



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*STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS

711 KAPI'OLANI BOULEVARD, SUITE 500

HONOLULU, HAWAII 96813

LIEUTENANT GOVERNOR
JULY 14 2012

12 AUG 14 P1:59

MEETING OF THE BOARD OF TRUSTEES

DATE: Monday, August 20, 2012
TIME: 9:00 a.m.
PLACE: OHA Board Room, Suite 500
711 Kapiolani Blvd.
Honolulu, HI 96813

AGENDA

- I. Call to Order
- II. Community Concerns*
- III. Executive Session**
 - A. Consultation, briefing and legal advisory by Ka Pouhana, OHA staff, Board Counsel Robert G. Klein, Esq., Corporation Counsel Ernest Kimoto, Esq. and Ms. Norma Wong re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in the land use planning process implementing the ceded lands settlement under Act 15 SLH 2012.
- IV. Announcements
- V. Adjournment

*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.

Handwritten signature of Colette Y. Machado in black ink.

Trustee Colette Y. Machado
Chairperson, Board of Trustees

Handwritten signature of the date 8/14/12 in black ink.

Date

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

Minutes of the Office of Hawaiian Affairs Board of Trustees
Monday, August 20, 2012 9:00 a.m.

ATTENDANCE:

TRUSTEE PETER APO (ARRIVED 9:22 AM)
TRUSTEE ROWENA AKANA (ARRIVED 9:54 AM)
TRUSTEE HAUNANI APOLIONA
TRUSTEE C. HULU LINDSEY
TRUSTEE COLETTE Y. MACHADO
TRUSTEE OSWALD STENDER
TRUSTEE JOHN WAIHE'E IV

ROBERT G. KLEIN ESQ., BOT COUNSEL

ADMINISTRATION STAFF:

KAMANA'OPONO CRABBE, KA POUHANA
AEDWARD LOS BANOS, COO
HAWLEY ALAMODIN, CFO
BREANN NU'UHIWA, ADV
ERNEST KIMOTO, CC
LISA WATKINS-VICTORINO, RES
KEHAULANI ABAD, CED
KEALOHA FOX, RES

EXCUSED:

TRUSTEE DONALD B. CATALUNA
TRUSTEE ROBERT K. LINDSEY JR

BOT STAFF:

CAROL HO'OMANAWANUI, COS
LEAH BURROWS-NU'UANU, BOT SEC
DAYNA PA, TRUSTEE AIDE
ANI PANG, TRUSTEE AIDE
CAPSUN POE, TRUSTEE AIDE
MAKANA CHAI, TRUSTEE SEC

GUESTS:

NORMA WONG
LINDA TAYLOR

I. CALL TO ORDER

Chairperson Machado Calls the Board of Trustees meeting to order at 9:06 a.m. Roll call is taken; those present are Trustees Apoliona, Hulu Lindsey, Machado, Stender and Waihe'e constituting a quorum of five (5) trustees. Trustees Cataluna and Robert Lindsey have submitted letters of excuse for today's meeting. Trustees Akana and Apo are expected to arrive shortly.

She notes for the record that after the Community Concerns portion of the agenda the Board will recuse itself into Executive Session where today's discussion will be held. At the end of today's discussion the Board will return to open session for Announcements and Adjournment.

She welcomes back Ms. Norma Wong and her helper Ms. Linda Taylor. Norma will pick up where she left off in the Kaka'ako planning process. Lunch will be delivered to the Boardroom at 11:45 a.m.

II. COMMUNITY CONCERNS

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

III. EXECUTIVE SESSION

Chairperson Machado Requests a motion to resolve the Board into Executive Session.

Trustee Hulu Lindsey 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. *Pursuant to HRS 92-5(a)(4) & 5(a)(2).*

Trustee Waihe'e Seconds the motion.

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

Trustee Hulu Lindsey 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. *Pursuant to HRS 92-5(a)(4) & 5(a)(2).*

Trustee Waihe'e Seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
TRUSTEE ROWENA AKANA						Not Present
TRUSTEE PETER APO						Not Present
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE DONALD CATALUNA						X
TRUSTEE HULU LINDSEY	X		X			
TRUSTEE ROBERT LINDSEY						X
TRUSTEE OSWALD STENDER			X			
TRUSTEE JOHN WAIHE'E		X	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			5			2/2
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passes with five (5) YES votes, two (2) NOT PRESENT and two (2) EXCUSED.						

The Board moved into Executive Session at 9:07 a.m.

- A. CONSULTATION, BRIEFING AND LEGAL ADVISORY BY KA POUHANA, OHA STAFF, BOARD COUNSEL ROBERT G. KLEIN, ESQ., CORPORATION COUNSEL ERNEST KIMOTO, ESQ. AND MS. NORMA WONG RE: QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES, AND LIABILITIES IN THE LAND USE PLANNING PROCESS IMPLEMENTING THE CEDED LANDS SETTLEMENT UNDER ACT 15 SLH 2012.

The Board moved into Open Session at 1:57 p.m.

VII. ANNOUNCEMENTS

Chairperson Machado Announces that tomorrow's Board meeting will begin promptly at 9:00 a.m.

VIII. ADJOURNMENT

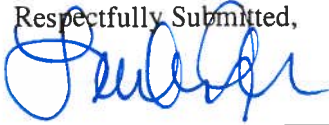
Trustee Apo Moves for adjournment.

Trustee Apoliona Seconds the motion.

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

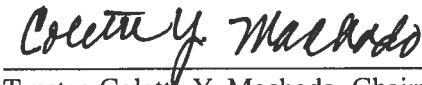
The meeting was adjourned at 1:58 p.m.

Respectfully Submitted,



Leah Burrows-Nu'uano,
Board Secretary

As approved by the Board of Trustees on September 20, 2012.



Trustee Colette Y. Machado, Chairperson
Board of Trustees

ATTACHMENTS:

1. August 20, 2012 BOT Community Sign in Sheet
2. Excused Absence Memo from Trustees Cataluna and Robert Lindsey