

REGULAR MEETING MINUTES  
BOARD OF WATER SUPPLY  
Thursday, September 17, 2009

The Board of Water Supply, County of Kaua'i, met in regular meeting at its office in Lihu'e on Thursday, September 17, 2009. Chairperson Leland Kahawai called the meeting to order at 10:06 a.m. On roll call, the following answered present:

BOARD: Mr. Leland Kahawai, Chairperson  
Mr. Ian Costa *(present at about 10:20 a.m.)*  
Mr. Dee Crowell  
Mr. Donald Fujimoto  
Mr. Randall Nishimura

Absent & Excused: Mr. Raymond McCormick  
Mr. Roy Oyama

STAFF: Mr. David Craddick  
Mr. Paul Ganaden  
Mr. Gregg Fujikawa  
Mr. William Eddy  
Mr. Keith Fujimoto  
Mr. Bruce Inouye  
Ms. Faith Shiramizu  
Deputy County Attorney Amy Esaki

GUESTS: Mr. and Mrs. Joseph Prigge, Jr. *(for the Akulikuli Tunnel Agenda Item – 10:30-10:57am)*

**AGENDA**

Mr. Crowell moved to amend the Agenda to have the Finance Committee after New Business, seconded by Mr. Nishimura; by unanimous vote, motion was carried.

**MINUTES:**

Regular Meeting: August 20, 2009:

Mr. Crowell moved to approve the Regular Meeting Minutes of August 20, 2009, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

**CORRESPONDENCE:**

**Re: Thank You Letter from East & West Kaua'i Soil & Water Conservation Districts Dated August 31, 2009 for the Water Board's Grant**

**Re: Press Release for the Lihu'e Pipeline Replacement Project Funded by Stimulus Funds**

Mr. Nishimura moved to receive the above 2 Correspondences from East & West Kaua'i Soil & Water Conservation Districts and the Press Release, seconded by Mr. Crowell; by a unanimous vote, motion was carried.

**OLD BUSINESS:**

**Re: Annual Job Performance Evaluation of the DOW's Manager and Chief Engineer**

Chair Kahawai reported that at our August 20, 2009 Board Meeting, the Board discussed the Job Performance Evaluation of our present Manager and Chief Engineer that is due to the Department of Personnel Services' (DPS) Office on October 31, 2009. As per DPS, all executive non-elected appointees are required to have a job performance evaluation done.

The Board unanimously approved to postpone the Manager's evaluation until next year since the new Manager started on May 22, 2009, which the Board felt was not enough time to properly evaluate his performance. For this reason, I sent a letter to DPS to request a postponement to next year.

Per the August 31, 2009 Memo from DPS, they have approved the postponement of the Manager's evaluation until next year. The Memo also noted that if at such time there is an upcoming pay raise for the department heads/deputies, a satisfactory job performance evaluation would be a requirement to receive the pay raise.

Mr. Crowell moved to receive this report and place on file, seconded by Mr. Crowell; by a unanimous vote, motion was carried.

**Re: Job No. 04-02, 02-18, WK-14, WK-32, Waterline along Kaehulua, Apopo and Kanaele Roads with Fukunaga and Associates, Kapaā, Kauai, Fourth Contract Amendment**

**Recommendation:** It was recommended that the Board approve the fourth contract amendment with Fukunaga and Associates, Inc, for additional work required to complete the subject projects.

It was further requested that the Board allocate \$13,821.00 from Account 106b, CIP Reserve to fund the contract amendment.

**Funding:**

Job No. 04-02, Waterline along Apopo Road .....	\$359,100.00	
Job No. 02-18, Waterline along Kaehulua Road		
Main Replacement: .....	<u>\$428,550.00</u>	
Total available: .....		\$787,650.00
Contract No. 447, Fukunaga & Associates, Inc. ....	\$359,100.00	
Contract No. 404, Fukunaga & Associates, Inc. ....	\$428,550.00	
Contract amendment #4 .....	<u>\$ 13,821.40</u>	
Total required: .....		<u>&lt;\$801,471.40&gt;</u>
Add'l Funds Requested, Acc. No. 106b, CIP Reserve: .....	\$	13,821.40
Contract 447 Total Amount .....	\$364,063.00	
Contract 404 Total Amount .....	\$437,408.40	

**Background:**

The projects include the design for:

**Phase I:**

- 2,000 Linear Feet of 8-Inch Ductile Iron Pipe along Kaehulua Road.
- Installation and replacement of 3,000 feet of 8” waterline along Apopo Road.

**Phase II:**

- 3,300 Linear Feet of 6-Inch Ductile Iron Pipe along Kanaele Road.
- 2,780 Linear Feet of 8-Inch Ductile Iron Pipe along Kanaele Road.
- 5,300 Linear Feet of 6-Inch Ductile Iron Pipe along Apopo Road.
- 500 Linear Feet of 6-Inch Ductile Iron Pipe along Souza Place.
- 1,300 Linear Feet of 6-Inch Ductile Iron Pipe along Sadoyama Road.
- 300 Linear Feet of 6-Inch Ductile Iron Pipe along Steven Road.
- 6,500 Linear Feet of 6-Inch Ductile Iron Pipe along Kaehulua Road.
- 1,700 Linear Feet of 6-Inch Ductile Iron Pipe along Kapahi Road.
- 460 Linear Feet of 6-Inch Ductile Iron Pipe along Ninaula Road.
- 2,140 Linear Feet of 6-Inch Ductile Iron Pipe along Moalepe Road.
- 1,200 Linear Feet of 6-Inch Ductile Iron Pipe along Waikaea Road.
- 600 Linear Feet of 6-Inch Ductile Iron Pipe along Honua Road.
- 1,190 Linear Feet of 6-Inch Ductile Iron Pipe along Hokua Road.
- 850 Linear Feet of 6-Inch Ductile Iron Pipe along Ea Road.
- 1,200 Linear Feet of 6-Inch Ductile Iron Pipe along Mailehuna Road.
- 1,300 Linear Feet of 6-Inch Ductile Iron Pipe along Laipo Road.

The Department has requested the project consultant, Fukunaga & Associates, for additional design work on these projects, including the relocations of several water meters, which also requires additional time to complete the project.

Fukunaga & Associates has submitted a proposal of \$13,821.40 and completion of the design no later than November 1, 2009, subject to the Department and other governmental review, which we feel is reasonable.

Mr. Crowell moved to approve the fourth contract amendment with Fukunaga and Associates, Inc, for additional work required to complete the subject projects and to approve the allocation of \$13,821.00 from Account 106b, CIP Reserve to fund the contract amendment, seconded by Mr. Nishimura; by a unanimous vote; motion was carried.

**Re: Job No. 02-24, WK-02, Renovate Akulikuli Tunnel, Phase 2, Kapaa, Kauai, Second Contract Amendment to Terminate Contract 479**

**Recommendation:** It was recommended that the Board approve the second contract amendment to terminate the contract with SSFM International, Inc. for this project.

**Funding:**

Job No. 02-24, WK-02, Contract 479, SSFM International, Inc. Renovate Akulikuli

Tunnel, Phase 2:.....	\$428,589.00
Work Completed: .....	<\$184,950.00>
Balance Remaining: .....	\$243,639.00

### **Background:**

The major items of this project include the design for:

- Tunnel improvements.
- Site grading, drainage and erosion control Improvements.
- Storm drainage improvements.
- 12-inch waterline replacement.
- Wetland delineations.
- Roadway access improvements.

The project intent was to restore and renovate the Akulikuli Tunnel water source for the Kapaa water system. However, it was recognized that the water source may be influenced by surface waters, which requires at a minimum, a higher level of monitoring. To determine if this is the case, the Department will be required to sample the water for at least a year which should provide sufficient proof to the Department of Health that the water source is or is not influenced by surface waters. Since the work to renovate the tunnel would need to wait until a determination is made, it is requested to terminate the contract for the renovation design until then. The consultant for the project, SSFM International, Inc. is agreeable to terminating the contract.

Manager Craddick stated that this project was at a stalemate for awhile and the work that needs to be done may be easier done by our own staff. There is also a plan issue as a pipe broke on someone's property and they are trying to prevent the DOW from fixing that pipe. Therefore, he recommended that this contract be halted, while the water is being tested and monitored by our staff. When the DOW is ready to proceed with this contract we would have to go through the procurement process again.

Mr. Crowell moved to approve this project's second contract amendment to terminate the contract with SSFM International, Inc., seconded by Mr. Nishimura.

Mr. Nishimura asked when this project is re-started, would the cost be more than the remaining balance amount. Mr. K. Fujimoto stated that more than likely it would increase. Manager Craddick added that this project was on hold for awhile and the price was probably outdated.

By a unanimous vote, motion was carried.

*Mr. Costa was present at the meeting at about 10:20 a.m.*

### **NEW BUSINESS**

#### **Re: Suggestions for Year 2010 Capital Improvement Projects (CIP) Submittal to the State Legislature (Manager's Report No. 10-11)**

Manager Craddick reported that the Department would be preparing CIP projects to be submitted to the 2010 Session of the State Legislature for funding and requested the Board's input for any project suggestions. The final CIP list should be on the

October 15, 2009 Board Meeting for approval. A copy of the previous 2009 CIP packet was given to the Board for their info.

Manager Craddick discussed that we did get some monies for the waterline that serves the Waimea Canyon School. The other projects that were part of our 2009 CIP legislative request list were projects in the areas that will benefit State facilities, specifically for fire protection for public schools at the Kīlauea and Hanalei Schools (in addition to the Waimea Canyon School request).

Manager Craddick stated that there were legislative monies previously given for the Kīlauea School project but the bid proposal was too high; therefore, the monies were cancelled.

He added that there was a 2009 request to improve the storage for the Kapa‘a area in order to facilitate the construction of affordable housing in the Kawaihau District. Also, the Department proposed to include a funding request for the Haena 100,000-Gallon Storage Tank, Booster Pump and Connecting Pipeline which will improve storage capacity for current and future demand and fire protection requirements in the area.

There were no suggestions from the Board. Manager Craddick added that he and the staff will be working on the final projects that will be up for Board approval at the next Board Meeting.

Mr. Crowell moved to receive this report, seconded by Mr. Costa, which was later withdrawn.

Mr. Nishimura moved to defer to the next Board Meeting, seconded by Mr. Costa; by a unanimous vote; motion was carried.

**Re: Request Board Approval to Purchase Three (3) Vehicles for the Engineering Division (Manager’s Report No. 10-13)**

**RECOMMENDATION:** It was recommended that the Board approve the addition of three mini 4x4 sport utility vehicles (SUV) for the Department’s Engineering Division.

It was further requested that the Board reallocate \$75,000.00 from Account 106, Operations Division Vehicle and Equipment (Water Utility Fund) to fund this purchase.

**FUNDING:**

Account No. 106, Engineering Division Vehicle and  
Equipment ..... \$ 75,000.00

**BACKGROUND:**

The Engineering Division will be hiring two additional construction inspectors and a civil engineer shortly. These positions have already been funded; however they will be needing vehicles to get to the job sites as part of their daily work.

Mr. Costa moved approve the addition of three (3) new mini 4x4 sport utility vehicles (SUV) and to approve the transfer of \$75,000 from Account No. 106, seconded by Mr. Crowell.

On query by Mr. Nishimura, Mr. K. Fujimoto stated that these 3 new vehicles are in addition to the present fleet of 4 vehicles for his Engineering Division, plus the vehicles for the Micro Lab.

On query by Chair Kahawai, Mr. K. Fujimoto stated that the 2 inspectors will be on board shortly but the engineer has not been recruited for yet.

On query by Mr. Nishimura, Mr. K. Fujimoto stated that there are 8 budgeted positions in Engineering Division, with three vacancies.

By unanimous vote; motion was carried.

**Re: Request Board Approval of an Agreement to Sell and Purchase the Yamada Water Tank Site, TMK: 2-4-03:007, Kalaheo, Kauai, Hawai'i (Manager's Report No. 10-15)**

Recommendation:

The Department recommended that the Board approve the Agreement for the landowner (Yamada's) to sell their lot to the DOW and for the DOW to purchase that site for our proposed water tank site. The agreement specified the terms and conditions of procuring and retaining a land appraiser to determine the fair market value of the subject property. A copy of the *Agreement to Sell and Purchase Yamada Water Tank Site* was given to the Board for their info.

Funding: n/a at this time.

Background:

The Department of Water has located a site for the future half million gallon storage tank to replace Nursery Tank, which is leaking badly and in need of repairs. The landowners are willing to sell their 0.71 acre site to the Board as they are facing foreclosure of the lot. A map was given to the Board for their info.

They have requested an agreement be executed, which commits the Board to purchase the lot. It is hoped that this commitment will delay the landowner's creditors until the Board completes the requirements to purchase the property. At the landowner's request, they are willing to sell the property for the County's Real Property assessed value of \$301,400, which should be close to the appraised value if it expedites the sale. If this is acceptable to the Board, this would eliminate the cost and requirement to negotiate and retain an appraiser.

Manager Craddick added that this is not the best site as there is a lot of site work to do because it is on a sloped lot and would require cutting into the side of the mountain but it is at a good elevation. He also added that there will not be an appraisal for this property since the owners are motivated to sell the property and do

not expect any type of legal action. Also, the cost of the property has dropped about 50% over the past couple of years, as per the real property tax assessment.

On query by Mr. Costa, Manager Craddick stated that our existing tank is located adjacent to this proposed tank site and is on State land by Executive Order.

On query by Mr. Nishimura, Mr. K. Fujimoto stated that a 0.5 MG tank is the largest sized tank that could fit on the proposed lot

Manager Craddick advised the Board that an Executive Session for this matter was noticed if they wanted to discuss negotiation of prices, etc.

Mr. Costa moved to approve the *Agreement to Sell and Purchase Yamada Water Tank Site*, seconded by Mr. Crowell; by a unanimous vote; motion was carried.

### **AGENDA**

Mr. Nishimura moved to amend the Agenda to defer G4, New Business, Board Discussion and Possible Action on the Proposed Water Rate Change be taken up after the Finance Committee Meeting, seconded by Mr. Costa; by unanimous vote, motion was carried.

**Re: Request Board Approval of the following documents from the following applicants for their respective projects (Manager's Report No. 10-12):**

**Re: Conveyance of Water Facility from Daniel S. Allison, Trustee of the Allison Revocable Trust of 1991 under unrecorded Trust Agreement dated November 8, 1994 and Miriam Meyer Allison, Trustee of the Allison Revocable Trust of 1991 under unrecorded Trust Agreement dated November 8, 1994, TMK: (4) 5-6-04:013, Kuhio Highway, Hanalei, Kauai, Hawaii**

It was recommended that the Conveyance of Water Facility document be approved; whereby Daniel S. Allison, Trustee of the Allison Revocable Trust of 1991 under unrecorded Trust Agreement dated November 8, 1994 and Miriam Meyer Allison, Trustee of the Allison Revocable Trust of 1991 under unrecorded Trust Agreement dated November 8, 1994 transfers unto the Board of Water Supply, County of Kauai, all of is right, title and interest to a single service connection for 5/8" water meter, in place complete, in accordance with the as-built construction drawings for WATER SERVICE INSTALLATION PLAN FOR L.P. 8142, PARCEL 13, TMK: (4) 5-6-04:013, Kuhio Highway, Hanalei, Kauai, Hawaii, prepared by Wagner Engineering Services, Inc.

A Grant of Easement is not required.

Mr. Costa moved to approve the Conveyance of Water Facility from Daniel S. and Miriam Meyer Allison, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

**Re: Conveyance of Water Facility from Carol A. Beardmore for the 2<sup>nd</sup> 5/8-Inch Domestic Service Connection for Lot 157-A, TMK: (4) 4-4-08:012, Kawaihau District, Kauai, Hawaii**

It was recommended that the Conveyance of Water Facility document be approved; whereby, Carol A. Beardmore, transfer unto the Board of Water Supply, County of Kauai, all of its right, title and interest to: one (1) each, 1-inch copper single service lateral for 5/8" water meter, in place complete, for the 2<sup>nd</sup> 5/8-Inch Domestic Service Connection for Lot 157-A, TMK: (4) 4-4-08:012, Kawaihau District, Kauai, Hawaii.

Grant of Easement not required.

Mr. Costa moved to approve the Conveyance of Water Facility from Carol A. Beardmore, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

**Re: Conveyance of Water Facility from Kyle K. Nakagawa, Trustee under that certain Kyle K. Nakagawa Revocable Living Trust, dated August 23, 1995 for the Rainbow Paint and Fishing Supply, Inc., TMK: (4) 2-1-03:037, Eleele, Koloa District, Kauai, Hawaii**

It was recommended that the Conveyance of Water Facility document be approved; whereby, Kyle K. Nakagawa, Trustee under that certain Kyle K. Nakagawa Revocable Living Trust, dated August 23, 1995, transfer unto the Board of Water Supply, County of Kauai, all of its right, title and interest to: one (1) each, 2 ½-inch copper single service lateral for 2" detector check meter, in place complete, for the Rainbow Paint and Fishing Supply, Inc., TMK: (4) 2-1-03:037, Eleele, Koloa District, Kauai, Hawaii.

Grant of Easement not required.

Mr. Costa moved to approve the Conveyance of Water Facility from Kyle K. Nakagawa, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

**Re: Right of Entry from Grove Farm Properties, Inc., for Puakea I Subdivision, S-2006-27, TMK: (4) 3-3-03:041, Lihue, Kauai, Hawaii**

It was recommended that the Right of Entry Agreement document be approved; whereby, Grove Farm Properties, Inc., grants the Board, its officers, agents and employees, a right-of entry over and across the subject property for the purposes of conducting all necessary inspections for and on behalf of the Board, and, if appropriate, for constructing, maintaining, conducting water meter readings on, and repairing any and all facilities and improvements for the conveyance of potable water to the lots which will result from the said Subdivision Application S-2006-27, Puakea I Subdivision.

Further, Board approval was specifically requested for the indemnification provisions wherein the Board shall indemnify and hold the Owner harmless against loss or damage to the subject property and the lots which will result from the said Subdivision Application No. S-2006-27, or the property of others, and from liability for



injury or death to any person, when such loss, damage, injury or death is caused by the negligent act of the Board, or its officers, agents and/or employees, in exercising the rights under this Agreement.

Mr. Costa moved to approve the Right of Entry from Grove Farm Properties, Inc., along with its indemnification provision, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

*Mr. and Mrs. Joseph Prigge Jr. were present at the meeting at about 10:30 a.m.*

On behalf of Mr. Prigge, Jr., the Board Secretary requested Board Chair's permission to suspend the rules to have Mr. Prigge, Jr. address the Board on the Akulikuli Tunnel agenda item that was taken up earlier in this Board Meeting Agenda. Chair Kahawai concurred and suspended the rules.

Akulikuli Tunnel:

Mr. Joseph Prigge, Jr. of 6809 Kahuna Road, Kapahi apologized for being late and missing the Akulikuli Tunnel agenda item. He stated that some of the landowners and himself wrote to the State Water Commission previously to see if Kaua'i can be turned into a managed area so that more of the public can have a chance to submit their input. For the Akulikuli Springs, he had some letters from landowner Andree Lecocq and her mom Eve Nober, who owns the property where the Akulikuli Stream goes through on the bottom before it goes into Kapa'a Stream.

Mr. Prigge also stated that these ladies were told that if the County was to take water from Akulikuli Springs, the stream would not flow as it is now but it would become intermittent. He also had some information about a Hawaiian duck that resides in the area, that is not on the endangered species, but is a candidate for the endangered species list as there is only about 300 in the State of Hawai'i.

Mr. Prigge discussed that he owns property about 300 yards from the Akulikuli Tunnel, across the street from Kahuna Road. He also felt that if the County did take some water from this area that it would destroy some of the habitat for this endangered species.

Mr. Prigge also discussed that he had letters from Andree Lecocq, her mom Eve Nober, and Trisha Sears who are off island and gave their written permission to have Mr. Prigge talk on their behalf. They all are concerned and hope that the County would study this matter carefully before deciding to take all of the water out of Akulikuli Stream.

Mr. Prigge stated that he resided most of his life in the Kahuna Road area and played in the stream when he was little and where there was always water. He added that there is a USGS water level gauge on Kahuna Road attached to the bridge, which is evidence that the water has always been in the stream.

Mr. Prigge added that Eve Nober and Andree Lecocq both purchased the property that the bottom half of Akulikuli Springs Stream goes through and specifically to care for the stream. Both of them spent a lot of time and money, about \$75,000 to clear

the area by hand of the thick hau bush where the water tunnel is located, by the concrete dam and the little shed that goes down into the tunnel. He stated that the area now looks like a golf course.

Mr. Prigge also added that both ladies hoped that the DOW and the Board would think hard about taking the water out of the streams that would lower the water level and take away value from them. He also wants to see the stream maintain its essence for his sake as well as for the sake of his grandchildren. Mr. Prigge added that he played in that area as a child as well as his children as they were lucky to get a lot there. Back then, there were about 6 homes there, which one of them his family lived in.

He added that he felt the Akulikuli Stream was one of the cleanest streams on Kaua'i, especially on the top of the stream.

Mr. Prigge submitted a 4-minute DVD movie for the Board to see later that showed the ducks swimming in the stream where the Akulikuli Springs drops into the Kapa'a Stream. He added that the Akulikuli Stream was diverted sometime in the past as the original water course does not go all the way into Kapa'a Stream as there is now a waterfall. Both Andree Lecocq and Eve Nober both own the property on both sides of Kahuna Road where the stream runs through and are the caretakers of that stream now.

Mr. Prigge also submitted some written information to the Board Secretary for the Board's information: 1) a letter from Eve Nober and Andree Lecocq to allow Mr. Prigge to talk on their behalf; 2) a letter from Eve Nober and Andree Lecocq to the Commission on Water Resource Management to request that Kaua'i be designated as a water management area to ensure that our water is carefully managed and to allow public input on all of our public water resources; and 3) a letter from Trisha Sears on her concern of the future of the Alae ula Duck, along with some of its background.

Mr. Prigge thanked the Board for the opportunity to testify.

Manager Craddick asked Mr. Prigge if in the 1960's if there was sufficient water flowing in the stream then for all of the uses that Mr. Prigge was talking about? Mr. Prigge stated that there is more water right now because based on a former DOW employee, Jackie Rodrigues, who lived near Kahuna/Kawaihau Roads and has since passed, said that Akulikuli Springs was once the water source for Kapa'a. Then in the 1940's and 50's when the population started to grow, a water tunnel was dug up by Makaleha and they stopped using it because of too much intrusion in the 50's and 60's. He felt that there is way more water now in the stream now because of a 6-inch pipe by the water tunnel where there is a dam, like an intake, with a house that you can climb down to go into the tunnel. All of the three tunnels in the area have since collapsed, so all of the groundwater is now surface water and there is twice the amount of water in the stream now. There was always water in the stream from the time he was young and played in that area.

Manager Craddick asked again when Mr. Prigge was young, was there always sufficient water in the stream to take care of the ducks? Mr. Prigge concurred that there was enough water. He added that he found out via some Internet research that this duck is indigenous to Hawai'i and endangered.

Manager Craddick stated that the reason why he asked if there was sufficient water previously when Mr. Prigge was growing up was that the DOW's proposed project would not use any more water than was already used historically from the Akulikuli Springs. The only matter of concern is whether the groundwater is under the influence of surface water. Also, once the project is up and running again, the problem with the pipe that is leaking on private property would be diverted into the stream.

Mr. Prigge added that the Kapa'a Stream water has gone down significantly since he was a kid due to the water being used on the top from the 1.0 million gallon (MG) tank and with the pending 1.5 MG Tank being built. He understood that these are for the excess water that is stored overnight.

Mr. Prigge also added that previously when there was the issue on the Makaleha project, studies were done and it showed that the water level went up and down during the night. The tank would fill up at night and the excess water was dumped. He always thought that an extra tank would be a good idea to capture the excess water. Also back then, there was supposed to have a 0.5 MG Tank by Akulikuli but the location was changed to Kapa'a instead. There also are 2 wells now in the area and he understands the importance of water, especially gravity-flow water is valuable.

Mr. Prigge summarized that he and the owners of the private property understand the Department, as the water purveyors of Kaua'i, would need to take some water in order to take care of the community water needs; however, they are concerned about the stream water levels during the summer time. In earlier times, he added that the sugar plantations use to take all the water and after they closed down, in more recent times, the East West Kaua'i water users wanted to also take control of the water. However, there has since been an agreement among the Department of Land & Natural Resources, the East West Kaua'i water users, and himself to always have some water in the streams.

Manager Craddick suggested that a similar agreement could be made. Mr. Prigge discussed that the whole purpose of him testifying today on behalf of the Andree Lecocq and Eve Nober was because they previously got information that if the DOW was going to take all of the water, it would make the stream flow be intermittent. Mr. Prigge added that before Andree spent the money to clean the area, Andree came to the DOW and spoke to engineers and she asked 6 times if the DOW is going to take the water. She wanted to know to ensure that she was not spending her money for nothing.

On query by Manager Craddick, Mr. Prigge stated that he thought it was prior to 2001 when the DOW stopped using the Akulikuli Springs water, that Andree bought her ½ of the property on the makai side of Kahuna Road and the stream. Mr. Prigge was

not exactly sure but he thought that she purchased that property in the 1990s. She bought 3 lots, which contained two(2) 5-acre lots and one(1) 6-acre lot; and one(1) of the 5-acre lots included the stream on the Mauka side. He added that they specifically bought the lot with the stream in order to be the caretaker of the water.

Chair Kahawai thanked Mr. Prigge for his testimony on behalf of Ms. Lecocq and Ms. Nober and informed him that the Board would delegate this project to the staff.

On query by Mr. Costa, Manager Craddick concurred that the Department wants only to use the amount of water that was historically used and not to get additional water from the stream. Manager Craddick added that a possibility would be if there were intermittent lower water levels that the water could be diverted back into the stream to support the flora and fauna in the area.

Mr. Prigge discussed that the US Geological Survey (USGS) Office does have a gauge on the bridge on the makai side where Kahuna Road crosses the Akulikuli Stream to check the water levels and he found out recently when one of the USGS staff checked out the gauge that they check the gauges only once a year now.

On query by Mr. Costa, Manager Craddick stated that the State Department of Health would be the agency that would allow us to re-establish this project.

Mr. Prigge thanked the Board for taking his testimony.

*Mr. and Mrs. Prigge both left the meeting at about 10:55 a.m.*

Mr. Nishimura moved to have a recess to hold the Finance Committee Meeting, seconded by Mr. Crowell; motion was carried.

*Recess: 10:57 – 11:05 a.m.*

The Regular Meeting was called back to order at about 11:05 a.m.

**Re: Board Discussion and Possible Action on the Proposed Water Rate Change (Manager's Report No. 10-16)**

Manager Craddick reported that this item is on the agenda because the various committees will be reviewing water rates. Revenue for the first two years after the bond issuance are sufficient to provide coverage primarily due to income from the SRF program reimbursing DOW for funds already paid out. We will be proposing block changes and service charge changes for customers tying up water without using it. Enclosed in your packet is historical information from 2007 – 2009.

There is some analysis whether the block rates functioned as expected. In other words did the customers conserve? The 1-inch and 2-inch meter customers showed some reduction in high end use. The 5/8-inch and 3-inch meters showed small increase in the low end. The 3/4-inch, 4-inch and 6-inch meters showed poor to very poor response to block lowering that occurred in 2006. 8" and agricultural customers had no opportunity to conserve as all consumption occurred in the first block.

As this process goes forward, Manager Craddick stated that he needed some understanding of two customers each using 30,000 gallons per day. Should they pay the same if one has a 1½-inch service line and the other has a 4-inch service line? This can also be expanded to the customer needing 100,000 gallons per day one needs a 2½-inch service line to take the water over the full day the other needs an 8-inch service line to deliver the water in five hours. The question involves the percent use of the system for the different use patterns and the fact that one receives the water over a long period and the other uses the water over a very short period.

The other issue that needed to be dealt with is customers that have meters and are not using them and whether they should be tying up water that could produce revenue.

To be presented are usage patterns and proposed block and service charge changes. There are no increases to the blocks proposed.

Mr. Nishimura moved to defer this matter until the November, 2009 Board Meeting, seconded by Mr. Costa.

Mr. Crowell suggested that the Department should contact our most affected consumers about our proposed block changes. Manager Craddick concurred that was a good idea.

Mr. Nishimura requested that this proposal should be sent to our Small Business Advisory Committee. Staff will work with the Planning Department to compile a full committee.

Mr. Nishimura and Mr. Costa both withdrew their motions.

Mr. Nishimura moved to receive this report and refer it to the Finance and Rules Committee and to report back to the full Board, seconded by Mr. Costa; by a unanimous vote; motion was carried.

## **REPORTS**

### **Re: Statement of Kaua'i County Water Department's Revenues and Expenditures**

Mr. Costa moved to receive the Statement of Kaua'i County Water Department's Revenues and Expenditures report and placed it on file, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

### **Re: Public Relations Specialist's Monthly Update Regarding DOW Public Relation Activities**

Public Relations Specialist Faith Shiramizu gave the following report:

**Re: Public Relations Update**

**ARRA:** As the Pipeline Replacement for Lihue Town begins, we took advantage of the opportunity to set up a photo shoot that included the Mayor Carvalho, Council Chair Asing, Ron Sakoda, representative from Senator Inouye's Office, Dustin Moises, Project Engineer, Ralph Cushnie, Contractor and Leland Kahawai, `DOW Board Chair. The photo was sent out with a press release promoting the receipt of Stimulus funds as well as the department moving forward with WP2020 projects.

**SRF:** Interim/Final Loan Agreements for Kaumuali'i Highway 12-inch Main Replacement and Waha, Wawae, Niho Roads Main Replacement are still being routed for signatures. DOH should have the loans complete and ready to process reimbursements in about a month. They agreed that the department should submit reimbursement requests now so payments can be processed as soon as loans agreements are signed.

**Customer Survey:** FAQ Hawai'i completed our Telephone Customer Survey and reports delivered via web link. One out of every ten customers was called from each water system, or 10% of our customers (that had a phone number listed). The final report was given to the Board, which included the methodology, executive summary and charts and graphs for each of the questions.

Ms. Shiramizu added that our consultant stated that they called more residents than the norm surveys they have done. Manager Craddick also added that our consultant had to call more of our customers to ensure contact was made of our customers from each and every water system.

Manager Craddick discussed that monies were saved as the prep for this customer service survey was done by our summer intern and Ms. Shiramizu.

**Make a Splash:** 2009 Make a Splash Water Festival will be held on Friday, September 18, 2009. To date, we have 35 volunteers for Thursday set up and 105 adult volunteers for Friday along with 60 JROTC cadets. Training for each activity is scheduled for September 9, 10 and 11, 2009. There will be 32 classes coming from 13 different schools. Students will also enjoy a special visit from Sparky, McGruff, Daren and Smokey.

Mr. Costa moved to receive the Public Relations Update and placed it on file, seconded by Mr. Nishimura; by a unanimous vote, motion was carried.

**Re: Acting Chief of Operations' Summary Report on Monthly Operational Maintenance**

Mr. Costa moved to receive the Acting Chief of Operations' Summary Report and placed it on file, seconded by Mr. Crowell; by a unanimous vote, motion was carried.

**Re: Manager's Update for August, 2009 to September, 2009**

**MATTERS DELEGATED FROM BOARD TO MANAGER:**

CONTRACTS AWARDED BY THE MANAGER: None

PUMP INSTALLATION PERMITS SIGNED BY MANAGER: None.

**WAIVER, RELEASE AND INDEMNITY AGREEMENTS SIGNED BY THE MANAGER:**

- Kukuiula Development Company (HI) LLC
  - TMK: 2-6-16:019, Makai Cottage Lot 19 at Subdivision Y
  - TMK: 2-6-16:049, Makai Cottage Lot 49 at Subdivision Y
  - TMK: 2-6-16:050, Makai Cottage Lot 50 at Subdivision Y
  - TMK: 2-6-16:052, Makai Cottage Lot 52 at Subdivision Y

PERSONNEL MATTERS UPDATE: Reallocation action for the CE I to CE II in the Engineering Division. We just submitted the request to DPS this week.

**Affordable Housing Update:**

*The next Affordable Housing Meeting will be on Monday, September 14, 2009, which is after the Board Agenda goes out to the Board; therefore, the following update is status quo at this time.*

The last Affordable Housing Task Force (AHTF) meeting was held on Monday, August 10, 2009 at Pi'ikoi Conference Room A, with the status of projects below.

Updates on AHTF Projects:

1. Habitat - Eleele I Luna Subdivision Phase 2 (106 lots): The developer will plans to receive final subdivision map approval for Phase 2, First Increment (6 lots) in November – December, 2009. Esaki is preparing the final maps. Dale Kua, Planning Department, advised the Housing Agency to inform the subdivider to coordinate the subdivision increments with the affected agencies. DOW was not contacted by Habitat or Esaki to date regarding the First Increment.
2. Kauai Lagoons – Courtyard at Waipouli: The Certification of Occupancy issuance by the County has not occurred and final building inspections are being conducted by the County. The project occupancy deadline was recently extended is August 17, 2009.
3. Kauai Lagoons – Kapule Project: Construction of several multifamily buildings is underway. DOW fire hydrant installation along Haoa Street is not completed.
4. Kukui'ula Employee Housing- "Gap" Housing subdivision and zoning permit: A standalone water master plans for the Employee project was re-submitted in

February, 2009 to DOW. The water master plan is currently being reviewed by DOW.

5. Kohea Loa (Hanamaulu Triangle)- . Grove Farm revised Water Master Plan (dated June 10, 2009) was approved by DOW on July 14, 2009. The developer intends to pursue a cost share of County waste-water system improvements.
6. Paanau Village, Phase 2: Housing agency and the developer will meet with the Public Works department to finalize the subdivision improvements for the affordable housing rental project.

The next meeting will be held on Monday, September 14, 2009.

### **MONTHLY UPDATES:**

Job 04-04, Water Plan 2020 Project PLH-09, Pipeline Replacement for Lihu'e Town  
Cushnie Construction Co., Inc. conducted a Lihu'e Town public information meeting on Monday, August 24, 2009 at the Lihu'e Christian Church, starting at 6 p.m. to discuss this pipeline replacement project. As part of Water Plan 2020, the Department of Water will be replacing old pipeline in Lihu'e Town on the south side of Rice St. from Umi to Kalena Streets. The work will take place from Sept. 1 to April 19 of next year.

Note that affected residents and businesses were sent hand delivered notices of this meeting from Cushnie Construction Co. Inc. A press release was also done.

Representatives of Cushnie Construction Co., who was awarded the contract for the project, presented the scope of work and estimated time schedule for the project to a handful of attendees. The meeting went well with the Cushnie representatives and DOW Project Engineer Dustin Moises who answered all of their questions.

As per Correspondence of this Board Meeting Agenda, a press release to The Garden Island and Honolulu Advertiser were done, along with a photo to acknowledge one of the DOW's proactive Water Plan 2020 Projects. Picture-taking was done by Dennis Fujimoto of The Garden Island Newspaper on Friday, September 4, 2009 fronting the old historic County Building with the Mayor, County Council Chair Kaipō Asing, Sen. Daniel Inouye's Representative Ron Sakoda, Water Board Chair Leland Kahawai, our Contractor, and DOW Project Engineer Dustin Moises.

### **Kaua'i Developer's Council:**

I gave a presentation at the Kaua'i Developer's Council General Membership Luncheon Meeting on Wednesday, August 26, 2009 to about 50 attendees. My presentation basically covered one of the ways the Department may address funding our Water Plan 2020 projects, which would be by increasing our facilities reserve charges (FRC). As a follow-up to my presentation, the Kaua'i Developer's Council Board is asking me to also participate in a roundtable discussion with their Board Members to continue discussion on possibly revising the FRC rate schedule, Water Plan 2020, project schedules, etc. In response, I have informed them that I needed



to discuss this matter further with the Board first before scheduling a follow-up discussion with them.

Farm Worker Housing:

Met with Councilman Jay Furfaro to discuss farm worker housing and the availability of county water & the DOW's policies regarding private water systems & DOW water systems.

Operator Certification Training:

I have made myself available for Ops staff in assisting them with the preparation for taking their certification exam.

Current Personnel Activities:

- Interviews completed to fill the two Water Inspector I positions. Conditional job offers have been made.
- Qualified eligibles for Civil Engineer I were received. Will be scheduling interviews shortly.
- Pipefitter Helper Interviews scheduled for Thursday, September 24, 2009.

Status on the Department of Water's Deputy Manager-Engineer:

The deadline for submittal for the Deputy Manager recruitment was Friday, August 14, 2009. We have received two (2) applications and their resumes were reviewed. We are currently requesting additional information from one of the applicant.

New DOW Employee

We welcomed one (1) additional new employee to the Department of Water: Cleve Shigematsu, Engineering Drafting Technician, in the Water Resources and Planning Division, who started on September 1, 2009.

Mr. Fujikawa also explained that our temporary contract hire, Fred Ancheta, has willingly accepted to stay a little longer to train Cleve.

Mr. D. Fujimoto moved to receive the Manager's Update and place it on file, seconded by Mr. Crowell; by a unanimous vote, motion was carried.

**Re: Report of the Finance Committee of the Kaua'i County Board of Water Supply**

Due to a conflict of interest with the Claims Payable that included a payment to his company, Mr. Nishimura recused himself from the Finance Committee proceedings and had Mr. Crowell be the pro-tem chairperson.

Pro-Tem Finance Chair Crowell reported that the Finance Committee at its meeting approved DOW's bill payments of \$1,355,800.94. They also had discussion and the Finance Committee approved that the internal water rate study continue. Staff will report on the status of the water rate study by November, 2009.

Mr. Costa moved to receive the report from the Finance Committee Report, seconded by Mr. D. Fujimoto.

Mr. D. Fujimoto stated that the Finance Committee Reports should be approved by the Board; therefore, Mr. Costa withdrew his motion and Mr. D. Fujimoto withdrew his second.

Mr. Costa moved to approve the Finance Committee Report, seconded by Mr. D. Fujimoto; by a unanimous vote, motion was carried.

## **STRATEGIC AND BUSINESS PLAN AND NEEDS ASSESSMENT:**

### **Re: Report from Issue Champions**

Ms. Shiramizu reported on the following:

#### **Issue No. 1, Morale:**

##### 1) Fun Committee Events:

- a) The Golf Tournament was held on August 15<sup>th</sup> at the Puakea Golf Course. It was a fun filled day with golf in the morning and in the afternoon, lots of fun and festivities at the 19<sup>th</sup> hole . . . . .

Congratulations to Amy and Leland for teaming up to win the first place award (to the fifth place low net team) of a free round of golf each at the Puakea Golf Course! Congratulations to Emi and Dustin for teaming up to win the low net (fifth place award). . . . .

Mahalo to: Tommy for volunteering to chair the Golf Tournament and doing an excellent job!

Paul for bravely providing a left-handed driver to be abused by all. . . . .

Faith for providing a tent, just in case . . . . .

Bruce for securing our 19<sup>th</sup> hole site and starting the fire. . . . .

Keitsu and Keith Aoki for taking pictures on the course and helping with the ice . . . . .

Peggy for making the ono potato salad . . . . .

Everyone who participated and helped to make the day Fun !!!

- b) Next outing: To be determined at a later date

#### **Issue No. 2, Strong and Qualified Workforce:**

Updated September 9, 2009:

##### Recruitment

- 1) Engineering Drafting Technician III – Employee began work on September 1, 2009.
- 2) Waterworks Inspector I (for Special Projects Division and Engineering Division) – Interviews completed. Conditional job offers made and pre-employment exam results pending.
- 3) Pipefitter Helper – Interviews to be scheduled for late September 2009.

## Training

1. National Rural Water Association continues to provide free monthly training until September 2009.

## **Issue No. 3, Water Quality:**

1. Sample site work order for Kuamoo Rd. submitted in September, but no work yet. Operations requested a different site be selected. May go back to the Poliahu State Park site since they have constructed a new bathroom.
2. New sites chosen for routine sampling to replace sites that were hard to access or have been removed
3. Main break monitoring on hold, pending finalizing procedures and follow up between both the Lab and Operations. In the meantime, Peggy is informally checking on mainline breaks.
4. New Issue #3 champion or co-champion should be from Operations.
5. Decided to go with Triggered Monitoring Plan for the new GWR.
6. Sampling sources to see if any will present problems with fecal indicators if triggered monitoring is required. So far only Garlinghouse Tunnel seems to be problematic.
7. Kalaheo, Lawai/Omao and Koloa have to be one system under the GWR. We propose to call it Kalaheo/Koloa System #435. The proposed system has been submitted to SDWB. We are awaiting approval.

## PROJECTS UNDER DESIGN:

- 1) Job 02-03, KW-14, KW-15, 12" Waterline along Kaunualii Highway and Waimea Canyon Drive (Consultant: Park Engineering)
  - a. Bid opening held on August 27, 2009.
  - b. The apparent low bidder is Koga Engineering & Construction.
- 2) Job 04-06, KW-05, KW-20, Waimea Well A and Kekaha Well B Renovations (Consultant: Engineering Solutions) – Completed the final plans and specifications.
- 3) Job 04-04, PLH-09, Pipeline Replacement for Lihue Town (Consultant: Akinaka & Associates)
  - a. Town meeting for affected residents and businesses held on August 24, 2009.
  - b. Contractor, Cushnie Construction, preparing to start work.
- 4) Job 03-02, HW-03, (Phase II), Wainiha Booster and Haena Tank Renovations (Consultant: Brown & Caldwell) – Consultant preparing the revised plans and specifications to address the DOW's review comments.
- 5) Job 05-01, KW-16, KW-23, Waimea Town Waterline (Consultant: Hawaii Pacific Engineers)
  - a. Opened bids on August 6, 2009. Construction contract awarded to Goodfellow Bros.
  - b. Issued the Notice to Proceed on August 14, 2009.
- 6) Job 02-18 WK-32 Phase II, Kaehulua Road Waterline (Consultant: Fukunaga & Associates) – Received Board approval and additional funding to proceed with the Phase II design.
- 7) Job 04-02, WK-14 Phase II, Apopo Road Waterline (Consultant: Fukunaga & Associates) – Received Board approval and additional funding to proceed with the Phase II design.

- 8) Job No. KW-28 Amfac Shaft (Consultant: Brown & Caldwell)
  - a. Refer to the Board Report for Affordable Housing Projects – Summary Status for August 2009.
- 9) Job 02-06, WKK-15 Kilauea Tank #2 (Consultant: Kodani & Associates) – Negotiating with landowners of the proposed tank site.
- 10) Job 05-02, H-8 Drill and Test Hanalei Well #2 (Consultant: Kodani & Associates) – Negotiating with landowners of the proposed well site.
- 11) Job 05-02, HW-12 Drill and Test Wainiha Well #4 (Consultant: Kodani & Associates) – Consultant preparing the Environmental Assessment.
- 12) Job 02-14, WK-08, Kapahi (Ornellas) Tank (Consultant: Belt Collins)
  - a. Refer to the Board Report for Affordable Housing Projects – Summary Status for August 2009.
- 13) Job WK-39 Kapaa Homesteads Well #4 (Consultant: Hawaii Pacific Engineers)
  - a. Refer to the Board Report for Affordable Housing Projects – Summary Status for August 2009.
- 14) Job No. 02-24, WK-02 Renovate Akulikuli Tunnel, Phase 2 (Consultant: SSFM International)
  - a. Refer to the Board Report for Affordable Housing Projects – Summary Status for August 2009.

PROJECTS UNDER CONSTRUCTION:

- 1) Job A-11, Anahola Well 3 (Consultant: Akinaka and Associates) (Contractor: TOMCO) – Project 89% complete.
- 2) Job 05-03, KW-25, 03-03, KW-24, Kapilimao 0.5MG Tank and 03-03 Generator Shelter (Consultants: Brown and Caldwell, Kodani & Associates)(Contractor: Kauai Builders)
  - a. Refer to the Board Report for Affordable Housing Projects – Summary Status for August 2009.
- 3) Job 02-14, WK-09, 03-03, WK-15, Kapaa Homesteads 0.5 MG Tank and Makaleha Generator Shelter (Consultants: Belt Collins, Kodani & Associates, Contractor: Kauai Builders)
  - a. Refer to the Board Report for Affordable Housing Projects – Summary Status for August 2009.
- 4) Job WK-42 Phase I, 1 MG Stable Tank and Control Valves (Consultant: Tom Nance Water Resource Engineering, Contractor: Kauai Builders) – Project is 48% complete.
- 5) Job WK-42 Phase II, Kaapuni Road Waterline for Stable Tank (Consultant: Hawaii Pacific Engineers, Contractor: Earthworks Pacific, Inc.) – Project is 67% complete.
- 6) Job 02-18, WK-32, 04-02, WK-14, Phase I, Kaehulua & Apopo Roads Waterlines (Consultant: Fukunaga & Associates, Contractor: Earthworks Pacific, Inc.) – Project is 76% complete.

- 7) Job 97-10, WKK-14 Kilauea Booster Pump Station (Consultant: Austin Tsutsumi, Contractor: Oceanic Companies) – Project is 96% complete.
- 8) Job No. 05-04, KW-27, 12-Inch Waterline along Kaumualii Highway, Elepaio Road to Huakai Road, Kekaha (Consultant: Fukunaga & Associates, Contractor: Earthworks Pacific) – Project is 47% complete.
- 9) Job No. 05-07, K-07, Waha, Wawae, and Niho Road Main Replacement, Kalaheo (Consultant: Akinaka & Associates, Contractor: Koga Engineering & Construction, Inc.) – Project is 63% complete.
- 10) Job No. 02-05, HE-10A & PLH-41 12-Inch Waterline along Ulaula & Uliuli Roads, Eleele and 8-Inch Pressure Reducing Valve, 400 GPM Booster Pump & 6” Connecting Main, Nawiliwili (Consultant: Kodani & Associates, Contractor: Earthworks Pacific) – Project is 98% complete.

#### **Issue No. 4, Workplace Efficiencies:**

##### Ongoing:

- a) For the AMR Program, installation of all meters is completed; however, the consultant (PMI) still working on repairing broken installations, which are under warranty.
- b) Jeff Mendez continues to work to broaden our information base for our Geographic Information System.
  - 1) Our new engineer, Heath Prow, and Jeff Mendez recently flew to O’ahu and visited the Honolulu Board of Water Supply’s GIS team, Hydraulic Modeling team and the staff in charge of electronically filing and managing the construction plans and maps. Their operations crew also gave them a field demonstration of the GIS. Overall the visit was to see how they set up their system, how well it works and what problems they’ve encountered. This information along with other information gathered from other Water Departments, applicable county agencies, private companies, etc. will be used to formulate a plan to move the Kaua’i DOW into the future of computerization.

##### Upcoming:

- a) The Issue Champions Committee requested to work on the implementation of the DOW Contract Management System to monitor progress of the DOW’s contracts.
  - 1) Project engineers still need to update the status of their projects
  - 2) Clerical training will to also assist with updating the projects on the program will be done soon.
  - 2) Trial period to implement DOW Contract Management System will be July 1, 2009 to December 31, 2009.
  - 3) Once system works, documentation of the process would be included in the DOW’s work process manual.
- b) Envision a department-wide work process manual to be compiled with documentation of any type of divisional work processes to assist with succession planning and to better internal and external customer service
  - 1) Processes need to be reviewed and updated.
  - 2) Will be documented using Microsoft Visio software.
  - 3) Will setup internal meetings.

- c) The Issue Champions Committee requested the DOW employee's vacation/sick leave status into a computerized monthly statement, which will eventually be issued as part of the computerized payroll module.

**Issue No. 5, Accountability:**

- a) While cell phone policy was re-routed to issue champions for finalization, more concerns arose; further review needed.
- b) Manager Craddick has volunteered to be a co-champion for Issue No. 5

*At a previous Issue Champions meeting, it was suggested that the opportunity to participate as an Issue Champion should be shared with other employees for renewed energy. It was also suggested to have each division head look for volunteers from their division and if none, they should designate a minimum of one person to serve as an issue champion. Each division needs to be represented.*

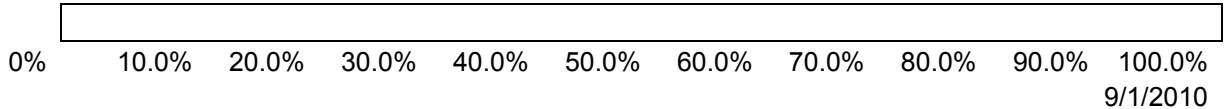
**Re: Affordable Housing Projects – Summary Status September 2009**

This report is a summary of progress on the Affordable Housing Projects.

**Job No. 05-03, KW-25, Kapilimao 0.5 million gallon tank:**

- A. Issued notice to proceed for September 14, 2009.
- B. Processing construction management consultant.

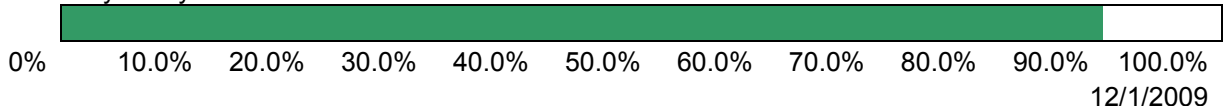
Construction



**Job No. KW-28, Amfac Shaft:**

- A. Department of Water's operations making shaft cover and installing over the shaft. Anticipate 1 month to complete this work.
- B. Issuing change order to seal the access tunnel at the shaft.

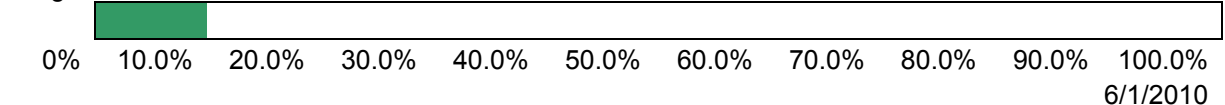
Feasibility Study



**Job No. 02-14, WK-08, Kapahi 1.0 million gallon tank:**

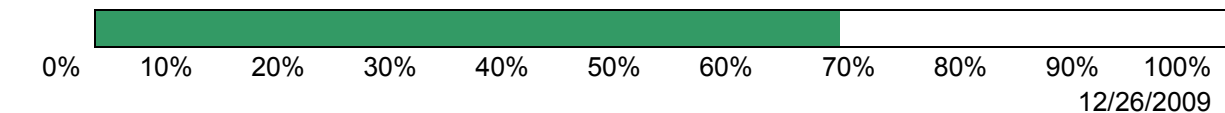
- A. Proceeding with the trapezoidal tank at the existing Ornellas Tank site. EA being prepared.

Design



**Job No. 02-14, WK-09, Kapaa Homesteads 0.5 million gallon tank:**

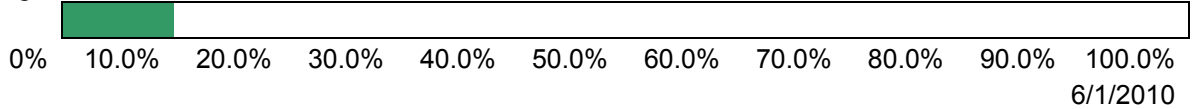
- A. Under construction.



**Job No. WK-39, Kapaa Homestead Well #4:**

A. Proceeding with locating the well at the existing Ornellas Tank site. EA being prepared.

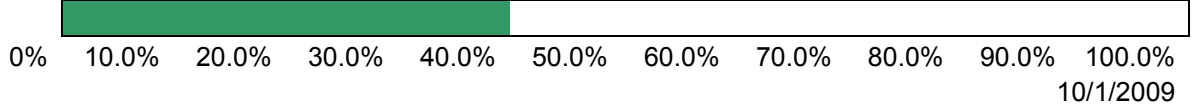
Design



**Job No. 02-24, WK-02, Akulikuli Tunnel:**

A. SSFM, project consultants requested to terminate the contract since the pre-design work will be at least a year from now.

B. Awaiting title report to verify existence of waterline easement to access water sampling tap.



Mr. Nishimura moved to receive the Issue Champions Report and Affordable Housing Projects Report placed on file and that the Strategic Plan Updates be reported quarterly instead of monthly, seconded by Mr. Costa.

On query by Mr. D. Fujimoto, Manager Craddick stated that he wanted to re-focus the Board and staff on benchmarking performance indicators (as per AWWA Benchmarking Performance Indicators) vs. the Strategic Plan as he felt that the end result would be the same. He has tasked the performance indicators with the division heads, our Public Relations Specialist and our Human Resources Coordinator and annually a report would be made with the results of the performance indicators and its projections.

In response and to allay Mr. D. Fujimoto’s concerns, Mr. Nishimura stated that this reporting would not be abandoned but done on a quarterly basis as staff has already made some progress in their various assigned areas; therefore, a quarterly report would free some of the staff’s time with other department efforts.

By a unanimous vote, motion was carried.

**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:** Regular Meeting: July 16, 2009

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-2009-10 (9-17-09), 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 Manager's Report No. 10-15, Agreement to Sell and Purchase the Yamada Water Tank Site, TMK: 2-4-03:007, Kalaheo, 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.

Mr. Costa moved to go into Executive Session at about 12:35 p.m. to only approve the Executive Session Minutes, seconded by Mr. Crowell.

Mr. Costa read the Executive Session notice as stated above. There was no Board discussion and no public testimony. By unanimous vote, motion was carried. *Staff was excused from the meeting.*

The Regular Meeting reconvened at 12:42 p.m.

Mr. Crowell moved to defer action on Executive Session Agenda Item ES-2007 and it was noted that ES-2009-10 was received for the record, seconded by Mr. D. Fujimoto; by a unanimous vote, motion was carried.

**ADJOURNMENT:**

There being no further business, the meeting was duly adjourned at about 12:44 p.m.

Respectfully submitted,

Rona Miura, Secretary

APPROVED:

David R. Craddick, P.E.  
Manager and Chief Engineer

rm