

BOARD OF TRUSTEES

Colette Y. Machado, *Chairperson*
 Peter Apo, *Vice Chairperson*
 Rowena Akana, *Trustee At-Large*
 S. Haunani Apoliona, *Trustee At-Large*
 Donald B. Cataluna, *Kaua'i/Ni'ihau Trustee*
 C. Hulu Lindsey, *Maui Trustee*
 Robert K. Lindsey, Jr., *Hawai'i Trustee*
 Oswald K. Stender, *Trustee At-Large*
 John Waihe'e IV, *Trustee At-Large*



LIEUTENANT GOVERNOR'S
OFFICE

STATE OF HAWAII
 OFFICE OF HAWAIIAN AFFAIRS
 711 KAPI'OLANI BOULEVARD, SUITE 500
 HONOLULU, HAWAII 96813

'12 FEB -2 P4:1

MEETING OF THE BOARD OF TRUSTEES

DATE: Wednesday, February 8, 2012

TIME: 10:00 a.m.

PLACE: O'ahu*

OHA Board Room, Suite 500
 711 Kapiolani Blvd.
 Honolulu, HI 96813

Kaua'i - ICSD Video Conference*

Lihu'e State Office Building
 3060 Eiwa Street, Basement
 Lihu'e, HI 96766

AGENDA

- I. Call to Order
- II. Community Concerns**
- III. Executive Session***

A. Attorney-Client legal advisory by OHA Board Counsel Robert Klein, Esq., OHA Attorneys William Meheula, Esq. and Randall Sakumoto Esq., re: questions and issues pertaining to the Board's powers, duties and liabilities as trustees and managers of the revenues derived from the public land trust. *Pursuant to HRS 92-5(a)(4).*

B. Approval of Executive Session Minutes for December 29, 2011 & January 25, 2012

- IV. Beneficiary Comments*
- V. Announcements
- VI. Adjournment

*Notice: The public may attend the meeting at either of the specified locations. **Notice: Persons wishing to provide testimony are requested to submit 10 copies of their testimony to the Chief Executive Officer at 711 Kapi'olani Blvd., Suite 500, Honolulu, HI, 96813 or fax to 594-1865, 48 hours prior to the scheduled meeting. Persons wishing to testify orally may do so at the meeting, provided that oral testimony shall be limited to five minutes. *** Notice: This portion of the meeting will be closed pursuant to HRS § 92-5. For further information, please call 594-1954.

Colette Y. Machado
 Trustee Colette Y. Machado
 Chairperson, Board of Trustees

02/02/12
 Date

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BLVD., 5TH FLOOR
HONOLULU, HI 96813

Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, February 8, 2012 10:00 a.m.

ATTENDANCE:

TRUSTEE ROWENA AKANA
TRUSTEE PETER APO
TRUSTEE DONALD B. CATALUNA (VideoCon. Kaua'i)
TRUSTEE C. HULU LINDSEY
TRUSTEE ROBERT K. LINDSEY JR
TRUSTEE COLETTE Y. MACHADO
TRUSTEE JOHN WAIHE'E IV (10:14 AM)
TRUSTEE OSWALD STENDER

ROBERT G. KLEIN ESQ., BOT COUNSEL

ADMINISTRATION STAFF:

ERNIE KIMOTO, CORP COUNSEL
HAWLEY ALAMODIN CFO
MALIA KA'AIHUE, CKO
DIRK SOMA, OTR
JIM MCMAHON, ADV
KOALANI KAULUKUKUI, LMP

EXCUSED:

TRUSTEE HAUNANI APOLIONA

BOT STAFF:

CAROL HO'OMANAWANUI, COS
LEAH BURROWS-NU'UANU, BOT SEC
DAYNA PA, TRUSTEE AIDE
LEIANN DURANT, TRUSTEE AIDE
REYNOLD FREITAS, TRUSTEE AIDE
ANI PANG, TRUSTEE AIDE
CAPSUN POE, TRUSTEE AIDE (KAUA'I)
SHELSEA APANA, TRUSTEE AIDE
LEHUA ITOKAZU, TRUSTEE SEC.
LOUISE YEE HOY, TRUSTEE SEC.
MAKANA CHAI, TRUSTEE SEC.
TIONA WAILEHUA, TRUSTEE SEC.

GUESTS:

RANDALL SAKUMOTO, ESQ.

I. CALL TO ORDER

Chairperson Machado Calls the Board of Trustees meeting to order at 10:06 a.m. Roll call is taken; those present are Trustees Akana, Apo, Cataluna, H. Lindsey, R. Lindsey, Machado, Waihee and Stender constituting a quorum of eight (8) trustees. Trustee Cataluna is attending the meeting via videoconference from the Kaua'i State Office Building in Lihu'e.

She notes that this meeting has been called to finish up the Due Diligence Investigation Overview by OHA Consultant Randall Sakumoto. The rest of the meeting will be done in Executive Session.

II. COMMUNITY CONCERNS

Chairperson Machado Notes that there are no beneficiaries signed up to speak under this section of the agenda.

III. EXECUTIVE SESSION

- A. ATTORNEY-CLIENT LEGAL ADVISORY BY OHA BOARD COUNSEL
ROBERT KLEIN, ESQ., OHA ATTORNEYS WILLIAM MEHEULA, ESQ. AND
RANDALL SAKUMOTO ESQ., RE: QUESTIONS AND ISSUES PERTAINING TO
THE BOARD'S POWERS, DUTIES AND LIABILITIES AS TRUSTEES AND
MANAGERS OF THE REVENUES DERIVED FROM THE PUBLIC LAND
TRUST. PURSUANT TO HRS 92-5(A)(4).**

Chairperson Machado Asks for a motion to resolve into Executive Session.

Trustee Apo Moves to resolve into Executive Session to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties and liabilities.

Trustee Stender Seconds the motion.

Hearing no discussion, Chairperson Machado asks for a roll call vote.

Trustee Apo Moves to resolve into Executive Session to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties and liabilities.

Trustee Stender Seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
TRUSTEE ROWENA AKANA			X			
TRUSTEE PETER APO	X		X			
TRUSTEE HAUNANI APOLIONA						Excused
TRUSTEE DONALD CATALUNA			X			Video Conference
TRUSTEE HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE OSWALD STENDER		X	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passes with eight (8) YES votes, one (1) EXCUSED.						

The Board moved into Executive Session at 10:10 a.m.

The Board moved into Open Session at 10:55 p.m.

IV. BENEFICIARY COMMENTS

Chairperson Machado States that there are no beneficiaries sign up to speak.

X. ANNOUNCEMENTS

Chairperson Machado Announces the following:

- February 9th – BOT Meeting 9:00 am
- February 16th – BOT Meeting 10:00 am.
- February 23rd – BOT Meeting 10:00 am.

VII. ADJOURNMENT

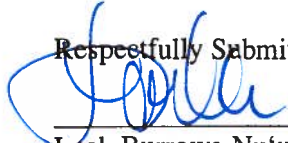
Trustee Waihe'e Moves for adjournment.

Trustee Apo Seconds the motion.

There was no discussion and Chairperson Machado notes a unanimous consensus.

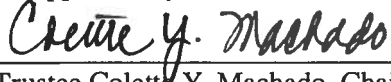
The meeting was adjourned at 10:56 A.M.

Respectfully Submitted,



Leah Burrows-Nu'uano,
Board Secretary

As approved by the Board of Trustees on February 23, 2012.



Trustee Colette Y. Machado, Chairperson
Board of Trustees

ATTACHMENTS:

1. February 8, 2012 BOT Community Sign in Sheet
2. Excused Absence Memo from Trustee Haunani Apoliona