

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, MAY 8, 2008

10:10 a.m.

or thereabouts

Public hearing to be held at 10:00 am prior to this Board Meeting.

A. CALL TO ORDER

B. ROLL CALL

C. ACCEPTANCE OF AGENDA

D. MEETING MINUTES:

1. Special Meeting: March 24, 2008
2. Regular Meeting: April 10, 2008
3. Special Meeting: April 18, 2008
4. Special Meeting: April 24, 2008

E. CORRESPONDENCE/ANNOUNCEMENTS

F. OLD BUSINESS

1. Request Board Approval to Reconsider 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 Resubdivision), TMK Nos. (4) 4-2-03:12, 65 and 66"
2. Request Board Approval for Amendment No. 2 to Contract 466, Job No. 06-01, KW-28, Amfac Shaft 11 Renovations, (State Well No. 5842-02), Phase IB, Facility Testing, Evaluation and Reporting, Kekaha, Kaua'i
3. 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

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, May 8, 2008

G. NEW BUSINESS

1. Request to Testify by Claudia Shay of Self-Help Housing Corporation of Hawai'i Regarding Acquiring Building Permit Approvals for the Puhi Self-Help Subdivision, TMK: 3-3-019, Puhi, Kauai
2. 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 Eleele Residential Development Site, TMK: 2-1-02:003, Portion, 'Ele'ele, Koloa, Kaua'i, Hawai'i
3. Request to Testify by Kukui'ula Development Company (Hawai'i) LLC for Approval of a DOW Waiver, Release and Indemnity Agreement for : 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 M1M4 Custom Home Sites, S-2005-21, Kukui'ula, Development, Kukui'ula, Kaua'i, Hawai'i
4. Board Discussion on the Results of the May 8, 2008 Public Hearing on Proposed Amendment of Rules and Water System Standards, as Amended, of the Board of Water Supply, County of Kauai
5. Request Board Approval of Conveyance of Water Facility from Poipu Aina Estates, LLC, for the on-site water facilities for the Poipu Aina Estates Subdivision, S-2005-13, TMK: (4) 2-8-22:002 , Poipu, Kauai, Hawai'i
6. Request Board Approval of Conveyance of Water Facility from Grove Farm Properties, Inc., for the Puhi 393 Booster Pump Station, TMK: (4) 3-4-07:006, Puhi, Kauai, Hawai'i

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. 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

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, May 8, 2008

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
 - (1) Request Board Decision to Cost Share RW Beck's Expenses to Attend the July, 2008 Board Meeting on Water Plan 2020 Program Sustainability Services and Consultant Contract Services

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, February 14, 2008, Part 2
 - b. Thursday, March 13, 2008, Parts 1 and 2
 - c. Monday, March 24, 2008
 - d. Thursday, April 10, 2008
 - e. Thursday, April 18, 2008
 - f. Thursday, April 24, 2008

OLD BUSINESS:

2. ES-2008-1 – 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, the selection of a new Manager and Chief Engineer for the Kauai Department of Water. The further purpose of this executive session is to meet with the consultant and to discuss the steps, actions, procedures, and processes necessary to select a new Manager and Chief Engineer and to consult with the Board's legal counsel on questions and issues relating to the Board's powers, duties, privileges and immunities and/or liabilities, as such powers, duties, privileges and immunities and/or liabilities relate to the foregoing item and to take such action as the Commission may deem appropriate.

BOARD OF WATER SUPPLY
REGULAR MEETING
Thursday, May 8, 2008

NEW BUSINESS:

3. ES-2008-4 - 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 Reconsider 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 Resubdivision), 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.
4. ES-2008-5 - 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.
5. ES-2008-6 – 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 and department staff regarding Kukuiula Development Company (Hawai'i) LLC's request for a Waiver, Release & Indemnity Agreement for: 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 M1M4 Custom Home Sites, S-2005-21, Kukuiula Development, Kukuiula, Kaua'i, Hawai'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.
6. ES-2008-7 - 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