

SPECIAL MEETING MINUTES
BOARD OF WATER SUPPLY
Wednesday, June 18, 2008

The Board of Water Supply, County of Kaua'i, met in special meeting at its office in Lihu'e on Wednesday, June 18, 2008. Vice Chairperson Leland Kahawai called the meeting to order at 3:35 p.m. The following were present and answered on roll call:

BOARD: Mr. Leland Kahawai, Vice Chairperson
Mr. Ian Costa
Mr. Dee Crowell
Mr. Randall Nishimura

Absent & Excused: Mr. Donald Fujimoto
Mr. Steven Kyono
Chair Roy Oyama

STAFF: Ms. Wynne Ushigome
Ms. Amy Esaki
Mr. Keith Fujimoto
First Deputy County Attorney Harrison Kawate

AGENDA

Mr. Costa moved to approve the Agenda, seconded by Mr. Crowell; motion was carried.

Re: Request Board Approval of a Memorandum of Agreement between the State of Hawaii'i, Commission on Water Resource Management and the County of Kaua'i Department of Water to Implement Drought Mitigation Projects on Kauai

RECOMMENDATION: It was recommended that the Board approve the Memorandum of Agreement between the State of Hawaii'i, Commission on Water Resource Management and the County of Kauai Department of Water to Implement Drought Mitigation Projects on Kaua'i.

FUNDING: Not Applicable

BACKGROUND:

Due to appropriations under Act 238, Session Laws of Hawaii'i, 2007, the Hawaii Drought Council, based on the drought mitigation project prioritization, has designated \$700,000.00 to Kauai Department of Water. Funds will be expended through the State of Hawaii'i, Commission on Water Resources Management to cover two projects:

- 1) Kekaha Amfac Shaft 11 Facility Testing, Evaluation & Reporting (Phase 1B) \$530,000
- 2) County-Wide Conservation and Education Program \$170,000
(project details were given to the Board.)

Re: Request Board Approval for Additional Funding for Contract 474 for Special Counsel to Provide Advice in Civil Matters in the Court System including, but not limited to Administrative Law, Personnel Law, Labor and Employment Law

Recommendation:

Recommend Board approval for additional funding of \$25,000 for special legal counsel to advise the Department and Board, in matters including, but not limited to Administrative Law, Personnel Law and Labor and Employment Law.

Funding:

Account No. 271, Contractual Services	
Total Available Funding	\$100,000.00
Acct No. 271, Contract 474,	
Goodsill Anderson Quinn & Stifel (Original funding) .. <\$25,000.00>	
Additional Funds Approved	
at 2-14-08 Bd. Mtg. (Amendment No. 1).....	<\$35,000.00>
Total Funding Required for Contract 474.	<\$ 60,000.00>
Balance in Account No. 271, Contractual Services	\$ 40,000.00
Acct No. 271, Contract 474, Goodsill Anderson Quinn & Stifel	
Additional Funds Requested (Amendment No. 2)	<\$25,000.00>
Balance Remaining.....	<u>\$15,000.00</u>

Background:

The contract scope of services remains the same; however, the consultant has requested additional funding to cover additional out-of-pocket expenses and fees.

As there were only 4 Board Members present at the meeting, an Executive Session Meeting on this matter could not be held; therefore, Mr. Nishimura moved to defer the funding request to the next Board Meeting, seconded by Mr. Crowell; motion was carried.

Re: Executive Session

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.

No Executive Session Meeting was held due to a lack of quorum of 5 Board Members.

ADJOURNMENT

There being no further business, Mr. Nishimura moved to adjourn the Special Board Meeting at 3:40 p.m., seconded by Mr. Crowell; motion was carried.

Respectfully submitted,

Rona Miura, Secretary

APPROVED:

Wynne M. Ushigome
Acting Manager and Chief Engineer

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