

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

TUESDAY, JULY 15, 2008

10:05 a.m.

or thereabouts

A. CALL TO ORDER

B. ROLL CALL

C. ACCEPTANCE OF AGENDA

D. MINUTES:

1. Regular Meeting: June 5, 2008
2. Special Meeting: June 18, 2008

E. CORRESPONDENCE/ANNOUNCEMENTS

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 to Clarify the Motion made at the December 13, 2007 Board
for Agenda Item: "Revised Appeal to November 20, 2007 Agenda Item – Update
Report on November 20, 2007 Agenda Item on the Request to Testify by Benjamin
Garfinkle Regarding DOW Conditions of Tentative Subdivision Approval for Boundary
Adjustment (Consolidation and Re-subdivision), TMK Nos. (4) 4-2-03:12, 65 and 66"
3. Request to Testify by A & B Properties, Inc. for a Request for Water Service, 'Ele'ele
Industrial Park Subdivision, TMK: 2-1-02:051 and Elele Residential Development
Site, TMK: 2-1-02:003, Portion, 'Ele'ele, Koloa, Kaua'i, Hawai'i
4. Request Board Approval for Additional Funding for Contract 474 for Special Counsel
to Provide Advice, Counsel, and/or Representation in Civil Matters in the Court
System including, but not limited to Administrative Law, Personnel Law, Labor and
Employment Law

BOARD OF WATER SUPPLY
REGULAR MEETING
Tuesday, July 15, 2008

F. OLD BUSINESS (cont'd)

5. Request Board Approval of Job No. 92-4, KP-01, Koloa Well F Pump Controls and Pipeline (State Well No. 5425-15), Poipu, Kauai, First Contract Amendment to Revise the Subdivision Map
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

G. NEW BUSINESS

1. Request Board Approval of the Conveyance of Water Facility from Jonli C.H. Alo and Ann Marie Alo; for the 5/8-Inch Domestic Service Connection for Second Water Meter, TMK: (4) 4-4-09:020, Unit 2, Kapaa, Kawaihau District, Kauai, Hawai'i
2. Request Board Approval of the Grant of Easement from Jason Andrew Barth and Heather Ann Barth, husband and wife; TMK: (4) 4-3-09:037, Waipouli, Kawaihau District, Kaua'i, Hawai'i for Subdivision No. S-2006-35

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
4. For the Board's Information on the Kauai County Water Department Briefing on Departmental Projects
5. For the Board's Information on the Quarterly Report regarding the Status of the 2008 Manager's Top 4 Goals for the Kaua'i Department of Water
6. Manager's Monthly Update Regarding Activities of Note of the Kaua'i County Water Department
7. Report of the Finance Committee of the Kaua'i County Board of Water Supply
8. Report of the Rules Committee of the Kaua'i County Board of Water Supply

BOARD OF WATER SUPPLY
REGULAR MEETING
Tuesday, July 15, 2008

H. REPORTS (cont'd)

9. 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. Update of Strategic Goals and Implementation Status Report from the Issue Champions
 - b. Affordable Housing
 - c. Water Plan 2020 Program Sustainability Service

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).

1. Review of Executive Session Minutes:
 - a. Thursday, June 5, 2008 (Special Manager Recruitment Committee Meeting)
 - b. Thursday, June 5, 2008 (Regular Meeting)

OLD BUSINESS:

2. ES-2008-4 (5-8-08) - 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 and department staff regarding Benjamin Garfinkle's request for Board Approval to Clarify the Motion made at the December 13, 2007 Board for Agenda Item: "Revised Appeal to November 20, 2007 Agenda Item- Benjamin Garfinkle Regarding DOW Conditions of Tentative Subdivision Approval for Boundary Adjustment (Consolidation and Re-subdivision), TMK (4) 4-2-03:12, 65 and 66. 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.

BOARD OF WATER SUPPLY
REGULAR MEETING
Tuesday, July 15, 2008

J. EXECUTIVE SESSION (cont'd):

3. ES-2008-5 (5-8-08) - 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 and department staff regarding A & B Properties, Inc. request for water service Ele'ele Industrial Park Subdivision, TMK: 2-1-02-051 and Ele'ele Residential Development Site, TMK: 2-1-02:003, Portion, Ele'ele, Koloa, Kauai, Hawaii. 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.
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.
5. ES-2008-8 (6-05-08) – 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 and/or liabilities, claims and/or potential claims, as they relate to the foregoing and to take such action as the Board deems appropriate.
6. ES-2008-7 (5-8-08) - 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.

K. ADJOURNMENT