

BOARD OF WATER SUPPLY, COUNTY OF MAUI
REGULAR MEETING

BOARD MEMBERS: Michael S. Howden, Chair
Scott Luck, Vice Chair
Patricia Eason
Donald Gerbig
John Hoxie, Jr.
Kuilaokalani F. Lester
Kelli Myers
Phyllis Robinson
Ted Yamamura

DATE: Thursday, July 23, 2009

TIME: 9:00 a.m.

PLACE: Conference Room
Department of Liquor Control
2145 Kaohu Street, Room 105
Wailuku, Hawaii 96793

RECEIVED
2009 JUL 16 AM 8:21
THE
CLERK

AGENDA

- I. CALL TO ORDER
- II. ATTENDANCE
- III. ANNOUNCEMENTS
- IV. APPROVAL OF MINUTES
 - A. Minutes of June 25, 2009
- V. TESTIMONY FROM THE PUBLIC

The Board shall receive testimony first from persons whose testimony forms are submitted prior to the convening of the meeting. Initially, three (3) minutes will be granted on each item, and at the discretion of the Board Chair, an additional minute may be granted to conclude testimony. An additional three (3) minutes on each item will be granted to those who are unable to conclude their testimony, after all others desiring to speak have been heard. Thereafter, persons whose testimony forms are submitted after the meeting convenes, but before the testimony portion ends, will be allowed to present oral testimony for three minutes on each item. The Chair may grant an additional minute to conclude testimony.

(Continue)

VI. APPEALS

- A. Appeal 08-03 Proposed Findings of Fact, Conclusions of Law, and Decision and Order. An appeal by James R. Davis regarding the Director's decision/order dated May 14, 2008 denying his request for water meters for his property located at 25 Alanui Place, Kula, tmk (2) 2-3-037-005. The board may go into deliberations after the closing arguments have been presented

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

- B. Appeal 08-04 An appeal by Pulehu Farms, LLC regarding the Director's decision/order dated May 21, 2008 denying their request to continue to utilize the meters for ag purposes and waive the fire protection requirements for 2 lots within the 35 lot ag subdivision. The board may go into deliberations after the closing arguments have been presented

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

VII. UNFINISHED BUSINESS

- A. Response to John Blumer-Buell regarding East Maui Water Issues

VIII. OTHER BUSINESS

- A. Discussion/Possible Action regarding WR-1(5) -- Water Supply Rules (Subdivision Water System Requirements)
- B. Discussion regarding Public Hearings Procedures for the Water Use and Development Plan
- C. Discussion regarding Committees within the Board
- D. Receipt of Board Member request for agenda items to be placed on future agendas

(Continue)

IX. COMMUNICATIONS

- A. COM 09-04 Letter from Cheryl Medeiros regarding her request for a refund on a second water meter

X. DIRECTOR'S REPORT

- A. Discussion regarding Control of Water Usage During Droughts (Ordinance No. 3623)

XI. DIVISION REPORTS

- A. June Division Reports
- B. Financial Summary as of March 31, 2009

XII. ADJOURNMENT

Agenda items are subject to cancellation. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Board of Water Supply secretary at 270-7304.

Oral or written testimony on any agenda item will be accepted. Written testimony must be submitted by delivering a legible copy to the Board of Water Supply secretary, 200 South High Street, Fifth Floor, Wailuku, Hawaii 96793-2155; or faxing to 808-270-7951, 24 hours prior to the meeting so copies can be provided to the Board members. If written testimony is submitted at the meeting, please provide 15 copies prior to the close of oral testimony.

Individuals who intend to attend the meeting who have special needs or require special accommodations that will assist in his or her successful participation in the meeting (e.g., large print, taped materials, sign-language interpreter, accessible parking, etc.), should call the Board of Water Supply secretary at least three working days prior to the meeting date.

Documents on file with the Board and which may include correspondence relating to the agenda items above, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec 2-64-010). Please contact the Board of Water Supply secretary to make arrangements for inspection or photocopying of documents.