

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

12 SEP 11 10:10

MEETING OF THE BOARD OF TRUSTEES

DATE: Thursday, September 20, 2012
TIME: 10:00 a.m.
PLACE: OHA Board Room, Suite 500
 711 Kapiolani Blvd.
 Honolulu, HI 96813

AGENDA

- I. Call to Order
- II. Approval of Minutes
 - A. August 20, 2012
 - B. August 21, 2012
 - C. August 30, 2012
- III. Community Concerns*
- IV. Unfinished Business
 - A. Ka Pouhana/CEO's Update on Ho'oulu Lahui Aloha & OHA activities.
 1. Research Line of Business
 2. Organizational Realignment and Strategic Plan Update
- V. New Business
 - A. Committee on Asset and Resource Management
 1. ARM 12-08 Native Hawaiian Trust Fund Investment Policy Revisions, 1st Reading
- VI. Executive Session**
 - A. Briefing and Legal Advisory by Ka Pouhana, Board Counsel Robert G. Klein, Esq., and Corporation Counsel Ernest Kimoto, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities for the Adoption of Action Item Number BOT 12-05, Kaka'ako Policy 2nd Reading. Per HRS § 92-5 (a) (4).
 - B. Approval of Executive Session Minutes for August 20, August 21, and 30, 2012
- VII. Beneficiary Comments*
- VIII. Announcements
- IX. 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.

Colette Y. Machado

Trustee Colette Y. Machado
 Chairperson, Board of Trustees

9/4/12

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
Thursday, September 20, 2012 10:00 a.m.

ATTENDANCE:

TRUSTEE ROWENA AKANA (ARRIVED 10:13 AM)
TRUSTEE PETER APO (ARRIVED 10:31 AM)
TRUSTEE HAUNANI APOLIONA
TRUSTEE C. HULU LINDSEY
TRUSTEE ROBERT K. LINDSEY JR
TRUSTEE COLETTE Y. MACHADO
TRUSTEE JOHN WAIHE'E IV
TRUSTEE OSWALD STENDER

LISA CATALDO ESQ., BOT COUNSEL

ADMINISTRATION STAFF:

KAMANA'OPONO CRABBE, KA POUHANA
HAWLEY ALAMODIN, CFO
BREANN NU'UHIWA, ADV
ERNEST KIMOTO, CC
KEHAU ABAD, CED
KEOLA AKANA, CED
JODA DERRICKSON, RES

EXCUSED:

TRUSTEE DONALD B. CATALUNA

BOT STAFF:

CAROL HO'OMANAWANUI, COS
LEAH BURROWS-NU'UANU, BOT SEC
DAYNA PA, TRUSTEE AIDE
ANI PANG, TRUSTEE AIDE
NATHAN TAKEUCHI, TRUSTEE AIDE
CAPSUN POE, TRUSTEE AIDE
LEIANN DURANT, TRUSTEE AIDE
LEHUA ITOKAZU, TRUSTEE SEC

ADMINISTRATION STAFF:

GARRETT KAMEMOTO, MM
JOCELYN DOANE, PUBL
DAVID OKAMOTO, INVST
KEALOHA FOX, RES
JIM PATTERSON, PROG
PAULETTE HEDEMARK, PROG

I. CALL TO ORDER

Chairperson Machado Calls the Board of Trustees meeting to order at 10:04 a.m. Roll call is taken; those present are Trustees Apoliona, Hulu Lindsey, Robert Lindsey, Machado, Stender and Waihe'e constituting a quorum of six (6) trustees. Trustee Cataluna has submitted a letter of excuse for today's meeting. Trustees Akana and Apo are expected to arrive shortly.

II. APPROVAL OF MINUTES

Chairperson Machado Asks for a motion to approve the minutes of August 20, 21 & 30, 2012.

Trustee Waihe'e Moves to approve the minutes of August 20, 21 & 30, 2012.

Trustee Stender Seconds the motion.

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

Trustee Waihe'e Moves to approve the minutes of August 20, 21 & 30, 2012.

Trustee Stender 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			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE OSWALD STENDER		X	X			
TRUSTEE JOHN WAIHE'E	X		X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			2/1
MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passes with six (6) YES votes, two (2) NOT PRESENT and one (1) EXCUSED.						

III. COMMUNITY CONCERNS

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

IV. UNFINISHED BUSINESS

A. KA POUHANA/CEO'S UPDATE ON HO'OULU LAHUI ALOHA & OHA ACTIVITIES.

Chairperson Machado Calls on Ka Pouhana Crabbe to provide his update on OHA activities.

Ka Pouhana Crabbe Introduces Dr. Lisa Watkins-Victorino who is OHA's Research Line of Business Director. She will be providing an update on the research projects OHA has been involved in, as well as inform trustees of upcoming programs and projects.

RD Watkins-Victorino Updates the Board that the Research Line of Business division has recently rolled out the OHA Kipuka Database internally. It is almost ready to be launched publicly. They've received some feedback from internal beta testing that they would like to incorporate before the public launching. The website on which it will be housed is being worked on. They are also working on tutorials on the website for each of the components to help people use the database. The community will be able to go to the website and learn how to navigate the database system.

Research is also assisting with the cultural guidelines for Kaka'ako Makai. They're assisting with the research for the Pu'uhonua Summit. They are also assisting with the Papahanaumokuakea Research Plan. They've been holding some focus groups which ended yesterday so those comments will be incorporated into the plan.

Ka Pouhana Crabbe States that the Pu'uhonua Summit is a branch of the native Hawaiian Criminal Justice Task Force. The department of public safety has to submit a report by December as well. Director Ted Sakai called for assistance because he heard that OHA had completed the Criminal Justice Task

Force Report. He needed guidance on a pu'uhonua within the justice system. He wanted to understand what the report said about culture and how and what it will take to make it a legitimate part of rehabilitation.

Research, public policy, and community engagement were helping them to organize it and to help them with their report. That will compliment the Criminal Justice Task Force Report that will be submitted.

Trustee Robert Lindsey Asks what is the plan to incorporate existing programs that already exist in the community. Is OHA looking to partner and collaborate with groups?

Ka Pouhana Crabbe States there is one group who has come forward to help. They make up close to 14 organizations. They focus on early childhood development, parenting and counseling services for children of incarcerated parents. Others focus on rehabilitative services going into corrections while others focus on community reintegration and community support. What OHA has asked them to do is help come up with a directory of existing programs and services that we can work with the department of corrections and public safety on.

More important is a model or framework to connect them and be more specific. Such a directory does not exist yet. Everyone is doing things separately. We are proposing a directory to better focus programs and services with funding. One area that they've talked about with the Department of Justice is a fund for Native Americans which, includes Native Alaskans and Native Hawaiians, for rehabilitative services of our incarcerated populations. The money is specifically for indigenous cultures.

The State of Hawai'i has never accessed those funds. OHA is seeking those funds but would need a clear plan on how we would use the money. We are working with this group to see if we can partner with them. We have support from Ted Sakai and folks in the Legislature. We have to have a discussion on what that would look like and how it would integrate into the corrections system

Trustee Apoliona Asks if trustees can get a copy of the disparities report before it's submitted to the legislature in December. She states that it would be a good briefing for trustees.

Ka Pouhana Crabbe States he will distribute the reports to trustees before it is submitted to the legislature.

RD Watkins-Victorino States that for their special projects line they have a housing survey for native Hawaiian renters to collect data on this area. Housing directors of the various counties have agreed to recommend the survey. It will be good to collect that data. The survey was drafted and reviewed by the housing directors so the suggestions are being incorporated into the survey at this point.

They have hired a special projects manager, her name is Joda Derrickson. They are really excited to have her on board. She brings with her a lot of experience and leadership. She has been on private consultants as well as experience in education program evaluation. She has already helped with some revisions to the native Hawaiian justice task force methods section.

Trustee Stender Asks for a timeline for implementation of the housing survey.

RD Watkins-Victorino States that they are still trying to work out the way in which the survey will be implemented in each county office. She'd like to have a cohesive plan before they issue a deadline.

With regard to demography she reports that the data book is online and staff is working on posting tutorials that will help navigate that information. The data book is very dense with a lot of tables and there

is continual release of data at the federal level. Today the Americans survey data was released so that information needs to be incorporated into our data book.

Mark Eshima, OHA's demography program manager, conducted a session reviewing all of the databases for staff. She would like to repackage his presentation to have it available as a capacity building piece for our organization. It would be great for everyone to understand all the data sources available to them.

Trustee Apoliona Asks to be updated regularly on the OMB guidelines. Who has been the forefront in terms of collecting data? Collecting data is one thing but reporting it out is another thing. OHA has the capacity to disaggregate Native Hawaiians from the data. She states it has been nine years since anyone is supposed to be implementing it. She hopes all stays at the forefront.

RD Watkins-Victorino States that many of the state agencies already collect the data and it's just a matter of knowing what questions to ask and working with other agencies to disaggregate the data.

The Papakilo Database is always being updated and Kale Hannahs is working on acquiring some new collections. When those are solidified they will be incorporated into the database. Staff is also working on having tutorials up on the website to help people understand how to use the database and what information is available. The American Survey Data was released just today so as soon as our staff is able to, they will incorporate the data into the Papakilo system.

John Sage is OHA's new information systems coordinator. He is currently working on a grants database, a contracts database and a works plans database. Collecting the data and having it accessible to our organization makes us more efficient and coordinated.

Ka Pouhana Crabbe States the data from our grants program will help measure our progress in terms of our strategic plan results.

The program improvements section has completed the evaluations of Alu Like Inc. and Na Pua Noeau. Both programs are provisos in OHA's general fund budget.

Trustee Hulu Lindsey States she attended many of the Kuleana Land Workshops with the OHA staff and was very impressed with the database. Some of the beneficiaries were so impressed that they wanted to give OHA staff information to add to it. They were really good meetings and the beneficiaries appreciated the workshops.

Trustee Stender Comments that the Kuleana land waivers are great but he would like to see if something can be done for other land like crown lands and government land. He recalls the county council's main problem was the effect the waivers would have on their income. Before OHA even attempts trying for other lands research needs to be done regarding how much land we are talking about and what effect it will have on the county's income.

Trustee Hulu Lindsey States that in Kona there are families who were given crown land and has had to sell pieces off to pay for the land taxes.

Trustee Akana States the reason the first year was a pilot project is because the county wanted to see how much of an impact it would have on the coffers. It turned out to be only about \$80,000. The county did not even know how much land was Kuleana at the time. Most of the Kuleana land is on Hawai'i Island so OHA has a lot of work ahead.

Trustee Hulu Lindsey Asks if it is possible to get an accounting of how many Kuleana lands there are.

Ka Pouhana Crabbe States that OHA already has an accounting of Kuleana lands in each county. As far as land commission awards and crown lands, the report will be a part of next month's briefing to Trustees as part of OHA's ceded land strategy.

RD Watkins-Victorino States OHA has gotten a lot of positive feedback from the Kuleana lands workshops. The community is excited to help grow the database. Soon the Papakilo will allow for that. They have a new idea of an awesome knowledge think center. It's about having some place where the community can access and have data readily available to them, but also somewhere to share what they have in terms of history, artifacts and family information.

Ka Pouhana Crabbe States that if Trustees have no other questions for Ms. Watkins-Victorino he will call on Chief Advocate Breann Nu'uhiwa to update Trustees on the PLDC Administrative hearings.

Chairperson Machado Notes there are no questions for Ms. Watkins-Victorino.

CA Nu'uhiwa States OHA beneficiaries have been showing up to the administrative rules hearings in droves and being very vocal about their concerns about the unanswered questions related to PLDC. Ceded Lands and environmental issues are at the forefront. The public has gotten the attention of many policy makers and States Legislators. The governor has publicly stated that there may be room to make administrative rule amendments or legislative amendments, but there is no need for repeal at this point.

She states staff has been working with the governor's staff and PLDC directors to answer some of the unanswered questions the public has in order to help them help it move forward. OHA's concerns and contribute to positive amendments. OHA recognizes that given the right administration and projects the PLDC could be a very useful tool. OHA is concerned for the future and what happens if it's the wrong project or the wrong leadership.

Before his passing, Professor Jon Van Dyke wrote a memo detailing concerns with the PLDC. It is a document staff has been relying on heavily to explain to PLDC and the governor about OHA's concerns.

Staff does understand that at some point there may be an impasse which is when we will have to protect OHA's obligations which is the trust corpus, ceded lands and the environment. We may need to come back to the Board to seek guidance.

Ka Pouhana Crabbe States the governor has reached out to Senator Galuteria who will convene the Native Hawaiian Caucus to see if there is room for compromise.

Trustee Robert Lindsey Thanks staff for being on top of the situation and hopes they know that they can do what they need to in order to protect the trust assets. He believes if OHA stays focused on our mission staff should just do what they need to do.

Trustee Apo Agrees that OHA should hold the line and seek amendments that make sense or stand by its position to seek repeal. He finds it interesting that the current permitting and zoning process was created in the 80's and the 90's when the governor was in congress. He did not witness everything policy makers went through to create the laws as they are now. He thinks OHA is being really conservative at this point.

Trustee Apoliona Agrees that staff should not succumb to pressure because we are the voice for the Hawaiian people.

Trustee Akana States that this issue is a political one especially since the line has been drawn by the governor. Staff needs to be sensitive to that fact and perhaps rely on the relationships trustees have with legislators like Senator Galuteria who will convene the Hawaiian Caucus on January.

CA Nu'uhiwa Calls on Ms. Jocelyn Doane to report on a meeting she and Trustee Apoliona sat in with the Building Trades Association.

Trustee Apoliona States the invitation came from a contact through Kika Bukowski who asked what OHA is feeling about the PLDC. Through that contact OHA was invited to share our concerns with the Building Trades Council Meeting.

Ms. Doane States the meeting was very positive and it revealed that while OHA is more often than not has different concerns than the unions, there is a common concern when it comes to the PLDC. She reminds trustees that a year ago a young man named Makana Paris sat before you asking to find common ground. They convened a roundtable with the heads of several of the unions to talk about what everyone's concerns were. It became apparent that the exemptions are a common concern.

OHA has been in contact with them when it became apparent that it would take more than just the Hawaiian voice to get these amendments and changes incorporated into the PLDC. If they make any changes, the PLDC will have to go out for public hearings again. At the meeting we just shared with the Board that this was a thorough, thought out process. It was a really good conversation.

Trustee Apoliona States that the door was left open to continue discussions about the mutual benefit we share in scrutinizing this law.

Ka Pouhana Crabbe Moves on to the next item which is a presentation of the realignment of the organization. Copies of the presentation are distributed to Trustees but they will be collected after the meeting. The presentation has been part of the Executive Team meetings and has not been released to staff.

Trustee Apoliona States there may be questions from trustees after the presentation is given especially since the material is being distributed at the table.

Ka Pouhana Crabbe States the Executive Team has worked with OHA Attorney Anna Elento-Sneed and Corp Counsel Kimoto over the past three months to bring this presentation to this stage.

1. Implementing Kūkulu Hou via Strategic Realignment
 - Visionary Leadership
 - Shared Mission & Goals
 - Article 12, Chapter 10 (Hawaii State Constitution)
 - OHA Strategic Plan
 - Organizational Priorities
 - Precise Plan of Comprehensive Strategies
 - Diverse coordination of services
 - Concrete steps to achieve a success
 - Assess shortcomings and build upon strengths and achievements
- Advocacy Initiatives
 - Programmatic Priorities
 - Work Plans
 - OHA Priorities
 - Organizational

Ka Pouhana Crabbe Shows the previous pyramid where Governance, Culture and Health are on the bottom of the pyramid. Similar to the Hawaiian culture, the new pyramid moves Culture to the very top of the pyramid. Immediately below Culture will be Land & Water and Governance.

OHA Organizational Priorities

Organizational Priorities – Our primary role as an organization

Priority Initiatives – Our secondary role with the community

Programmatic Priorities – Projects that enhance our mission

Organizational Priorities are long-term plans for OHA

5 year- Short-Term Outputs

10 years Mid-Range Outcomes

20 years Long-Term Impact

MO'OMEHEU – Perpetuate, Preserve, Practice

'AINA

Legacy Lands:

Wao Kele O Puna, Papahānaumokuākea, Pahua Heiau, Palauea

HLID, Galbraith Estate Kūkaniloko

Commercial Properties:

Kaka'ako Makai, Gentry Pacific Design Center, Waimea Valley

Makaweli Poi

Seized Lands:

Additional Research, Legislative Strategy, Judicial Strategy, Additional Planning

Wai & Kai:

Additional Research: Fresh Water, Salt Water

Advocacy Strategizing: Fresh Water, Salt Water

Additional Planning: Fresh Water, Salt Water

EA – GOVERNANCE

U.S. Congressional Activities

OHA Lead Federal, State, & County-Level Activities

Kana'iowalu

Consensus Building & Facilitation

Ka Pouhana Crabbe States that the advocacy initiatives are currently on hold so that better planning and alignment can occur before rollout.

II. Initiatives

HealthAdvocacy Initiative

Education Advocacy Initiative

Income Advocacy Initiative

Housing Advocacy Initiative

Culture Advocacy Initiative

Purpose of the Advocacy Initiative: Leverage our resources to achieve our Strategic Plan for our beneficiaries.

Role of the Advocacy Initiative: OHA as the intermediary for expert community members and stakeholders.

Responsibility: Each internal group has a cross-functional team to work across OHA for the common goal.

Activity: Craft, convene, facilitate, support through short and mid-range goals: Draw on the community voice.

Process: Collaborate with community stakeholders to build public-private models to reach success together.

Goal: Systemic change for Native Hawaiians

III. Programmatic

3. Building Collaboration & Cooperation

OHA Administration and Operations

Purpose of Cooperative Partnerships: Leverage our resources to achieve our Strategic Plan for our beneficiaries

Role of the Cooperative Partnerships: OHA as the community intermediary to convene with large stakeholders and resource holders

Responsibility: OHA will work to develop appropriate partnerships

Activity: Craft, convene, facilitate, support through mid to long term goals

Process: Collaborate to build public-private models across institution types

Goal: Systemic change for Native Hawaiians as a collective

Ka Pouhana Crabbe Describes OHA's relationships with National Programs, Philanthropic Foundations, Ali'i Trusts, Consortiums, Coalitions, Alliances, and the State of Hawaii as well as the Federal Government.

4. Leadership Guiding Values

OHA Standard Operating Procedures

Individual

Program

Lines of Business

Reviving OHA's Guiding Values

Organization – Core Values & Guiding Principles

Administration – Leadership Traits

Programmatic – Business Level Values & Kinolau

Exceptional leaders encourage magnificence over mediocrity.

Pilina -Relationships

Laulima - Collective Effort

Kuleana - Fulfilling Obligations

Kūpono - Respectful Behavior

Po`okela -Striving for Excellence

Wiwo`ole - Fearless

Ulupono - Progressive

`O`o - Maturity

The 10 Rules of Leadership:

1. Make what matters really matter.

2. Practice what you preach.

3. Communicate with care and conviction.
4. Create the involvement you seek.
5. Do right by those who do right.
6. Provide what they need to succeed.
7. Confront challenges with courage.
8. Let differences become your direction.
9. Strive to serve others.
10. Go forth and prosper.

Programmatic Values & Kinolau
Ku, Kanaloa, Lono, Kane

Trustee Apo States an economic consortium with the other Ali'i Trusts that has nothing to do with the federal government is something OHA should consider. Creating an umbrella of such would create an economic sovereignty while we continue to seek political sovereignty. The wealth of the nation lies outside of federal recognition and the Ali'i trusts will not go the way of federal oversight.

Trustee Apoliona Comments the realignment of the six priorities is a positive thing. It is a good beginning to move into a more disciplined understanding of how OHA intends to implement our strategic plan.

Trustee Akana States she looks forward to receiving the hard copy of the presentation and will be scheduling an appointment to go over the notes she had compiled.

Trustee Robert Lindsey States the presentation is well done and loves the idea of leading the organization with culture.

Chairperson Machado Asks if there are any further questions or comments. Hearing none, she thanks Ka Pouhana for the presentation. She moves to the next item of the agenda.

V. NEW BUSINESS

A. COMMITTEE ON ASSET AND RESOURCE MANAGEMENT

1. ARM 12-08 NATIVE HAWAIIAN TRUST FUND INVESTMENT POLICY REVISIONS, 1ST READING

Chairperson Machado Calls on Trustee Stender for the next item.

Trustee Stender Moves to approve changes to the Investment Policy Statement for the Office of Hawaiian Affairs as described in Attachment "A" (Investment Policy Statement).

Trustee Robert Lindsey Seconds the motion.

Trustee Akana Asks how does it help OHA to adopt the global fixed income traditional trend.

David Okamoto States the change means that OHA will have more options to invest for the respective asset classifications worldwide. It basically opens it up for OHA. It makes OHA's short term investments safer so that we can take a little more risk with long term investments.

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

Trustee Stender Moves to approve changes to the Investment Policy Statement for the Office Of Hawaiian Affairs as described in Attachment "A" (Investment Policy Statement).

Trustee Robert Lindsey Seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
TRUSTEE ROWENA AKANA			X			
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE DONALD CATALUNA						X
TRUSTEE HULU LINDSEY						Departed 11:00 am
TRUSTEE ROBERT LINDSEY		X	X			
TRUSTEE OSWALD STENDER	X		X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			1/1

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

Motion passes with seven (7) YES votes, one (1) NOT PRESENT and one (1) EXCUSED.

VI. EXECUTIVE SESSION

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

Trustee Stender 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 Stender 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			X			
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE DONALD CATALUNA						X
TRUSTEE HULU LINDSEY						Departed 11:00 am
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE OSWALD STENDER	X		X			
TRUSTEE JOHN WAIHE'E		X	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			1/1

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

Motion passes with seven (7) YES votes, one (1) NOT PRESENT and one (1) EXCUSED.

The Board moved into Executive Session at 11:56 a.m.

- A. BRIEFING AND LEGAL ADVISORY BY KA POUHANA, BOARD COUNSEL ROBERT G. KLEIN, ESQ., AND CORPORATION COUNSEL ERNEST KIMOTO, ESQ. RE: QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES, AND LIABILITIES FOR THE ADOPTION OF ACTION ITEM NUMBER BOT 12-05, KAKA'AKO POLICY 2ND READING. PER HRS § 92-5 (A) (4).**
- B. APPROVAL OF EXECUTIVE SESSION MINUTES FOR AUGUST 20, AUGUST 21, AND 30, 2012**

The Board moved into Open Session at 12:04 p.m.

VI. BENEFICIARY COMMENTS

Chairperson Machado Notes that there are no beneficiaries signed up to speak.

VII. ANNOUNCEMENTS

Chairperson Machado Announces the following Board Meetings:

1. Board of Trustees Meeting – September 27, 2012

Trustee Akana Asks what **Chairperson Machado** went to Korea for.

Chairperson Machado States she was invited to attend the International Union for Conservation of Nature Conference along with a team of sixty or so delegates from the State of Hawai'i. The goal is to bring the conference to Hawai'i in 2016. It is similar to the APEC conference we've just had. The other countries competing are Istanbul, Turkey and South Africa.

Trustee Stender States his travel had nothing to do with OHA. He traveled on behalf of another organization. OHA did not pay for any part of his travel.

Trustee Robert Lindsey Comments that it was important that Hawai'i was represented. It is a discussion that has been going on for years. It's a big deal to have it come to Hawai'i.

VIII. ADJOURNMENT

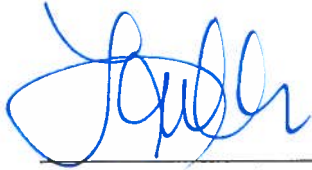
Trustee Apoliona Moves for adjournment.

Trustee Stender Seconds the motion.

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

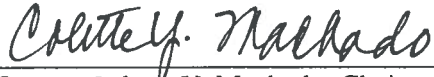
The meeting was adjourned at 12:04 a.m.

Respectfully Submitted,



Leah Burrows-Nu'uuanu,
Board Secretary

As approved by the Board of Trustees on September 27, 2012.



Trustee Colette Y. Machado, Chairperson
Board of Trustees

ATTACHMENTS:

1. September 20, 2012 BOT Community Sign in Sheet
2. Excused Absence Memo from Trustee Cataluna,