



**BOARD OF WATER SUPPLY  
COUNTY OF MAUI**

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**Board of Water Supply  
Rules Committee**

Minutes of October 7, 2004 Meeting

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

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

One member of the public present: Hugh Starr

CALL TO ORDER by Sally Raisbeck at 3:02 pm. The meeting was audiotaped.

APPROVAL OF MINUTES. September 2, 2004.

**PUBLIC TESTIMONY:**

Hugh Starr testified that the Water System Development Fee allocation is only for Source, Storage, and Transmission, with nothing for Distribution. This is unfair to the public. Fire protection and distribution lines are the hardest struggle, the Board should discuss this. Developers can pay for the additional fire protection and distribution lines needed, but something needs to be done for family subdivisions, single homes and ohanas. We need a revenue source for distribution costs, so individuals are not faced with costs too great for them to pay. Discussion about difference between Fire Department and Water Department requirements on fire protection.

**UNFINISHED BUSINESS:**

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

The committee has received the word index of the Rules, which should be a big help.

The committee has also received all the exhibits that were sent to the Council's Special Counsel, the first set, but has not received the second set of exhibits.

We also received at the last meeting the Upcountry list with all the meters requested and amount of water.

We have been told that the Council is passing an extension of Chapter 106, an indefinite extension.

Discussion about final draft of suggested changes to Chapter 106. Hugh Starr inquired about where are the specifics about meter reservations. Those details are included in Chapter 108 regarding the Water System Development Fee. He inquired whether the time should be counted from the reservation application, or from when the department accepts the reservation.

The draft rule changes, with the explanations, will be considered at the October Board Meeting. Ralph questioned 106-7-b, about whether the Board would have notice sufficiently in advance about source agreements. Perhaps a comment period is needed, so public has a chance to comment.

A question also was raised about the definition of on-site improvements, which is still confusing. The definition given is an attempt to define what the department is doing now.

We are recommending removing the two paragraphs that were actually valid only for 60 days after the rule was passed. Practice in the department has been to continue using those paragraphs.

Sally will send our final version to the Director and the Corporation Counsel for their comments. Sally and Ralph will ask for a meeting with them to discuss their comments.

The next chapters we will consider are Chapter 7 and Chapter 108.

Ralph suggested using the word index to locate references to the Board and Department and change them. Sally felt it was important to understand what the Rule says, and what the department does, and it was easiest to do that if you take it a piece at a time.

Next meeting will be in November, we should ask Holly to give us a briefing on how the department uses Chapter 7 and 108, what procedures are used.

ADJOURNMENT: Meeting was adjourned at 4:20 p.m.

Minutes transcribed by Sally Raisbeck from the audiotape.