

MINUTES
BOARD OF WATER SUPPLY
Thursday, November 16, 2023

The Board of Water Supply, County of Kaua'i, met in a regular meeting in Līhu'e on Thursday, November 16, 2023. Vice-Chair Simonton called the meeting to order at 9:32 a.m. The following Board members were present:

BOARD:

Ms. Julie Simonton, *Vice Chair*
Mr. Tom Shigemoto
Ms. Micah Finnila
Mr. Larry Dill

EXCUSED:

Mr. Kurt Akamine, *Chair*
Mr. Ka'aina Hull
Mr. Troy Tanigawa

Quorum was achieved with 4 members present at Roll Call.

ANNOUNCEMENTS

Next Scheduled Meeting: Thursday, December 21, 2023

APPROVAL OF AGENDA

The agenda was approved as amended to move Old Business after Staff Reports

MEETING MINUTES

1. Regular Board Meeting – October 19, 2023
2. Executive Session – October 19, 2023

The meeting minutes were approved with no objections.

PUBLIC TESTIMONY

Public testimony was received from Council member Felicia Cowden regarding Correspondence Item 2. She explained that Council Resolution No. 2023-63, which did not pass, requested a Charter amendment to require that the Board of Water Supply have at least one appointed member with a strong knowledge of Hawaiian Homes. She noted that the pushback against Board member Micah Finnila's appointment had nothing to do with her as an individual but was due to the community outcry for the lack of addressing Hawaiian Homes. The Resolution that was recently presented proposed that at least one member of the Board of Water Supply has knowledge and awareness of environmental and Hawaiian cultural concerns, a person with knowledge of development, and a person with a knowledge of business to ensure diversity. She added that they determined it needed to be ensured that all board members have strong training and understanding of all the water laws relating to the Department of Hawaiian Homelands and the Hawaiian Commission Act's obligation to provide water to Hawaiian development. Ms. Cowden stated that another resolution will be coming forward, which will not be a proposed Charter amendment, but a request of the Office of Boards and Commissions to ensure everyone is trained. She added that no disrespect is directed to any of the current board members and that Council just wants to be responsive to the community and to be there for Hawaiian Homes.

CORRESPONDENCE

1. Letter from the Office of the County Clerk dated October 23, 2023, re: Resolution No. 2023-64, Draft 1 Recommending the Kauai Board of Water Supply Amend Rules and Regulations to allow Rainwater Catchment Systems on Agricultural Properties.

2. Letter from County Council Chair Mel Rapozo dated October 23, 2023, re: Request for Input on Resolution No. 2023-63 Proposing a Charter Amendment Relating to the Board of Water Supply Organization.
3. Letter from Board of Water Supply Chair Kurt Akamine to County Council Chair Rapozo dated October 30, 2023, re: Request for Input on Resolution No. 2023-63 Proposing a Charter Amendment Relating to the Board of Water Supply Organization.

OLD BUSINESS (moved to follow Staff Reports)

1. Discussion and Possible Action on Manager's Annual Evaluation timeline, process, and criteria (*Deferred from October 19, 2023 meeting*)

NEW BUSINESS

1. Manager's Report No. 24-05 Discussion and Possible Action on Additional Funds for Job No. 17-10 Paua Valley Tank No. 1 Rehabilitation

Engineering Division Head Jason Kagimoto provided a summary of the Manager's Report submitted.

Board member Dill moved to approve Manager's Report No. 24-05, seconded by Mr. Shigemoto; with no objections, motion carried with 4 Ayes.

2. Election of Board Chair and Vice-Chair, and committee appointments for 2024

Board member Finnila moved to elect Tom Shigemoto as Chair, Julie Simonton as Vice-Chair, and Kurt Akamine as Secretary, seconded by Mr. Dill; with no objections, motion carried with 4 Ayes.

3. Proposed Board meeting calendar for 2024

Board member Dill moved to approve the Board meeting calendar for 2024 with the February date moved back to the 3rd Thursday, seconded by Mr. Shigemoto; with no objections, motion carried with 4 Ayes.

STAFF REPORTS

1. Fiscal:
 - a. Monthly dashboard
 - b. Budget Report for October 2023
 - c. Quarterly BAB Statement

Waterworks Controller Renee Yadao provided a summary of the dashboard, budget report, and Quarterly BAB statement. Board member Dill asked if she feels the overtime will continue at this pace now that Fiscal is fully staffed. Ms. Yadao explained that they are in the peak of audit season which will run through the end of December. Additionally, the department received about 1,500 transponder units, with another 1,100 expected to arrive in the next week or so. Because internal staff is being utilized to replace those transponders to address the huge backlog, overtime costs will likely increase temporarily.

Manager Tait shared Mr. Dill's concerns and expects that the overtime hours should return to normal now that Fiscal is fully staffed, and there should be an eventual stabilization.

Vice-Chair Simonton stated that if a customer has been receiving estimated bills, once they get a transponder there will potentially be an adjustment to their bill; will the department offer a payment plan to accommodate those customers? Ms. Yadao stated yes, payment plans are

offered. She added that they try their best to communicate with customers, and Jonell Kaohelauii has done an excellent job with our pamphlets which have been of great assistance to the customer service representatives at the window. Additionally, our meter mechanics hand those pamphlets out when they are out in the field.

2. Operations – Monthly dashboard

Chief of Operations Ryan Smith provided a summary of the Operations dashboard submitted, noting that there was a significant leak in Anini which resulted in approximately 2 million gallons lost. The leak investigators were able to locate the leak, which was a big job to repair as it was not an easy location to work on. In response to Mr. Dill, Mr. Smith stated that this is water that we purchase from Princeville, and they were kind enough to call DOW to report excess usage. Mr. Dill noted that he recalls a threshold or cap in that agreement and asked if that number could be provided. Mr. Smith reported that they hired a new Plant Electrician Helper, are still recruiting for Electronics Tradesperson, and just had an interview for Pipefitter Helper.

3. Engineering – Monthly dashboard

Engineering Division Head Jason Kagimoto provided a summary of the Engineering dashboard submitted. Based on Mr. Dill's comments at a previous meeting regarding taking advantage of the funds available for training and education, Mr. Kagimoto reported that Engineering has had a number of staff attend a variety of conferences recently, and the investment in the team has been paying off with improvements in morale, learning and team unity. He pointed out the gap between budgeted and actual overtime which is a continuing result of their staffing shortages. They were able to recently hire a Civil Engineer I under Water Resources and Planning which will be reflected on next month's dashboard.

CIP Projects highlights:

- DOH DWSRF Pro-Fi Loan – The resolution was approved by the Board and will take roughly 2-3 months to be executed
- Kalāheo Water System Improvement – Site visit update: retaining wall being built, pipeline is being installed, and tree clearing is on-going for the new Clearwell tank
- Weke, Anae, Mahimahi and He'e Road Main Replacement – final review has been received by Public Works, so the consultant is working on an update
- Kīlauea 1.0 MG Tank – updating EA and design work for permitting; intent is to bid out early in FY 2025
- Hā'ena 0.2 MG Tank – updating EA and design work for permitting; intent is to bid out early in FY 2025

Water Resources and Planning Project highlights:

- KWUDP Update – working with consultant to present updates to the CWRM Board at their December meeting
- WSIP – long range plan is on-going; will be amending the contract to include a rate study and adding a project list
- LCRR Update – deadlines are coming up in October 2025. Public Notices are being sent out for site visits for services laterals that do not have records of its materials. That work is scheduled to start mid-January with two consultant field teams supported by a member of the department and will be a 4-to-5-week effort for field investigations.

Vice-Chair Simonton asked how many laterals contain materials that have not been identified to which Mr. Kagimoto stated roughly 14,000; however, that number includes materials unknown on both the customer and utility side, the majority of which are on the customer side. The statistical analysis approach that DOH has approved, and which other States have also been approved for will consist of verifying that a certain percentage of laterals are non-lead, which

raises the confidence of the remaining laterals being non-lead. This method reduces the numbers of laterals needing to be verified to about 1,500. Mr. Kagimoto credited the Engineering staff and the collaborative work between the different sections, and though they are understaffed, there has been a lot of willingness by staff to help one another out.

Mr. Dill asked if lead is found on the customer side, what would be DOW's response. Mr. Kagimoto explained that there will be an identified plan to notify the customer within a set time based on established triggers. There have been discussions to determine whose responsibility it would be to replace the laterals, but the direction from the EPA seems to lean toward the utility taking care of it. They will cross that bridge if it happens, noting that other states have been the ones to do the replacement with some financial support from DOH. Mr. Dill asked for continued updates.

Mr. Shigemoto asked if the lines are actually lead, or just the connections. Mr. Kagimoto stated that his understanding is that in addition to lead lines, there were other material lines that were lined with lead, lead fittings or lead solder. Mr. Shigemoto asked if DOW is budgeted to do any of those replacements should they be required to which Mr. Kagimoto stated we are not currently budgeted for that, but the biggest effort currently is to submit the material inventories by October 2024; follow up plans will be discussed after that.

Board member Finnila commented on the comments Mr. Kagimoto made about training, learning, and team morale, which she greatly appreciates hearing and hopes he continues to bring those highlights to the Board. To expand on that, Mr. Kagimoto noted that 3 staff members attended the Hawaii Waterworks Association Conference in Kona, he and Project Management Officer Scott Suga attended the Design Build Institute of America conference in Maryland, and 2 staff from the microlab attended the Water Quality Technology Conference in Texas, all of which offered specialized workshops and talks. Moving forward, he would like to continue investing in the team and confirming their value to the team.

4. Administration:
 - a. Monthly dashboard

Regarding the Fiscal Division, Manager Tait explained that though they show they are fully staffed, they are not yet stabilized as some fiscal staff members have moved or will be moving to other areas of the department as vacancies occur. Operations vacancies have come down a bit, but Engineering remains the biggest challenge. Overtime will likely continue at that level until we get staffed. In addition to being understaffed, the Administration Division has been asked to provide more documents, data and attendance at Council which requires staff to spend a lot of time away from their normal daily tasks.

- b. Public Relations – updates on Public Notices & Announcements, Community Outreach & Education, and Upcoming Events

Information and Education Specialist Jonell Kaohelaulii provided a summary of the PR report submitted. She noted that DOW is a 3-time recipient of the EPA Water Sense National Award, highlighting the achievements that allowed them to stand out from other organizations:

- Fix-A-Leak Week Campaign – Exceeded their outreach goal by 45%, reaching more than 1,000 households during that period. Expansion of their social media promotion of the Water Sense label and water conservation through detection. Tanaka Hardware and Hawaii Public Housing Authority were instrumental in their success; HPHA tenants do not receive a water bill so they do not get to see the impact of their water use, and this effort provided those tenants with information on conservation, the importance of checking their house for leaks and how to do so.

- Make-A-Splash – Efforts were expanded to include classroom presentations in addition to the Annual Festival event

Ms. Kaohelaulii stated it is an honor to represent the department at all of our community events and expressed her gratitude to the Board for their support.

Ms. Kaohelaulii highlighted DOW’s new Water Emergency Preparedness Awareness campaign that was started in late May and will be held throughout the hurricane season as a reminder to be prepared with water storage. Collapsible water storage bags were distributed at a total of 11 distribution events and successfully handed out 200 water jugs. 1,000 water storage jugs were also donated to the Maui Department of Water Supply to support their recovery efforts. A total of 1,968 water jugs were distributed throughout our communities while reserving a small amount for DOW staff and education presentations.

Manager Tait announced that PR has also recently hired a Public Information Specialist to assist Jonell.

- c. Human Resources – updates on Personnel Vacancies
- d. Information Technology – Monthly update

5. Manager and Chief Engineer – Required communications to the Board, and update of Department activities

Manager Tait noted that he attended the Governor’s Affordable Housing Committee meeting. Hawaii Island had requested 19 new positions under this proclamation, and they were 100% approved for all 19 positions to utilize in various capacities to promote and progress the implementation of affordable housing. DOW and COK are meeting early next month to discuss a similar process of permitting, noting DOW has an immediate need for positions in Engineering. There may be a request forthcoming for the Board’s approval to request those positions from the Governor’s Committee.

Mr. Dill asked to clarify that the request would be for positions at DOW to which Mr. Tait stated that it could be, or they could go in with COK depending on the needs. These positions are State funded, and though they are not permanent it would be a short-cut to obtain staff, which our Engineering division needs.

Vice-Chair Simonton asked how soon those 19 positions will be filled, noting that even though the process is short-circuited, there are not many bodies available.

Mr. Shigemoto asked if the DLNR, the Attorney General’s Office, and other State agencies, noting that he serves as President of the Kauai Housing Development Corp. and they have numerous projects that are stuck at that State level. He thanked Mr. Tait and the other Kauai County agencies for being so responsive at the County level.

OLD BUSINESS

2. Discussion and Possible Action on Manager’s Annual Evaluation timeline, process, and criteria (*Deferred from October 19, 2023 meeting*)

Board member Micah Finnila provided a PowerPoint presentation that included an overview of the previous evaluation process utilizing the criteria and forms provided by COK Department of Human Resources. She highlighted the recommendations made by the Society for Human Resource Managers, which is a company called Joyax Associates, and provided examples of

ways they could use this tool. Ms. Finnila provided her recommendations and proposed template for how the Board could potentially conduct the Manager's Evaluation moving forward. (Presentation on file)

Mr. Shigemoto stated this is an excellent start and is much more comprehensive than the method the Board was using. Vice-Chair Simonton stated the review of the Manager is something that the Board has kicked around a lot, but generally just default to the COK DHR process. The Board also discussed potentially forming a Permitted Interaction Group to discuss this more. Ms. Simonton asked if the Board would feel it was appropriate for Micah, having the most experience and background in HR, to come up with her proposed recommendation for an evaluation process, which the Board can discuss and adjust as necessary so this can continue to move forward.

The meeting recessed at 10:55 a.m.

The meeting reconvened at 10:58 a.m.

Vice-Chair Simonton requested that this item be deferred to the December meeting in order to establish a Permitted Interaction Group when we have the full complement of Board members present to see who would like to participate. She does not want to make those assignments without the rest of the Board members present.

Board member Dill moved to defer Old Business Item 1. To the December 21, 2023 meeting, seconded by Ms. Finnila; with no objections, motion carried with 4 Ayes.

TOPICS FOR NEXT BOARD OF WATER SUPPLY MEETING:

TOPICS FOR FUTURE BOARD OF WATER SUPPLY MEETING

1. CIP Update

EXECUTIVE SESSION:

Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Board 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 HRS §92-4 and shall be limited to those items described in HRS §92-5(a).

Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(3), and 92-5(a)(4), the purpose of this Executive Session is to deliberate on the acquisition of public property, specifically, property identified by tax map key: 4-3-018-001 and for the Board to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities as they relate to this agenda item.

The Board entered into Executive Session at 11:05 a.m.

The Board resumed in open session at 11:55 a.m.

In accordance with Act 19 Relating to Public Agency Meetings, Vice-Chair Simonton reported that the Board was provided updates on the Department's current IT challenges, anticipate additional updates as needed, and that a schedule of cyber security training will be provided to

the Board. No action was taken in Executive Session.

ADJOURNMENT

The meeting was adjourned at 11:57 a.m.

Respectfully submitted,

Cherisse Zaima

Cherisse Zaima
Commission Support Clerk