

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, JUNE 25, 2009

10:05 a.m.

or thereabouts

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **ACCEPTANCE OF AGENDA**

4. **MEETING MINUTES:**

1. Special Meeting – April 2, 2009
2. Regular Meeting – April 16, 2009
3. Special Meeting – May 8, 2009
4. Regular Meeting – May 21, 2009
5. Special Meeting – June 10, 2009

E. CORRESPONDENCE/ANNOUNCEMENTS

1. Letter from the State House of Representatives Chief Clerk Submitting House Resolution No. 52, which was adopted by the House of Representatives at the 2009 Legislative Session
2. Rescission of Notice of Violation, Surface Water Treatment Rule (SWTR) Treatment Technique from the State Department of Health for Public Water System 400, Līhu'e-Kapa'a
3. June, 2009 Newsletter from Kaua'i Board of Ethics

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
 - a. Request Board Consideration and/or Approval of Kukuiula Development Company (Hawaii) LLC Regarding their Proposed Solution to the 0.1 Million Gallon (MG) Piwai Storage Tank Spillway Elevation Discrepancy

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, June 25, 2009

F. OLD BUSINESS (cont'd)

2. Status Update on the Brydeswood Agricultural Subdivision, Phase II (S-93-50) and Phase III (S-2006-04), TMK: 2-4-007:002 & 020, Kalāheo, Koloa District, Island of Kaua'i
3. Request Board Action on the Hiring Matter of the Manager and Chief Engineer's Position

G. NEW BUSINESS

1. Request to Testify by Mayor Bernard Carvalho, Jr. for a "Presentation regarding the Administration's Visions and Goals for the County of Kaua'i and Directions and Priorities for the Board of Water Supply "
2. Request Board Approval to Add Capacity to the Waiahi Treatment Facility
3. Request Board Approval to Delegate Routine Personnel Matters to the Manager and Chief Engineer that have already been Approved in the Annual Budget
4. Request Board Approval of the Final Budget for Fiscal Year 2009-10
5. Request Board Approval of the Memorandum of Agreement for the Waimea Main Replacement, Job No. 05-01, Water Plan 2020 Project No. KW-16 - Between Board of Water Supply, County of Kauai, and Department of Public Works, County of Kauai, affecting portions of County roads, Pokole Road, Laau Road, Moana Road, Halepule Road, Panako Road, Ala Wai Road, Pule Road, Menehune Road and Gay (Olioli) Road, Waimea, Kauai, Hawai'i
6. Request Board Approval of the Right of Entry Agreement for the Hardening of Generator Shelters- Makaleha Tank and Pump Station, Job No. 03-03, Water Plan 2020 Project No. WK-15 with Kauai Island Utility Cooperative (KIUC), affecting Portion of TMK: (4) 4-6-03:012, Kawaihau, Kauai, Hawai'i
7. Request Board Approval of the Right of Entry Agreement from Alexander Jay Bivens and Marie Terry-Bevins, husband and wife; Albert Pondok Alamodin; Leslie Sakae Sakaki, Co-Trustee of the Nanea Revocable Living Trust (unrecorded); Nancy Graf, Co-Trustee of the Nanea Revocable Living Trust (unrecorded), with the Board of Water Supply, TMK: (4) 4-6-32:012, Kawaihau Road, Kapaa, Kauai, Hawai'i
8. Request Board Approval of a Grant of Easement and Conveyance of Water Facility from Kukuiula Development Company (Hawaii), LLC, a Hawaii Limited Liability Company; for the M1M4 Subdivision (S-2005-21), TMK: (4) 2-6-17:036, 037, and 038, Koloa, Kauai, Hawaii

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, June 25, 2009

H. STAFF 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. 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

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. Special Meeting: Thursday, April 2, 2009
- b. Regular Meeting: Thursday, April 16, 2009
- c. Special Meeting: Friday, May 8, 2009
- d. Special Meeting: Wednesday, June 10, 2009

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, June 25, 2009

J. EXECUTIVE SESSION (cont'd)

1. 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.
2. ES-2009-6 - 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 the Review and Approval of the Interconnect Agreement for the Private Water System for Brydeswood Agriculture Subdivision Phase II (S-93-50) and Phase III (S-2006-04), TMK: 2-4-007:002 & 020, Kalaheo, Koloa District, Island of Kaua'i. 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.
3. ES-2009-7 – Pursuant to Hawaii Revised Statutes Sections 92-5 and 92-5(a)(2), the purpose of this executive session is to consider matters that require confidentiality under state law, to wit, a hiring matter of our Manager and Chief Engineer for the Kauai Department of Water. 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, relate to the foregoing item and to take such action as the Board deems appropriate.

K. ADJOURNMENT