## STATE OF HAWAI′I

OFFICE OF HAWAIIAN AFFAIRS

560 N. NIMITZ HIGHWAY, SUITE 200

JOINT MEETING of the COMMITTEE ON RESOURCE MANAGEMENT (RM) and the

COMMITTEE ON BENEFICIARY ADVOCACY AND EMPOWERMENT (BAE)

MINUTES

July 12, 2016 10:00 a.m.

ATTENDANCE:

BAE Chairperson John Waihe′e, IV

BAE Vice-Chairperson Peter Apo

RM Chairperson Colette Machado

RM Vice-Chairperson Haunani Apoliona

Trustee Lei Ahu Isa

Trustee Dan Ahuna

Trustee Carmen Hulu Lindsey

Trustee Robert Lindsey

EXCUSED:

Trustee Rowena Akana

BOT STAFF:

A. U′ilani Tanigawa

Crayn Akina

Dayna Pa

Harold Nedd

Kama Hopkins

Laurene Kaluau-Kealoha

Liana Pang

Melissa Wennihan

ADMINISTRATION STAFF:

Kamana′opono Crabbe, Ph.D., Pouhana / CEO

 I. CALL TO ORDER

BAE Chair **Waihe′e** calls the JOINT MEETING of the Committee on Resource Management and the Committee on Beneficiary Advocacy and Empowerment for Wednesday, July 12, 2016 to order at **10**:00 a.m**.**

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

|  |  |  |
| --- | --- | --- |
| MEMBERS | AT CALL TO ORDER(10:00 a.m.) | TIME ARRIVED |
| BAE CHAIR | JOHN | WAIHE′E, IV | PRESENT |  |
| BAE VICE-CHAIR | PETER | APO | PRESENT |  |
| RM CHAIR | COLETTE | MACHADO | PRESENT |  |
| RM VICE-CHAIR | HAUNANI | APOLIONA | PRESENT |  |
| TRUSTEE | LEI  | AHU ISA | PRESENT |  |
| TRUSTEE | DAN | AHUNA | PRESENT |  |
| TRUSTEE | CARMEN “HULU”  | LINDSEY | PRESENT |  |
| TRUSTEE | ROBERT | LINDSEY | PRESENT |  |

At the Call to Order, **EIGHT** (8) Trustees are PRESENT, thereby constituting a quorum.

EXCUSED **from the JOINT RM-BAE Meeting**:

|  |  |
| --- | --- |
| MEMBERS | COMMENT |
| TRUSTEE | ROWENA | AKANA | MEMO – REQUESTING TO BE EXCUSED |

**Waiver of the OHA 72-hours prior to a meeting materials distribution policy**

**Chair Waihe′e** seeks a **MOTION:**

**To waive the OHA Board of Trustees Operations Manual practice at which materials will be reviewed, discussed, or acted upon at least 72-hours prior to the meeting regarding items:**

 **IV. Executive Session**

* 1. **Submittal by OHA Board Counsel Robert G. Klein, Esq. of the Ad Hoc Committee on Contract Management's recommended new contract for OHA's CEO. *Pursuant to Hawai῾i Revised Statutes §92-5(a)(4).***
	2. **Legal consultation with OHA Board Counsel Robert G. Klein, Esq. and OHA Corporation Counsel Ernest Kimoto, Esq. *Re: questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities with respect to the terms of a new, three-year contract for the position of OHA CEO; Pursuant to Hawai῾i Revised Statutes §92-5(a)(4).***

**Trustee Ahuna moves.**

**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.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  | 10:00 a.m. |
| TRUSTEE | **1** | **2** | **′AE (YES)** | **A′OLE (NO)** | **KANALUA (ABSTAIN)** | **EXCUSED** |
| LEI  | **AHU ISA** |  |  | **X** |  |  |  |
| DAN  | **AHUNA** | **1** |  | **X** |  |  |  |
| ROWENA  | **AKANA** |  |  |  |  |  | **EXCUSED** |
| BAE VC PETER | **APO** |  |  | **X** |  |  |  |
| RM VC HAUNANI | **APOLIONA** |  |  | **X** |  |  |  |
| CARMEN HULU | **LINDSEY** |  | **2** | **X** |  |  |  |
| ROBERT | **LINDSEY** |  |  | **X** |  |  |  |
| RM CHAIR COLETTE | **MACHADO** |  |  | **X** |  |  |  |
| BAE CHAIR JOHN | **WAIHE′E** |  |  | **X** |  |  |  |
| **TOTAL VOTE COUNT** |  |  | **8** | **0** | **0** | **1** |

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

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

 II. APPROVAL OF MINUTES

1. **JOINT RM-BAE Meeting minutes of February 24, 2016**

**RM Chair Machado moves to approve the JOINT RM-BAE Meeting minutes of February 24, 2016.**

**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.

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|  |  |  |  |  |  | 10:02 a.m. |
| TRUSTEE | **1** | **2** | **′AE (YES)** | **A′OLE (NO)** | **KANALUA (ABSTAIN)** | **EXCUSED** |
| LEI  | **AHU ISA** |  |  | **X** |  |  |  |
| DAN  | **AHUNA** |  |  | **X** |  |  |  |
| ROWENA  | **AKANA** |  |  |  |  |  | **EXCUSED** |
| BAE VC PETER | **APO** |  |  | **X** |  |  |  |
| RM VC HAUNANI | **APOLIONA** |  |  | **X** |  |  |  |
| CARMEN HULU | **LINDSEY** |  | **2** | **X** |  |  |  |
| ROBERT | **LINDSEY** |  |  | **X** |  |  |  |
| RM CHAIR COLETTE | **MACHADO** | **1** |  | **X** |  |  |  |
| BAE CHAIR JOHN | **WAIHE′E** |  |  | **X** |  |  |  |
| **TOTAL VOTE COUNT** |  |  | **8** | **0** | **0** | **1** |

**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. EXECUTIVE SESSION\*\*

1. ***Submittal by OHA Board Counsel Robert G. Klein, Esq. of the Ad Hoc Committee on Contract Management's recommended new contract for OHA's CEO. Pursuant to Hawai῾i Revised Statutes §92-5(a)(4).***
2. ***Legal consultation with OHA Board Counsel Robert G. Klein, Esq. and OHA Corporation Counsel Ernest Kimoto, Esq. Re: questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities with respect to the terms of a new, three-year contract for the position of OHA CEO; Pursuant to Hawai῾i Revised Statutes §92-5(a)(4).***

**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.**

**RM Vice-Chair Apoliona seconds the motion.**

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

**Chair Waihe′e** calls for a Roll Call Vote.

|  |  |  |  |  |  |  |
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|  |  |  |  |  |  | 10:02 a.m. |
| TRUSTEE | **1** | **2** | **′AE (YES)** | **A′OLE (NO)** | **KANALUA (ABSTAIN)** | **EXCUSED** |
| LEI  | **AHU ISA** |  |  | **X** |  |  |  |
| DAN  | **AHUNA** | **1** |  | **X** |  |  |  |
| ROWENA  | **AKANA** |  |  |  |  |  | **EXCUSED** |
| BAE VC PETER | **APO** |  |  | **X** |  |  |  |
| RM VC HAUNANI | **APOLIONA** |  | **2** | **X** |  |  |  |
| CARMEN HULU | **LINDSEY** |  |  | **X** |  |  |  |
| ROBERT | **LINDSEY** |  |  | **X** |  |  |  |
| RM CHAIR COLETTE | **MACHADO** |  |  | **X** |  |  |  |
| BAE CHAIR JOHN | **WAIHE′E** |  |  | **X** |  |  |  |
| **TOTAL VOTE COUNT** |  |  | **8** | **0** | **0** | **1** |

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

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

The committee resolved into Executive Session at 10:02 a.m. to discuss:

 IV. EXECUTIVE SESSION\*\*

1. **Submittal by OHA Board Counsel Robert G. Klein, Esq. of the Ad Hoc Committee on Contract Management's recommended new contract for OHA's CEO. Pursuant to Hawai῾i Revised Statutes §92-5(a)(4).**
2. **Legal consultation with OHA Board Counsel Robert G. Klein, Esq. and OHA Corporation Counsel Ernest Kimoto, Esq. Re: questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities with respect to the terms of a new, three-year contract for the position of OHA CEO; Pursuant to Hawai῾i Revised Statutes §92-5(a)(4).**

The committee returned to Open Session at 11:14 a.m.

**RISE AND REPORT**

**Chair Waihe′e states for the record that while in Executive Session the JOINT RM-BAE Committee completed the business as listed on the agenda in consultation with Board Counsel Robert G. Klein regarding questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities with respect to the terms of a new, three-year contract for the position of OHA CEO.**

 V. BENEFICIARY COMMENTS\*

None

 VI. ANNOUNCEMENTS

None

VII. ADJOURNMENT

BAE Vice-Chair Apo moves to adjourn the BAE meeting.

Trustee Hulu Lindsey 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.

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| --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  | 11:15 a.m. |
| TRUSTEE | **1** | **2** | **′AE (YES)** | **A′OLE (NO)** | **KANALUA (ABSTAIN)** | **EXCUSED** |
| LEI  | **AHU ISA** |  |  | **X** |  |  |  |
| DAN  | **AHUNA** |  |  | **X** |  |  |  |
| ROWENA  | **AKANA** |  |  |  |  |  | **EXCUSED** |
| BAE VC PETER | **APO** | **1** |  | **X** |  |  |  |
| RM VC HAUNANI | **APOLIONA** |  |  | **X** |  |  |  |
| CARMEN HULU | **LINDSEY** |  | **2** | **X** |  |  |  |
| ROBERT | **LINDSEY** |  |  | **X** |  |  |  |
| RM CHAIR COLETTE | **MACHADO** |  |  | **X** |  |  |  |
| BAE CHAIR JOHN | **WAIHE′E** |  |  | **X** |  |  |  |
| **TOTAL VOTE COUNT** |  |  | **8** | **0** | **0** | **1** |

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

**Chair Waihe′e adjourns the JOINT Meeting of the Committee on Resource Management and Committee on Beneficiary Advocacy and Empowerment at 11:15 a.m.**

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Melissa Wennihan

Trustee Aide

Committee on Beneficiary Advocacy and Empowerment

As approved by the JOINT Meeting of the Committee on Resource Management and the Committee on Beneficiary Advocacy and Empowerment on \_\_\_\_\_\_\_\_\_\_ , 2017.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Trustee Colette Machado, *Chair*

Committee on Resource Management

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Trustee John Waihe′e, IV, *Chair*

Committee on Beneficiary Advocacy and Empowerment

ATTACHMENT(s):

* Notice of Excused Absence (1)