

BOARD OF WATER SUPPLY of the COUNTY OF KAUA'I

REGULAR MEETING

Second Floor, Microbiology Lab Bldg
Kaua'i County Department of Water
4398 Pua Loke Street, Līhu'e, Kaua'i, Hawai'i 96766

THURSDAY, FEBRUARY 19, 2009

10:05 a.m.

or thereabouts

A. CALL TO ORDER

B. ROLL CALL

C. ACCEPTANCE OF AGENDA

D. MEETING MINUTES:

1. Regular Meeting – January 8, 2009
2. Special Meeting – January 28, 2009

E. CORRESPONDENCE/ANNOUNCEMENTS

1. Memo from John Isobe from the Office of Boards and Commissions Regarding Budget Policy Directives (Fiscal Year 2009-10)
2. Hawai'i Water Works Association (HWWA)/DOW Form Letters to our US Representatives and US Senators to Increase Hawai'i's Stimulus Package
3. Memo from Councilmember Lani Kawahara to Mayor Bernard P. Carvalho, Jr. on the Followup Request Regarding C-2009-57 and C-2009-58, Relating to Boards and Commissions
4. Memo from Ken Rainforth on the Extension of Set Aside for Development of State Lands for Affordable Housing, Kekaha and Kapa'a
5. Letter from Planning Director Ian Costa in Response to the Department of Water's Request for Info on Condominium Property Regimes (CPR) Draft Bills

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, February 19, 2009

F. OLD BUSINESS

1. Status Report from Kukui'ula Development Company (Hawai'i) LLC on their Projects: 1) Subdivision Y Cottages, S-2005-25, TMK: (4) 2-6-016: 016 thru 088; and, 2) Subdivision Y Custom Home Sites, S-2005-25; and, 3) Subdivision M1/M4 Custom Home Sites (S-2005-21), Kukui'ula, Development, Kukui'ula, Kaua'i, Hawai'i
2. Request Board Approval of Amendment No. 1 for Job No. 02-02, LO-04, Piwai 0.5 Million Gallon Tank, Omao, Kaua'i
3. Discuss and/or Action by the Board on the DOW's Hiring of the Waterworks Legal Advisor
4. Discussion, deliberation and decision-making or action regarding steps, actions, procedures and processes necessary to select a new Manager and Chief Engineer for the Kauai Water Department

G. NEW BUSINESS

1. Request Board Approval of a Conveyance of Water Facility from James E. Nishida Jr. and Naomi J. Nishida, for the Waterline Improvements for James Nishida (Based on 4-Lot Subdivision), Subdivision No. S-2001-40, TMK: (4) 4-2-22:015, 069, 070, 071, Kawaihau, Kauai, Hawai'i
2. Request Board Approval of a Conveyance of Water Facility from William M. Scott, Carolyn S. Scott and Kimberly Pitt, for the Water Meter Servicing Lot 43, TMK: (4) 2-7-06:033, Omao, Koloa District, Kauai, Hawai'i
3. Request Board Approval of a Conveyance of Water Facility from Charles B. Carter and Liane J. Carter, TMK: (4) 3-3-04:078, Puhi Road, Puhi, Kauai, Hawai'i
4. Request Board Approval of a Conveyance of Water Facility from Lee A. Evslin, Trustee of the Lee A. Evslin Trust, dated January 19, 2005 and Monica C. Evslin, Trustee of the Monica C. Evslin Trust, Dated January 19, 2005; Chris V. Gamby and Tanya E. Gamby; Joseph C. Clifford and Judith D. Irons; and Charles H. Petterson and Catherine Petterson; for the First 5/8-Inch Domestic Quad Service Connection for TMK: (4) 4-6-04:030 & (4) 4-6-04:033, Kapaa, Kawaihau District, Kauai, Hawai'i
5. Request Board Approval of a Conveyance of Water Facility from Richard A. Hummer, for the Installation of Double Service Lateral for Lot D, TMK: (4) 2-8-07:002, Koloa District, Kauai, Hawai'i

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, February 19, 2009

G. NEW BUSINESS (cont'd)

6. Request Board Approval of Right of Entry Agreements for the Waha, Wawae and Niho Roads Main Replacement, Job No. 05-07, Water Plan 2020 Project No. K-7, LO-13 (Phase I), Affecting the Following Landowners in Kalaheo, Kauai, Hawaii
 - a. Dennis H. Fujimoto, Keith F. Fujimoto, Stanley S. Fujimoto, Ronald Y. Fujimoto, and Donald M. Fujimoto affecting Portion of TMK: (4) 2-3-09:005 and (4) 2-3-09:067, Kalaheo, Kauai, Hawai'i
 - b. Alan Soares, affecting Portion of TMK: (4) 2-4-01:066, Kalaheo, Kauai, Hawai'i
 - c. Kei Hirano, Trustee of the Kei Hirano Trust and Jessie M. Hirano, Trustees of the Jessie M. Hirano Trust, affecting Portion of TMK: (4) 2-3-15:001, Kalaheo, Kauai, Hawai'i
 - d. Susan A. Matsumoto, Trustee of the Susan A. Matsumoto Trust, and Joyce. Y. Kubota, Trustee of the Joyce Y. Kubota Trust, affecting Portion of TMK: (4) 2-4-02:004, Kalaheo, Kauai, Hawaii
7. Request Board Approval of a Grant of Easement from Alexander and Baldwin, Inc., a Hawaii corporation; for the Piwai Wells, Tank, and 16" Transmission Line (S-2004-45), TMK: (4) 2-5-01:002, (4) 2-5-01:008 and (4) 2-5-01:011, Omao, Koloa District, Kauai, Hawai'i
8. Request Board Approval of a Grant of Easement from Kauai Bible Church; for the Piwai Wells, Tank, and 16" Transmission Line (S-2004-45), TMK: (4) 2-5-01:012, Omao, Koloa District, Kauai, Hawai'i
9. Request Board Approval of an Agreement to Sell and Purchase Koloa Water Tank Site, TMK: (4) 2-7-03:08, Situated at Koloa, Kaua'i, Hawai'i
10. Update on Procedures and Implementation of Practices as the Result of the Investigation

H. REPORTS

1. Statement of Kaua'i County Water Department's Revenues and Expenditures
2. Report by the Public Relations Specialist on a Monthly Update Regarding DOW Public Relation Activities
3. Acting Chief of Operations' Summary Report on the Monthly Operational Maintenance Agreement

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, February 19, 2009

H. REPORTS (cont'd)

4. Manager's Monthly Update Regarding Activities of Note of the Kaua'i County Water Department
5. Report of the Finance Committee of the Kaua'i County Board of Water Supply
6. Report of the Rules Committee of the Kaua'i County Board of Water Supply
7. Report of the Sub-Committee of the Whole Committee of the Kaua'i County Board of Water Supply

I. STRATEGIC AND BUSINESS PLAN AND NEEDS ASSESSMENT

1. Updates on the Kaua'i Water Department for their Strategic and Business Plan and Water Plan 2020 Program Sustainability Services
 - a. Issue Champions: Update of Strategic Goals and Implementation Status
 - b. Affordable Housing: Project Status

J. EXECUTIVE SESSION:

Pursuant to H.R.S. §92-7(a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in H.R.S. §92-5(a).

REVIEW OF EXECUTIVE SESSION MINUTES:

- a. Regular Meeting: Thursday, November 13, 2008
 - b. Regular Meeting: Thursday, December 11, 2008, Parts 1-3
 - c. Regular Meeting: Thursday, January 8, 2009
 - d. Special Meeting: Wednesday, January 28, 2009
1. ES-2008-22 - Pursuant to Haw. Rev. Stat. Sections 92-4 and 92-5(a)(4) and Kauai County Charter Section 3.07(E), the purpose of this executive session is to consult with Department staff and Board's legal counsel to receive briefing and recommendations for purpose of obtaining Board action on the claim filed against the County of Kauai Department of Water by First Insurance Company of Hawaii, Ltd. For their insured Hawaii Kailani et al. This legal consultation on the aforementioned claim involves consideration of the powers, duties, privileges, immunities and/or liabilities of the Board and the County as they relate to this agenda item.
 2. ES-2007 (12-13-07 & 2-14-08) - Pursuant to Haw. Rev. Stat. Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with Legal Counsel regarding questions and issues pertaining to the Board's and Department of Water's liabilities, powers and duties regarding personnel, labor and employment issues. This consultation involves consideration of the powers, duties, privileges, immunities and/or liabilities of the Board and the County as they relate to this agenda item and/or liabilities, claims and/or potential claims, as they relate to the foregoing and to take such action as the Board deems appropriate.

K. ADJOURNMENT

NOTE: Special Accommodations for persons with disabilities are available upon request five (5) days prior to the meeting date. Please call the Department of Water, County of Kaua'i, at 245-5408 or drop by at 4398 Pua Loke Street, Līhu'e, Kauai. Our mailing address is P. O. Box 1706, Līhu'e, HI 96766.