

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, JANUARY 8, 2009

10:05 a.m.

or thereabouts

A. CALL TO ORDER

B. ROLL CALL

C. ACCEPTANCE OF AGENDA

D. MEETING MINUTES: Regular Meeting - December 11, 2008

E. CORRESPONDENCE/ANNOUNCEMENTS

1. Letter from Lidi White, Manager of Aukahi Farm LLC for the Koloa 1.0 MG Tank, TMK: 2-7-03:008, Koloa, Kaua'i
2. Article in the Building Industry Digest, titled "Trying Times on Molokai – Can a Business Expect Government to Step in When Things Get Difficult?" by Mayor Charmaine Tavares, County of Maui

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. Status Report on the Request to Testify by George Hoffberg for a Private Water System for Subdivision of Parcel 4 into Lots 1 through 11 (S-2006-44), TMK: 4-3-03:004, Being a Portion of Royal Patent 7375, L.C. Award 8559-B, Apana 42 to W.C. Lunalilo, Situated at Waipouli, Kawaihau, Kaua'i, Hawai'i
3. Request Board Approval of Job No. 03-02, HW-02, HW-03, Facilities Renovation at various DOW sites, Wainiha-Haena Tank, Second Contract Amendment

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F. OLD BUSINESS (cont'd)

4. Request Board Approval of Job No. 02-01, Kukuiolono Tank Site Exchange, Kalāheo, Kaua'i, First Amendment
5. Request Board Approval for Job No. 05-03, WK-25, Kapilimao 0.5 Million Gallon Tank and Job No. 03-03, Hardening of Generator Shelters at the Kapilimao Well Site. Kekaha, Kauai, Hawaii, Second Contract Amendment with Brown and Caldwell
6. 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
7. Board Discussion on Setting 2009 Goals

G. NEW BUSINESS

1. Request by Board to Discuss the DOW's Hiring of the Waterworks Legal Advisor
2. Request to Testify by Donn Carswell on His Complaint on Notice of Water Outages
3. Manager's Top 4 Goals for the Kaua'i Department of Water for 2009
4. Request Board Approval to Implement a Department of Water's Identity Theft Prevention Program via Board Policy No. 21
5. Request Board Approval of a Conveyance of Water Facility from Bruce Albert Smalling and Suzi Cox-Smalling, for the Water Meter Plan Servicing Lot 1, TMK: (4) 4-6-32:015, Kapaa, Kawaihau District, Kauai, Hawai'i
6. Request Board Approval of a Conveyance of Water Facility from Sterling Carter Kealohanui Correia, Trustee of the Sterling Carter Kealohanui Correia Revocable Trust dated December 23, 2002, for the 5/8" domestic Service Connection for TMK: (4) 4-4-05:015, Kapaa, Kawaihau District, Kauai, Hawai'i
7. Appointment of Officers for Finance and Rules Committees for 2009

H. REPORTS

1. Statement of Kaua'i County Water Department's Revenues and Expenditures

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H. REPORTS (cont'd)

2. Report by the Public Relations Specialist on a Monthly Update Regarding DOW Public Relation Activities
3. Manager's Monthly Update Regarding Activities of Note of the Kaua'i County Water Department
4. For the Board's Information on the Kauai County Water Department Briefing on Departmental Projects
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
1. ES-2008-20 (1-8-09) Pursuant to Haw. Rev. Stat §§92-4 and 92-5(a)(2), the purpose of this executive session is to discuss and consult with staff and the Board's legal counsel on the legal issues relating to the Department's hiring of the Waterworks Legal Advisor and to consult with the Board's legal counsel on questions and issues relating to the Board's powers, duties, privileges, immunities, and/or liabilities and take such action as the Board may deem appropriate with respect to the foregoing item.

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2. ES-2008-18 (1-8-09) - Pursuant to Haw. Rev. Stat. Sections 92-4, 92-5(a)(3) and 92-5(a)(6), the purpose of this executive session is to consult with legal counsel and department staff regarding the land exchange for the 1940 DOW rectangular tank with the 1960's circular tank in Kalaheo, Kauai, Hawaii and consideration of the powers, duties, privileges, immunities and/or liabilities of the Board and the County as they relate to this agenda item.
3. ES-2008-7&19 (1-8-09) - Pursuant to Haw. Rev. Stat. Sections 92-4, 92-5(a)(3) and 92-5(a)(6), the purpose of this executive session is to consult with legal counsel and department staff regarding the acquisition of the Koloa 1.0 MG Water Tank site, Koloa, Kauai, Hawaii and consideration of the powers, duties, privileges, immunities and/or liabilities of the Board and the County as they relate to this agenda item.
4. 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.
5. ES-2008-8 (June 5, 2008)– Pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(2), (4), (6) and (8), one of the purposes of this executive session is to consider matters that require confidentiality under state law, to wit, to meet with the Board's legal counsel with regard to the Board's powers, duties, privileges and immunities and/or liabilities, claims and/or potential claims, as such powers, duties, privileges and immunities and/or liabilities, claims and/or potential claims as they relate to the selection of an individual to be given supervisory and/or managerial and/or developmental and/or consultation duties over the Kauai Department of Water and/or the Kaua'i Department of Water's Water Plan 2020. The further purpose of this executive session is to meet with the Board's legal counsel on questions and issues relating to the Board's powers, duties, privileges and immunities and/or liabilities, claims and/or potential claims, as such powers, duties, privileges and immunities. The further purpose of this executive session is to meet with the Board's legal counsel on questions and issues relating to the Board's powers, duties, privileges and immunities and/or liabilities, claims and/or potential claims, as such powers, duties, privileges and immunities .

K. ADJOURNMENT