

County of Maui Water
Supply

BOARD OF WATER SUPPLY
COUNTY OF MAUI
REGULAR BOARD MEETING
THURSDAY, MAY 25, 2005

Held at the Kalana O Maui Building, 200 South High Street,
Seventh Floor, Wailuku, Maui, Hawaii, commencing at
9:05 a.m. on May 26, 2005.

REPORTED BY: Rachelle Primeaux CSR No. 370

A P P E A R A N C E S

CHAIRPERSON: MICHAEL VICTORINO

VICE CHAIRMAN: KENNETH OKAMURA

BOARD MEMBERS: KENT M. HIRANAGA

GREGORY SMITH

STACEY HELM CRIVELLO

SALLY RAISBECK

DIRECTOR: GEORGE TENGAN

BOARD SECRETARY: CATHY HOWARD

BOARD OF WATER SUPPLY

TRANSCRIPT OF PROCEEDINGS

* * *

CHAIR VICTORINO: I'm going to call this meeting to order. In attendance we have Gregory Smith, Stacey Crivello. We have Kenneth Okamura. We have Kent Hiranaga and myself, the Chair, Mike Victorino, present.

Announcements. Do we have any announcements that we would like to start off from the board members? The only thing I would have to say is for all board members who are attending the AWWA convention or conference in San Francisco, make sure you take a moment to look through your packets. There

are different events that are scheduled that I would recommend or highly recommend you attend. Without that, some of them -- if you don't RSVP or you haven't RSVP'ed, you may not be able to attend, so that's one of the FYI's on that, please.

Moving right along, approval of minutes, we have none because the minutes just came in yesterday, and we have had no time to review them. So minutes from the April meeting will be on the June agenda. Okay. Testimony from the public. Now I know we have some testimony from the public. Did you give me the sheets for the people who want

to testify?

MS. HOWARD: No, they are on the agenda. Their names are on the agenda, so you have these two sheets.

CHAIR VICTORINO: These two sheets?

MS. HOWARD: Yeah.

CHAIR VICTORINO: And that would be we have the update on status Pookela before communications.

MS. HOWARD: Right.

CHAIR VICTORINO: That's kind of a switch, yeah?

MS. HOWARD: Just because it's unfinished

business.

CHAIR VICTORINO: I don't want to hold people back, so can we defer the updated status on the Pookela Well until after the communications, because I have some people in the audience that need to speak and need to get back to work if that's okay with the Board. Any objections to that?

No, okay.

Let's start off with the first one, which would be Communication 05-02 letter from -- how do you pronounce your last name, Rick?

MR. STRINI: Strini.

CHAIR VICTORINO: I would have never guessed that, my friend, sorry -- Strini, dated April 11 2005. And Mr. Strini, if you would like to come here and give your presentation, we would appreciate it.

MR. STRINI: Okay. First of all, the map. I'm giving you all a map of the O'Connors. I just want to clarify something before I start. Looking at the map, the O'Conner parcel water meter lot is the smaller of the two lots there. The green came out not as green as I thought, so I just want to make sure you guys see that. So the water meter lots currently served and hopefully will be still

served are in yellow. I am here before the Board to ask for a waiver or a variance of a requirement to construct offsite improvements to provide adequate flow and pressure to attain my three-lot subdivision in Manawai Homesteads.

Currently my 12.85-acre parcel with two existing permitted structures is served by a five-inch water meter. The Water Department has indicated a point of adequacy has been met both in regards to water supply and fire flow by their issuance of two building permits. I would like to split my TMK lot into three parcels. Lot 5-A with two permitted buildings will be served by the existing meter.

The two new parcels, 5-B and 5-C will be supplied by a private water system that will meet the fire requirements of Maui Fire Department. New meters will never be asked for these two new created lots.

In fact, this subdivision reduces the parcel size by the existing meter whose use has already been deemed adequate for 12.5 acres. The service area of the existing meter has now been reduced by 55 percent. The point of adequacy was met for 12.85 acres. Then it should still be adequate for five acres. Furthermore, the rules also

indicate that improvements will be required should there be increased demand, increased service or new water meters issued. This is clearly not the case here.

The Board of Water Supply has voted twice to waive these requirements of improvements to two of my immediate neighbors, Donald O'Conner, 425 Manawai Place, which is the left parcel, and Ron Richmond, 433 Manawai Place, which is the blue parcel, all this in Manawai subdivision. The Water Board has previously set the precedent on this issue by granting waivers to two of my immediate neighbors. Their situation and mine are exactly identical. I wish only to be

treated fairly and equally as my neighbors and be granted

this favor before the Board of Water Supply. Any questions?

CHAIR VICTORINO: Any questions for -- Kenneth.

BOARD MEMBER OKAMURA: In regards to your

neighbors, you're saying, did they -- did they subdivide

their lots also?

MR. STRINI: Yes.

BOARD MEMBER OKAMURA: They did?

MR. STRINI: Yes.

BOARD MEMBER OKAMURA: The O'Conner and Richmond

parcels, they subdivided both parcels?

MR. STRINI: O'Connors went from 7 into two parcels, and Ron Richmond's went from 13 to two parcels -- three parcels.

BOARD MEMBER OKAMURA: I see, they consolidated then. They didn't actually subdivide. They consolidated.

MR. STRINI: No, they subdivided.

BOARD MEMBER OKAMURA: Thank you. And one more question. You said you received two building permits?

MR. STRINI: Yes, on the existing permitted structures on the lots right now.

BOARD MEMBER OKAMURA: On the whole thing, right,

but you want to subdivide it now?

MR. STRINI: Right, the buildings that currently sit on 5-A, and I'm just trying to make 5-B and 5-C out of it. They currently are on the existing original TMK, which has been served by the water meter.

BOARD MEMBER OKAMURA: Why do you want to subdivide your land?

MR. STRINI: For pasture purposes mostly.

BOARD MEMBER OKAMURA: Thank you.

MR. STRINI: We have horses, animal husbandry.

BOARD MEMBER OKAMURA: So you can still make a
pasture without having to subdivide your land.

MR. STRINI: Well, I'm thinking in the future,
we're trying to raise a family, leave my kids something.

BOARD MEMBER OKAMURA: Okay, thank you.

CHAIR VICTORINO: Any other questions? Okay.
Kent? You looked at me, that's why. I assumed you had
something in your mind.

BOARD MEMBER HIRANAGA: I'm sorry, I have a
question for staff.

CHAIR VICTORINO: Why don't you have a seat. May

the record show that Member Sally Raisbeck is present.

Okay.

BOARD MEMBER HIRANAGA: I guess I did have one question for the applicant.

CHAIR VICTORINO: Okay, go ahead.

BOARD MEMBER HIRANAGA: Lot 5-C, how many acres is that?

MR. STRINI: 2.03. 5-B is 5 acres and 5-A is 5 acres. 5-B is actually 5.5.

BOARD MEMBER HIRANAGA: And you're including the stem of your access as part of the two point --

MR. STRINI: Yeah, they're flag lots.

BOARD MEMBER HIRANAGA: I thought you could not include that as part of -- this is irrelevant to your request. But I thought the access portion is not includable.

MR. STRINI: If it's a roadway, but this is not a roadway. These are just flag lots. The roadway lot -- the road is actually Manawai.

BOARD MEMBER HIRANAGA: Okay, thank you.

CHAIR VICTORINO: You have a question for the staff right, Kent?

BOARD MEMBER HIRANAGA: Right, after their
presentation.

CHAIR VICTORINO: Anything else? Okay. If not,
I'm call upon the staff if they would, please, Mr. Tengan.

MR. TENGAN: Mr. Chair, Alva Nakamura is going to
discuss this.

CHAIR VICTORINO: Okay. Mr. Nakamura, give us the
Department's standpoint on this.

MR. NAKAMURA: Good morning, Mr. Chair. All of
you should have a copy of the staff report that was

submitted dated May 12th. The subdivider -- I'll read very briefly portions of the staff report to kind of bring you folks all up to date. The subdivider made a request of the Department to waive the subdivision requirements for the subdivision application. The Department denied the subdivider's request. In response, the subdivider has made a request of the Board of Water Supply to review and provide recommendations on the subdivider's request for a waiver of requirements.

The -- as the applicant has indicated, the project is a 12.85-acre property located in Haiku and is being

subdivided into three lots and Exhibit B shows the subdivision layout. The property is served by the public water system by a five-eighths-inch water meter, which is on the lot, the first lot, I believe they call it 5-A. The tax map and fire protection map is attached as Exhibit C and D. If you look at those, they'll give you an idea of what the fire protection is.

The subdivider submitted a subdivision application to subdivide the property into three lots. The subdivider proposes to use a private water system to provide fire protection, domestic and irrigation service for the two

lots. The source of water for the private water system will be a ground water well and a catchment system from what we understand. The details of the storage tank and distribution water system of private water systems for fire protection, domestic and irrigation service can be provided by the subdivider. The remaining lot will obtain domestic water service from the public water system via the existing water meter.

Now, this existing water meter is at a remote location about 3,000 feet mauka of the property, so it's not right at the property line. It's 3,000 feet away.

CHAIR VICTORINO: Is that Exhibit E?

MR. NAKAMURA: This is on Exhibit E, right, on Exhibit E, okay, so it's quite some distance away. Now, when we talk about point of adequacy, normally when we have a property that is not subdivided, the point of adequacy is at the point at which there's proper fire protection, domestic flow and all of that. And as a result, that's the reason why the water meter is located 3,000 away from the property.

Now, when a subdivision request is made, the water

meters have to be located at the property according to our rules that we follow. So what basically it means is that if this subdivision is going to be approved, then what, in essence, has to happen is improvements would have to be made according to, and I think we show that as Exhibit F, where we will probably require a six-inch water line all the way from, you know, where it's indicated and we will have to bring that all the way to the property to the subdivision site. And I guess the -- that's where the contention is saying that other developers, other subdividers who had subdivided previously didn't have to do this.

Now, I'm not familiar with the details as to why these others were allowed to do this, but for the way we are handling subdivision approvals today, the improvements will have to be provided in order for us to sign off and approve the subdivision application.

MR. STRINI: Even though -- can I say something?

CHAIR VICTORINO: Yes, go ahead.

MR. STRINI: Even though the new lots are not requiring any water?

MR. NAKAMURA: That's correct. Under subdivision rules, we have to --

MR. STRINI: Can you show us that rule?

BOARD MEMBER HIRANAGA: He should let him finish.

MR. STRINI: I'm sorry.

MR. NAKAMURA: So anyway, that's basically what the issue is, and we looked at this. And that's basically our position at this point in time. So any other questions if I can answer.

CHAIR VICTORINO: Questions from the Board to Mr. Nakamura? Kenneth.

BOARD MEMBER OKAMURA: On Page 6 of your writeup, there's a section in there that says the subdivision was

created in 1996 by consolidation of several lots and

resubdivided.

MR. NAKAMURA: What are you looking at now?

BOARD MEMBER OKAMURA: Third paragraph.

MR. NAKAMURA: Third paragraph, okay.

BOARD MEMBER OKAMURA: Under this section, it

says, The subdivision was approved intentionally without the

Department of Water Supply's review and approval?

MR. NAKAMURA: That's right.

BOARD MEMBER OKAMURA: And since the Department of

Water Supply was left out of the subdivision process, the

Department was not able to impose subdivision requirements.

Does this thing still go on?

MR. NAKAMURA: There's situations where we do not necessarily see requests for subdivisions that come through.

The only time when it comes to us is after -- if the

building permit comes in and we, let's say, for instance,

they try to put up a third structure and fire requirements,

fire protection requirements are necessary, then that

basically comes to us. But a lot of times when some of

these building permits come in, we don't see the permit

until the second structure has been built on the property.

Because, you know, it doesn't -- they're kind of exempt from the fire protection requirements up to the second dwelling.

BOARD MEMBER OKAMURA: I see, but generally still the County ordinances allow subdivision without having the water? That's the idea that I got from this section.

MR. NAKAMURA: Yeah, yeah, yeah.

BOARD MEMBER OKAMURA: They allow subdivisions without necessarily having the --

MR. NAKAMURA: As far as I know, we have had

situations like that, yes.

BOARD MEMBER OKAMURA: And it still goes on?

MR. NAKAMURA: Yes.

CHAIR VICTORINO: Mr. Tengan, you have something
to add?

MR. TENGAN: Well, Mr. Chair, maybe what happened
in this case here is that the subdivision was previously
approved prior to the issuance of the meter, and subsequent
to that, the applicant maybe came in and applied for a meter
and we allowed the meter to be located at his remote
location. That's -- you know, that's my only thought on

that and that the meter that was issued or that's issued to the property now wasn't part of the subdivision action. And that would be the explanation for the meter being assigned to that lot.

MR. STRINI: Excuse me.

CHAIR VICTORINO: Hang on. Any other questions for staff from board members? Go ahead, Kenneth.

BOARD MEMBER OKAMURA: So right now let's say you wanted to subdivide the lot before -- say it wasn't subdivided -- that five-eighth-inch meter would never have

been able to be subdivided, huh?

MR. TENGAN: No, that's what I just tried to explain. That maybe this subdivision was approved without meters. It could have been under 216 or whatever, you know, some kind of -- I wouldn't know exactly. Maybe Mr. Hiranaga would know what conditions, you know, subdivisions can be created without water system improvements.

BOARD MEMBER OKAMURA: The other question that I wanted to ask was that Mr. Strini says in his presentation that the Water Board did set some precedent in allowing subdivisions to his neighbors, and, you know, in the similar

situation, and would we know enough history to be able to answer that question whether to ascertain what was said?

MR. TENGAN: Well, we could go back into the records and do some research on those two subdivisions whether, in fact, those statements are correct or not.

BOARD MEMBER OKAMURA: Okay.

CHAIR VICTORINO: Yes.

MR. STRINI: I have one of the owners here that was in that meeting.

CHAIR VICTORINO: Okay. No, at this point, not yet. I just want to follow the right procedure. Well, no,

before that, let me ask if anybody else has questions.

Okay. Sally, just to be fair, go ahead.

BOARD MEMBER RAISBECK: Yeah, am I to take it that the section, I don't have the County Code in front of me, Section 18.040.20 deals with -- deals with consolidation and resubdivision into the same number of lots? Is that -- do you -- is that section --

MR. STRINI: It's the original subdivision reconsolidation.

BOARD MEMBER RAISBECK: Reconsolidated. I vaguely remember from previous years that if you put lots together

and end up with the same number of lots you started with, I think that may be the reason Water Department approval wasn't required at the time maybe. Is Mr. Kushi not here today?

CHAIR VICTORINO: No, he's sick. If we need to, we can call staff up from corp counsel. What I would maybe suggest, and just because there's not what I call the historical what you brought up, I would like to make sure that was available to us and make sure that what is being said is proper and correct. What I would like to ask staff

to do by our next month's meeting, so June, I would like you to come back in June, make sure and get the history on those other lots so that we can know specifically what occurred.

Yes, Kent.

BOARD MEMBER HIRANAGA: Actually, I'm quite familiar with this project. It was created through a consolidation resubdivision. All the lots that were created do have -- all the original lots created do have water meters. I'm a little confused with the Department's position because I know that there are several subdivisions that have occurred in this project whereby one lot has

retained the existing water meter and the other lots have been allowed to be serviced by a private water system. My first question is there is no fire protection down Manawai Road? I thought there was standpipes.

MR. NAKAMURA: Not to my knowledge.

BOARD MEMBER HIRANAGA: There's no standpipes?

MR. STRINI: Huh-uh, just on the private portions.

BOARD MEMBER HIRANAGA: There was this opinion

rendered by Richard -- I forgot his last name -- corporation counsel, about four years ago that allowed subdivisions to be serviced by a portion of the public system and a portion

of the private system. I know the Department had a previous position that if you're going to subdivide with a private system, you had to give up your meter. And then Richard came up with this opinion that said, no, you can retain that existing meter.

These other subdivisions were not required to bring public fire protection down Manawai Road, so I'm just kind of curious why -- how the Department's position has changed. Is it a different interpretation, because I know the rules haven't changed because the rules have been in limbo for three years now, so I'm just kind of curious is it

just a different interpretation by the Department? Because

I know that at the end of the road, this 16 acres was

subdivided. So that's a fourth subdivision, and they

retained their County water meter, and the three lots are

being serviced by a private system. And they weren't

required to provide public fire protection,

So I'm kind of curious, on your Page Number 6, you

list, at the second paragraph, you list three conditions.

And so this is stated specifically in Section 2 of your

rules and regs?

MR. NAKAMURA: Section 2.

BOARD MEMBER HIRANAGA: Yeah, I think the

Department needs to look further into the history of those subdivisions to determine how those occurred and why the Department's position has changed subsequently.

MR. NAKAMURA: Number one, I was talking to staff

that's working with this, and they told me that one situation was that they had a subdivision, that they had only created a roadside lot, and they had retained the water meter. And this was approved back then, but since that time, we've not done that anymore. And, you know, we've

been requiring whenever a new subdivision is being requested that, you know, they provide the necessary improvements down to the development.

BOARD MEMBER HIRANAGA: Yeah, that was subdivision at the end of the road, which created lot 63, 65 and 64 on Page 9, so parcel 64 retained the water meter. And parcels 1863 and 65 are being serviced by a private system.

MR. STRINI: Excuse me, but the lot right next to mine also did the same thing and also got waived by the Water Department, Water Board.

BOARD MEMBER HIRANAGA: I'm sorry, I don't know,

Larry, which lot are you talking about?

MR. STRINI: It looks like E on mine.

CHAIR VICTORINO: This one here. Which one are you talking about, Larry?

MR. STRINI: Rick, it's Rick.

CHAIR VICTORINO: Rick.

MR. STRINI: It looks like E. It's the light one between the colors. That lot --

BOARD MEMBER HIRANAGA: You're talking about parcel 43?

CHAIR VICTORINO: Is that what it is, 43? Okay.

BOARD MEMBER HIRANAGA: That was --

MR. STRINI: Kelly and Steeles.

BOARD MEMBER HIRANAGA: That subdivision was

probably done '99/2000, so I'm not sure what has changed

since -- I mean you're saying you're not allowing the

private roadway to be assigned the public water meter, so is

that just an opinion by the Department, or was there a

specific interpretation of the rules?

MR. NAKAMURA: My understanding is it's been the

interpretation of the rules and how we're following the

development on these kinds of developments. Now, what we can do is maybe to shed some light on this, maybe offer a suggestion that we go back and check and see how some of these decisions were made at some of these other developments and come back next month to the Board and make a report on that. So that way I think you'll have a better understanding of maybe the rationale of what went on in approving some of these other developments and see how that would apply here.

CHAIR VICTORINO: I think that's the fairest way

to do it as I suggested in the beginning, so if that's --

yes, go ahead.

MR. STRINI: Is that the developments within
specifically Manawai?

CHAIR VICTORINO: Manawai, to be fair.

MR. NAKAMURA: Manawai.

MR. STRINI: Yeah.

CHAIR VICTORINO: If that's okay with the Board.

Yes, Ms. Raisbeck.

BOARD MEMBER RAISBECK: I did have one question.

CHAIR VICTORINO: Sure.

BOARD MEMBER RAISBECK: The private water system

that serves some of these lots in the whole development and would serve two of your lots, where does that water come from?

MR. STRINI: We have private wells.

BOARD MEMBER RAISBECK: Where?

MR. STRINI: Every one of us.

BOARD MEMBER RAISBECK: In your location?

MR. STRINI: Uh-huh.

BOARD MEMBER RAISBECK: And the water is not too brackish? Well, it's so close to the ocean.

MR. STRINI: It's better than County water.

BOARD MEMBER RAISBECK: It really is?

MR. STRINI: Coming down from the aquifer from

Olinda.

BOARD MEMBER RAISBECK: And how deep are those

wells?

MR. STRINI: Geez, I think ours is what, 350?

MR. RICHMOND: Sea level, 320 feet.

BOARD MEMBER RAISBECK: 320 feet below sea level?

MR. STRINI: No, at sea level.

BOARD MEMBER RAISBECK: At sea level.

MR. RICHMOND: All the wells are within 10 feet of
sea level.

BOARD MEMBER RAISBECK: The bottom of the well?

MR. RICHMOND: Yeah, where the pickup is.

BOARD MEMBER RAISBECK: And that's good water?

MR. RICHMOND: Yeah.

BOARD MEMBER RAISBECK: Just curious. Yeah, I am
concerned about uniformity and treating everybody equally,
so I would certainly want to know the history of how the
other subdivisions --

CHAIR VICTORINO: I think most of us concur with

that, so let's defer this matter to next month. It will be an agenda item for next month, so if you can bring back the historic, so we all have a better idea of what's going on, because many of us were not on the Board when some of these decisions were made, so I think we need that. Yes, sir?

MR. STRINI: Will I be notified of the date?

CHAIR VICTORINO: Yes. Can you make sure that he is notified of the date of the next meeting?

MR. STRINI: Thank you.

CHAIR VICTORINO: Yes, you have something to add?

MR. RICHMOND: Mr. Chairman.

CHAIR VICTORINO: Come up and introduce yourself
so that we know.

MR. RICHMOND: I know this isn't quite proper. My
name is Ron Richmond. And I'm Rick's neighbor, and my
interest in being here is just to help Rick as his neighbor.
I would -- if you would like, I would like to explain really
quickly what happened because I was the test case that won
the -- first got the County approval to do what we did down
there. And I can run you through it really quickly because
it took a year of my life.

CHAIR VICTORINO: Is that all right with the

Board?

BOARD MEMBER OKAMURA: Maybe not at this meeting.

MR. RICHMOND: I may not be able to come back.

BOARD MEMBER HIRANAGA: No, that's fine. He's

here.

CHAIR VICTORINO: Okay, if that's okay with the

rest. Okay, go ahead, sir.

MR. RICHMOND: Initially Manawai Homestead

Subdivision was a resubdivision and consolidation. There

was 12 lots there. They created 12 lots and a roadway lot,

but the roadway lot, no new lots were created, all improvements were waived. At that time, Mr. Craddick wanted hydrants and mains. The Water Board wanted a water main. The Planning Department talked to Mr. Craddick and me and the County attorney talked to me, and they said, unless you change the laws, you do not get to see this. This is County rules. They didn't change the laws, so the subdivision was created. The 12 meters were on the Hana Highway.

Okay, so that's how it was created. They were all there. It's exactly as it was. As I tried to subdivide my property, Mr. Craddick told me I had to give up my meter.

The County attorney, Mr. Fukushima, said, Ron, don't give up your meter. Okay. So that's where we went into our battle.

The County Council had a ruling saying that I could create a -- called a mixed subdivision served by the County existing system and served by private. Okay. That counterindicated

Mr. Craddick, and that's what the corporate counsel's deal was. It went to vote, and it was your first day on the board of my hearing. And it took -- it went 6 to 8 months of hearings, and I won by one vote.

And they allowed me to do the subdivision as it was with no improvements. Okay, my neighbor --

BOARD MEMBER RAISBECK: Can I interrupt just a minute? When you said six to eight months of hearings, you mean before the previous Water Board?

MR. RICHMOND: Yes, before they went to the vote before the full board, they put it out at hearing. So I was granted that. Then the neighbor Donald O'Conner, he came through, did the same thing as I did, a mixed system. There was two more subdivisions in there, okay. What they did is found a loophole in the County's system. How the Water Department controls things is by issuing building permits, so what they did was they issued the existing TMK to a newly

created roadway lot, okay. The newly created roadway lot kept -- because it was the existing TMK, kept the water meter. There was no building permits to be issued on a roadway lot, so that's how they got around everything.

And then they created their two or three-lot subdivisions provided with private water, and that's the whole background on it. And that's the -- there's two different ways that it happened down there. And that's -- I just wanted to give you a preamble on it, because I went through the whole thing, and that's what it is.

CHAIR VICTORINO: Well, thank you.

BOARD MEMBER HIRANAGA: I have a question.

CHAIR VICTORINO: Okay, hang on. Hopefully, Alva,

not only that, but also the Council, I would like to see

what the Council's ruling was on that, on that matter.

Okay, Mr. Hiranaga.

BOARD MEMBER HIRANAGA: You said that the last

gist of your statement, you said the subdivision -- was it

the lot at the end of the road that you were talking about

that the water meter was assigned to the private?

MR. RICHMOND: That's correct, the 16-acre parcel

on the ocean.

BOARD MEMBER HIRANAGA: So I know the County, the Department allows water meters to be assigned to private roadway lots. Now, why, is it because no -- because it was an unbuildable lot, that's why no fire protection? I don't understand that.

MR. RICHMOND: Well, this is again where it gets really confusing. If you have a meter, okay, your fire requirements are set by the Department of Water. If you are on a private system, your fire requirements are set by the Fire Department, okay, so they don't mix. And if there's

nothing to be built on the lot, there's no fire requirements.

BOARD MEMBER HIRANAGA: So because it's an unbuildable lot, the Department of Water had no fire requirements?

MR. RICHMOND: I'm not sure. Or they -- what it came down to, Mr. Craddick and I realized after this -- after a while, the Department of Water has three ways to take away a meter: You don't pay your bills, you sell water, you steal water, you cross property lines with your water line. Okay. If you don't do those, they can't take

your meter, okay. And how they control it is, which I learned the hard way, you go to get a building permit, if you don't do what they tell you to do, you will never get your building permit. If your meter is assigned to a roadway lot and you pay your bills and you do all those things, they can't take the meter away.

If you're never going to pull a building permit, it doesn't matter. They have no impact on you, and everything is existing as is. And if those three rules aren't broken, they can't take the meter away. They lose

the leverage.

BOARD MEMBER RAISBECK: Can I ask a question?

CHAIR VICTORINO: Sure, go ahead. Oh, wait. Are you done, Mr. Hiranaga?

BOARD MEMBER HIRANAGA: Yeah, I wanted to ask Mr. Strini a question later.

CHAIR VICTORINO: Okay, go ahead, Ms. Raisbeck.

BOARD MEMBER RAISBECK: Yeah, what's the point of having a water meter on an unbuildable lot if you can't use that water meter to get water for an adjacent lot?

MR. RICHMOND: What I suspect they did is because

I live on a well and have catchment, if the well goes out, it's horribly expensive to repair it. And usually there's a significant time frame to get the well repaired. There's only one well driller on the island now, and if your well goes out, you have a 6, 10, 12,000-gallon tank, it might take two to three months to get your well repaired during that period. During that period, if you're out of water, you're trucking it.

What I would suspect people would do, and this is just my guess, the reason to it, is if their well went out, they could take emergency water and fill their tanks.

BOARD MEMBER RAISBECK: Okay. Who owns the roadway lot?

MR. RICHMOND: The main roadway lot, Manawai?

BOARD MEMBER RAISBECK: Yeah.

MR. RICHMOND: Manawai, the long road coming down is Manawai, belongs to the homeowners association. And the people that created their own roadway lot, they made their own little subdivision. And I don't know the same of their subdivision. They created a roadway lot on paper that runs 100 feet, and it has a gate and an entry, and they assigned a meter to the roadway.

BOARD MEMBER RAISBECK: Thank you.

CHAIR VICTORINO: No, you can stay there.

BOARD MEMBER RAISBECK: Mr. Chair.

CHAIR VICTORINO: Yes.

BOARD MEMBER RAISBECK: It would be very helpful

if we could either have early the transcript of

Mr. Richmond's testimony or if he could write us a memo just

laying out sequentially the things that you've told us

because we don't usually get our minutes right away.

MR. RICHMOND: Right, I would be glad to do that

because I'm just trying to help my neighbor.

CHAIR VICTORINO: Mr. Hiranaga, you had a question?

BOARD MEMBER HIRANAGA: Yes, so Mr. Strini, have you explored this scenario of creating a private roadway lot and assigning the water meter to the private roadway lot and allowing a three-lot subdivision to be serviced by a private water system?

MR. STRINI: No, because that isn't how my lot was intentionally subdivided. It means you have to give up some land.

BOARD MEMBER HIRANAGA: Well, actually in my

previous question about the not counting the stem of your flag lots, actually it's not being counted. If you look at your subdivision map, on Page 8, Exhibit B, lot 5-C shows a gross area of 2.3 acres less .3 acres for your pole area equals your net area of 2 acres. And it's the same thing for your lot 5-B, gross area 5.5 acres, pole area .2 acres, net area 5.2 acres. They are subtracting that access portion from your net area to determine if you've met the 2-acre minimum requirement. So if you created a private roadway lot, you're not losing acreage to your individual

lot. It's just instead of being these stems, it's a private roadway lot.

MR. STRINI: Oh, well, I was hoping to keep the meter on the original lot because of my two existing structures.

BOARD MEMBER HIRANAGA: Well, if you're on a private water system, you're still allowed to keep those structures. You just have to create a private fire protection system. It's something you could explore in the next 30 days before the next meeting with your civil engineer. You might look up the subdivision file for that

lot at the end of the road, see how they did it.

CHAIR VICTORINO: Okay.

MR. STRINI: But I could use the water though,

right?

BOARD MEMBER HIRANAGA: Well, it's assigned to the

roadway lot.

MR. STRINI: What if we can't use it?

BOARD MEMBER HIRANAGA: I don't know.

MR. STRINI: Yeah, that's why I don't want to give

up the meter. I want to use the water.

BOARD MEMBER HIRANAGA: Talk to your neighbor.

MR. TENGAN: Mr. Chair.

CHAIR VICTORINO: Yes, Mr. Tengan.

MR. TENGAN: Just listening to Mr. Richmond on the use of that meter on the roadway lot, we would need to look at the legality as to its use. If it's what he described as the use of the meter to service other lots, that might be an improper use if the reason is emergency as far as those other lots are concerned, so we would need to investigate that also.

CHAIR VICTORINO: If you can include that on the

report. I mean that's pivotal right now so that we get all the facts on the historical background and as well as the Department's point why they may have changed or if they have changed, what their rationale is, okay, to be fair to everybody.

MR. STRINI: Will I get a copy of that before the meeting?

CHAIR VICTORINO: In regards to?

MR. STRINI: The research.

CHAIR VICTORINO: Yeah, Cathy, would you make a note of that, please?

MR. TENGAN: Mr. Chair, it should be part of the agenda. We would be glad to give Mr. Strini a copy.

MR. STRINI: Just so I know going into the meeting.

CHAIR VICTORINO: Sure, sure, that would be fair. Thank you, Mr. Strini.

MR. STRINI: Thank you.

MR. RICHMOND: Thank you for hearing me. And you would like me to send you a copy of --

BOARD MEMBER RAISBECK: Yeah, send to the Board, the Board of Water Supply a copy of a memo that basically

outlines what you said.

MR. RICHMOND: Kind of a real rough draft to let
you know?

BOARD MEMBER RAISBECK: And make sure you get it
to our board secretary Cathy, and that way she can
disseminate it to all of us.

CHAIR VICTORINO: Mr. Okamura, you have a question
for Mr. Nakamura?

BOARD MEMBER OKAMURA: Yes, I just had one
question regarding Exhibit E and Exhibit F. Exhibit E shows

the existing water meter locations. Exhibit F shows the

line that needs to be built?

MR. NAKAMURA: As far as the proper fire

protection, you have to go all the way back to the Ulumalu

Road.

BOARD MEMBER OKAMURA: So there isn't enough

pressure?

MR. NAKAMURA: For fire protection. For domestic

use, they can still use it at that point at Hana Highway.

But for fire protection, they have to go all the way back to

Ulumalu Road.

BOARD MEMBER OKAMURA: Thank you.

CHAIR VICTORINO: Mr. Strini, we'll get this to you and we'll work on this, and next month we'll go over all of this.

MR. STRINI: All right. Thank you very much.

CHAIR VICTORINO: I would like to make a note. We are blessed with the presence of Council Member Michelle Anderson. Thank you for attending. And if you don't know, Michelle Anderson is the chair for the water resources committee. What is the specific title, water resources committee?

MS. ANDERSON: Right.

CHAIR VICTORINO: I just want to make sure I get these titles correct.

MS. ANDERSON: Thank you, Mike.

CHAIR VICTORINO: Next agenda item, I think Nancy Ishii, you're here, right?

MS. ISHII: Yes.

CHAIR VICTORINO: But it goes under director's reports, and I think you have to leave, right?

MS. ISHII: Right.

CHAIR VICTORINO: If it's okay again with the

Board, I would like to move Agenda Item 05-09, which is on the director's report, up before we give the Pookela report if that's okay with the board members, please. Come, Nancy. Or you're going to speak for Nancy?

MR. DAVID ISHII: I'll do some, and she can do some.

CHAIR VICTORINO: Introduce your name and your specific --

MR. DAVID ISHII: My name is David Ishii.

MS. ISHII: And Nancy Ishii, his mother.

MR. DAVID ISHII: We're here because just about I guess a year ago, the County replaced our water line along Ainakula Road. And when they put the new meters in, they didn't put a regulator on my mom's lot. So when they turned the meters back on, it blew her line. And the County is saying that there was a meter, but -- I mean there wasn't a regulator installed. Because when I first moved in when we moved in there about 1978, '79, about '78, the County got our water meters all mixed up. My bill was going to her. Her bill was coming to me. So the only way we could do it to find out what meter was which, we had to shut the two

meters off to find out.

And if theirs didn't have a regulator, it would be easy to figure them out right there. Then again, they said that they did the work. They said they started the work in June, that they changed our meters, but they didn't do the work, actually change our meter until about October or November of last year.

CHAIR VICTORINO: 2004?

MR. DAVID ISHII: Yeah, so that's basically where it is. And we know that they changed it in October or November because the Fong Construction had their base yard

right across my house, and we were one of the very last guys
that they changed.

CHAIR VICTORINO: Ms. Ishii, would you like to add
to that?

MS. ISHII: No, it's just what he's saying. It's
just that the water bill was so high.

MR. DAVID ISHII: Yeah, it went from \$32 to \$900
after they changed it.

CHAIR VICTORINO: Was that due to some leakage or
something?

MS. ISHII: No, that's the part. So we called the

plumber. I called the Board of Water Supply first. And we hired a plumber, and he came. And the Board of Water Supply came because you cannot open the meter now.

MR. DAVID ISHII: Because now they lock the boxes.

You cannot get in.

MS. ISHII: Then the plumber and the Board of Water Supply man walked all over our property. And we are farmers, so we know how important water is and if there were any leakage, you know, but we couldn't find anything. We had to disconnect, yeah.

MR. DAVID ISHII: They told me -- because at first he told us probably it's under your house, because it's a cement house, so you have to cut the pipe going into the house and then check the meter. And if the meter still -- if the meter stops, that means it's under your house. If it's still running, it's from your house back to the meter. So we dug the line, capped the pipe, turned them on and the water kept going. So he told me your problem is from here to there, and it's only like about 100 feet. And then when we went back again to, you know, check again, that's when we discovered there's no regulator. Because the new boxes that

they put in now, they put two boxes, one is for your meter, and one is for your regulator. Because they got two meter boxes and two regulator boxes, so all we did was turn off the meter side.

So we went back, we went check, and they never have the regulator, so it broke from there to there, so it's somewhere in between there after they went change.

CHAIR VICTORINO: So there's a breakage in the pipe from the meter?

MR. DAVID ISHII: Yeah, and our house.

CHAIR VICTORINO: And the house. And the water is

just --

MR. DAVID ISHII: It was.

CHAIR VICTORINO: It was?

MR. DAVID ISHII: Yeah, but you couldn't tell

because the pipes are buried deep. And even the three or

four water guys came up, they said they cannot find the

water. That's 400,000 gallons.

MS. ISHII: Leakage, they couldn't find any

leakage.

MR. DAVID ISHII: There was no leakage. You

couldn't see anything.

MS. ISHII: Nothing on the property, no water.

CHAIR VICTORINO: Questions from board members?

I'm sorry, I apologize for asking -- go ahead, Kenneth.

BOARD MEMBER OKAMURA: What was the last thing you said about the leakage, they couldn't find the leakage?

What was the last statement you made? I couldn't understand.

MR. DAVID ISHII: They couldn't find the leak.

Nobody could find the leak.

BOARD MEMBER OKAMURA: When was this? When did

this happen?

MR. DAVID ISHII: This happened -- when was the high bill?

MS. ISHII: We got the October/December bill. I called the Board of Water Supply because my son's bill, the farm and the home and my home -- not my home -- our farm, we used to be farmers, you know, came in. And that was December's, December, so I thought, oh no, maybe I'll wait. But nothing came in, so I called the Board of Water Supply to find out if something happened to the mail because, you know, Christmastime, a lot of times, you know, get wrong

mail, yeah. Then she said she'll check. Then she said, oh no, you have a \$940 bill. And I'm thinking what?

MR. DAVID ISHII: So it happened from November, October to November, that two months, October to November or December.

BOARD MEMBER OKAMURA: Who couldn't find the leak?

MR. DAVID ISHII: Nobody. We couldn't find it.

BOARD MEMBER OKAMURA: Somebody else looked?

MR. DAVID ISHII: And the Water Department sent somebody to check, and they couldn't find the leak.

MS. ISHII: But they didn't dig anything. Only

David did all the digging in the property to find where the water was leaking, but we never could find.

MR. DAVID ISHII: So someplace from the meter to the house. And the pressure almost doubled when they changed, because they went from one, what one of the water guys told me, from a 2-inch galvanized to 6-inch cast iron. And just -- so I asked him what the pressure. He said he took a pressure. It was you, you know, either 120 or 140.

BOARD MEMBER OKAMURA: Okay. And then I see, and then in your thing, you mentioned -- in your writeup, you mentioned something about, you know, they didn't put the

pipe back the way it was?

MR. DAVID ISHII: They came into the property and cut the pipe and moved the whole meters.

BOARD MEMBER OKAMURA: They just came into the property and cut the pipe, the contractor did?

MR. DAVID ISHII: Yeah, because the pipes was way up on the corner of the boundary. They cut them and moved about five feet down, so something happened from the time they changed the meter until time we got the water bill. It's just because it never did go up that high. We got two

bills for 800,000 gallons.

CHAIR VICTORINO: That's 24 and 25?

MR. DAVID ISHII: Because my pipe didn't blow.

Ours, we have a regulator. Theirs blew because they didn't have a regulator.

MS. ISHII: We had it by the house. We didn't know about it until we dug the line up, and there was a regulator right next to our house, which was fortunate, that's what the plumber said. Otherwise, our house would be flooded.

BOARD MEMBER OKAMURA: And the contractor, you

know, you had some complaint on this thing about they didn't ask permission to come into your house or into your property?

MR. DAVID ISHII: Well, every time -- see, well, this goes back on my farm. Somebody broke my meter, so I turned off the line. And the previous owner, the previous people that was leasing the farm, they put the ball valve in after the meter, so I turned off the County one. And as soon as the repairman left, the County calls me and tells me, Do not touch our meter. If you break it, it's your responsibility. Your stuff starts from the meter.

But at our house, they come into our property, cut the meter and then if whoever installed it saw that there wasn't a regulator, why didn't they come to us and let us know, you know, the pressure going to just about double over here? Only one house has a regulator. I think maybe you guys should put the regulator in. They didn't do that. They just put everything up, turned everything on, and they left.

BOARD MEMBER OKAMURA: That was a contractor?

MR. DAVID ISHII: Yeah.

CHAIR VICTORINO: Any other questions from board

members before I go to staff?

BOARD MEMBER RAISBECK: Okay. I'm a little confused about the contractor part. This was a contractor you had hired, or this was a contractor --

MR. DAVID ISHII: The County hired.

BOARD MEMBER RAISBECK: Hired by the Department of the Water Supply?

MR. DAVID ISHII: Yes.

BOARD MEMBER RAISBECK: So Fong Construction was hired by them to do this to the meters?

MR. DAVID ISHII: I have no idea. They just replaced the whole line.

BOARD MEMBER OKAMURA: They changed from a 2-inch line to a 6-inch line.

BOARD MEMBER RAISBECK: Okay. And it was the Department's doing it?

CHAIR VICTORINO: Doing it, yeah. They were hired by the Department. Okay. Do you have anymore questions specifically for this issue?

BOARD MEMBER SMITH: Is it still leaking today?

MR. DAVID ISHII: No, I just cut the line off and

replaced everything, a new regulator and everything.

BOARD MEMBER SMITH: You replaced everything?

MR. DAVID ISHII: Yeah.

CHAIR VICTORINO: At your own expense?

MR. DAVID ISHII: Yeah.

CHAIR VICTORINO: Okay. I'll turn now to staff.

If staff can please come up and give us some insight on what's happening. Holly, I guess.

MS. PERDIDO: I'll give part of it.

CHAIR VICTORINO: Part of it, and then who else

will be?

MS. PERDIDO: Alva.

CHAIR VICTORINO: Alva, okay. Go ahead.

MS. PERDIDO: Alva can explain the construction part of the meter, of the situation. I'll just explain the high bill. From October to December, the Ishiis were issued a high bill of 419,000. December to February was also 418,000, which came to about \$1,800.

MS. ISHII: Excuse me, we corrected the matter on December 13th when we found out about it.

CHAIR VICTORINO: December 13th?

MS. ISHII: Yes.

MS. PERDIDO: And the billing -- just for your

FYI, the billing is around 16,000 gallons every two months.

That's their average, and it is now back to 15,000. I guess

Alva has more of a time line when the meters were actually

connected back to the system was in June, but I can let Alva

kind of continue on that.

CHAIR VICTORINO: Okay, hang on.

MR. NAKAMURA: So according to our research, the

meters were -- the Ishiis were installed or relocated on

June 15th and 16th according to our records.

CHAIR VICTORINO: Of 2004?

MR. NAKAMURA: Of 2004. And all services along Ainakula was transferred by the end of June of 2004. Now in speaking to our inspectors that were out there in the field, they do recall not seeing a regulator, you know, before the meter. They cannot -- they don't know or wasn't aware of the fact that a regulator was not installed prior to their -- before the meter or after the cutover was made.

MR. TENGAN: You mean at the meter?

MR. NAKAMURA: At the meter rather. So at this point in time, you know, it's kind of -- for us from the

inspector's side, they're not too sure about that part of it, yeah. But they definitely do know that the meter was relocated and relocated on the 15th and 16th of 2004, so we have this on record of June.

CHAIR VICTORINO: Let me go back now. When they did the original digging to move the meter, the replacement of the meters, was there a regulator or wasn't there a regulator?

MR. NAKAMURA: They could not confirm that. I specifically asked that question, and they couldn't tell me.

MS. PERDIDO: Excuse me, I know they told me there

was no regulator by the meter, but then there was a

regulator by the house, but not by the meter.

CHAIR VICTORINO: They were sure on that part?

MS. PERDIDO: Yes, and that's in the --

CHAIR VICTORINO: So now if the thing was changed

in June, the problem arised when? You saw the -- when was

the first --

MR. DAVID ISHII: October, because according to

what -- I don't know when they got the June, because June is

when they started putting the pines in. Ours was the very

last, and this letter says, right here says on this Page 21,

it says, On Friday, I spoke to Roy. And he remembered that

Fong Construction was working in that area late last year.

And that's when this is. It's late last year. It's not

June. Because I know for a fact because Fong Construction

was cleaning up their base yard by then by the time they did

ours. And they -- one of the Fong guys, because we always

used to talk to them, they told me, we cannot put in your

meters until there's a Water Department engineer or somebody

got to be there with them.

Because it wasn't put in by June. We were about

the very last people. Maybe the meters was already there,
but the actual hookup didn't go until --

CHAIR VICTORINO: In your mind, do you have like a
more specific date when you can recall the actual meter
hookup?

MR. DAVID ISHII: Because I know it was the later
part when they were just about finished cleaning up the base
yard. It had to be October or November.

MS. ISHII: Excuse me, may I speak?

CHAIR VICTORINO: Yes.

MS. ISHII: I remember seeing the work crew by the

meters because the meters were on his property. And that was in the later part of the year, because my husband had surgery the end of August, and we were at Oahu for a week or so. Then he was hospitalized in Maui for two weeks, and then we were home. And I saw the crew working there, but I -- that was the later part of the year. That's all I remember. Because Fong Construction, as my son said, was clearing their base yard there across our property and the gravel and some stone and things was slowly starting to -- and they told me they were going to work in Kihei.

CHAIR VICTORINO: Mr. Nakamura or Mr. Tengan, Fong

Construction would have actual records. Now, these records are coming from them, or are these your records, the June?

MR. NAKAMURA: This has come from staff.

CHAIR VICTORINO: From staff?

MR. NAKAMURA: And they did the investigation to establish exactly when the meters were relocated, and this is information I got from them.

CHAIR VICTORINO: But when you say the word relocated, does that mean --

MR. NAKAMURA: Relocated and connected.

CHAIR VICTORINO: And connected, that's what I

wanted to clarify. I apologize. I asked too many questions. I should have opened up the floor to you folks. I apologize. I open the floor to board members.

MR. DAVID ISHII: I have one question. When they said they found a regulator at the house, when did they say they found that? Because only the plumber knew and the Water Department came up after.

MS. PERDIDO: It was probably after that.

MR. DAVID ISHII: It had to be after. Because it couldn't be before that they saw the regulator, because the

guy came up. I brought the guy up to the house.

MR. TENGAN: Mr. Chair, may I ask some questions?

CHAIR VICTORINO: Sure. Holly, before that, do

you have a specific date?

MS. PERDIDO: What it says is a pressure regulator

near the house itself has been reported, so that must have

been after this happened and they spoke to Garrick probably.

MR. DAVID ISHII: Yeah, because somebody came up.

CHAIR VICTORINO: Mr. Tengan.

MR. TENGAN: I have some questions for Mr. Ishii.

When the contractor made the connection after the meter was

relocated, was it tied into your then existing lines going
to the house?

MR. DAVID ISHII: I don't know. Yeah, it
was after when they finally did the correction.

MR. TENGAN: What I'm saying is that, if I may go
to the Board.

CHAIR VICTORINO: Let the record show Mr. Tengan
is drawing on the erasable board.

MR. TENGAN: Let's just hypothetically say there's
a road here and your property is like this. And the
original meter was here and the house is like this. And the

pipeline going to the house is like this with the regulator and then into the house. My question is let's say the contractor moved the meter to this location for whatever reason with the new pipeline going like this. Was this connection from this meter to some point in between the old line, and between the regulator and the old meter, was this connection like this here, or did they just go in and do the connection?

MR. DAVID ISHII: No, he went to the first one.

You moved the meter I think 5 feet, you cut the line and you guys went back up to the line going to the house.

MR. TENGAN: So it was like this, right?

MR. DAVID ISHII: Yeah.

MR. TENGAN: Mr. Chair, it may be the existence of the meter at the time is a nonissue because when the line was relocated, it went back into the private water system before the regulator and that's why nothing happened to the house, the plumbing in the house. Now, the question becomes did the leak take place here, or did it take place here?

MR. DAVID ISHII: It took place right where your X is.

MR. TENGAN: This one here?

MR. DAVID ISHII: No, down on the lower side.

MR. TENGAN: And that's the line we put in?

MR. DAVID ISHII: Yes, right after the line.

Because let me show you. I can draw some more. You guys went cut about this much.

CHAIR VICTORINO: Excuse me, can you -- so we all can see? Thank you, sir.

MR. DAVID ISHII: Okay. It's like this. You guys cut the line. You went here. And from here, went to the house. You guys just put in a piece about maybe 5 feet, and

from there, it broke. I don't know, from the 5 feet on the line up to the house, I have no idea. I have no idea from where, there or there, because the pipe is down. And we tried to dig. I wanted to find the leak, where it was, but the line was buried deep so we couldn't get there.

CHAIR VICTORINO: So how did you guys find the leak?

MR. DAVID ISHII: We never did find the leak, but it's between that area. Because right after I cut the line and put the new line on, turned the meter on, it stopped spinning.

CHAIR VICTORINO: So you replaced that line that was damaged or supposedly damaged, and it's been replaced by you?

MR. DAVID ISHII: Yeah, I just cut the copper right off and made one PVC aboveground so we could see.

BOARD MEMBER OKAMURA: Why did they bury the pipe so deeply?

MR. DAVID ISHII: I have no idea. Because when we first was there, the pipe was laying on the surface. It was buried maybe just a little before. That's why I know we had regulators, because there were two boxes for the meters and

two regulators popping up. It was on the surface. That's why we didn't know which meter was for which house because the County was sending the wrong bills to the wrong house, so we had to go figure out because their bill was high. Ours was low, and I had two kids. And only was my mom and dad, so the bills was mixed up, so we had to go figure out which one was which.

BOARD MEMBER OKAMURA: So you said had two boxes on each?

MR. DAVID ISHII: Yeah, had two boxes and two

regulators.

MR. TENGAN: Mr. Chair, if I may continue.

CHAIR VICTORINO: Yes, yes.

MR. TENGAN: So the issue in my mind is not whether their regulator existed or not at the time. To me, the issue is where did the break take place. Did the break take place on the part that our contractor did his work, or did it take place after the connection from the old -- from the previous or the existing home plumbing to our contractor's new connection? If the break took place after the connection to the existing plumbing, then that in my

mind would be the customer's responsibility. If the break took place on our portion of the work, then that would be ours. And so what I'm saying is that the location of the exact break in that line there is very important in this case.

CHAIR VICTORINO: I guess you're going to have to dig it up then and find out.

BOARD MEMBER OKAMURA: Maybe -- what about this? Because his line, original line wasn't deep, but this line is very deep, the place where the break is, right, that's where the contractor put it. He put it really deep, and

that's why you cannot find the leak. Before the pipe was higher.

MR. DAVID ISHII: Before the pipe was higher.

BOARD MEMBER OKAMURA: I think we can assume it's the portion --

MR. TENGAN: I don't know if you want to assume.

BOARD MEMBER OKAMURA: Unless you want to go and dig it up.

MR. TENGAN: That's where we've got to make a decision.

MR. DAVID ISHII: Yeah, but does the pressure have

anything to do with it?

CHAIR VICTORINO: But would the change from 2-inch to 6-inch without a regulator being put in -- you've gone from 2-inch to 6-inch -- or even the existing old piping, would that cause a problem also, Mr. Tengan, the amount of pressure now that would be generated by a new 6-inch pipe?

MR. TENGAN: I think we can assume the line pressure did increase. But like I say, you know, by rule, everything, all the line after the meter is the customer's responsibility. However, in this case, our responsibility

will have to be extended beyond the meter if we went -- we had our contractor replace a portion of the private line and that part we should be responsible for.

Now, the rule says that everything after the meter is the customer's responsibility. But in this case here, we would have to assume responsibility for the work that we performed in the customer's property. Now, let's say, you know, Mr. Ishii is saying that the private plumbing is over 25 years old, right. It could be that there's some corrosion or whatever that took place in the -- in the original plumbing that would have occurred anyway at some

point in time.

CHAIR VICTORINO: I think I --

MR. TENGAN: It's really the customer's

responsibility.

CHAIR VICTORINO: I see where you're leading with

this. One moment, Mr. Okamura. I see where you're leading

with this, however, is it our responsibility if we're going

to change the pipeline like that and put a 6-inch, which

increases the pressure that, A, we either let the customer

know that, hey, you got to put in a regulator or a regulator

is going to be necessitated, and/or B, put it in ourself so

this would not happen, whether it's on their side or our side? I'm just asking that question.

MR. TENGAN: The protection of the private plumbing is the responsibility of the customer, so the customer should make sure that he has a regulator on his plumbing.

CHAIR VICTORINO: Mr. Okamura.

BOARD MEMBER OKAMURA: I have a question though. Like if the pressure is high before the meter, don't we have to lower to the pressure before we feed it into the meter, I mean if it's like --

MR. TENGAN: Not necessarily. Our minimum pressure we provide is 40 pounds.

BOARD MEMBER OKAMURA: But it should be --

MR. TENGAN: Obviously if it's 300 pounds, we're not going to do that. We're going to put some kind of PRV in the system prior to it going into the distribution system.

BOARD MEMBER OKAMURA: I have one question then.

You know, if like say the water meter is more or less ground level and your old line was sort of like one foot lower

below the surface, so what did the contractor do, from the water meter, they went down? You don't know?

MR. DAVID ISHII: I don't know. From where the meter was hooked up, you could see the cut in the line going back up.

BOARD MEMBER OKAMURA: So they went from the meter, let's say they went down and went across because they couldn't find the line. But the part that reconnects back to your place, did you find that?

MR. DAVID ISHII: No.

BOARD MEMBER OKAMURA: Oh, you didn't?

MR. DAVID ISHII: No.

CHAIR VICTORINO: Ms. Raisbeck, you had a
question?

BOARD MEMBER RAISBECK: Yeah, I had a question.

Did anybody measure the pressure at the meter?

MR. DAVID ISHII: They measured at the fire
hydrant right there. Somebody found out. That's when they
said, I think they said it was 120 or 140.

BOARD MEMBER RAISBECK: At the fire hydrant?

MR. DAVID ISHII: At the fire hydrant, so they
told me what you get here is what you get at your meter.

BOARD MEMBER RAISBECK: Okay. Mr. Chair, my

feeling here, and I would be interested to hear how other board members feel, but my feeling is that the break that caused the high bill took place after the County had essentially changed the conditions of their system and that the County has the responsibility. I mean I would feel that the County did have a responsibility to make sure that the system worked properly for the Ishiis, so I would at this point think that forgiving the high bill on the basis of probably wherever the break took place, it probably took place because of the change in conditions. And to me, as a

layperson, the most likely place to have a break would be where the new line connected to the old line, but apparently that's not been determined.

MR. TENGAN: Mr. Chair, may I respond to that?

CHAIR VICTORINO: Sure, sure, go ahead,

Mr. Tengan.

MR. TENGAN: I would agree with Member Raisbeck if we develop another scenario. Let's say we didn't relocate the meter. And say this is the old pipeline here, and the existing meter went like this. The regulator went to the

house. Would Member Raisbeck's response be the same if we just relocated to like this here and do nothing to this line here?

CHAIR VICTORINO: Just put in a new meter?

MR. TENGAN: Right.

CHAIR VICTORINO: Ms. Raisbeck?

BOARD MEMBER RAISBECK: Well, I would think if the high bill took place after they attached their system to the -- okay, I would say that perhaps this would be less -- I don't know if there would be less likelihood of a break in the line at the juncture of the old and the new. In that

case, I don't know. But we know they did move the meter, that there was at least 5 feet, I believe you said.

MR. TENGAN: If I may interrupt. The point I'm trying to make here is that I would agree with Member Raisbeck if -- well, let me go back a little bit. Board members should be cognizant of the rule that says that the consumer is responsible for his private lines after the meter. Let's say we, from the new line, we tap into the -- you know, we made a tap and then made a connection straight into the existing, the then existing meter. The line pressure would be -- would be the same, you know, whether we

did that or we relocated the meter. So it goes back to whose responsibility is it. In the case of the meter being relocated, I'm saying that we should be held responsible if the break took place in the portion of work that we did.

CHAIR VICTORINO: Right.

MR. TENGAN: However, if the break took place after that, then it should be the customer's responsibility because we would revert back to the case here where the line pressure would be the same.

CHAIR VICTORINO: Let me ask you this question.

With that in mind and saying that to determine that we have

to go out there and dig up and to determine where the break actually occurred, right, at this point we have to do that to determine where the break was, would it be for all intents and purposes more expedient and maybe even more economical to say we forgive this bill because it's done already? Because they already reconnected. They already spent the money to reconnect. For us to send people up there to dig it up to determine that is not the issue at this point. I think it's economics and expediency.

Wouldn't it be better to forgive them for this

bill and move on, or would you say better to go dig it up and find out where the break was? I'm throwing it back in your court. I'm sorry, Mr. Tengan.

MR. TENGAN: No, I would say it would cost us a lot more in resources than to -- than what the bill represents. We would have to maybe send a backhoe, a crew of two or three men, you know.

MR. DAVID ISHII: Not to mention you're going to dig up my whole yard.

BOARD MEMBER HIRANAGA: Mr. Chair.

CHAIR VICTORINO: Yes.

BOARD MEMBER HIRANAGA: Before we start looking at resolution to that, I think there's members here that have questions.

CHAIR VICTORINO: Well, I'm just asking -- okay, Mr. Hiranaga, you have a question?

BOARD MEMBER HIRANAGA: You're offering a resolution, but there's still questions. Stacey has had her hand up.

BOARD MEMBER CRIVELLO: I just wanted to ask if staff took into consideration of keeping in mind that after 30 years, they basically had set rates. And then after the

construction, then you have this enormous bill. I mean that's just looking at something real basic. I don't understand the technical infrastructure, but I think I would be in some kind of major shock and just looking at what took place. And yeah, maybe there is a responsibility as far as the rules, but don't we go back and look what is the possible cause? And that really hasn't been determined. Of what I'm hearing, that has not been determined as to what caused it, but we know it took place after construction and changes.

CHAIR VICTORINO: Any other questions or comments?

Yes, Mr. Hiranaga.

BOARD MEMBER HIRANAGA: Okay. Looking at what's been presented to us, I guess there's some issues that seem unclear. The County and Fong Construction is stating that the meter was moved on June 16th, 2004. The applicants are saying it was done later, more in October or November. I think we need to confirm when that meter was moved, because if it was moved on June 16th and, in fact, there was a leak that occurred after that, why didn't their earlier bills reflect higher usage? So I think it's important to

determine when that meter was moved, and I would think that

Fong has field reports.

And the other question I have is when the

Department determined that the meter had to be relocated,

was the applicant informed that their meter was being

relocated, or did Fong just go in?

MR. DAVID ISHII: They just went in and moved it.

Nobody told us anything.

BOARD MEMBER HIRANAGA: Now, the meter is located

in the County right-of-way or on private property, the old

meter?

MR. NAKAMURA: I think it was County right-of-way.

I could be wrong, but I think it was County right-of-way.

MR. ISHII: Yeah, I think it was County. It was right next to the road.

BOARD MEMBER HIRANAGA: So is it the practice of the Department because they had to move the meter to do the hookup in the private property, or is that the private owner's responsibility?

MR. NAKAMURA: Usually if there's going to be work done on the private property, that's really the responsibility of the owner; however, because the meter was

relocated about 5 feet away from the original location, I think the contractor just took it upon himself to make the necessary connection so that, you know, minimizing any disruptions as far as water service.

BOARD MEMBER HIRANAGA: Did the contractor inform the applicant of that work to be done? Did Fong give you notice that they were going to move the meter and we're going to put this line in?

MS. ISHII: No, nobody did.

MR. DAVID ISHII: No.

BOARD MEMBER HIRANAGA: To me Fong needs to be

questioned I think a little bit more closely. Because also you state that the previous line was aboveground. Fong, now he's saying the current line is underground. Why did Fong bury the line? Because if the line was aboveground and there was a leak, this leak would have been discovered immediately. So it seems to me, you know, that your contractor has to explain a lot of his actions versus having the Department accept waiving this consumption bill, I think that more work needs to be done to determine who is responsible.

And I don't think, you know, appropriate answers have been received from the contractor. I also look at this letter on Page 20 from Hakaru Ishii. I guess it was received on December 21st and dated December 17, but he states that he did see water leaking from there, from underground.

MS. ISHII: What?

BOARD MEMBER HIRANAGA: "We found that there was a lot of water leaking underground where the men had buried the main line," second to last paragraph.

CHAIR VICTORINO: Yeah, right here it says.

BOARD MEMBER HIRANAGA: That's your husband?

MS. ISHII: Yeah, my husband.

BOARD MEMBER OKAMURA: I guess we assume --

BOARD MEMBER HIRANAGA: So to me it's important to find out when was the meter actually moved. I mean there's a conflict. Fong is saying June, and they're saying October/November.

MS. PERDIDO: You know, just to make a comment here, I have a project folder here, you know, the payments that Fiscal has. And I know final and inspection was given October 27th, because that's the date of final inspection.

And I -- the majority of the work prior to that by Fong was done in June, and that's their billing. They have one last small billing in October, but like I said, I'm not the Department engineer.

BOARD MEMBER HIRANAGA: But the Department inspects the work before signing off on the contract.

MS. PERDIDO: The Department does.

BOARD MEMBER HIRANAGA: So the Department would have field records also inspecting the relocation of the water meter.

MR. NAKAMURA: I would believe so.

BOARD MEMBER HIRANAGA: So can we have access to
that?

BOARD MEMBER RAISBECK: Mr. Chair.

CHAIR VICTORINO: Yes.

BOARD MEMBER RAISBECK: Could I ask Holly a
question? The bills between say June and October, were
those all actually read bills, or were they estimated bills?
I mean did they actually read the meter?

MS. PERDIDO: I'm pretty sure they were all read
bills.

BOARD MEMBER RAISBECK: Sometimes data gets

estimated.

MS. PERDIDO: I'll have to double-check that, but

all of those were read bills. I don't have that with me

right here.

BOARD MEMBER HIRANAGA: If I could continue, so I

think identify when the meter was moved, why Fong did not

gain permission from the applicants to enter their property,

why they decided to bury the line. Also this observation

from Hakaru that he did see water leaking. There seem to be

some issues that need to be resolved. One of Mr. Tengan's

contentions is the line is old, so it could be a coincidence that it ruptured at this time. So before I think the Department accepts responsibility and waives this bill, I think we should do more research.

MR. DAVID ISHII: But doesn't the regulator -- why doesn't the County put regulators in before the house then? Because it's supposed to be to regulate the water so you don't blow your fixtures in the house, right?

BOARD MEMBER HIRANAGA: The County doesn't put the regulators in.

MR. DAVID ISHII: They put in ours. The plumber

didn't put in our regulator. It came in all at one time,

yeah, the regulator.

BOARD MEMBER OKAMURA: So they did put a regulator

on your house?

MR. DAVID ISHII: No, they did when they hooked up

my line, they put the regulator. Because the plumber just

hooked up straight to the regulator from the stop valves.

BOARD MEMBER OKAMURA: But they didn't put a

regulator?

MR. DAVID ISHII: Well, theirs had. Before it was

there. I don't know who took it off or why it was moved.

BOARD MEMBER HIRANAGA: You're saying your water meter did not have an existing regulator?

MR. DAVID ISHII: No, I said when we applied for our water meter, when the County came in and put our meter in, it came with a regulator.

BOARD MEMBER HIRANAGA: What year was this, do you know?

MR. DAVID ISHII: In '78 or '79, I think. And then about '80, that's when I saw two regulators because we didn't know what house was what. But when you jump from no

pressure to 140 pounds, 120 pounds, even if the line is old,
that's too much pressure for run on that line, even one
copper pipe.

BOARD MEMBER HIRANAGA: My point is if your line
had remained aboveground, you would have seen the water
immediately.

MR. DAVID ISHII: But what I'm trying to say is
the County is going to come in and change the water meter
and Fong came in and they saw that there was no regulator on
one of the lines and they already know you're going from one
2-inch to one 6-inch, you know the pressure is going to

double, even triple. Why didn't somebody come to us and just say, Hey, you know what, we're going to change your water meter, but this lot don't have one regulator, I think you guys should put one in? I know you guys are saying it's our fault, but isn't that just courtesy?

BOARD MEMBER HIRANAGA: Well, my point is I think the question to Fong should be why did they not, when they replaced the line, a portion of the line, why did they not return it to its previous existing condition, which is that the line was aboveground? Why did they bury the line? Because I think there's reasons you leave lines aboveground,

especially if it's long lengths, so if there's a break in the line, you see it. So why did Fong bury the line?

BOARD MEMBER OKAMURA: Did the Department take off the old regulator and the meter, or the construction company did? Who took out the old meter?

MR. TENGAN: That would be the contractor, but, you know, like I'm not sure that a regulator is involved here because there's a disclaimer by the contractor that there was no regulator.

BOARD MEMBER OKAMURA: No regulator. It happened to me, too, in a situation where, another situation where

the contractor said there was no regulator in a lot that I lease. But I saw it, you know. I used to know that it was there, but the pressure was higher, so I know when contractors say something and they have a big project and they have a lot of things to do, if they say something, I would take that with a grain of salt, too.

CHAIR VICTORINO: I think what we need to do is,

A, first of all, go back to the contractor and get their rationale for all these changes that occurred, why was the meter moved because nobody seems to have an answer to that.

What was the premise for moving the meter, and why -- what else promulgated them to bury it so deep so that, A, like you said, no one could tell until sometime later. When was this done? One record says this. These people say that. There's a big gap between the two. So somehow somewhere there's got to be some more facts behind it. And we're not trying to say we're holding you guys responsible, nothing of that nature. We just want the facts. Because if the facts fall back on us or the Department, that's one issue.

If it falls back to you folks, then that's another issue. But we want to be fair to everybody, okay, so we

need to get all the facts. You know, again, digging up
would be very expensive. Is it worth it? My feeling is I
would rather go on. But Mr. Hiranaga brings up a good
point. If the contractor assumed and did things on their
own, on their own accord, which may have caused it,
maybe they should be held responsible.

So there's a lot of factors that need to be
investigated and brought back to us. And we'll put you
again on the agenda for next month. Hopefully by next
month, we can get some of these answers and get this matter
resolved for you folks. But I do agree when you have a

history like Ms. Helm stated, you have a history for many, many years, and then all of the sudden, wham, it goes up. Okay, if it wasn't buried so deep, if it was aboveground, you would have seen the water. But then again, your husband is saying he noticed water.

MS. ISHII: Maybe the ground was wet or something.

CHAIR VICTORINO: Yeah, so I don't know, but him noticing water, then that should have indicated where the leak or at least the area of where it was, but now you guys are saying you couldn't find it.

MS. ISHII: No, we never could.

CHAIR VICTORINO: So anyhow, conflicting statements, so let's get them all together, and let's get it rectified one way or the other, so if it's the Board's pleasure, I would like to recommend this be deferred to the next meeting and get the facts.

BOARD MEMBER RAISBECK: May I make a comment, Mr. Chair?

CHAIR VICTORINO: Sure, you may, Ms. Raisbeck.

BOARD MEMBER RAISBECK: I hate asking the Ishiis to come back to another meeting. I hate to spend more of

the Board's time trying to resolve this issue when I think according to, as you said earlier, it's much simpler and quicker and easier for the Department to forgive the high bill. I would not in many circumstances forgive a high bill. I myself have had a high bill several years ago that was caused by a leak on my property, and I paid it reluctantly, but I paid it, of course. But in this situation, I think it's clear that the Ishiis are not to blame.

And I would like to see the Board say let's

forgive the bill, let's contact Fong Construction to answer

the questions that Mr. Hiranaga asked. And also I think the Board should notice that there were two high bills in sequence, that possibly the Department should have done something about the first high bill in order to not have a second high bill. No?

MS. PERDIDO: Yes, the meter readers were out there, and I think meeting with the Ishiis that there was a high bill. December 8th, the meter was going really fast, and I think you guys repaired it when?

MS. ISHII: Nobody came to our house until the 13th when I called. Nobody came to tell us there was a high

bill or anything.

MS. PERDIDO: Because they reported the meter was going fast. And then when did you repair it, in December?

MR. DAVID ISHII: About the 13th or 14th I guess, after she called.

MS. ISHII: December 13, I called.

BOARD MEMBER RAISBECK: I thought I saw there were two successive high bills.

MR. DAVID ISHII: The second bill came. It was 50,000 gallon less only or something. But it happened after we fixed it, too, so I don't know where that other bill came

from.

MS. ISHII: So December 13th, he put the line all.

CHAIR VICTORINO: He replaced the line?

MS. ISHII: Yeah, on the surface now. We didn't bury it. Plus our line on our property, the line isn't that deep, because our property goes this way, that way and that way, and that's his place there.

CHAIR VICTORINO: So I open the floor to a motion if the Board wants to make a motion to defer or --

BOARD MEMBER CRIVELLO: I would like to put into

motion a recommendation, and I reference to I guess I'll
bring this up in discussion, that we forgive the -- have the
Department forgive the exorbitant amount that's due from
Ishiis on the basis, too, that the Department will continue
the suggestions that Mr. Hiranaga has brought forth.

CHAIR VICTORINO: Do we have a second?

BOARD MEMBER RAISBECK: Second.

CHAIR VICTORINO: It's been moved and seconded.

Discussion?

BOARD MEMBER OKAMURA: I think maybe the point

brought forth by Kent is good, too. The contractors that do

the work, maybe we should, you know, try to have them be a little bit more careful in what they do. And in terms of, you know, the consumers are our customers, and at this rate, we build like a bad reputation with the customers. So I don't know if they did anything wrong, but it seems like the way they operated wasn't really good. And I know you guys have problems, you know, getting the work done and having enough contractors to do the work so, I don't know.

CHAIR VICTORINO: Ms. Helm.

BOARD MEMBER CRIVELLO: Also the letter, the memo to Mr. Tengan from the mayor is dated February 23rd, so if

we wait until June again to make another decision, how much longer are we going to be to make this kind of decision for this amount? And, you know, it's obvious the consumer has gone into additional expenses by retaining legal service, by changing the pipeline, and we're here to be of service to the consumer. So in my opinion, this is consumer versus contractor, and so I would hope there will be consideration that we can just have this matter rest on their behalf and but for us to make that final determination on this, you know, would it be necessary, and perhaps so, so we can hold the contractors accountable if it's otherwise.

CHAIR VICTORINO: Mr. Hiranaga.

BOARD MEMBER HIRANAGA: I guess I will be voting against this motion because I believe the frequency of high bills is not that uncommon. And we've had people come before us who have had remote water meters that have had breaks in their line, oh, we've been away on the mainland for X number of months, we were unaware of this break, but I think it's premature to be making a decision as to whether to waive the bill or who is responsible until we get more information. Because I think you're going to be setting a

precedent. I think if you talk to Holly, recurrence of high bills is not that uncommon. And once we start waiving bills, where do you draw the line?

I've had I know of issues where there's been construction on lines and air blows through a meter, and I don't know if the current meters still do this, but before air would pass through a line and make the meter spin. And all of the sudden, the owner says, what is with this bill? I don't have a leak. It's unexplainable, but the meter registered it, so the customer had to pay for it. So I guess I want to express some caution this is not a onetime

thing, and we will be setting a precedence until I feel we can get more facts and make a determination.

CHAIR VICTORINO: Thank you, Mr. Hiranaga.

Mr. Okamura.

BOARD MEMBER OKAMURA: Yeah, I think like the Chairman mentioned, it's going to cost -- if its costs the Department more than \$900, the only way we can find out actually what caused the problem is to dig it up. Whether we talk to the contractor or not, it's not going to shed anymore light on who is at fault. I think in this situation where we laid part of the line to the house and they sort of

changed the circumstances and to prove whether who is right in this case, we would have to dig up the line in the end. And I think the director mentioned it would cost us more to do that. So, you know, that's the only way we can finally determine, you know, who is at fault, and it might not be worth it to do that, so I think we should move on.

BOARD MEMBER HIRANAGA: I note in this field

report here, let me find it for you.

CHAIR VICTORINO: If you can give us a specific

page.

BOARD MEMBER HIRANAGA: Page 30.

CHAIR VICTORINO: Page 30, if you look at the comments specifically, it says that the pipe that's connected to it on consumer side is only 6 to 8 inches deep, so the applicant is saying the pipe is 4 feet deep. Garrick Motooka is saying it's only 6 to 8 inches deep. And the letter from Mr. Ishii saying he saw a wet area, I don't know if you need a backhoe if it's only 6 to 8 inches deep.

MR. DAVID ISHII: But he also said he moved it only 2 feet.

BOARD MEMBER HIRANAGA: May I finish? So there's

some inconsistencies. He says he only moved it 2 feet.

They're saying 4 feet. Someone is saying 4 feet deep.

Someone is saying 6 to 8 inches deep. I think it's

premature to take a backhoe out there right now, but again,

I think this issue needs further investigation.

CHAIR VICTORINO: Okay. Any other discussion?

Sensing none, I'll call for the question. All those in

favor of the motion as stated, signify by raising your right

hand.

(Hands raised.)

CHAIR VICTORINO: All those opposed?

(Mr. Hiranaga raises hand.)

CHAIR VICTORINO: And the Chair just basically I approve. I vote yay on it. But I agree with Mr. Hiranaga we are setting a precedent, ladies and gentlemen, so I want you guys to understand that. But what we're recommending, and this is a recommendation to the director, is to forgive you for the bills for those two; in other words, we'll take it from what it was to what it normally would be. I'm not saying no bill. That's just our recommendation also. The Department will make that final decision.

MR. DAVID ISHII: Okay.

CHAIR VICTORINO: So I just want you to understand
it's just our recommendation to them, okay?

MR. DAVID ISHII: All right. Okay, thank you.

CHAIR VICTORINO: Yes, Ms. Raisbeck.

BOARD MEMBER RAISBECK: May I offer another motion
that would be a recommendation to the director as far as
proceeding with Mr. Hiranaga's questions to --

CHAIR VICTORINO: You can go. This is something
totally different. Yeah, you may leave. Thank you very
much.

MR. DAVID ISHII: Thank you.

MS. ISHII: Thank you very much.

MS. HOWARD: Mr. Chair.

CHAIR VICTORINO: Before you do that, I'm going to
call for a recess for ten minutes.

(Recess taken.)

CHAIR VICTORINO: Call the meeting to order.

Let's go back to unfinished business. I think we skipped
the update on the status of the Pookela Well.

BOARD MEMBER RAISBECK: Mr. Chair, I still had a
comment on the previous item.

CHAIR VICTORINO: I thought that was covered, but go ahead. I thought because it was covered in the motion itself, but go ahead.

BOARD MEMBER RAISBECK: I was -- I did not realize that the motion as Cathy read it back to me did include checking out on the actions and policies of Fong Construction, so I just would like to get it on the record that that was a recommendation of the Board to the director that Fong Construction be questioned about their procedures in this case.

Also, if I may just make a comment that I would

like to see the Department develop procedures that made it easier to communicate with people that they have a high bill and need to do something about it because the clock is running and the water is running, and they need to do something about it. I don't think it necessarily is in the timeliest fashion communicated to the individual water meter owner that things are bad and they've got to do something.

I would like to see it. Since we do have a two-month billing period, that means a leak can go two months without being caught, and they should communicate more directly, if possible, with the -- Kent brought up the case of somebody

who was on the mainland and did not -- wasn't really notified that things were going bad, and I would like to see more effort into that.

MR. TENGAN: Mr. Chair, if I may, if we could ask Holly to briefly describe what happens when there's a high reading, and it should take a couple of minutes. We do have set procedures.

CHAIR VICTORINO: Go ahead. Okay, maybe the board members need to hear that, please.

MS. PERDIDO: Yeah, currently when we have a high reading, the preaudits would catch it. It would pop out.

They would send someone out to verify the high reading.

Normally if it's a high consumption, they would leave a notice that they had a high consumption, to check for leaks.

CHAIR VICTORINO: When you say high, what constitutes high, 50,000 gallons more than previous months, what constitutes high?

MS. PERDIDO: I think the cutoff is like five to ten percent higher.

CHAIR VICTORINO: Higher than normal?

MS. PERDIDO: Yeah, it might be a little higher, I

think the ten percent, but it depends. If it's really low, then we probably wouldn't. If say it's usually 5,000 and it would be 10,000 gallons, I doubt we would send a notice for that. But there is a set policy that it kicks out of the system on a certain level.

BOARD MEMBER RAISBECK: Do you also send a notice by mail as well as leaving a notice on the, whatever it is, door?

MS. PERDIDO: Yeah, because if sometimes there's no place to hang a notice, then we would mail out a notice. But I don't think on average we mail out and hang a tag. I

think if they hang a tag, we wouldn't mail a notice.

CHAIR VICTORINO: Mr. Hiranaga.

BOARD MEMBER HIRANAGA: Just personal experience, we did get a notice from the Department regarding high usage on one of our meters, but the actual usage wasn't that much because the meter services a vacant lot. And we just started watering I guess for summer, and it went like from zero to like 10,000. And they sent us a notice, but so I think you go by percentage, because it was a zero usage to 10,000.

MS. PERDIDO: Yeah, I think it's, like I said,

maybe five to ten percent.

MR. TENGAN: And what's the time frame by the time the customer is notified?

MS. PERDIDO: Well, it depends. If you hang the notice, they would get it right away. If we mail it, it would come back and they would prepare the notices in the office.

MR. TENGAN: We use the radio readings, right?

MS. PERDIDO: Yeah.

MR. TENGAN: Does the device trigger a high read at the time the reader is taking a reading?

MS. PERDIDO: What it does is they download everything. They go back to the office and download it all, and that's when the high consumption notices are -- we usually send people back out.

MR. TENGAN: The next day, same day?

MS. PERDIDO: The next day, not the same day.

CHAIR VICTORINO: So the thing pops up, all of the sudden my meter went triple what it normally is, you send somebody out to verify the reading?

MS. PERDIDO: Yes, definitely.

CHAIR VICTORINO: Then if it verifies correct, you

hang, send notices. How long from that point? Say I come

back. I say, yeah, that reading was correct. It's the next

day, two days later? When does that notice go out?

MS. PERDIDO: Like I say, if they're there,

they'll hang a notice; otherwise, they'll mail it out. Like

if Kent had a vacant lot and there's no place to put it,

they would mail it out.

CHAIR VICTORINO: Go ahead, Mr. Okamura.

BOARD MEMBER OKAMURA: How soon after the meter is

read can you tell it's a high reading? How many days after

that?

MS. PERDIDO: I think they start preauditing the next couple of days because they have a schedule they have to meet. And during that time, I would hate to say it, but a lot of times there's a stack of SR's kicking out that tells you the variations that have to be checked. And then we either send them out to check again or --

BOARD MEMBER OKAMURA: This case was sort of unusual though. I think they were --

CHAIR VICTORINO: I'm not going to discuss this case. I want to stay on the subject of their procedures,

not the case. Anything else for Holly? Everybody at least has a general consensus of how this is handled. Thank you, Holly, for that information. Going back to unfinished business -- are you done, Ms. Raisbeck?

BOARD MEMBER RAISBECK: Yes, thank you.

CHAIR VICTORINO: Going back to unfinished business, the update on the status of the Pookela Well.

MR. NAKAMURA: Yes, Mr. Chairman, I didn't provide any written comments, but just to give you a verbal update, the pump and motor for the Pookela Well has been ordered with the manufacturer. This was somewhat delayed because of

some issues that came up with regard to design and specifications, however, from what I understand, these have been more or less worked out. We have a teleconference, a phone call tomorrow morning at 9:00 with the Bailey Drilling and ourselves and our general contractor to go over anymore issues that may be forthcoming. But at this point, the important things are the pump and motor has been ordered and is being manufactured. And we are now looking at a completion of the well somewhere around April of 2006. Initially we were earlier in the year, but because of the

delay in getting the order in because of specifications of the issues that came up, we're looking at about April of 2006.

Now, this is maybe subject to change again depending on how things go and all that, but that's the information we have at the present time. Also, you need to know that in order to try to keep this project on track as best as we can, I've been in contact with the general just about every week to make sure he's on top of this thing and he's got the latest information. And if there are any hangups that has come up that we are unaware of, that we can

take action right away to clear the roadblocks so this project can move forward, so that's kind of where it stands right now.

CHAIR VICTORINO: Questions? Mr. Okamura.

BOARD MEMBER OKAMURA: What does completion of well mean?

MR. NAKAMURA: It means that the well will be operational. But keep in mind after we get that operation, we still have to probably go to the Department of Health to get certified and all that. That's going to take a little more time, too. But as far as the well completion, we're

looking at about April 2006.

CHAIR VICTORINO: Any other questions?

Mr. Hiranaga.

BOARD MEMBER HIRANAGA: Once the well is completed, a distribution system is already in place, or you have to construct that?

MR. NAKAMURA: When you say distribution, you mean the pipeline?

BOARD MEMBER HIRANAGA: Yeah, the pipeline.

MR. NAKAMURA: That's going to be part of the project. They're bringing the pipeline out to Olinda Road

and tying it in. In fact, we did some other improvements.

We had another project going down tying all the way down to

Makawao highway, so that will be in place before, you know,

by the time the well is in production.

CHAIR VICTORINO: Anything else? Any other

questions?

BOARD MEMBER OKAMURA: What elevation is Pookela

Well?

MR. NAKAMURA: I think it was about 1,800,

something like that, in that range somewhere.

BOARD MEMBER OKAMURA: Thank you.

CHAIR VICTORINO: Okay. Thank you, Mr. Nakamura.

And I would only ask that I will kind of put this under unfinished business, everyone, to kind of get a steady flow of information if that's all right with the Board. I mean you don't have to go into long dissertations, but, you know, if everything is moving along as planned, if there's any other challenges or problems that come up, then you let us know. Okay, so 2006 Pookela Well comes on line. Thank you, sir.

Moving on to director's reports, B, Director's

Report 05-10 2005, Fiscal Year 2005 Write-offs, Pages 38 to

41. Holly.

MS. PERDIDO: This is the write-offs that we're recommending for fiscal year '05. Every year we come to the Board to get approval for the write-offs. And basically, these are uncollected accounts, but we do still give them to the collectors to still try to collect. For instance, last year we requested \$9,700, and we ended up writing off \$9,400 because some payments did finally come in. But it's a very low percentage compared to our total accounts receivable balance. And of that, about -- which was bankruptcy, \$600?

About \$600 was bankruptcies this time.

CHAIR VICTORINO: What is the percentage the collection agency, if they collect something, what is their percentage they keep, and what do we get?

MS. PERDIDO: I'll have to verify that. It's set up with the County Department of Finance and I'm wanting to say 70 -- if it's not 50/50, 75/25, but I'll have to confirm that.

BOARD MEMBER HIRANAGA: My recollection is 50/50.

MS. PERDIDO: That's what I was thinking.

CHAIR VICTORINO: I kind of remember asking that

before, but it just kind of slipped me.

MS. PERDIDO: And basically the collection agency is established. The County goes out to bid for it as a whole, and then they select it with our input from past experience.

CHAIR VICTORINO: Any other questions?

Mr. Okamura.

BOARD MEMBER OKAMURA: Generally what kind of circumstances are these people in that they cannot pay their bill? You already shut off the water, right? And is that

from -- are most of these homeowners, or what kind of -- can you generalize, or it's hard to say?

MS. PERDIDO: Yeah, it's hard to say. Some could be people who have left island that they can't contact. And basically, all these people they cannot contact because they're given to the collection agency, and they take over.

BOARD MEMBER OKAMURA: So they don't have a home or something like that?

MS. PERDIDO: Yes.

BOARD MEMBER OKAMURA: I see, okay.

CHAIR VICTORINO: Any other discussion? If not,

I'll ask for a motion.

BOARD MEMBER RAISBECK: I move that we accept
the -- or we recommend writing off \$9,418.06 of uncollected
accounts.

BOARD MEMBER OKAMURA: Second.

CHAIR VICTORINO: It's been moved and seconded.

Any other further discussion? Sensing none, all those in
favor, signify by saying aye.

(A chorus of aye's.)

CHAIR VICTORINO: Opposed.

(None.)

CHAIR VICTORINO: Thank you, Holly. Okay. Item C, Director's Report 05-11, Summary of the USGS Central Maui Ground Water Study Liaison Committee Meeting of April 19th, 2005, which you'll find in Pages 42 to 53 in your packet.

MR. TENGAN: Eva, are you going to --

MS. BLUMENSTEIN: I was just here if there were any questions.

CHAIR VICTORINO: Come, introduce yourself.

MS. BLUMENSTEIN: I'm Eva Blumenstein, staff member. I attended the meeting.

BOARD MEMBER OKAMURA: I'm sorry, what was that?

MS. BLUMENSTEIN: Eva Blumenstein, Water Resources
and Planning.

BOARD MEMBER OKAMURA: Eva?

MS. BLUMENSTEIN: Blumenstein.

CHAIR VICTORINO: The report is there, I mean if
you have any specific questions for Eva. I thank you guys
very much. This is very good work. Any questions? I
think, Sally, you've attended this meeting, right?

BOARD MEMBER RAISBECK: No. My question was who
else is on this committee?

MS. BLUMENSTEIN: Yeah, I just have an E-mail. I

don't know if I can identify all of these. It seemed like
the mayor, most of the purveyors.

CHAIR VICTORINO: Here, I have the list. I get a
copy of all the minutes, and I know Ralph attended the
upcountry one.

BOARD MEMBER RAISBECK: No, no, this is different.
This is the upcountry water advisory committee.

CHAIR VICTORINO: This is the central and
upcountry together? This is the central district one?

MS. BLUMENSTEIN: Not for the water use and

development plan. That's the water use and development plan. This is USGS. The USGS has adopted this committee, so I don't really have a list of the names. But it appears to be staff members of the Department, most of the purveyors, other hydrologists, some of the commission and, of course, the USGS staff.

BOARD MEMBER RAISBECK: Anybody there to represent the public generally?

MS. BLUMENSTEIN: There are some residents from Iao Valley I know.

BOARD MEMBER RAISBECK: John Dewey?

MS. BLUMENSTEIN: Yes, he's been to most meetings.

I know we sent to Rob Parsons from the mayor's office. But we didn't really have anything to do with the selection of the committee.

BOARD MEMBER RAISBECK: Okay. No, these are different meetings.

CHAIR VICTORINO: Sorry, got too many meetings. I apologize. Any other questions for Eva?

BOARD MEMBER OKAMURA: Yes.

CHAIR VICTORINO: Go ahead, Mr. Okamura.

BOARD MEMBER OKAMURA: Eva, what do you do in the

planning department?

MS. BLUMENSTEIN: I'm in the Water Department, Water Resources and Planning. I do GIS. I do Central Maui and Hana all permitting, discretionary permits. I do ground water protection, the well head protection program, some public outreach and various things.

BOARD MEMBER OKAMURA: Great, a lot of work. I was wondering Page 42, the middle of the -- the middle paragraph. This is a letter from the Department.

CHAIR VICTORINO: I think you're talking about

the --

BOARD MEMBER OKAMURA: I couldn't understand the sentence, the second paragraph, the middle part, The last study areas will be Waiehu and Makamakaole streams. The completed seepage runs show loss to streams occurring at stream diversions and in the high level dike area. The USGS have not concluded what, if any, loss to stream flow would result from basal well pumping. What does that part mean, that section?

MS. BLUMENSTEIN: Well, I guess it means they have been looking at all the streams within the Iao and Waihee

aquifer, and the seepage runs has been at the various gauging stages trying to measure what the flow is of the stream is at various points, and that would indicate whether there is some discharge of the ground water into the stream. And there's a lot of people wondering what it is, if some of our basal well pumping affects loss to streams or not.

BOARD MEMBER OKAMURA: Water from the well going into the stream?

MS. BLUMENSTEIN: What input, if any, the ground water at the basal level and the high level dike zone, what impact that would have on the streams. So this seepage runs

is basically just measuring the stream flow at various points of the stream.

BOARD MEMBER OKAMURA: To show the seepage of the stream into the aquifer?

MS. BLUMENSTEIN: Well, to show where the diversions are and what the loss to the streams are at various points.

BOARD MEMBER OKAMURA: Diversions meaning taking water out?

MS. BLUMENSTEIN: For ditch use.

BOARD MEMBER OKAMURA: Oh, so you call that

seepage?

MS. BLUMENSTEIN: Well, the measurements are called seepage runs. I don't know why they're called seepage runs, but that's all they're doing is measuring the flow at various points and looking at the connection where the diversions are.

BOARD MEMBER OKAMURA: So diversions and dikes are the same thing, they divert the water, just high level dike area?

MS. BLUMENSTEIN: No, I mean the high level dike

zone, the area, not the basal area where most of our wells are pumping from, the high level dike is -- I'm not a hydrogeologist, I don't know how to explain this -- it's a separate type of aquifer on the other side of this dike zone.

BOARD MEMBER OKAMURA: Okay. It has to do with the aquifer then?

MS. BLUMENSTEIN: Yeah, so what it appears anyway where most of these losses to the stream are is at diversions and also in that high dike zone and not in the basal aquifer area.

BOARD MEMBER OKAMURA: Okay. Thank you.

CHAIR VICTORINO: Anymore questions for Eva?

BOARD MEMBER RAISBECK: So is there a percentage completion that they've achieved?

MS. BLUMENSTEIN: Of the study?

BOARD MEMBER RAISBECK: Of the study, a percentage completion.

MS. BLUMENSTEIN: Well, they are on track, and they gave us a time line. They completed the data review. The they're doing the data collection now. I think in June they're finishing the well data collection, and then they

still have Waiehu and Makamakaole Stream seepage runs to do, so final reports are scheduled for actually 2007. They're finishing the numerical model of this whole project in 2006, and then the report in 2007.

CHAIR VICTORINO: Okay. Anything else? Thank you, Eva. We appreciate you stopping by and giving us an update. And I'm sorry I got confused on the reports. Okay. Moving along to Director's Report D, 05-12, Funding and Improvement and Expansion Projects, which was requested by our member Mr. Ralph Johansen. And he was very adamant about wanting to know about this, and I would like to put

this, if it's all right with the Board, defer this matter to the next meeting when he will be in attendance. And today he was sick and he asked if this could be deferred, and I said I would ask. And the pleasure of the Board, if it's okay, I would like to defer this matter to our next meeting. Okay. Do I need a vote on that, or is that all right with everybody?

Okay. Moving right along on the other business.

A report by the Board Chair on the AWWA Hawai`i Section

Conference held in Honolulu May 11 to 13, 2005. Myself and

Mr. Hiranaga attended. I think it was only two of us that attended the session. Mr. Tengan was there, and we had a number of staff that go down for the HSC every year. The conference was very enlightening. It's very interesting to share and understand how other departments and how other boards are operating and working, and I think the interaction is very important.

A couple of other things that I was very pleased, I was honored to be a judge for the Ono Water Contest, because unfortunately Kauai won, because they don't tell us where the water comes from. So sorry, Kauai won. And it

was very interesting. It was an interesting judging

contest. I've never done something like that before, and I

may never do it again.

Anyway, also, we were very fortunate that this

year, okay, George, now correct me, our section chair will

be, section chair is our own man --

MR. TENGAN: Walt Hager.

CHAIR VICTORINO: -- Walt Hager, right. He was

elected the section chair for Hawai'i section for 2005/2006,

so I want to congratulate Walt Hager for that. And also the

award was?

MR. TENGAN: The Fuller Award.

CHAIR VICTORINO: The Fuller Award was presented to none other than our own Paul Seitz. So Thursday night was Maui's night, right. The Fuller Award, maybe you can explain to the rest of the Board the Fuller Award because I have an idea, but I'm not going to explain it correctly. George, would you explain what the Fuller Award means?

MR. TENGAN: Well, the Fuller Award is presented to a section member annually. That person is selected through a screening committee comprised of the five previous Fuller Awardees. I guess the award is presented to a member

for, as I recall, application of engineering skills, for showing leadership and for their participation in the organization. So each section every year presents one award every year, and there are a number of sections throughout the nation. And at the annual conference, the awardees are recognized and presented their pins.

CHAIR VICTORINO: So Paul will be recognized at the --

MR. TENGAN: It will be presented to him in absentia. He's on a scheduled vacation to New Zealand, so

he won't be able to attend.

CHAIR VICTORINO: But you'll be there standing in
for him?

MR. TENGAN: I don't know. They haven't asked me.

CHAIR VICTORINO: And by the way, a past Fuller
Award winner is none other than Mr. Tengan himself. He was
what '80 -- '90?

MR. TENGAN: '98.

CHAIR VICTORINO: '98, 1998 he received the award.

MR. TENGAN: I wasn't present for my presentation.

CHAIR VICTORINO: Nobody is present when they win

these awards. Okay. But all and all, I say the conference was very enlightening. I thought the report done by Boyle on the upcountry water situation was very enlightening. I thought that was something I enjoyed very much. And again, those who have attended in the past can attest, it's a lot of sharing of the ideas, so I thought the conference itself was well run. Mr. Hiranaga, is there anything you want to add?

BOARD MEMBER HIRANAGA: No, I think you've done a fine job.

CHAIR VICTORINO: Thanks. All right. Moving

right along, B, Receipt of the Board Members requests for future agenda items. One we know for sure will be 05-12 will be back on the agenda. We also will keep the Pookela update if that's okay with everybody. We'll keep that on the agenda. Any other requests? I'll open it up to -- also one more thing. June we'll have election of officers, so the chair and all that, so I just wanted to make sure that's on the agenda in June.

Yes, sir. Yes.

BOARD MEMBER HIRANAGA: Well, relating to the

election of officers or election of chair, I think last year

or the previous year, we had a nomination committee. You're just going to open it to the floor?

CHAIR VICTORINO: I'm just going to open it to the floor if that's okay.

BOARD MEMBER HIRANAGA: I just wanted to announce I will not be at this June 23rd meeting, just to let you know. Also, just followup to the previous agenda item regarding the Ishiis, when the director makes a determination if we could be informed of the director's determination.

CHAIR VICTORINO: Okay.

BOARD MEMBER HIRANAGA: I think we've done in that
in the past.

CHAIR VICTORINO: Okay, Mr. Tengan.

MR. TENGAN: For the Board's information, the
intent of bringing these items to the Board is to keep the
Board in the loop as far as appeals to the director's or the
Department's decision. And the reason we're doing it like
this is previously a lot of these items were going up to the
mayor, and the mayor thought that it would be better if it's
handled by the Board. And he asked that I refer these

matters to the Board, and the mayor's intent is to go by the Board's recommendation.

So unless there are very strong reasons as to why we shouldn't go with the recommendation of the Board, I would say generally the decision would be to go along with the recommendation of the Board. And if there was a decision to go against the recommendation of the Board, then I would expect that a report would be made back to the Board explaining why a decision was made otherwise.

CHAIR VICTORINO: Is that all right with the Board that, you know, if we made a recommendation and that

recommendation is carried forward, that, you know, only reports come back if our recommendation has been changed?

BOARD MEMBER HIRANAGA: Well, I mean, you know, the director sends a letter to whomever, so --

CHAIR VICTORINO: A copy of that.

BOARD MEMBER HIRANAGA: So just stick it in the packet.

CHAIR VICTORINO: Is that all right?

MR. TENGAN: Yeah.

CHAIR VICTORINO: Just a copy of the letter letting us know. It won't be an agenda item. All right,

Mr. Hiranaga.

BOARD MEMBER HIRANAGA: I guess since I'm not going to be at the June 23rd meeting and you are going to be holding an election and also you'll be reviewing Rick Strini's request, I just wanted to suggest that, if there's no objection, that the meeting be rescheduled to June 30th or I'll put it up for consideration.

MS. HOWARD: That's a holiday.

BOARD MEMBER RAISBECK: I'm sorry, I would not be here. I would be gone.

MS. HOWARD: I'm sorry, I'm looking at the wrong calendar. The only problem -- Mr. Chair.

CHAIR VICTORINO: Yeah.

MS. HOWARD: We have to check with corp counsel on those. We've been given a memo from staff we're not allowed to change dates without checking with corp counsel.

CHAIR VICTORINO: And then, Sally, you would not be here?

BOARD MEMBER RAISBECK: I would not be able to be here.

CHAIR VICTORINO: Yeah, Sally would not be able to

be here. I know you're not going to be here, so I don't care what day you pick, it's almost like somebody might not be here. I would still rather keep it on the 23rd.

BOARD MEMBER HIRANAGA: It's the prerogative of the Chairman.

CHAIR VICTORINO: I think we'll keep it on the 23rd, again, just to be fair to all those who will be here. Sorry, Mr. Hiranaga.

BOARD MEMBER HIRANAGA: No problem.

CHAIR VICTORINO: Any other recommendations or requests for the future?

BOARD MEMBER RAISBECK: Could I just say I will be absent from the Board meeting in July? I will not be here.

CHAIR VICTORINO: Anything else? If not, I'll call the meeting adjourned. Wait, hold on. Division reports. See, you guys thought I forgot again. Division reports, as provided separately. If you have any questions, now is the time to bring it up on the division reports.

BOARD MEMBER HIRANAGA: I have a question.

CHAIR VICTORINO: Okay. All right.

BOARD MEMBER HIRANAGA: Just for information, I noticed Makawao, 27 meters to be issued.

CHAIR VICTORINO: What page is that, Mr. Hiranaga,

if I may ask?

BOARD MEMBER HIRANAGA: Thirty-four. Is that just

the ongoing process of the meters based upon the Pookela

Well coming on line, or is that a subdivision or just random

meter issuances?

MR. TENGAN: I don't think there's any specific

reason, you know, or major reason why these meters are being

added on.

MS. PERDIDO: I can get a detailed list for you.

Usually I have it, but I did not this time.

BOARD MEMBER HIRANAGA: If it's individual requests that are being satisfied, that's fine, or if there was a subdivision.

MR. TENGAN: Yeah, I don't recall any subdivisions coming on line.

BOARD MEMBER RAISBECK: Mr. Chair.

CHAIR VICTORINO: Yes, go ahead.

BOARD MEMBER RAISBECK: I'm not quite sure how to phrase this, but my -- I was looking up the Planning Commission records about a subdivision in the Central Maui

system, and I noticed there was a letter from the Water Department saying that source was available for I think it was -- I've forgotten the name of subdivision, George, but it was 200 affordable homes and 200-something market homes. Do you know which?

MR. TENGAN: Sounds like Spencer's project.

BOARD MEMBER RAISBECK: Yeah, I think maybe so.

I've forgotten the name of the project. And I just -- and it was going to go with the state 201G, which would avoid -- you know, which would mean the County would have to go up and down vote on this subdivision proposal for a total of

over, you know, between 400 and 500 homes. And the comment in the Planning Department file from the Water Department was source was available, so there wouldn't be any problem. And I just wondered if maybe the Board when the Department sends out a letter of that type to the Planning Department about a large new subdivision, whether the Board should be informed about that as part of perhaps the monthly division reports.

MR. TENGAN: Mr. Chair, with regard to that, we generally make the statement that source is available now, but we do not assure the applicant of the water at the time

of application for water service. And we've been doing this since we stopped receiving reservations from Central Maui. So the statement needs to be clarified in that water is available now. It's not water is available when you're ready. It's available now, but it may not be -- it may not be available when you're ready for water service. That's the precautions that we give the applicants or the developers.

BOARD MEMBER RAISBECK: I guess what I'm asking is needing a little more information about the water that's

available now for this like 500 homes, the water that's available now, what -- where is that? You know, what source is that coming from? How much is in question here? I mean I would like to have more information is what I'm saying.

MR. TENGAN: Well, in the case of Central Maui, it would be the Iao Aquifer or more particular the Waihee Aquifer and maybe the water treatment plant. We cannot say specifically it will come from this well or that well or this plant.

BOARD MEMBER RAISBECK: Yeah, but it's available now.

MR. TENGAN: Yeah.

BOARD MEMBER RAISBECK: So where is the
availability now?

MR. TENGAN: The Central Maui system is the
Central Maui system.

BOARD MEMBER RAISBECK: And how much available
water that isn't reserved and isn't promised to anybody is
there in the Central Maui system right now?

MR. TENGAN: I think that's a very difficult
figure to tie down because, you know, throughout the year,
we operate different depending on weather conditions,

especially weather conditions. And to come out with a theoretical figure that's available, we would really be tying our hands down as to how many more meters we can issue. In fact, if we went -- in my opinion, if we went on a theoretical basis, we wouldn't be able to issue meters right now, but operationally, we can.

BOARD MEMBER RAISBECK: Okay.

MR. TENGAN: That's why I say it's a complicated matter. It's not something that you can just sit down and just pencil out and say this is the figure. It depends on, you know, what kind of risk you're willing to take. It

depends on what you've got coming on board that we say that water is available. You know, because if we see something coming on line let's say within a year's time, we wouldn't want to hold up a project and say water is not available, so you cannot proceed with your project or you shouldn't proceed with your project.

It's not an easy answer. That's all I can say.

But if you want a figure, we can give you a figure. As to how realistic that figure is is always going to be a question.

BOARD MEMBER RAISBECK: I guess I know that the Planning Commission in the past when we had our joint meeting with them, they were feeling that they were not getting information they needed to know how to proceed with their approval. And as I say, this was in the Planning Department file I was looking at, and there seemed to be, again, not enough information for them about current and future availability in the central system so that they will know when it's risky or when it's not risky to provide approvals.

MR. TENGAN: I think our statement identifies some

risk when we say that water is available now, but it may not be available when you're ready to receive service.

BOARD MEMBER RAISBECK: But unless that's flushed out a little more, it doesn't -- I mean that's just a blanket statement.

MR. TENGAN: We put the onus onto the developers as to whether they want to take a risk in proceeding with the project or not. And keep in mind, they always have the option of developing their own sources. They always have that option.

BOARD MEMBER RAISBECK: Okay. Thank you,

Mr. Chair.

CHAIR VICTORINO: Thank you.

BOARD MEMBER RAISBECK: Thank you, George.

CHAIR VICTORINO: Anything else, Mr. Okamura, on

the division reports?

BOARD MEMBER OKAMURA: On Page 8, the water

treatment production. You know, I was wondering Olinda and

Piiholo, compared to a year ago, the production is up 36

percent for Olinda and 30 for Piiholo for the month of

April. Is that significant that the increase in over a year

was like 30 percent or you need to -- we need to have more

of a longer, like several months to compare it?

MR. TENGAN: I can only respond by saying that although, you know, weather is supposed to go going on pretty much a regular cycle, it may be somewhat off, that the high month might have been in May of this year, for May for this year, where it might have been high or low, you know, in the previous month because we're only comparing month to month here. We're not going by -- if you go by the daily average, that tells you a different story, such as daily average for Piiholo is 1.3 million gallons per day

versus three 3.3 in the previous year. That tells you a better story. And in my mind, I would think that we're running into a drier period at this point in time.

BOARD MEMBER OKAMURA: I've just got to compare it to the other reports to see if there's a trend. Thank you. But you more or less attribute it not to more meters, but to higher usage and because of the dry weather?

MR. TENGAN: Yes, as Mr. Hiranaga tried to point out, there were only 27 additional meters, and that would translate to like 18,000 gallons per day.

BOARD MEMBER OKAMURA: But I guess what I'm

concerned about is over the past year, there might have been a lot more meters put in, but maybe it has to do with weather probably, but maybe also an increase in meters. I don't know. Maybe I would have to take a look at a longer period of time or several reports or something like that. But that's okay. Just a question I was wondering whether you thought that was significant as it's presented, but I guess maybe not.

CHAIR VICTORINO: Any other questions on the divisional reports for Mr. Tengan? Okay.

BOARD MEMBER OKAMURA: Thank you.

CHAIR VICTORINO: All right. Thank you very much.

Members, I thank you very much. I will call this meeting
adjourned.

(The meeting ended at 11:35 a.m.)

"By Water All Things Find Life"

Department of Water Supply
County of Maui
200 South High Street
Wailuku, HI 96793-2155

Telephone (808) 270-7816

Fax (808) 270-7951

[\[Back\]](#)