

Committee Meetings

October 9, 2008

Board present: Roy Oyama, Ian Costa, Leland Kahawai, and Randy Nishimura. Absent & excused: Dee Crowell, Donald Fujimoto, and Steven Kyono

Staff present: Wynne Ushigome, Paul Ganaden, Gregg Fujikawa, William Eddy, Keith Fujimoto, Bruce Inouye, Faith Shiramizu, Amy Esaki, and First Deputy County Attorney Harrison Kawate.

FINANCE COMMITTEE MEETING:

Pro-Tem Finance Committee Chair Leland Kahawai called the Finance Committee Meeting to order at 9:29 a.m.

Re: Claims Payable:

WATER UTILITY FUND:	\$1,246,115.10
BOND FUND:	\$ -0-
FRC FUND:	\$ -0-
STATE FUND:.....	\$ -0-
TOTAL	<u>\$1,246,115.10</u>

Mr. Oyama moved that the claims be approved for payment, seconded by Mr. Costa; motion was carried.

The Finance Committee Meeting was duly adjourned at 9:30 a.m.

RULES COMMITTEE MEETING:

Pro-Tem Finance Committee Chair Ian Costa called the Finance Committee Meeting to order at 9:30 a.m.

Re: Discussion on Proposed Amendments to the Rules and Water System Standards, as Amended, of the Board of Water Supply, County of Kaua'i, State of Hawai'i and the Public Hearing Results

Acting Manager Ushigome stated that this matter should be deferred to after the Public Hearing.

This matter continued at about a.m.

Acting Manager Ushigome reported on the following on behalf of the Rules Committee:

The Board recessed its Regular Meeting to hold the Public Hearing on this proposed rule amendment at the Thursday, October 9, 2008 Board Meeting at about 10: am.

Committee Meetings

October 9, 2008

A summary again of the proposed rule amendment was as follows:

1. Correction of the Recent Amendment to the DOW's Rules and Regulations and 2002 Water System Standards, as amended

Upon review of the recently adopted rule amendment, we noticed an error in the finalized version of amendment document. Inadvertently, the proposed language relating to Alternative methodology for satisfying fire protection requirements for non-residential structures did not appear on the certified copy of the amendment.

The affected section of the amendment to the 2002 Water System Standards that needed to be incorporated into the finalized version of the document is the Annotations to Table 100-19A, subparagraph(C).

- Instead of may [reject] the applicant's fire mitigation measures, the Fire Chief now may **approve** the sufficiency of the applicant's measures no later than one hundred twenty (120) day from the date that the Chief has determined, in writing, that the applicant has submitted a complete written analysis to him. ***(If "no action" was taken within the 120-day time frame, the applicant would receive an automatic approval.)***
- The basis for the Chief's approval of an applicant's proposed mitigation measures has been clarified; an applicant's measures may be **approved** [rejected] if they are [in]sufficient relative to the structures to be built on the lot, or the uses which will occur in conjunction with the proposed structures.
- In assessing the sufficiency of an applicant's measures, the Chief may also consider the impact of any potential on-site fire on surrounding off-site structures and uses.

There are no substantive changes to this subparagraph, essentially the wrong version of the amendment was transmitted to SBRRB through the rule making process. The inadvertent mix-up only affected the alternative methodology for fire protection revisions and the resulting action only addressed deleting the sunset provision from the Standards.

A copy of the SBRRB's concurrence to go forth with the public hearing was given to the Board for their information.

Committee Meetings

October 9, 2008

After the public hearing, the following is the proposed schedule:

1. Submit the minutes to SBRRB for their final review and concurrence ASAP in order to get on the SBRRB's October 15, 2008 Meeting Agenda. The SBRRB Office informed us recently that we could get on the October meeting agenda if they are sent the public hearing minutes in a timely manner vs. the November meeting as reported to you earlier.
2. The SBRRB to send us their results of the SBRRB's October 15, 2008 Board Meeting.
3. The Board may approve the proposed rule amendment at the Thursday, November 13, 2008 Board Meeting instead of the December 11, 2008 Board Meeting as reported to you earlier.
4. The secretary will obtain the necessary signatures from the Mayor, County Attorney and the County Clerk. Once the County Clerk signs the proposed rule amendment, it takes effect 10 days thereafter.

Mr. Nishimura moved to receive this report and place on file, seconded by Mr. Oyama; motion was carried.

There being no other business, the Committee Meetings were duly adjourned at about 10: a.m.

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