

BOARD OF WATER SUPPLY
County of Maui
Regular Meeting
Thursday, May 22, 2008
9:00 a.m.
Conference Room
Department of Planning
250 South High Street
Wailuku, HI 96793

I. CALL TO ORDER

Chair Lee Aldridge called the May 22, 2008 Board of Water Supply meeting to order at 9:05 a.m.

II. ATTENDANCE

Board Members:

Chair Lee Aldridge
Marion Haller
Michael Howden
Scott Luck
Kelli Myers
Ted Yamamura

Staff:

Jeffrey K. Eng, Director of Water Supply
Eric Yamashige, Deputy Director
Edward Kushi, Jr., Deputy Corporation Counsel
Herb Chang, staff engineer
Ellen Kraftsow, Water Resource & Planning Manager

Excused:

Vice Chair Carl Holmberg
Kui Lester
Phyllis Robinson

Others:

Madelyn D'Enbeau, Deputy Corporation Counsel
Paul Mancini, Attorney for the Appellant, Dawn Silva
James Giroux, Deputy Corporation Counsel

III. ANNOUNCEMENTS

At this time Chair Aldridge read a Thank You card from past Board member Kenneth Okamura who ended his 5-year term on March 31, 2008. Mr. Okamura thanked the Board members for their work and concern for the people of Maui and wished them the best in their continuing effort to improve Maui's water systems.

A. Introduction of New Engineering Program Manager, Herb Chang

Mr. Chang was not in attendance at this time.

Director Eng announced that Herb Chang has been promoted to Engineering Program Manager. The Director stated that Mr. Chang assumed the job on May 1st and has "hit

the ground sprinting” with some great plans to lead the Engineering Division in a new and good direction.

IV. APPROVAL OF MINUTES

A. Minutes of March 27, 2008

Member Howden stated that on page 5, 5th paragraph, 4th line, the word “employee” should be changed to “employees”.

Chair Aldridge also made a correction on page 6, 2nd paragraph, 3rd line, to change the word “convergence” to “convergent”.

Motion: By Member Howden to approve the minutes of April 24, 2008 with corrections.

Second: By Member Haller

Discussion: None.

Vote: Unanimous. Motion carried.

V. TESTIMONY FROM THE PUBLIC

A. None.

VI. APPEALS

A. Findings of Fact, Conclusions of Law, Decision and Order on Appeal 07-01, an appeal by Dawn Silva of the Director’s decision/order dated April 16, 2007, denying her request for a water meter for her property located at 937 Kokomo Road, tmk (2) 2-7-011-031.

For this matter, the board may convene in executive session pursuant to HRS §92-5(a)(4) in order to consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities.

At this time the Chair announced that the Board will go into closed session to continue deliberations and asked that everyone else leave the room. When the deliberations are over he will instruct the commission support clerk to call everyone back in.

Closed Deliberations.

When the Board resumed the meeting, Chair Aldridge read part of the Findings of Fact, Conclusions of Law, and Decision and Order on Appeal 07-01.

“Conclusions of Law. Based on the foregoing Findings of Fact, the Board hereby enters the following Conclusions of Law:

- 1. If it should later be determined that any of these Conclusions of Law should be properly deemed Findings of Fact, the Board so finds as to those facts.*
- 2. That in accordance with Chapter 14.11, MCC, the Board has jurisdiction over the subject matter and the parties to this appeal.*
- 3. That in accordance with Section 14.11.010, MCC, Appellant timely filed a notice of appeal of the Director’s decision as stated in the Appellee’s letter dated April 27, 2007.*
- 4. That the Chapter 106 Rule was duly enacted by the Board and approved by the Maui County Council and the Mayor.*
- 5. That the provisions of the Chapter 106 rule regarding published notice concerning the application of the 60 day grace period was legally adequate.*
- 6. That strictly applying the provisions of the Chapter 106 Rule to Applicant’s or Applicant’s predecessors actions or in this case non-action, the water meter request for Parcel 31 should clearly be placed on the Department’s Priority List.*
- 7. However, the strict application of the Chapter 106 Rule requirements to the Appellant’s situation, with knowledge of the prior investment and expectations of Appellant and Appellant’s predecessors, would cause an unfair and unreasonable harsh result.*
- 8. Appellee should have considered the significant and unique factors which led Appellant as well as Appellant’s predecessors to believe that there was a meter installed for Parcel 31, and accordingly, further led Appellant’s predecessors to believe that the requirements of the Chapter 106 Rule did not apply to Parcel 31.*
- 9. By not considering such factors and circumstances, Appellee’s decision and order as set forth in his April 27, 2007 letter to Appellee was clearly an unwarranted abuse of discretion.*
- 10. Any of the proposed conclusions of law submitted by the Appellant or the Appellee not already ruled upon by the Board by adoption herein, or rejected by clearly contrary Conclusions of Law herein, are hereby denied and rejected.*

Decision and Order. Based upon the Findings of Fact and Conclusions of Law, the Board hereby grants the appeal of Appellant, and reverses and modifies the Director’s decision as stated in his letter to Appellant dated April 27, 2007, and as set forth below.

It is therefore ordered:

1. *That the Appellant shall be permitted to apply for a water service and a water meter for Parcel 31 to the Department within 60 calendar days from the date this Decision and Order is served on Appellant.*
2. *Upon receipt of such application, the Department and Appellee shall treat and consider same as if such application was filed within the 60 day grace period as provided for under the Chapter 106 Rule.*
3. *Any and all other Departmental standards and/or requirements regarding meter installation and/or other related improvements or requirements not inconsistent with this Decision and Order shall apply.*

The Department or the Appellant may appeal this decision and order in accordance with Section 16-102-70 of the Rules of Practice and Procedure for the Maui County Board of Water Supply, and Section 91-14, Hawaii Revised Statutes.”

Chair Aldridge then signed and dated the original Findings of Fact, Conclusions of Law, Decision and Order for Appeal No. 07-01.

A copy was given to Paul Mancini, attorney for Dawn Silva, at this meeting. A copy was delivered to Deputy Corporation Counsel Madelyn D’Enbeau at her office after the meeting.

VI. UNFINISHED BUSINESS

A. None.

VII. OTHER BUSINESS

A. Discussion/possible action on a Recommendation for a Declaration of Drought for Upcountry

Director Eng stated that the Department has been monitoring the Upcountry situation very closely and over the recent weeks there has been an overall downward trend as far reservoir storage, even though every so often they would be “teased” by a little weekend rain.

The water report for Wednesday, May 21, 2008 shows a dramatic drop in the amount of storage from the 15th to the 21st. Though, he commended the Upcountry customers for doing a good job in trying to conserve.

The National Weather Service has models that give probabilities of any deviations to normal weather conditions going out to 12 months. They look at only the major population centers on each of the 4 major islands, Hilo, Kahului, Honolulu and Lihue. Over the next 5 months, June through October, they predict a 45% probability that precipitation will be below normal for Kahului.

Director Eng stated that they may want to consider at this time a declaration of a drought watch for Upcountry. He explained that a drought watch is basically a public notice requesting a voluntary 5% reduction in consumption.

Member Howden stated that he is confused because he is seeing different figures. According to the memorandum of agreement with HC&S, the county has access of up to 12 million gallons per day (mgd) from the Kamole Weir but the Water Resource Commission reports that Kamole Weir can produce up to 8 mgd with an additional 2.3 mgd by the year 2015. He stated that we are not getting firm figures on what the maximum production capacity is. The water is available but are we prepared to produce it?

Director Eng replied that even when everything is going well, Kamole Weir Treatment Plant at optimum production can produce only about 6 mgd. They can at times "push it" but as far as even approaching the EMI agreement of 12 mgd, that is not realistic at all.

In the Department's budget there is a proposal to redesign and replace the high-lift pumps and they are looking at high efficiency motors with variable speed and improving the flow and hydraulics into the plant. But to even see any high optimum improvement and production it would require a number of these projects to go forward over a number of years.

Member Howden asked if the Department is doing anything to increase source capacity at the Piiholo and Waikamoi reservoirs.

Director Eng replied that in the FY 09 budget they looking into large raw water storage for the Piiholo area and the Mayor has included this in her budget. The County Council is approving \$3.75 million for that and apparently the State legislature will also be approving a matching amount. They will be working with the Federal government for a share of \$7.5 million. At this time he believes we cannot do anything to increase our draw from the in-takes.

Member Haller stated that according to the daily water reports they get, the usage right now is actually quite reasonable which is around 7.5 or 7.6. Perhaps instead of asking people to reduce their usage by 5% the Department should tell people to stay where they are at 7.6 because that is reasonable as opposed to a 5% reduction.

Director Eng stated that though it is still early in the drought season, he wanted to ask the Board to declare a drought watch. If not at this meeting, then perhaps they could

discuss the other triggers and the Board could give its approval or advise the Department to go forward because a lot of things can happen between now and the next meeting. He said that the Board doesn't necessarily need to make a declaration now, but he would like to hear the members' thoughts on this.

Chair Aldridge stated that he believes we should give the users a choice and let them know that if we operate Pookela Well to supply additional water it's going to cost them more in electricity and it will show up in their bills. Maybe they would prefer that rather than cutting back, particularly the farmers when it comes to needing water for their crops.

If the drought continues and we have only Wailoa Ditch water available we are going to have to reduce total demand by almost 40% just to get 6 mgd out of Wailoa Ditch and then we would have to move that treated water through the entire system and asked if this is true.

Director Eng replied, yes, if the Upper and Lower Kula reservoirs are dry we are going to keep taking as much water from Wailoa Ditch as possible and Pookela Well will be going full on. Right now, for cost reasons the Department is trying to hold off as long as it can from pumping Pookela because we still have water at Wailoa Ditch and Piiholo Reservoir still has decent capacity. But every year is different and every day is different. The Department is constantly looking at where the water is, where water can be taken. Operationally, the Department is looking at the lowest cost of water.

Chair Aldridge stated that whatever the decision of the Board is or if there is no decision today, he would strongly recommend that the next time there is an announcement by the Department for a drought watch or warning for Upcountry, that we leverage that with information about what we are doing to try to improve the in-takes and sources and building reservoirs for support from the public for these facilities. People are getting tired of these water restrictions every summer.

Member Haller stated that she would like to say to this Administration and the County Council, that she will not support another recommendation for drought until they can come before this Board and tell her that they are going to build another reservoir or dig more wells.

Chair Aldridge agreed with Member Haller.

Member Yamamura stated that it is important to realize that the Department is at the mercy of the County Council for funding. He believes the Department needs support from the public and from the County Council. If the Department feels it's important enough to come before this Board and ask for a drought watch recommendation, then he is inclined to support that.

Motion: By Member Haller to support the Department's request to declare a drought watch in the Upcountry area with the condition that the County Council and Administration is to immediately and publicly address what specific measures are being taken and funds allocated to increase water source and storage capacity in the Upcountry area. The Board of Water Supply requests presentation of water source and storage development plans and budget that show timely improvement in this area at its next meeting and will not declare the next step in drought watch to warning process without addressing this urgent need.

Second: By Member Howden.

Discussion: Mr. Kushi asked for clarification on the actions to be taken once a drought watch is declared. He wanted to make it clear what "postpone all mainline tie-ins using Upcountry water for disinfection and flushing" means.

Director Eng stated that the Department will limit some things like new temporary meters. Mainline tie-ins generally refer to new water lines that are tied to an existing water main. He then asked Mr. Chang to clarify this.

Mr. Chang stated that postponement of mainline tie-ins using Upcountry water for disinfection and flushing applies mainly to construction projects. For instance, if a project is connecting a 6-inch water line to a live water main, it may require flushing the new main, wasting water. So they will stop that type of work.

Amended Motion: By Member Haller to support the Department of Water Supply's request to declare a drought watch in the Upcountry area, with exemption for agricultural users, with the condition that the County Council and Administration immediately and publicly address what specific measures are being taken and what funds have been allocated to increase water source and storage capacity in the Upcountry area. The Board also requests presentation of water source and storage development plans and budget that show timely improvements in this area at its next meeting, and will not declare the next step in the drought watch to warning process without addressing this urgent need.

Second: By Member Howden

Discussion: None.

Vote: Unanimous. Motion carried.

B. Discussion on Exploring Alternative Methods in Conducting Contested Case Hearings

At this time Deputy Corporation Counsel James Giroux discussed contested case hearings and the various methods of conducting them. Mr. Giroux is advisor to the Board of Variances and Appeals (BVA) and the Planning Commission.

Mr. Kushi handed out copies of Subchapter 4, Intervention and Contested Case, Subchapter 5, Contested Case Procedure and Subchapter 6, Post Hearing Procedures from the Board's Rules and Regulations.

Mr. Giroux stated that this Board's established rules are very similar to the BVA's and Planning Commission's rules. A lot of their work deals with contested case, where somebody's rights are being decided and there is a weighing of evidence, and then a decision and order. The decision and order is then appealable to the circuit court.

He will discuss how this Board can process these cases efficiently and effectively without going awry of their rules, due process and common law. Administrative law is very flexible and the judiciary has always given deference to administrative agencies because they have a better understanding than the judges on the type of issues that the board looks at every day.

The biggest point is that the Board will be reviewing the director's decision in his day to day operations of making administrative decisions on the executive side. The director will be looking at his rules, procedures and policies. Disputes between a private citizen and the government dealing with decisions of the Water Director will be resolve before this Board.

There may be situations where a subdivision might be involved and they may choose to go instead to the BVA and try to attack the decision based on the fact that it will prevent that person from getting a final subdivision. There is a thin line of where that jurisdiction lies and the Board may see some of these cases coming forward with motions dealing with jurisdiction. But it is safe to say that if it is a decision of the director it would be before this Board and if the issue of jurisdiction arises then the BVA would deal with it in a contested case.

Referring to Subchapter 5, Contested Case Procedures, he read, "these procedures may be modified or waived by the parties with the consent of a majority of the board or presiding officer as the case may be." When a case comes up there may be a situation where the party does not hire an attorney for whatever reason, in that case the Board can make a decision to proceed if all the parties are ready. The Board will have to get the consent of the director. At a minimum, both parties should give their position and allow cross-examinations. In the end, the Board will have to decide based on the its standards and then come up with a findings of fact and conclusions of law. This is the best case scenario. This is the most efficient, minimum amount of due process.

The "ugly" version is if the applicant's attorney notices in the Board's rules that there is a "plethora" of tools to use in establishing facts and procedures. This changes the nature

of the contested case. The Board may be asked to hold pre-hearing conferences or become inundated with requests for discovery which is a subpoena for documents, memos, and studies that may be in the possession of the government. Discovery is one of the biggest pre-hearing dilemmas that hearing officers or boards deal with.

In referring to section 106-102-44, Hearing Officer, Power, Mr. Giroux stated that it is the Board's decision on how to proceed as far as selecting a hearing officer, whether it should only be the chairperson to listen to the facts of the case, or two or more members to listen to the facts of the case, or the whole board to listen to the facts of the case. In some cases the hearing officer may become a judicial manager when a party to the appeal hire attorneys "whose only job is to produce paper." The hearing officer then goes from hearing the facts of the case to managing the case. He will have to sit down with the attorneys, determine what the issues are, what the issues of discovery are and whether that type of discovery would be allowed. When you start going down that path you don't want to convene your whole board to go to a pre-hearing meeting to set another pre-hearing meeting to go to a meeting. You may end up with 7 or 8 bankers boxes of letters to attorneys setting up meetings about discovery.

What they have found even when they hired retired judges or others experienced in conflict litigation as hearing officers, it still can become an administrative nightmare. The hearing officer will have to go through all the discovery paperwork, determine if it is relevant and make evidentiary decisions before they even get to the findings of facts or the hearing itself.

During the course of the hearing, the attorneys can make objections and now the hearing officer has to make a legal decision because in administrative law the rules of evidence are thrown out, except for relevance and privilege. The decision is based on what is relevant to the case or what kind of privilege is it, ie. absolute privilege, attorney-client privilege.

The contested case procedures can go from very simple to a very complicated 6 to 8 months of complex litigation. That's where the difficulty comes in. How much does the Board want to take on?

The Planning Commission and the BVA have gone all over the place in trying to manage their case loads. What they have seen is that people are becoming more and more litigious. Even in "pro se" (coming without an attorney) cases they are coming in very savvy in knowing the Board's procedures. That is why it is very important for this Board to understand their own rules because they still need to manage their "courtroom". As an adjudicatory board this Board will have to make all decisions about the case on what's on the record not what's outside the record. It is very critical for this Board is to preserve a record and a process for their decision that is supportable.

It is important that this Board understand that they have the wide flexibility in conducting these types of hearings within the parameters of Chapter 91 and Chapter 92 (HRS) by preserving due process, by preserving a record and balancing that with efficiency.

Another aspect of the Board's flexibility of their adjudicatory powers is that the Board will be exempt from certain portions of the Sunshine Law. If the Board chooses to have a hearing officer or 1 or 2 members hear the case then it is not a public hearing. So no agenda is required if they need to have 2 or 3 meetings back to back or do a special meeting. As long as both of the parties are given notice and given the ability to prepare then a hearing can be held.

If one member is appointed the task of hearing the case then the Board should make sure that that person is able to follow all the way through. In the end that person will be responsible for doing a report to the whole Board then the Board after reviewing the record can then make a decision about the final determination of the action.

Member Yamamura asked when the Board affirms the Director's decision, and an appeal is filed, who is the party, the Director or the Board or both?

Mr. Giroux replied that the Board is the first line of appellate review of the Director's decision. So if somebody appeals the Director's decision the parties are the appellant and the Director. Once the Board makes a decision it is then reviewed by the circuit court. The court will look at the Board's decision not the Director's action, whether or not the Board followed its procedures and whether the Board's decision is defensible under the record.

The issue of law can be reviewed by the circuit court in what is called "de novo". If the issue is purely a legal issue the appellate court would use the same standards that the circuit court would use.

Chair Aldridge asked, does it have to be by majority of the Board to decide if they want to appoint a specific hearing officer?

Mr. Giroux replied yes. Any action by the Board should be done by an affirmative vote of the majority.

Mr. Giroux suggested that one of the first issues that the Board needs to establish or clear up is how do the parties and the Board feel about where the case is going to go, simple or complex.

Chair Aldridge asked if you could have a different hearing officer for each case.

Mr. Giroux replied yes, you can. The county has a pool of attorneys and retired judges that the Department can pick from. There are about 8 to 12 attorneys on the list for hearing officers who are brought on by contract.

The Department will have to look at these new expenses and budget for hearing officers. Some of the hearing officer costs have been as high as \$10,000 for cases that have lasted over 6 months.

Member Haller wanted to know if the Board can ask an appellant what their intentions are and how they intend to proceed.

Mr. Giroux stated that is a fair question. The Board can ask the appellant what the complexity of the case is. And if they reply that they don't know then the Board should assume the worst case scenario. Without going into attorney-client privilege, there should be some candid discussion about how long the attorneys anticipate this case to take.

Mr. Kushi stated that the Board's rules allow for a sub-committee or panel and asked if this an option.

Mr. Giroux replied yes, that is an option too.

Member Luck stated that there are currently 5 more cases waiting possibly more after today and not knowing the background for each case he asked how does the Board go about determining the complexity of each before the parties come before the Board.

Mr. Giroux suggested the Board could hold a pre-hearing meeting by giving both parties notice to be present and ask for each parties' brief issues to get an idea of what the case is about. At that point you would have an appeal document which should state clearly what the issues are.

He cautioned that because this Board is quasi-adjudicatory the final decision has to be based on all the evidence on record. During a pre-hearing the Board should not get wrapped up in the merits of the case. Do not make any comments such as the case being frivolous, etc. because these types of comments will get on the record and taint and prejudice the outcome greatly. It then becomes a free trip to circuit court.

Member Haller asked if a pre-hearing could involve 2 or 3 members or does it have to be by the full Board and does it have to be a public meeting.

Mr. Giroux stated that the Board will be using their adjudicatory powers, deciding on the procedure. Then both parties have to be given notice of the pre-hearing and both parties have to be given a chance to speak.

Chair Aldridge asked if the Board could ask their corporation counsel to be the pre-hearing officer.

Mr. Giroux stated that he didn't know if that would be a good idea to drag the Board's attorney into this but rather it should maybe be taken on by the Board.

Chair Aldridge asked how would the Board go about hiring a professional hearing officer.

Mr. Giroux stated that he believes it would be in the Director's budget and the Department would do a request for contracts for hearing officers.

Member Luck stated that one of reasons he wanted to review the 5 pending cases was to be able to prioritize the cases based on what they are appealing.

Member Howden stated that the Board has to do it in terms of chronologic order. He also commented that the outside hearing officer for the East Maui water cases has consistently favored the status quo and has been very reluctant to resolve issues of clear conflict of interest. It would be better if the Board appointed 1 or 2 members, ie. the chair and/or vice chair and 1 or 2 members assisted by corporation counsel for pre-hearings and to make recommendations.

Mr. Giroux stated that the important thing to remember is that the Board will be the ultimate authority. What the hearing officer will be doing is compiling the evidence and giving a recommendation to the Board.

C. Discussion/possible action on the Central Maui Water System and West Maui Water Availability

Ms. Kraftsow gave a presentation on her water availability study for Central and West Maui systems. Refer to Availability Spreadsheet.

Our systems standards require that we meet maximum day demand in 16 hours pumping with the largest pump out. So how much availability is based on 1½ times the average demand. Since most people have trouble thinking that way, her division makes the adjustment of using 2/3 of 2/3. In the first column, Remaining Capacity by System Standards, they are comparing 2/3 of 2/3 of the installed pumping capacity to average day demand. So if you go down to "Recently Issued Meters", it is 9 million gallons short.

During the time she has been with the Department, she has never seen the county meet these standards in all the systems but she pointed out that these standards are extremely expensive to meet. For example if you have 100 million gallons of demand you would have to have 225 million gallons installed. The reason for this kind of redundancy is because of peak flow times, dry seasons, droughts and fires.

If the system is fully well lubed and connected then you don't necessarily need full redundancy in every case. The standards specify that you would need to be able to serve what would be the worst case demand.

In the course of the Water Use and Development Plan, one of the things the consultant is looking at is whether the Department should or could make any adaptations to the standards for the purpose of determining when we need a source before we serve. But in the interim there needed to be something to go by and that's why they came up with this middle column, Remaining Capacity by Proposed Interim Method, which is taking a single 2/3 of capacity and compare it with average day demand plus 21% for Central Maui. But the county is still 7 million gallons short by this method.

Even by using the Historical Methods the county is still nearly 400,000 gallons short and so the bottom line is by any standard that they use there still is not enough water right now in Central Maui and yet the Department is serving everything that's out there. What this is saying is that the county is skating on thin ice.

Member Howden asked what does this all mean in terms of access to water resources and what we're committing ourselves to.

Ms. Kraftsow replied that it means we have no water in Central Maui.

Member Howden asked so why are we still giving out water meters?

Director Eng replied that a lot of that decision is not one this Department can make solely, it involves the council, the mayor and also the recommendation of this Board. He has been trying to get all the parties to come to some consensus as to where we are going.

The Director stated that Ms. Kraftsow is correct. If you try to develop a system to the standards, 2/3 of 2/3 with the largest pump out, we may invest too much in the ground and it may not be the economically correct thing to do. But it is still a good guideline to follow.

Member Howden stated that it seems kind of scary to commit ourselves to water we don't have.

Chair Aldridge asked the Director to bring to the Board some clear discussion points that he wants support on and he will find support from this Board. He further stated that we need to start putting the breaks on and reminded the Board that Member Howden had suggested a moratorium at one point in time. This may be a radical idea but it may be necessary. The Board wants to support the position that the Director wants to take.

Member Haller asked, what is Director Eng's priority list.

Director Eng replied that his top 5 priority items are source, source, source, source and source.

Due to the meeting going beyond the time reserved, the Chair asked that this subject be brought back again.

D. Discussion on the Piiholo Well Agreement

Due to the meeting going beyond the time reserved, this agenda item was deferred to the next meeting.

E. Receipt of Board Member request for agenda items to be placed on future agendas

1. Upcountry Priority List
2. Maintenance of Upper and Lower Kula In-takes
3. Pre-hearing schedule
4. Water Use and Development Plan

IX. COMMUNICATIONS

A. None.

X. DIRECTOR'S REPORT

A. None.

XI. DIVISION REPORTS

A. Division Reports

There was no discussion on this item.

B. Fiscal Year 2008 Write-offs

Member Haller stated when she first moved to Maui, her landlord asked her to take on the water bill. So she thinks there may be a lot of renters on this write-off list who simply moved. She asked how does the Department handle this.

George Andrade, Assistant Fiscal Officer, stated that the way it is set up now, it is the landlord who is legally liable. If his tenants move out, the deposit is left for one year then it is returned. If there is a water bill the landlord is legally required to pay the water bill.

Director Eng stated that this is just one of things of running a water business that they face.

XII. ADJOURNMENT

There being no further discussion, Chair Aldridge adjourned the May 22, 2008 Board of Water Supply meeting at 12:15 p.m.

Prepared and submitted by:

Gaye Hayashida
Commission Support Clerk

Approved on: _____