

**STATE OF HAWAI'I  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. Nimitz Highway, Suite 200  
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees  
Wednesday, February 7, 2018  
1:30 pm**

**ATTENDANCE:**

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

ROBERT G. KLEIN, ESQ., BOARD COUNSEL

**ADMINISTRATION STAFF:**

KAMANA'OPONO CRABBE, CEO  
ALBERT TIBERI, CC  
MOMILANI LAZO, SR. EA to CEO  
KAWIKA RILEY, ADV  
JOCELYN DOANE, PP  
STERLING WONG, PR  
RAINA GUSHIKEN, CC  
DAVID LAEHA, CFO  
DYLAN ZHENG, INVST  
KAMAILE MALDONADO, PP  
KAWENA CARVALHO-MATTOS, DPM  
WAYNE TANAKA, PP

**BOT STAFF:**

CAROL HOOMANAWANUI  
LŌPAKA BAPTISTE  
LAURENE KALUAU-KEALOHA  
DAYNA PA  
LEHUA ITOKAZU  
MAX MUKAI  
ALVIN AKEE  
LADY GARRETT  
LIANA PANG  
CLAUDINE CALPITO  
DAVIS PRICE  
PAUL HARLEMAN  
MARIA CALDERON  
KAMA HOPKINS  
KAUIKEAOLANI WAILEHUA  
MELISSA WENNIHAN

**GUESTS:**

GERMAINE MEYERS

**I. CALL TO ORDER**

**Chair Colette Machado** Calls the Board of Trustees meeting to order at 1:44 pm. Roll call is taken; Trustees Ahu Isa, Ahuna, Akana, Akina, Apo, Carmen Hulu Lindsey, Robert Lindsey, Waihe'e and Machado are present; constituting a quorum.

Before we proceed to the agenda we will need a 72-hour waiver for the following items:

- II. Approval of Minutes
  - A. January 11, 2018
- V. New Business
  - A. Committee on Beneficiary Advocacy and Empowerment
    - 1. 2018 OHA Legislative Positioning – Matrix 1, February 7, 2018

**Trustee Dan Ahuna moves for a 72 Hour waiver.**

**Trustee Robert Lindsey seconds the motion.**

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

Trustee Dan Ahuna moves for a 72 Hour waiver. Trustee Robert 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			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [ x ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED Motion unanimously passed with nine (9) yes votes.						

**II. APPROVAL OF MINUTES**

**A. December 21, 2017**

**B. January 11, 2018**

**Trustee Dan Ahuna moves to approve the Board of Trustees minutes dated December 21, 2017 and January 11, 2018.**

**Trustee Robert Lindsey seconds the motion.**

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

Trustee Dan Ahuna moves to approve the Board of Trustees minutes dated December 21, 2017 and January 11, 2018. Trustee Robert 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			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [ x ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED Motion unanimously passed with nine (9) yes votes.						

### **III. PUBLIC TESTIMONY**

**Chair Colette Machado** – We are now on public testimony. I'd like to call to the table Germaine Meyers. Please come forward with your public testimony.

**Ms. Germaine Meyers** – Aloha Chair, my name is Germaine Meyers, I am an OHA beneficiary for beneficiary advocacy and empowerment and a Nānākuli Hawaiian Homestead lessee. I would like to share with you my data views and arguments regarding today's executive session action item VI. A. consultation with Judge Robert Klein regarding State Auditor's Draft Audit Report. In addition, if time permits I would like to testify regarding agenda items V.B.1 and V.B.2. regarding RM 18-01 and RM 18-02.

I express to auditor Les Kondo during our 15-minute conversation yesterday that I felt on page 4 of the leaked draft audit report that it was missing the LLCs from the organization chart and from the total count of employees. I had a conversation with him and I explained to him that on his report it is saying there is 179 positions but it does not include the positions that are employed by OHA in the LLCs. In addition, this page number 4 chapter 1 also includes an organizational chart. But as I drew in here it is missing the LLCs under the management of the Chief Executive Office, the Chief Financial Officer and the Chief Operating Officer.

In addition, on page number, I expressed to him my concerns that in Chapter 2 page 3 that OHA has created alternate funding processes which allow the office to regularly direct money towards a multitude of programs, projects and individuals that are exempt from the rigorous vetting, monitoring and reporting requirements of its formal grant process. In addition, he had noted that with seemingly incomplete and inconsistent understanding of their fiduciary responsibilities absent clear guidelines and lacks enforcement of existing policies OHA has spent with limited restraint in fiscal year '15 and '16, OHA spent almost twice as much on these types of discretionary disbursements total \$14 million. Then it did on planned budgeted, properly publicized, vetted and monitored grants which total \$7.7 million. To fund these unplanned discretionary expenditures OHA realigned its budget \$8 million and drew from its Fiscal Reserve a type of surplus fund formerly referred to as the rainy day fund of \$6 million.

On page number 5 it expressed in its summary that identified that these loosely administered noncompetitive Kūlia initiatives were nearly as double of what OHA has spent as I previously stated. And that the fiscal reserves, the source of much of the funding for OHA's discretionary spending lacks a clear policy guiding its use and has been spent down rapidly. The CEO sponsorship are subject to minimum oversight and are often approved based on personal discretion despite written guidelines. He stated that, he pointed out and we had discussed that on page 8 it talks about this Kūlia Initiative. And what I stated to him is that I found that in addition the Kūlia Initiatives are not reported in OHA's annual reports. The same as Community and Ahahui Grants. Its absent from the annual reports or maybe it's there but I didn't see anything titled Kūlia Initiatives in the annual reports.

I also explained to Mr. Kondo that I was very concerned that he as well as Chair was actually paying more focus on the fact that the draft audit report was leaked. Instead of focusing on the findings and that we should focus on the findings and OHA's response to the findings instead of focusing on the fact that it was leaked. Because the finding was very concerning.

The last thing I want to share is that on this page, page 28 regarding benefits of being a Trustee. What I was really deeply concerned about was that it mentioned twice that OHA's corporation counsel did not follow, it had an incorrect interpretation of the State Ethics code. It did that when there was a Trustee, board member spent National Museum of the American Indian at the time of the donations. That spent \$3,000 to this national museum. But it was a direct conflict and a misinterpretation of the State Ethics code and there was another time regarding a football fan on the opposite side. Again he noted that OHA's Corporation Counsel does not understand the ethics

code. I am really concerned about that, that if we are taking legal advice from a corporation counsel that they understand the State Ethics Code and they clearly interpret it to the OHA Trustees. Otherwise you will be compromising your fiduciary duties and then I would like to know if you are listening to them who is responsible then. Is it corporate counsel for the misinterpretation or is it the Trustee to listening to corporate counsel and not being versed yourself regarding the State Ethics code. E hana kakou.

**Chair Colette Machado** – Germaine just for a point of understanding that, that Corp Counsel has long been retired now. He is no longer employed at OHA.

**Kamana‘opono Crabbe** – The individual who was the Corp Counsel at that time during those years is no longer employed with OHA. All Chair is acknowledging is that at that time he gave an opinion in terms of the review of the Trustee Allowance expenditure.

**Ms. Meyers** – So am I to assume that Judge Klein and all the other Corporate Counsel understand the Ethics Code. Unlike this other lawyer.

**Robert G. Klein, Board Counsel** – I am not an internal lawyer I am outside counsel.

**Trustee Akana** – Thank you Germaine, that is why it’s really important that the Board understands that our counsel is the Board Counsel and that is Judge Klein. So when we need advice he is our counsel. And Corp Counsel is really to the administration not to the board. When the board has questions we need to go to him. All decisions that we make should be based on his advice when we have a legal question. That is all I want to make clear.

**Chair Colette Machado** – Thank you Germaine. Members we are on IV. Unfinished Business is there any updates that you have on activities, Ka Pouhana.

#### **IV. UNFINISHED BUSINESS**

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

**Kamana‘opono Crabbe** – Yes, very quickly Trustees. We are in the process; we are probably half way through with the upload of the new Microsoft next gen 365 software. We started with the Board of Trustees, hopefully all is completed. What that means is that actually in our partnership with the State of the Hawaii IT we are able to get this software for free in addition to increasing our Wi-Fi and our digital IT capacity. We are in the second half of uploading it all within the Office of Hawaiian Affairs and I believe on the neighbor islands we are about completing that as well. That is a major daunting task for us because we are trying to move into the 21<sup>st</sup> Century.

Second, for the past 6 months we have been working on compiling all of the Standard Operating Procedures within the organization. I really want to acknowledge Jim Paterson from program improvement who has been leading this initiative because it’s been very challenging and the last time we did this was several years ago. We will be in the second half of completing it and refining it and then it’s one of the goals the Executive Office had set.

Then lastly, it was good timing this morning to hear SPIRE’s presentation on budgeting. Research as well as our strategic planning working group have laid out a process and the Research group is actually compiling white papers in terms of the data for our strategic plan. That will be ongoing for the next several months. After this morning’s presentation with SPIRE, Rodney agreed and I made a request to Chair and Trustee Hulu Lindsey for a meeting to discuss about the strategic planning process so that we can better coordinate moving forward. That is the updates from Administration.

**Chair Colette Machado** – Any questions for Ka Pouhana, if not we will move on to V. New Business.

**V. NEW BUSINESS**

**A. Committee on Beneficiary Advocacy and Empowerment  
1. BAE 18-02: Approval of Nominees for the Island Burial Councils**

**Chair Colette Machado** – I’d like to call upon the Chair of the Beneficiary Advocacy and Empowerment Committee.

**Trustee Robert Lindsey** – Madame Chair if I may yield to Vice-Chair Ahuna since he ran those meetings.

**Trustee Dan Ahuna** moves to approve Action Item BAE 18-02: Approval of Nominees for the Island Burial Councils.

**Trustee Robert Lindsey** seconds the motion.

**Chair Colette Machado** – Any discussion, on the board we have listed the names of the individuals. Hearing none roll call vote please.

Trustee Dan Ahuna moves to approve Action Item BAE 18-02: Approval of Nominees for the Island Burial Councils. Trustee Robert 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			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE‘E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			1
MOTION: [ x ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED Motion unanimously passed with nine (9) yes votes.						

**2. 2018 OHA Legislative Positioning – Matrix 1\*\*†. January 31, 2018**

**Chair Colette Machado** – We are now on V.A.2 the 2018 OHA Legislative Positioning matrix for January 31, 2018, Trustee Ahuna.

**Trustee Dan Ahuna** move to approve Administration’s recommendations on NEW BILLS (Item 1-449) on the OHA Legislative Positioning Matrix dated 01/31/2018.

- Add HB 1723 > COMMENT
- Add HB 1751 > COMMENT
- SB 2687 Change from MONITOR > SUPPORT
- SB 2325 Change from COMMENT > SUPPORT

**Trustee Robert Lindsey seconds the motion.**

**Chair Colette Machado** – It has been moved and seconded, roll call vote.

Trustee Dan Ahuna moves to approve Administration’s recommendations on NEW BILLS (Item 1-449) on the OHA Legislative Positioning Matrix dated 01/31/2018.						
<ul style="list-style-type: none"> <li>• Add HB 1723 &gt; COMMENT</li> <li>• Add HB 1751 &gt; COMMENT</li> <li>• SB 2687 Change from MONITOR &gt; SUPPORT</li> <li>• SB 2325 Change from COMMENT &gt; SUPPORT</li> </ul>						
Trustee Robert Lindsey seconds the motion.						
TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA					XX	
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE‘E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8		1 abstention	
MOTION: [ ] UNANIMOUS [ x ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passed with eight (8) yes votes and one (1) abstention.						

**3. 2018 OHA Legislative Positioning – Matrix 1\*\*†. February 7, 2018**

**Chair Colette Machado** – Members V. Item 3 the 2018 OHA Legislative Positioning for February 7, 2018, Trustee Ahuna.

**Trustee Dan Ahuna moves to approve Administration’s recommendations on NEW BILLS (Item 1-248) and BILL POSITIONS FOR RECONSIDERATION (Items 249-252) on the OHA Legislative Positioning Matrix dated 2/7/2018.**

**Trustee Robert Lindsey seconds the motion.**

**Chair Colette Machado** – Any discussion, this is what we discussed just 20 minutes ago. Roll call vote please.

Trustee Dan Ahuna moves to approve Administration’s recommendations on NEW BILLS (Item 1-248) and BILL POSITIONS FOR RECONSIDERATION (Items 249-252) on the OHA Legislative Positioning Matrix dated 2/7/2018.

Trustee Robert 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			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE’E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			1

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

Motion unanimously passed with nine (9) yes votes.

**B. Committee on Resource Management**

1:58 pm Trustee Peter Apo leaves.

Chair Colette Machado – We are now on V.B. Committee on Resource Management. I’d like to call on the Chairperson Trustee Carmen Hulu Lindsey.

**1. RM 18-01: Amendment to Board of Trustees Executive Policy Manual –Series 3050 Fiscal-Biennium Budget Realignment and Adjustments 3.5.f., 2<sup>nd</sup> Reading.**

Trustee Carmen Hulu Lindsey moves to approve amendments to the Office of Hawaiian Affairs Board of Trustees Executive Policy Manual section 3050 Fiscal – Biennium Budget Realignment and Adjustments Paragraph 3.5.f.

Which reads as follows:

**3.5.f. Changes to the budget that are not comprehensive enough to require realignment are to be handled through budget adjustments. Management is delegated the authority to approve budget adjustments that fall within the lesser of \$100,000 or 5% of each expenditure category. Expenditure categories are defined as follows: Personnel, Program, Contracts, Travel, Equipment, Overhead and Debt Service Budgets as included in the approved Total Operating Budget. Budget adjustments in and out of the Grants Budget and between the Core Operating, Fiscal Reserve, Commercial Properties, Legacy Properties and Special Programs Budgets and any adjustments that exceed management’s authorities must be approved by the BOT and shall be presented to the BOT in Action Item Format.**

**3.5.f.1. A quarterly report of budget adjustments made pursuant to 3.5.f. shall be regularly submitted to the BOT. Each report shall identify the expenditure category from which the funds were transferred, the total amount of funds transferred, the expenditure category that received the transferred funds, the total amount of budget adjustments made for each quarter and a justification that briefly explains the necessity of the adjustments.**

Trustee Dan Ahuna seconds the motion.

**Chair Colette Machado** – This is second reading members. Roll call vote please.

Trustee Carmen Hulu Lindsey moves to approve amendments to the Office of Hawaiian Affairs Board of Trustees Executive Policy Manual section 3050 Fiscal – Biennium Budget Realignment and Adjustments Paragraph 3.5.f.

Which reads as follows:

3.5.f. Changes to the budget that are not comprehensive enough to require realignment are to be handled through budget adjustments. Management is delegated the authority to approve budget adjustments that fall within the lesser of \$100,000 or 5% of each expenditure category. Expenditure categories are defined as follows: Personnel, Program, Contracts, Travel, Equipment, Overhead and Debt Service Budgets as included in the approved Total Operating Budget. Budget adjustments in and out of the Grants Budget and between the Core Operating, Fiscal Reserve, Commercial Properties, Legacy Properties and Special Programs Budgets and any adjustments that exceed management’s authorities must be approved by the BOT and shall be presented to the BOT in Action Item Format.

3.5.f.1. A quarterly report of budget adjustments made pursuant to 3.5.f. shall be regularly submitted to the BOT. Each report shall identify the expenditure category from which the funds were transferred, the total amount of funds transferred, the expenditure category that received the transferred funds, the total amount of budget adjustments made for each quarter and a justification that briefly explains the necessity of the adjustments.

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						Not present at vote
TRUSTEE CARMEN HULU LINDSEY	x		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE‘E			X			
TRUSTEE 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.

- RM 18-02: Pursuant to a reasonable request for LLC documents by the BOT, the LLC managers will submit such documents to the BOT’s Financial Audit Negotiating Committee or its auditor for their use in managing the audit process as authorized by the Board of Trustees through Action Item RM 17-02.**

**Chair Colette Machado** – We are not on V.B.2. I’d like to call on Trustee Carmen Hulu Lindsey.

**Trustee Carmen Hulu Lindsey** moves pursuant to a reasonable request for LLC documents by the BOT, the LLC managers will submit such documents to the BOT’s Financial Audit Negotiating Committee or its auditor for their use in managing the audit process as authorized by the Board of Trustees through Action Item RM 17-02.

**Trustee Dan Ahuna** seconds the motion.

**Chair Colette Machado** – Roll call vote please.

Trustee Carmen Hulu Lindsey moves to move pursuant to a reasonable request for LLC documents by the BOT, the LLC managers will submit such documents to the BOT's Financial Audit Negotiating Committee or its auditor for their use in managing the audit process as authorized by the Board of Trustees through Action Item RM 17-02.  
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						Not present at vote
TRUSTEE CARMEN HULU LINDSEY	x		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE 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.

## VI. EXECUTIVE SESSION

**Chair Colette Machado** – Members I would like a motion to recuse ourselves into Executive Session pursuant to 92-5 (a)(4) to consult with our board attorney.

**Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS§92-5(a)(4).**

**Trustee Robert Lindsey seconds the motion.**

**Chair Colette Machado** – Roll call vote please

Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS§92-5(a)(4).  
Trustee Robert 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						Not present at vote
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE 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.

2:05 pm Trustee Peter Apo returns to meeting.

The Board resolved into Executive Session at 2:05 pm.

A. Consultation with Robert G. Klein, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding the State Auditor's Draft Audit Report. Pursuant to HRS § 92-5(a)(4).

B. Approval of Minutes

1. December 21, 2017 – Item Deferred

The Board reconvenes into Open Session at 3:01 pm.

## VI. COMMUNITY CONCERNS

3:03 pm Trustee Leina'ala Ahu Isa, Trustee Dan Ahuna, Trustee Keli'i Akina, Trustee Robert Lindsey, Trustee Peter Apo, and Trustee John Waihe'e IV leave the meeting.

Quorum was lost at 3:03 pm.

**Chair Colette Machado** – Though we lost quorum I will allow Germaine to give her testimony on the record.

**Germaine Meyers** – Aloha, my name is Germaine Meyers, I am an OHA beneficiary for beneficiary advocacy and empowerment and a Nānākuli Hawaiian Homestead lessee. I repeat I am a Hawaiian Homesteader not an Indian homesteader. Which means I am a lessee on Hawaiian Home Lands and not an Indian on an Indian Reservation. I identify myself as Germaine Meyers, a female, a woman. In 1985 when I became an adult and entered the workforce I identified myself as a woman. I checked the box female on every survey and every application. Why is it important that I identify myself and my biology as a woman, why didn't I identify myself as an adult male in 1985? After all men got paid more. More men were in leadership roles than women. Men also have to register in the military in case of a draft during war time.

I identified myself as a woman because I am a woman. I have a womb that is capable of making a baby. Men can't make babies, but woman can. Yet a group of Hawaiians are telling the Federal Government that Hawaiians are Indians. Stop saying, I am an Indian because I am not. I am a Hawaiian. Stop guilt tripping us into thinking we are being unloving towards Indians for saying we are Hawaiian. Do your guilt trip woman in to believing that they are unloving towards men because they don't want to say they are a man. But speak the truth that they are a woman.

This brings me to my next concern. Gaslighting. Its defined as to manipulate someone by psychological means, mental and emotional means, into questioning their own sanity. Gaslighting is a manipulation tactic used to gain power. And it worked so well it is a common technique of abusers, dictators, narcissist, and cult leaders. If a ConCon becomes a reality, I would like OHA to do a study on gaslighting and its pervasive existence in the Government and in the Hawaiian Community.

Lee Cataluna on Sundays Star Advertiser column. I first thought that she sounded narcissist and not a journalist. Because journalist presents that facts and the evidence. She provided none in this past Sundays column. Lee Cataluna was basically saying that incumbents not people that never had political experience should not run for election. So what she is basically is saying in the Governor's race that incumbents should re-elect Governor Ige? Is she saying that I support her because I support Governor Ige.

The last thing I would like to say I would use my time now. Which I was going to actually share during Beneficiary Advocacy and Empowerment Community Concerns. I understand that the law states that Board meetings do not have to give community concerns. But I would like if there is a ConCon for OHA to advocate that it becomes mandatory for sunshine law to include community concerns for non-agenda items similar to how

we have it at the neighborhood board meeting. Advocacy and empowerment, 5 years ago in the 2013 audit report of OHA the auditor recommended that OHA establish a log of all beneficiary complaints and concerns. However, the OHA Trustees and Administrations responded to this recommendation by stating that OHA feels beneficiaries with complaints and concerns can address them directly to the OHA Trustees via public testimony and community concerns testimony as I am doing right now.

In writing or in person during a live OHA Board of Trustees meeting or committee meeting. OHA Trustees and OHA Administration did not clarify in their response if they would keep a log of all OHA beneficiary complaints and concerns that were addressed in writing or in person during a live OHA Board of Trustee Meeting or committee meeting. In addition, another recommendation in the 2013 Audit report of OHA stated that OHA should create an anonymous whistleblower policy for one, OHA beneficiaries and two, OHA vendors. They expanded anonymous whistleblower policy would make it possible for OHA beneficiaries and OHA vendors to anonymous report any evidence that the found of fraud and corruption taking place within OHA. Advocacy and empowerment. If a ConCon become a reality I would like OHA to advocate to empower Hawaiians by changing the laws so it would require OHA do the following effective July 1, 2019.

1. Permanently record a live video not just livestream video of every OHA Board of Trustee meeting or committee meeting to include OHA beneficiary and public testimonies and community concerns. We know we have problems with the livestream even today.
2. Post the video on OHA.org.
3. In addition, post it on OHA.org home page a link to all written OHA beneficiary testimony, complaints and concerns similar to what the legislatures do.
4. Establish and OHA beneficiary and OHA vendor anonymous whistleblower policy.

E hana kakou.

**Chair Colette Machado** – Thank you Germaine. Thank you all for coming.

## **VII. ANNOUNCEMENTS**

None

## **VIII. ADJOURNMENT**

**Quorum was lost at 3:03 pm.**

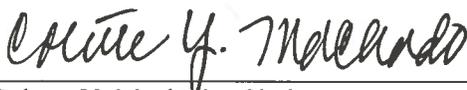
Respectfully submitted,



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Dayna Pa, Board Secretary

As approved by the Board of Trustees on February 27, 2018.



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Colette Y. Machado, Chairperson  
Board of Trustees