

MINUTES
BOARD OF WATER SUPPLY
Thursday, June 20, 2024

The Board of Water Supply, County of Kaua'i, met in a regular meeting in Lihu'e on Thursday, June 20, 2024. Chair Tom Shigemoto called the meeting to order at 9:35 a.m. The following Board members were present:

BOARD:

Mr. Tom Shigemoto, *Chair*
Ms. Julie Simonton, *Vice Chair*
Mr. Kurt Akamine
Mr. Ka'aina Hull
Ms. Micah Finnila
Mr. Troy Tanigawa

EXCUSED:

Mr. Larry Dill

Quorum was achieved with 6 members present at Roll Call.

ANNOUNCEMENTS

Next Scheduled Board Meeting: Thursday, July 18, 2024 – 9:30 a.m.

APPROVAL OF AGENDA

The Agenda was approved with no objections.

MEETING MINUTES

1. Regular Board Meeting – May 16, 2024
2. Executive Session – May 16, 2024

The meeting minutes were approved with no objections.

PUBLIC TESTIMONY

None received.

COMMITTEE REPORTS

1. Report of the Finance Committee of the Board of Water Supply, County of Kauai Draft Budget for Fiscal Year 2024-2025

The Committee Report of the Finance Committee was received for the record.

OLD BUSINESS

1. *Manager's Report No. 24-18* Discussion and Possible Action of the Department of Water's (DOW) Draft Annual Operating and Capital Budget for Fiscal Year 2025

Board member Akamine moved to accept the recommendations of the Finance Committee to approve the Department of Water's Annual Operating Capital Budget for Fiscal Year 2025, seconded by Ms. Simonton; with no objections, motion carried with 6 Ayes.

NEW BUSINESS

1. *Manager's Report No. 24-28* Discussion and Possible Action to Approve a Right of Entry Agreement from Grove Farm Properties, Inc., Ahukini Makai Subdivision, TMK (4) 3-7-002:001

Board member Akamine moved to approve Manager's Report No. 24-28, seconded by Mr.

Tanigawa; with no objections, motion carried with 6 Ayes.

2. Manager's Report No. 24-29 Discussion and Possible Action to Approve a Conveyance of Water Facilities from Grove Farm Properties, Inc., Waiola Subdivision Phase I (S-2009-13), TMK (4) 3-3-021:088 thru (4) 3-3-021:095; Līhu'e, Kaua'i, Hawai'i

Board member Simonton moved to approve Manager's Report No. 24-29, seconded by Mr. Akamine; with no objections, motion carried with 6 Ayes.

3. Manager's Report No. 24-30 Discussion and Possible Action to Approve a Grant of Easement Agreement from Grove Farm Properties, Inc., Waiola Subdivision Phase I (S-2009-13), TMK (4) 3-3-021:088 thru (4) 3-3-021:095, TMK (4) 3-3-021:119 and TMK (4) 3-3-021:048(por.)

Board member Akamine moved to approve Manager's Report No. 24-30, seconded by Ms. Simonton; with no objections, motion carried with 6 Ayes.

4. Manager's Report No. 24-31 Discussion and Possible Action to reappropriate certain budget line items to another line-item budget for the purpose of furnishing and delivery of hydrants, appurtenances and various drinking water pipe repair and maintenance fittings.

Board member Akamine moved to approve the Manager's Report No. 24-31, seconded by Ms.

Simonton; with no objections, motion carried with 6 Ayes.

5. Manager's Report No. 24-32 Discussion and Possible action to Approve Indemnification Provisions Included in Innovyze Software Maintenance and Support Agreement

Board member Simonton moved to approve Manager's Report No. 24-32, seconded by Mr. Tanigawa; with no objections, motion carried with 6 Ayes.

6. Manager's Report No 24-33 Discussion and Possible Action on Approving Certain Unspecified Future Obligations and Indemnification Provisions Included in PaperCut's Purchase Agreement

Board member Akamine moved to approve the Manager's Report No. 24-33, seconded by Ms. Simonton; with no objections, motion carried with 6 Ayes.

STAFF REPORTS

1. Fiscal:
 - a. Monthly dashboard
 - b. Budget Report for May 2024
2. Operations – Monthly dashboard
3. Engineering – Monthly dashboard
4. Administration:
 - a. Monthly dashboard
 - b. Public Relations – updates on Public Notices & Announcements, Community Outreach & Education, and Upcoming Events
 - 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

Chair Shigemoto requested to forego the formal presentations of the staff reports.

TOPICS FOR NEXT BOARD OF WATER SUPPLY MEETING: (July)

TOPICS FOR FUTURE BOARD OF WATER SUPPLY MEETING:

1. Water Systems Investment Plan presentation
2. Kauai Water Use and Development Plan Review

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).

1. Pursuant to HRS 92-4 and 92-5(a)(4) to provide a briefing and request authority for a possible settlement proposal in a claim filed by John Mullen & Co. c/o DB Insurance Co. Ltd.
2. Pursuant to Hawai'i Revised Statutes § 92-4 and § 92-5(a)(6) to consider sensitive matters related to public safety or security.

Board member Simonton moved to enter into executive session with Manager Joe Tait, Deputy Manager Michael Hinazumi, Deputy County Attorney, and Deputy Chris Donahoe invited as resources, seconded by Mr. Akamine; with no objections, motion carried with 6 Ayes.

The Board entered into executive session at 9:52 a.m.

The Board resumed in open session at 10:25 a.m.

Chair Shigemoto reported that The Board has concluded its executive session for Items 1. And 2. Which involved discussion and/or final action for the purpose stated on the agenda for the particular items. Pursuant to HRS 92-4(b), the disclosure of the discussion and/or final action would defeat the purpose of convening the executive meeting which was held pursuant to HRS 92-5(a)(4) and 92-5(a)(6).

Board member Akamine moved to ratify actions taken in executive session, seconded by Ms. Simonton; with no objections, motion carried with 6 Ayes.

ADJOURNMENT

The meeting was adjourned at 10:27 a.m.

Respectfully submitted,

Cherisse Zaima

Cherisse Zaima
Commission Support Clerk