

BOARD OF WATER SUPPLY, COUNTY OF MAUI
REGULAR MEETING

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

DATE: Thursday, August 26, 2010

TIME: 9:00 a.m.

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

OFFICE OF THE
COUNTY CLERK

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RECEIVED

A G E N D A

- I. CALL TO ORDER
- II. ATTENDANCE
- III. ANNOUNCEMENTS
 - A. FY 2012 Budget Meeting Schedule
- IV. APPROVAL OF MINUTES
 - A. Minutes of July 22, 2010
 - B. Minutes of August 11, 2010 Lana'i Public Hearing
- 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

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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.

VI. APPEALS

- A. Appeal No. 09-01 An appeal by Pauwela Farms LLC, the appellant is requesting to withdraw their appeal and asking for a refund of their \$300 filing fee. The board may go into closed session to deliberate on this matter.

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 No. 09-02 An appeal by Michael Perry, Pre-Hearing Conference regarding the Director's decision/order dated June 23, 2009 denying his request for a waiver of the Water Meter Issuance Rule for the Upcountry Water System and to be granted a water meter for his property located 4192 Aliihoa Place, Haiku, Maui, Hawaii, tmk (2) 2-8-002-128 (lot 18). The board may go into closed session to deliberate on this matter.

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.

- C. Appeal No. 09-04 An appeal by Greg Davidge regarding the Director's decision/order dated November 23, 2009 denying his request to amend his Modification of a Subdivision Agreement in order to get approval for a building permit for his property located 23 Mauds Place, Kula, Maui, Hawaii, tmk (2) 2-2-006-109. The board may go into closed session to deliberate on this matter.

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.

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VII. UNFINISHED BUSINESS

A. None.

VIII. OTHER BUSINESS

A. Discussion on Lana'i Water Use, Development and Protection Plan, dated June 28, 2010 and the public testimony received at Lana'i public hearing held on August 11, 2010

B. Discussion with Deputy Corporation Counsel Edward Kushi regarding Proposed Pre-hearing Procedures and possible board action

C. Discussion regarding Setting Guidelines for Public Testimony and possible board action

D. Discussion with Director Jeffrey Eng and/or Staff regarding Updating the Upcountry Water Meter List, Calculating the Total Water Needed Based on this List and on the Proposed General Plan Update, and Developing a Plan to Meet These Needs

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

IX. COMMUNICATIONS

A. None.

X. DIRECTOR'S REPORT

A. None.

XI. DIVISION REPORTS

A. July 2010 Division Reports

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.

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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.