of the Charters, about philanthropy trying to leverage our dollars from KS and OHA and third public policy using our network at the State and National level on public policy to lift up the good work of the Hawaiian Charter Schools. So I think you for your time, I wanted to be clear that we are not directing teachers, we are not in the business of doing school but we are an intermediary looking to bring dollars to our State that are outside of Hawaii to leverage our trust dollars. Mahalo.

Trustee Rowena Akana – Ms. Kauhane this is the second time you have publicly lied about what I have said I wrote a letter to your organization saying that I could not support your former director in this one aspect, of whatever she was asking towards the legislature because of a certain thing. I did not say I was against CNHA so please stop spreading lies. I have every right as a Trustee to be very concerned about how vicious CNHA goes after every contract that you can possibly get your hands on. This school, this school system is very important to us. From 1993 OHA has been in the forefront of education, we built schools, we put in put in Hawaiian Language, we made sure the State did their job with Hawaiian language in the public schools, we brought in the Masters program at the University, the Doctorate program. We've done more than anybody in education. So let me tell you something, when you come after a contract that is for schools you are really out of your bailiwick because...

Chair Colette Machado – Trustee Rowena Akana lets be civil.

Trustee Rowena Akana – Wait, don't interrupt.

Ms. Kauhane – Its ok we are used to this behavior.

Trustee Rowena Akana – This is the first time I am confronting you.

Chair Colette Machado – I am Chair of the Board of Trustees.

Trustee Rowena Akana – I don't care if you are God.

Chair Colette Machado – You need to be civil that is all I am asking.

Trustee Rowena Akana – No, I am going to speak and you can take it or leave it.

Chair Colette Machado – Speak with Aloha.

Trustee Rowena Akana – These people they go after every money that you can possibly get. This time this is for Charter Schools you folks are out of your bailiwick of things that you do. These schools need help and they need the kind of help that you cannot possibly give them. That is what I am concerned about. I don't care about your politics, I don't care who runs your board, I don't care for any of that but I do care about the education of our schools. My own granddaughter goes to a charter school. It is important to me personally and

No one has done more in education than our office. So let me just say this one last time, don't come out publicly and insult me and lie like you've done many times and I've never and confronted you. But this is the last time you are going to do that. Everybody here knows that I am the longest serving Trustee, you know why, because I am honest with my people, I don't BS, so don't come here and throw your BS, you are out of order.

Chair Colette Machado – Thank you Trustee Rowena Akana. Trustee Waihee.

Trustee John Waihee – I have a question about the administration of it, it says we gave a grant to administer funds. But Michelle testimony but it's a grant that had a RFP and a contract that you had to bid on. How is that different from just a contract for service, what makes it a grant?

Kamana'opono Crabbe – So I shared last night I was under the impression that it went through an RFP process. But it went through a grants solicitation process. We have our community grants program and that is all for Education, Health and so forth. Even though it is a separate process we still need to contract, we need to put in the specific deliverables.

Trustee John Waihe'e – Why did we do it through a grant?

Kamana'opono Crabbe – Because that is how it is, categorize as part of our accounting Trustee. Even in the past practice has been even with your approval it was awarded as a grant so when we do our annual budget the 1.5 million is really a big grant that has specifics given.

Trustee John Waihe'e – We approved the money for all the Charter Schools and we give it a separate grant to administer it.

Kamana'opono Crabbe – So the \$1.5 million in the past it specifically was directed to KALO, but this year because we are trying to run through the process and be fair it went out went out as a grant solicitation. So just like in the past KALO was the grant administrator, in the same respect CNHA is the grant administrator for the next two years.

Trustee John Waihe'e – When we approved the line item it's not identified whose going to get the grant.

Kamana'opono Crabbe – No, it's not.

Chair Colette Machado – I am going to call on Trustee Dan Ahuna followed by Trustee Carmen Hulu Lindsey.

Trustee Dan Ahuna – I don't want to go against any of our Trustees or CNHA. They are all doing great work and trying to do their best. For me I grew up teaching at Charter schools, care about the Charter School in my community. Three years ago, I suggested to become an authorizer. I wanted KALO to become an authorizer. The reason why I wanted them to become the authorizer is because we do it with Hawaii Community Foundation, we do it with Liko Ae, we do it with all kinds of other organization. For me when I see people up on Mauna Kea protesting it's because they don't have a voice. There are principles together in one group and I am not going against CNHA or anything. But the thing is we want to keep them together. From day one they have fought for every single penny and every single dollar every leverage value, money for their schools even with OHA they had to fight for \$1.5 million and now they got that. I can't say that CNHA won't do that but the thing is what CNHA wants to do the people from Charter school has been doing it from day one. I have a lot of concern that was my concern. But it's hard for me as a Trustee when thing gets passed right away. If it's passed what can I do, it got passed. I want you guys to know this and maybe Kamana'opono

Crabbe can answer this. We have authorizers, that was mention last night Papa ola Lokahi is an authorizer for health grants why can't KALO be an authorizer for Charter school grants that is all I am saying.

Trustee Carmen Hulu Lindsey – Kamana'opono Crabbe this particular grant money is it listed under Kulia Grants. Is it listed under the lump sum grants that we have?

Kamana'opono Crabbe – I believe it is separate because the board had approved that it be a line item and specific for Charter Schools.

Trustee Carmen Hulu Lindsey – Just one question for Michelle are you charging an administration fee?

Ms. Kauhane – Some of those funds go to cover our expenses. Off the top of my head, I don't have it with me. There is a percentage for our overhead and then the expenses to cover their annual convening, the travel and the bulk of the money gets dispersed based on the formula that goes to each of the Schools.

Trustee Carmen Hulu Lindsey – So you don't have a blank percentage because as you just describe it there is no number on it and it makes me wonder how much are you going to take out.

Ms. Kauhane - It is no more than 15%, I can't tell you right off the top of my head I should have looked at that last night. But it is no more than 15% as the admin, the bulk of that money goes to the school and direct cost for their convention.

Trustee Carmen Hulu Lindsey – Kamana'opono Crabbe we need to secure that in the contract, the contract not done yet right?

Kamana'opono Crabbe – I don't know where it's at but I am calling a meeting this afternoon to review the whole process in terms of what the status is.

Trustee Carmen Hulu Lindsey- I think it's important for the board to know how much is going to CNHA and then to charter schools.

Kamana'opono Crabbe - I agree.

Trustee Keli'i Akina – I would like to Kamana'opono Crabbe some questions to help me. These questions aren't so much about evaluating the grant, but out process that has led to our discussion at the Board meeting. I was trying to determine in my question when and how we as OHA became aware there was concern by Kua o Ka La the charter schools over the CNHA grant and I'm wondering if you could inform us a little bit about that, did that come to your attention and did we attempt to resolve that before these board meetings.

Kamana'opono Crabbe – The first that I knew of any concern from the Charter Schools was actually yesterday afternoon. I was presented a letter from the Po'o kumu Ke Kula o Kamakau, that was the first I was aware of I didn't receive any correspondence from my staff regarding these concerns. That was the first that I knew of.

Trustee Keli'i Akina – So we have not reached out to CNHA prior to this, no making them aware that any parties has concern over the grant.

Kamana'opono Crabbe – if we do, I think so, again there was no correspondence to me directly or from my staff to me regarding the grant solicitation process.

Trustee Keli'i Akina – The award to CNHA was made through our process? It was a properly awarded grant and they won in a competitive bid process.

Kamana'opono Crabbe - A grant solicitation process.

Trustee Keli'i Akina – We heard last night concerns CNHA flew in today and has responded to those concerns, how do you assess Michelle's statements today.

Kamana'opono Crabbe – We will review the criteria and review the concerns that she had. I expressed to her this morning in detail with Michelle. I am very cautious because they have rights as one of the recipients.

Chair Colette Machado – I've been advised that we are over the line in terms of dialogue on this matter. We are in community concerns we've really extended our reach out there. I am going to end this discussion because there is not much more we can further do and Kamana'opono Crabbe is going to meet with staff today. I think there are some critical issues that we need to be bringing to the Trustees for our review. We did approve, when the grants people came to us, they presented to us an action item that probably included this award. We need to be more critical about the Taps review. We need to separate out these grants that are becoming awarded. This was a line item that should not have been included in a grant solicitation. It should have been a different approach and different criteria. We approved it in our line item. A lot of times, we are not aware of these details. We are going to want to scrutinize more thoroughly because we've been hoodwinked. Believe me we've been hoodwinked. It is not the fault of CNHA but it is disastrous for Hawaiian Charter Schools who have been comfortable with the pattern that they have established who worked diligently for us to create a separate line item, which we have never done before. What does that mean, hoodwinked, somehow we missed the board and we look bad as your elected official. I tell you right now we are going to be able to do that. We voted to approve it in lump sum action item under grant solicitation. So we are going to do with what we have and try to resolve and pick up where the pieces are and I cannot enough that we've already been expressing our self publicly and we really need to get back to the truth. Trustees I will assure you that I will demand from TAPS and Kamana'opono Crabbe that we have this brought to the board for a full review and consideration if we get that far. That is all I have to say about this and I am going to move on. We cannot do anymore. Thank you for shining the light on everything here so our next speaker is Auntie Emily and followed by Bo Kahui.

Ms. Emily Naeole – Mahalo Chair. I live in Maku'u Hawaiian Homes for 32 years, I was awarded my lot in '85. I wasn't going to do this. I am here to speak. Last October I went to a funeral at a Catholic church in Pahoia and this is what I heard a Hawaiian Auntie tell me, Emily I am over 70 I don't want to die before I get my land. She talking about Hawaiian Homes. With that word, akua told me you better stand up, get moving because this lady is crying in pain. I went to see the Hawaiian Homes people, our leaders, and I shared my mana'o about awarding, I think I was only 31 years, this past July makes 32 years that I had my land. The mana'o is our people is crying out, what is happening. This is what the scenario at Maku'u Hawaiian Home, we were awarded the first batch of lands and '86 the second batch. There have been awarded 100 lots Maku'u that the people never show up in 32 years. The Hawaiians sleeping over there bare never get touch for 32 years. Some of the people was 31 so my president had her lot 31 years, I was the first batch so us 32. There is 100 lots that never show up in 32 years. That is our scenario Maku'u Hawaiian Homes. There were 50 lots that were sitting there for 32 years without anyone's name on it. In 1985 when I was awarded my land I called my brothers and sister, I said hello you guys I got my land you guys better hurry up and go apply. This past 32 years my siblings been on the list. So I already had a father die within the last 30 years and two brothers. What happen when January this past January came around, I held the meeting at the Maku'u Farmers market for our Hawaiian people. I called them and invited the Department of Hawaiian Homes and nobody showed up. So that night at my meeting akua talked to me constantly as I am moving different issues for our Hawaiian people. He told me Emily, they never show up they treating you like you dumb. So when I went talk in October they never respond in a phone call or a letter. When I had my meeting in January 21st they never

show us. That night of January 21st he said start passing the lands out, the land belong to your Hawaiian people not to this people called DHHL. So I started passing the lands out without the Department of Hawaiian Homes starting January 21st. I need to tell you guys the truth. Two days after January 21st they came running down to Puna, and Auntie going little berserk giving the lands out without us. I already saw my daddy die and my two brothers and lot of people just dying, why we holding 50 lots, who are we preserving that. I just want to tell you guys I giving the land out without the Department of Hawaiian Homes, I need your guys help to hear my voice because I am not stopping, I am going to run it through and I am ready to go to jail if I have to. Thank you for allowing me to speak. Mahalo

10:50 am Trustee John Waihee leaves the meeting.

Chair Colette Machado – Our next speaker is Bo Kahui.

Mr. Bo Kahui – (please see attached letter)

Trustee Carmen Hulu Lindsey – Bo, in all the times that you have come to talk to us you have consistently said that we are giving grant monies to non-Hawaiian organizations. That is absolutely not true. You may hear Queens Hospital, they are funneling money down like CNHA is going to funnel the money to charter schools but always to Hawaiian organization but never not Hawaiian. I just wanted to correct out because how many times you have come before us and accused us of doing that that is absolutely not true.

Mr. Kahui – I stand before you and Goodwill Industries got a grant from you and they are not a Hawaiian organization.

Trustee Carmen Hulu Lindsey – But they giving only to Hawaiian.

Mr. Kahui – I understand that but they are not a beneficiary, I am a beneficiary, we are a beneficiary organization serving our homestead. That's the difference between our corpus. So thank you very much I appreciate it.

Justice Robert Klein, Board Counsel – I'll be happy to discuss with you Day v. Apoliona a Federal Court case and State Court case that can help you understand the Trustees are within their fiduciary duties when they indirectly benefit native Hawaiian 50 percenters, they benefit the boarder class when they give their grants. I will be happy to discuss that with you. Trustee is correct but I will be happy to give you the case and let you read it.

Mr. Kahui – I appreciate it. We work in the community we are the community. So when I look at some of the grant awards sometimes I feel a little bit despondent.

10:57 am Trustee Keli'i Akina leaves the meeting.

Chair Colette Machado – Our next speaker is Sepa.

Mr. Sepa Tanaoi – Aloha, I went to meeting, they got 5 water tanks broken down. In 1970 when I moved here we had catchment. When we had drought we had to buy water. Look how many year latter still same thing. This is what I want to talk about I went to a meeting in Ka'a'awa, guys came from the military came to speak on explosives. In 1942 they had the army all over the island and 75 years later they are just now looking for explosive that wasn't exploded. Wai'ahole Waikane they found some more. They doing this in Hualālai, and its radioactive. I went to that meeting, they said its alright. When they are shooting it in Hualālai it is going into the water table and we are going to start drinking it. Look what happened to Waikoloa they did all that golf course, over there you walk in water it is mud. I told them, wait a minute so water come down to the

table we going drink it, and he said no its radio explosive as long as you don't breathe it, but if you drink its ok, but breathe it is a problem. He is a professor at UH and he telling me that. But I you guys can help I appreciate that mahalo.

Chair Colette Machado – Our next speaker is Ipo Torio.

Ms. IpoTorio - One percent of the State budget for the Department of Agriculture is alarming. I just wanted to put that out there. This is a heads up. Kauai is faced with a general plan that re-designates agricultural lands for redevelopment. Right now we need more focus on Ag that is the future. We are concerned about the plan. We are concerned about water and the management. Charter schools we are cultivating future farmers. We are making sure that our graduates have the skill set that our kupuna used to have. Back in the day you knew how to build, you knew how to take care of things and you knew how to take care of yourself. What happens 50 years from now when the water is completely diverted we need some support we need to make sure that water and land and resources are cared for now and preserved in the future. We want to invite the Trustees to a meeting in Anahola, because it is going to take all of us to push back on this plan. Mahalo.

Trustee Dan Ahuna – I am having a town hall meeting on Kauai. It was scheduled to be a the clubhouse but is going to be moved to the charter school, Ipo Torio's school so that we can accommodate more people there. There is a lot of concerns and I'm glad we will have this opportunity. I invite all of you.

Kamana'opono Crabbe - Administration is in a planning process for an 'āina summit. The issue that Mr. Sepa brought up, you bringing up water and land. The goal is to come up with a network of Hawaiian organizations as well as non-Hawaiian organizations. We have invited DLNR, we have reached out to Dept. of Ag, we are reaching out to Counties. What we are realizing is that State planning and County plans for water not aligned. The goal is how do we empower ourselves as native Hawaiians. How do we protect our lands.

Ms. Torio – November could be too late.

VII. ANNOUNCEMENTS

Trustee Dan Ahuna – I am having this Town hall meeting because I am hoping that I can affect the County.

Trustee Rowena Akana – I just want to apologize for my outburst, I got a little testy but I just had to say something. To that end I'd like to ask the Chair that we have a committee meeting strictly on grants or a workshop where we go over criteria they use. It really isn't the fault of CNHA that they bid and got the award, it was how the solicitation was listed and that is something we need to correct within our own office. Because they never should have solicited that way.

Chair Colette Machado - I agree with you 110%. Is there any other announcements? Hearing none the Chair would like to entertain a motion to adjourn.

VIII. ADJOURNMENT

Trustee Carmen Hulu Lindsey Moves to adjourn the meeting

Trustee Dan Ahuna Seconds the motion.

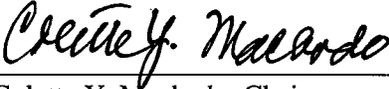
The meeting was adjourned at 11:09 am.

Respectfully submitted,



Dayna Ra, Board Secretary

As approved by the Board of Trustees on October 5, 2017.



Colette Y. Machado, Chairperson
Board of Trustees

Attachments:

1. Trustee Peter Apo excuse memo
2. La'i 'Ōpua 2020 Letter
3. La'i 'Ōpua 2020 & Villages of La'i 'Ōpua