



**BOARD OF WATER SUPPLY  
COUNTY OF MAUI**

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**Board of Water Supply  
Rules Committee**

Minutes of September 9, 2004, Meeting

Held at the Kahului Shopping Center  
65 West Kaahumanu Avenue, Unit 29  
Kahului, Maui, Hawaii.

Present: Sally Raisbeck, Kenneth Okamura, and Ralph Johansen  
Absent: Michael Victorino (alternate) and Michele McLean (alternate)

CALL TO ORDER by Sally Raisbeck at 3:00 p.m.

APPROVAL OF MINUTES: There were no minutes presented.

PUBLIC TESTIMONY: No members of the public were present.

UNFINISHED BUSINESS:

**Continue review of Board functions in present Department Rules. Discussion. Focus on Chapter 106, Water Meter Issuance Rule for Upcountry Water System.**

Handout: Memo from Michele McLean titled, "Proposed Amendments to Title 16, Chapter 106."

The committee compared the previous draft of Rules Changes (draft 2), which had been presented to the Board of Water Supply on August 26 with the changes suggested by Michele.

The committee also talked by phone with Herb Chang for about half an hour to resolve some questions. The expanded Upcountry list including number of meters requested during the August Board of Water Supply meeting was prepared by Herb and given to the Director for approval for distribution to the Board. Ralph Johansen will follow up with the Director.

The committee agreed that Michele's changes to 16-106-02, 16-106-04, and 16-106-09 should be adopted, and approved switching the order of 16-106-05 and 16-106-06.

The committee agreed that the format used by Michele was much clearer than the format of Draft 2, and agreed that the final melding of the two (Draft 2 Amended) would be presented in the format she had used.

The committee felt strongly that all issuance of water meters Upcountry, for any reason, should be reported to the Board as quickly as possible. This will give an ongoing of progress in filling requests on the list, and also assess how many meters are issued that are not on the list, and the reasons for issuing them. This was done by adding a subsection (b) to the Section Issuance of Water Meters (now renumbered 16-106-05).

16-106-07 Exceptions to regulations. The committee felt that this section should make clear that source development agreements and the resulting source credits made by the Board before the Charter change are still valid. It is not yet clear who has the authority to make such agreements now, since the Charter change. After this rule is adopted, the committee felt that the Board should be informed of applications for source development agreements and source credits, and the public and Board should be informed of the amount of source credits agreed upon.

16-106-08 Waiver or modification. The Board should continue oversight of waivers.

16-106-11 Effective date. The date should be changed, but having a sunset date allows periodic review of the rule and an assessment of how well it is working.

Sally will produce a "Draft 2 Amended" and send it to Cathy to be sent to the committee. The Draft 2 Amended will be given to the Board at its meeting on September 21. Comments or changes desired by the Board will be incorporated during Rules Committee meetings between the September 21 Board of Water Supply meeting and the October meeting, with the goal of issuing recommendations about changes to the Mayor and Council at the October Board of Water Supply meeting.

ADJOURN: Meeting was adjourned at approximately 5:15 p.m.

*Minutes prepared by Sally Raisbeck.*