

County of Maui Water
Supply

BOARD OF WATER SUPPLY
COUNTY OF MAUI
REGULAR BOARD MEETING
THURSDAY, JUNE 23, 2005

Kalana O Maui Building

200 South High Street, Seventh Floor

Wailuku, Maui, Hawaii

Reported by: Katherine Eismann, RDR, CRR, CSR #439

APPEARANCES

Chairperson: MICHAEL VICTORINO

Vice Chairman: KENNETH OKAMURA

Board Members: STACY HELM CRIVELLO

GINNY PARSONS

SALLY RAISBECK

RALPH JOHANSEN

MICHELLE McLEAN

Corp Counsel: EDWARD KUSHI, JR.

Director:

GEORGE TENGAN

Board Secretary:

CATHY HOWARD

(Thursday, June 23, 2005, 9:05 a.m.)

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CHAIRMAN VICTORINO: I'd like to call this meeting

to order of the Board of Water Supply, June 23rd, 2005.

Members present, Kenneth Okamura, Ralph Johansen, Ginny

Parsons, Sally Raisbeck, and Michele McLean, and myself, Mike

Victorino.

Okay. We will switch. If it's okay with the

Board, I'd like to move the -- before we go to approval of minutes, I'd like to present, with your approval, a presentation by Maui Nui Botanical Gardens. Lisa Raymond is here to do a presentation. So, if this is okay with the Board, can I move that up and do that as the first item of business?

BOARDMEMBER MC: No objection.

CHAIRMAN VICTORINO: Any objections?

VICE-CHAIRMAN OKAMURA: No.

BOARDMEMBER RAISBECK: Mr. Chair, may I make a request?

CHAIRMAN VICTORINO: Sure.

BOARDMEMBER RAISBECK: Also, the election of a new
Chair is at the very end of the agenda. People might have to
leave. We might --

CHAIRMAN VICTORINO: We can do that. That
shouldn't be a major problem. Okay. So, why don't we start
with Lisa first, since everything is working.

MS. SCHATTENBURG-RAYMOND: It's not working. They
are not talking to each other.

CHAIRMAN VICTORINO: They are not talking to each

other.

MS. HOWARD: Not yet.

CHAIRMAN VICTORINO: If this prevails or do not correct itself, then what we will do is we will reschedule Lisa for our next meeting and hopefully have all our technical glitches worked out.

BOARDMEMBER PARSONS: I was going to say, there's just six of us. Maybe we could put her here and put the laptop around.

(Off-the-record discussion. Trying to fix the projector.)

CHAIRMAN VICTORINO: Well, let's go. Switch the agenda again and go to announcements. Sally, we got your announcement, and then we will move that up right after, if it's okay with the Board, with the Board Members, election of officers.

Would you like to do it right after announcements?

I mean, approval of minutes? Would that be all right with you folks? Any objections to that? No. Okay. All right. So, let's go with approval of minute of the April 25th, 2005, regular minutes. It has been provided in your packet.

BOARDMEMBER PARSONS: I would like to note the

extension. Since we were gone, I haven't had a chance to read it, so don't we get our 30 days after we approve it, yes?

CHAIRMAN VICTORINO: Yeah. Okay.

BOARDMEMBER RAISBECK: So, you are moving that they be approved with changes possible within the next 30 days?

CHAIRMAN VICTORINO: By our next meeting.

BOARDMEMBER PARSONS: Yeah.

CHAIRMAN VICTORINO: Okay. Did you get the motion?

BOARDMEMBER McLEAN: Yes.

CHAIRMAN VICTORINO: Okay. Any discussions?

Okay. All those in favor of approving it signify by saying
aye.

(Chorus of ayes.)

Opposed.

(Silence.)

Minutes have been approved. Okay. So, we will
move now under other business, B. No, I am sorry. C,
discussion and possible action regarding election of Board
Chair and Vice-Chair. I open the floor for discussion and/or

nominations.

BOARDMEMBER RAISBECK: Mr. Chair, I would like to nominate Mike Victorino for a second term as Chair and Ken Okamura as second term as Vice-Chair. And may I say I have appreciated the fairness and openness to communication that both of these gentlemen have displayed, and so I place their names in nomination.

BOARDMEMBER JOHANSEN: I second.

CHAIRMAN VICTORINO: It's been moved and seconded.

Any other nominations? Do I have any other nominations?

BOARDMEMBER McLEAN: I think that's a great one.

CHAIRMAN VICTORINO: Okay. Do we have a motion to close the nominations?

BOARDMEMBER RAISBECK: Move to close the nomination.

VICE-CHAIRMAN OKAMURA: Second.

CHAIRMAN VICTORINO: Okay. It's been moved and seconded. And all those in favor of first the Vice-Chair Kenneth Okamura signify by saying aye.

(Chorus of ayes.)

Okay. I said aye, too. I am sorry. Okay. And all those in favor of Michael Victorino as Chair?

(Chorus of ayes.)

And I didn't say opposed. Anybody opposed?

(Silence.)

I apologize. Okay. Thank you very much for your confidence, ladies and gentlemen. We appreciate it, both Ken and I. Ken, I will let you share a few words now.

VICE-CHAIRMAN OKAMURA: Thank you. Appreciate it.

CHAIRMAN VICTORINO: Okay. Are we ready, ladies?

Not yet. Well, we will keep moving along the docket. We have the testimony now, and I don't want to get started with that in case we get started with this.

MS. SCHATTENBURG-RAYMOND: I can wait. Go ahead.

I am sorry.

(Boardmember Helm arrived at the meeting.)

CHAIRMAN VICTORINO: Unfinished business. I am doing this chop sui, so, please, I apologize. Why don't we do unfinished business, and I would like, if everybody is okay, update of status of Pookela well. That way I am giving that time. And let the record show that Stacy Helm is now in attendance. Good morning, Stacy.

BOARDMEMBER CRIVELLO: Sorry. Good morning.

BOARDMEMBER McLEAN: Good morning, Stacy.

CHAIRMAN VICTORINO: If you would like, I will
give you enough room to sit there, Alva.

MR. NAKAMURA: Good morning, Mr. Chair and Board
Members. On Pookela well, the latest is, is that the
contractor's up at the site. He's cleared all of the trees
and brush surrounding the well site and getting prepared to
begin construction of the control house and other facilities
that will be necessary for the Pookela well.

The pump and motors, as reported last time, was
ordered and is on track. And at this point in time, we do not

see any other impediments that would, in any way, slow down the completion of this well. So, at this point in time, that's kind of where it stands right now on Pookela.

CHAIRMAN VICTORINO: Any questions? Okay.

BOARDMEMBER PARSONS: Any discussion about -- any further discussion about the -- the usage of it? Are we going to supplement some of the surface water with it? Is that it?

MR. NAKAMURA: I don't think that has been completely decided yet. As you know, initially, this was done to put -- kind of the backup to the surface water, and then later on, I guess, if additional needs are required, then

maybe we will have to start taking a look and see how much of a contribution this well would make to the overall water supply.

But I don't think -- we haven't really talked about that yet.

BOARDMEMBER PARSONS: Well, do you think we ought to be looking at the chemistry mixture of the waters?

MR. NAKAMURA: We will definitely look at the chemistry, yes.

BOARDMEMBER PARSONS: When do you suppose we will start with that?

MR. NAKAMURA: We haven't really had a chance to talk about that. The focus has primarily been trying to get the contractor and the order of the materials and everything on track. That's the thing that's going to really make or break the completion time for the project.

So, now that that has been kind of cleared, you know, that's something that we might continue to take a look at and determining exactly how much of a contribution we will be using from the well to supply Upcountry.

BOARDMEMBER PARSONS: Are we going to do

outsourcing for the chemistry portion?

MR. NAKAMURA: What?

BOARDMEMBER PARSONS: Are we going to outsource?

MR. NAKAMURA: I am not sure about that.

BOARDMEMBER PARSONS: Is that something the Board

should discuss and see if we come up with some

recommendations?

MR. NAKAMURA: Maybe the Director can answer that.

I'm not real clear on that.

CHAIRMAN VICTORINO: You are telling us something

like that should be directed to the Director.

BOARDMEMBER PARSONS: Okay.

CHAIRMAN VICTORINO: Mr. Director, the question was has any consideration been given for outsourcing of the chemical testing and the mixture of the water? Has any thought been given to that?

DIRECTOR TENGAN: Well, if we were to do that, it would certainly have to be done by some outside --

BOARDMEMBER JOHANSEN: Mr. Chair, I think the reporter is having difficulty picking it up. I see her stretching.

CHAIRMAN VICTORINO: Okay. George, I am sorry.

BOARDMEMBER RAISBECK: I could barely hear also,

George.

CHAIRMAN VICTORINO: If you could speak up,

Mr. Tengan, please.

DIRECTOR TENGAN: Well, in order to do -- to do that kind of work, we would need to get some consultant from the outside to do that analysis. We don't have that expertise in-house. So, if we were to do that, we would have to go outside.

BOARDMEMBER PARSONS: When do you expect to start looking at that? Because that may hold up getting the well on

line, too, so that's why I was asking.

DIRECTOR TENGAN: Well, I don't know that it will hold up getting the well on line. As far as, you know, the issues that are -- that we are dealing with Upcountry now, my estimation would be that if we were to mix the surface water with the groundwater, it would improve the situation and not make it worse.

BOARDMEMBER PARSONS: Well, we went to several seminars on the subject of mixing the water, and I think it's something that we all ought to discuss openly and put on the

agenda.

DIRECTOR TENGAN: Well, we couldn't do that. We couldn't do any kind of analysis until we got the pumps installed and we have the ability to pump water out of the well anyway.

BOARDMEMBER PARSONS: I would hope you would have the chemistry studies done before you start to mix it.

DIRECTOR TENGAN: We will take that under consideration.

CHAIRMAN VICTORINO: Thank you, Mr. Tengan. Okay.

Thank you. Any other questions? Are we ready yet, ladies?

No. Okay.

Excuse me if we are jumping all around. I am trying to prevent us getting into a long discussion. I know, Rick, you are ready to go, but I don't want to get started and then these guys are ready. So, if you don't mind, I am going to do one more item, and if they are not ready, I will call you up.

Okay. I will go to unfinished business. I will direct you to Report 05-12, on page 75 and 76, Funding for Improvements and Expansion Projects.

DIRECTOR TENGAN: Mr. Chair, Helene will be doing

that presentation.

CHAIRMAN VICTORINO: Okay. Right there, Helene.

Go ahead and sit right there. Before we do that, let me also

put in the records that also in attendance is our Board

Secretary, Cathy Howard, our esteemed attorney, Corp Counsel

Ed Kushi, and also our Director, Mr. George Tengan. So, I

apologize for leaving that out earlier. Go ahead, Helene.

MS. KAU: Thank you. I do believe that you

received it in your packet. Holly had prepared for George --

Holly and George had prepared a description -- a detailed

description of how we fund improvement and expansion projects.

If there are any questions?

CHAIRMAN VICTORINO: Page 75 and 76, is that correct, of the packet?

MS. KAU: Yes.

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER JOHANSEN: Mr. Chair.

CHAIRMAN VICTORINO: Mr. Johansen.

BOARDMEMBER JOHANSEN: First of all, back on April 28th, we received, as part of our packet attached to the agenda, a list -- detailed list of the breakdown of

improvement and expansion that's projected through fiscal year 2012. And I'm trying to square the figures on expansion in that accounting with what the Director has said are the available funds through the water system development fund to cover expansion projects.

I look at '05 and '06, for instance, on page 17 of that accounting, and I see that they are about \$11,980,000 in expansion. And the Director's letter says that they are currently budgeted for about 5 million in water system development fund revenues, and that water system development fund defrays the Department's cost for water system

improvements, which are necessary to increase the service capacity in the Board's water system, increase service capacity as a result of new water consumers or additional demand by existing consumers.

Those two figures do not compute, and I would appreciate -- there's a lot of work gone into this, and I thank you for that. But I would appreciate an explanation as to how those two figures can be reconciled.

MS. KAU: If I may distribute a breakdown of fiscal year 2005 projects, that may clarify a bit further.

CHAIRMAN VICTORINO: Why don't you go ahead.

BOARDMEMBER JOHANSEN: I have the same question about 2006-2007, where the total projected expenditures for expansion are 11,605,000. And again, we have a projected figure for revenue from the water use and development fund of \$5 million. So, the same question I ask in regard to '06-'07 as well.

MS. KAU: Mr. Chair.

CHAIRMAN VICTORINO: Go ahead, Helene.

MS. KAU: I can't respond with regards to '06 and '07 projects. I don't have that detail before me. But I do believe that the Department had planned some large-scale

projects in the future, which were to be partially funded by -- through state loans or forms of funding other than the water system development fee alone.

But, with regards to getting back to the fiscal year '05 projects, as you can see on this breakdown that we have provided, fiscal year '05 projects, which are funded by the water system development fee, totaled 4.5 million. And that's pretty consistent with our typical \$5 million per year that we expect from water system development fees.

CHAIRMAN VICTORINO: Mr. Johansen, does that --

BOARDMEMBER JOHANSEN: Well, it will take me some

time to absorb --

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER JOHANSEN: -- where the additional

\$6,980,000 is projected to come from. Without spending a few

minutes with the information we just passed out, I don't

understand that.

CHAIRMAN VICTORINO: Okay. Well, maybe what I can

suggest, at this point, if you would take the time to review

this 2005 and at least give a better insight for all of us.

And at our next meeting, if it is possible, for 2006-2007, the

breakdown where these monies -- I think what Mr. Johansen is asking -- Member Johansen is asking is where these monies are coming from and what are they being led to. I think the question has been all long is with the rate increase being instituted as of July 1, does that rate increase go to expansion or improvement, or does that go to just improvements and upgrading of our system. And I think that's the -- that's what you have been looking for, Mr. Johansen, basically?

BOARDMEMBER JOHANSEN: There seems to be as well some discrepancy between new service expansion and existing service expansion. And I think if that is the case, we need

more information about that.

CHAIRMAN VICTORINO: So, if you can, Helene --

MS. KAU: Uh-huh.

CHAIRMAN VICTORINO: -- bring that. And we will defer that. And then please review this, so at least you have a little better understanding, and then we will go from there.

Okay? Any other questions for Helene? Thank you very much.

MS. KAU: You are welcome.

CHAIRMAN VICTORINO: And I think Maui Nui

Botanical Gardens is ready to go.

MS. SCHATTENBURG-RAYMOND: It works.

CHAIRMAN VICTORINO: It works. Go ahead. I would like, at this point, to introduce Lisa Raymond from Maui Nui Botanical Gardens. She has a slide presentation, about 10 or 15 minutes, so if we can all put our attention to the slides.

MS. SCHATTENBURG-RAYMOND: I am going to do a little talk first, and we will get to the slides.

Thank you all for your patience. I am sorry for the difficulties. Thanks. I hope it hasn't been too much. I wanted to come in today and kind of reintroduce myself. We are a partner with the Water Department and the County of

Maui, and I just want to kind of catch you up on what we are doing.

We are doing so much, that I am only picking some bits and pieces. And if you want to find out more about some of our programs, and you want me to come back, I am happy to.

Just a little background, and I have this written up in your documents, but we are a 501(c)3. We were established in 1994. And this July 1st will be our fourth anniversary at the garden, and we are involved with the restoration and expansion of the Maui Nui Botanical Gardens. Sorry about that.

Our mission is to foster an appreciation and understanding of the living Hawaiian Islands of today, emphasizing the native Hawaiian plants of Maui Nui, which includes Maui, Molokai, Lanai and Kahoolawe, and providing a center for environmental education, Hawaiian cultural expression, conservation, biological study and recreation.

Is this working? So, I have been actually working with the Water Department about 15 years, way back with Noland Perriera, and he established the Xeriscape Action Committee.

And for a long time, we have been looking at the Maui Nui or the Botanical Garden as a place to do a demonstration project

for the community.

But some of you remember it. We used to be the Zoo and Botanical Garden, and it was established almost 30 years ago. Next year, it will be 30 years. It was a terrible zoo, but it was a great Botanical Garden. And it was the first in the state to grow native Hawaiian plants exclusively.

It's also the only botanical garden in the state that's in a coastal dune system. So, we can do conservation of the coastal and dry forest plants that many other Botanical Gardens can't do because they are in a wet valley areas and they just don't have the right habitat. So, you know, it's a

really unique thing for this particular garden.

And because we are in a dry coastal area, we are actually on a sand dune, we -- you know, xeriscaping is something that's really important, especially for the Central Maui area, and it makes us an excellent site to do a xeriscape demonstration garden.

I think Halawa Xeriscape Garden gets like 30 inches of rain a year, which doesn't really qualify it to be a dry area. So, but -- so, the zoo was closed about 10 years ago, and we have been working on the restoration. In

2002, this Department funded our greenhouse and shade house structures, and I will show you some pictures of those in a little bit.

And, so, now we are doing coastal and dry forest restoration work. We are working with Pu'u o Kali and the State Natural Area Reserve among some of our projects. So, we grow also plants for endangered species conservation, for distribution to the community, and for public sale for the benefit of the garden. Next plant sale is August 27th, 9:00 to 12:00, if you are interested.

So, currently, we are working with the Department,

and we are a distribution site for the xeriscape plants brochures that the Water Department has developed. And we work a lot with homeowners, with landscape contractors, with maintenance people, to, you know, help them make good decision about what to plant, talk to them about, you know, saving water, all kinds of things. So, we just -- people just drop in all the time, and they come to our events. We usually have a lot of experts there to help answer questions and things like that.

We also distribute nursery information to people who are looking to buy plants, because we only do plants sales

just a few times a year as a benefit to the garden. But we include other smaller growers, and we also give walk-ins information on how to contact these people for resources of native plants.

So, we are -- as we do the restoration of the garden, we are incorporating xeriscape techniques. So, we are retrofitting with drip irrigation systems. We do a lot with mulch and taking out grassy areas and creating more planting beds and things like that. And that's all part of the ongoing restoration and demonstration.

We work with the landscape industry to promote

water conservation, and we do the conservation work that I mentioned before. We also do two main events, which is our Earth Day event, which was in April. We have over 30 conservation organizations that participate in that event. So, it's kind of a one-stop shop. If you are interested in seeing who is doing what in conservation, that's a great time to come and talk with these people.

Our other big event is our Arbor Day tree giveaway. We work with this Department, with the electric company, and we get funding through the Kaulunani, which is

part of the Department of Land and Natural Resources, to grow -- we grow 500 plants. The DLNR grows 500 plants. The electric company buys the DLNR's plants. We combine them. We give away over a thousand trees, and we have been doing that about three years now. Really a successful program.

We also invite about 15 other nonprofit organizations that are tree friendly like Outdoor Circle and organizations like that to have demonstrations -- I mean, you know, to talk with people and give out their information, and that's been another fun, successful event that we are doing.

Let's see.

Our newsletter, which you got a copy of, and Mike, you are a member, so you get yours directly.

CHAIRMAN VICTORINO: Yes, yes.

MS. SCHATTENBURG-RAYMOND: We distribute about 1500 of those, and this is statewide. We have members on the mainland also. And then we are working with the community college and the high schools. We do service learning projects. We do job training through Alu Like, through AmeriCorps, and some other programs. And, so, we have a lot of ties with the schools and with the other community organizations.

So, in this coming year, we are very excited about working on obtaining a long-term lease. We are looking at a 30-year lease. We currently just have a license to occupy. So, we are working on that, and we are also hoping to acquire the four acres that's next door between us and the YMCA, which will allow for immediate expansion of our nursery, which we are kind of -- kind of boxed in in the corner here. We can't really expand because of physical setbacks.

So, we are looking at expanding our nursery, which will help with conservation work and also with fund raising and also giving out plants to the community. In the four year

that we have been there, we have given away -- this is just not counting our Arbor Day giveaways -- over 4,000 plants to the community. So, mostly to nonprofits, to beautification projects, and these range from Hana to Lahaina, so, really wide distribution of plants.

So, we are working on our long-term lease, and we are also this winter going to be installing a new irrigation system. Our old system is quite -- oh, it's just a nightmare, so we are going to be putting in a new automated system. And then once we get that in, we will be putting individual

installations of different types of drip and irrigation systems, so that homeowners can come and see what does it look like, and how does it operate. And, you know, hopefully we can do some testing of different products and things like that. So, that will be part of our ongoing demonstration, community demonstration garden.

In our future, we would like to -- once our infrastructure is in place, I think we are going to be just doing a lot more education with the community. I have talked to the Hotel Association, and they said they would like the, you know, resorts to start thinking about saving water and

making better choices in their landscaping and things like that. So, there's a lot more work that we can be doing as far as educating the community and working more with our existing partners.

And I would love, at some point, maybe, to share a position with the Water Department and with us to have somebody who can -- who is really a specialist in irrigation, and who can work directly with homeowners, or landscape companies, or resorts to, you know, teach them how to do proper irrigation, and how to make better choices with plants and things like that. And that's something I would like to

see -- think about for the future.

And then we also would like to build a multi-purpose building as we are actually working out of a trailer. And once we get our long-term lease, I think we will move towards that. But that will have office space, a library, classroom space, meeting space, and things like that. So, it will be a much more publicly accessible project. So, that's what I have got written so far, and I would like to just show you some of our slides here.

CHAIRMAN VICTORINO: Sure.

MS. SCHATTENBURG-RAYMOND: So, this is our front

entrance here. How many of you have been to the garden?

Yeah. Okay. This is for those of you that haven't.

And some of these are very recent pictures, so you

will see exactly -- whoops. Okay. We will go next. So,

there is our front entrance. We have got some interesting

potted plants and things. And when you do xeriscaping, you

put your plants that are -- that have higher water

requirements, you know, in one place, and then medium

requirements, and low requirements. And, so, the front

entrance is kind of our wet zone, so it's very tropical

looking with our taro plants and some of the ginger.

We have some of these mounds. These are our coastal and dry forest plants. That's the native white poppy, the Pua Kala. This is looking back up into Manoa Valley.

People are always surprised when they come in --

CHAIRMAN VICTORINO: West Maui, Iao, not Manoa.

MS. SCHATTENBURG-RAYMOND: I am sorry.

CHAIRMAN VICTORINO: Just a slight correction.

MS. SCHATTENBURG-RAYMOND: The person who came and visited me this morning was from Manoa. It's on my mind. I'm sorry.

CHAIRMAN VICTORINO: No problem.

MS. SCHATTENBURG-RAYMOND: But it's actually some quite beautiful views. This is probably one of our most popular trees. This is a variegated banana tree that they call manini which means striped like the fish. And it's the only variegated banana in the world. One of the things we are working on is a rare Hawaiian banana collection. And it's delicious to eat.

BOARDMEMBER PARSONS: Are you going to have some of those on sale in August?

MS. SCHATTENBURG-RAYMOND: We try. We usually

have one or two, but we have people camping out for them.

They are a little pricy, but bring your beach chair. The

Kukui tree, our state tree. One of my favorite trees, which

is now being threatened by a scale insect, so that's something

we have to be working on this next year. That's the male

flower of the Hala tree, the hinano.

BOARDMEMBER PARSONS: Do you also teach people how

to treat them? I don't mean to interrupt you, but since we

are on the subject. Do you teach people how to treat them,

like when you figure out to treat that scale?

MS. SCHATTENBURG-RAYMOND: We have been doing

experiments internally. We have found nothing that works, and it will probably end up being a biological control. But that's going to take some money and lobbying, but we have the largest Hala forest in the State in the Hana area.

BOARDMEMBER PARSONS: Right.

MS. SCHATTENBURG-RAYMOND: And it's just, in the last two years, I have seen it just be devastated. So -- and this will not stop on Maui. It will spread to all the islands, because we have no controls, you know.

CHAIRMAN VICTORINO: Right.

MS. SCHATTENBURG-RAYMOND: And it will blow from

place to place. So, this is a statewide issue that is of great concern to me. So, our Wiliwili tree. Great drought tolerant tree. And people say that natives aren't colorful, they are not interesting, but I am here to prove you wrong.

So, our State flower, the Ma'o hau hele. We have in our collection the entire gene pool of East Maui. It was extinct in the wild. We were able to save -- National Tropical Botanical Gardens saved 97 seeds, and we have five seedlings that were taken out before the goats ate them. So, this is one of our gene bank projects.

And Art Medeiros did plant the seedlings from these guys back out, and they did just bloom just in the last month. It was on the front page of the paper, so that's one of our successful projects, a beautiful white hibiscus, very fragrant.

Some of the red hibiscus. This is right outside our office. My favorite Naupaka, cast iron plant. Everybody should plant Naupaka. Beautiful 'Ape plant, relative of the taro. This is our native cotton, another great drought resistant plant, beautiful flowers. Part of our sugar cane collection. And the poster that you folks got, we have sweet

potatoes in the bottom, bananas and sugarcane mixed in there.

We have 40 sugarcane varieties. This is just a few of them. And in the poster, you have 27 varieties represented. And they are used -- a lot of our plants are given away to cultural events for ceremonial use, and Kahoolawe is one of the organizations that comes regularly for important plant resources.

Our sweet potato collection, we have about 15 varieties. Some of them are pretty good producers. Our native caper, the Maiapilo, beautiful, blooms at night. It's a big flower, too, very drought tolerant. Grows in the Kanio

area in the lava fields. Another nice border plant and ground cover is 'Akia and the 'Ulei. Again, very drought tolerant and lots of different habitats it grows in.

'Ilima, you are familiar with that. Ilie'e, being a plumbago, groundcover also. You see it out in the Kanio area on the sides of the road. It's growing, and it's doing very well.

And this is a new -- we just dedicated this about three weeks ago. We worked with Hui Malama Learning Center and the Hawaiian Canoe Club, and they installed this taro

collection. It's about 33 varieties of the 60 known

varieties. So, we have more to add. But the one intact

collection was recently eaten by pigs on Kauai. It's gone.

So, now we are helping, and with our connections,

going throughout the State to send back the varieties. So,

you know, it's really important that we keep backups of these

in as many different sites as possible so we don't lose

something.

BOARDMEMBER RAISBECK: If you plant all the

varieties together, don't they cross pollinate?

MS. SCHATTENBURG-RAYMOND: They don't usually

produce seeds. Most of the line of plants are sterile, and so they are only by vegetative propagation.

BOARDMEMBER RAISBECK: Is that because the insects are gone?

MS. SCHATTENBURG-RAYMOND: No, it's because they have been cultivated for hundreds of thousands of years. So, they lost their ability to -- they just don't need to do it, because people have been doing it for them for so long.

One of my favorites, 'Apu wai. It's the water cup, and you can actually see the water that's held in the leaves. It's used for ceremonial -- it's a pure water, never

touched the ground, so it's used for medicine and ceremonies and things like that.

Black stemmed Lauhoa 'ele'ele, Piko lehua api'i.

Api'i means to curl and it has ruffles on the bottom of the leaves. 'Elepaio, a beautiful variegated one. A lot of these are used in landscaping. They are very ornamental. 'Uki'uki berry makes a nice blue dye. Isn't that just gorgeous? And this is a hale that -- well, this is Francis Sinenci and his indigenous architecture students. And this was their graduation project was to build this hale here. And we are working with the Maui Garden Club to do the landscaping around

it.

We just installed the irrigation, which is all underground, and just started initial planting. But that will, over the next year, evolve into more of an interpretive site. And here is some of our volunteers. This was just Wednesday, and it was yesterday, working in our nursery, which you folks paid for, so I just wanted to show you that.

This is our greenhouse which has a mist system in it, and a lot of plants for the Arbor Days giveaway are coming up. And then our greenhouse here, which is full of a lot of

the restoration plants that we are growing, a lot of our seedlings. And that's Becky Lau, one of our volunteers.

This is our Earth Day event. There is the Mayor there. Some of the booths. We do cultural activities, tapa making, cordage making. We had kapa and lei making, spear throwing, and ulu maika at our last one. It's just a blast, and it's free, so come. Bring your kids, grandchildren. It's a lot of fun.

There is our Arbor Day tree giveaway. And, in fact, I think we are up for an award this year for this from Kaulunani, because they think we have done such a great job

with it.

And some volunteers. This is the Alternative

Learning Center kids. They come usually weekly and do

different activities from the high schools there. And that's

it.

BOARDMEMBER PARSONS: Very nice.

BOARDMEMBER RAISBECK: Thank you.

MS. SCHATTENBURG-RAYMOND: So, that's what we have

been up to. And again, it was kind of quick. And if there's

anything else you folks are interested in about what we are

doing or have suggestions on where you would like to see us

go, I'd love to hear from you.

CHAIRMAN VICTORINO: I would hope, if members have not attended and gone down there and walked around, it is much more enlightening when you walk around live than these slides do any justice. But it is a beautiful place, and I have been a member, and I enjoy going to the different functions when I have a chance. That's my biggest problem, but I wholeheartedly support what you folks do. Thanks.

MS. SCHATTENBURG-RAYMOND: Thank you.

CHAIRMAN VICTORINO: Thank you.

BOARDMEMBER RAISBECK: It's a very great thing,

and I am very happy to take advantage of all your tree

giveaways and all of that. Thank you.

MS. SCHATTENBURG-RAYMOND: And it's location,

location, location. That's the thing. It's such a beautiful

spot.

CHAIRMAN VICTORINO: Let me ask you a question.

The 30-year lease -- you are asking for the 30-year lease at

this particular location, right?

MS. SCHATTENBURG-RAYMOND: And hopefully the four

acres next door.

CHAIRMAN VICTORINO: Next door.

MS. SCHATTENBURG-RAYMOND: Yeah, yeah.

CHAIRMAN VICTORINO: The addition to the YMCA.

MS. SCHATTENBURG-RAYMOND: At some point, we would also like to maybe acquire either stewardship over the dune system that's in the central part of Keopuolani Park, because that has great potential for restoration, but, you know, I think maybe we want to go maybe a piece at a time.

CHAIRMAN VICTORINO: Buy one at a time.

MS. SCHATTENBURG-RAYMOND: Yeah. I have the most fabulous staff working for me. They are just really amazing.

We have a small staff, and everybody works really, really hard
to do all these things that we do. So --

CHAIRMAN VICTORINO: Thank you. Michele.

BOARDMEMBER McLEAN: The lease is with the County?

MS. SCHATTENBURG-RAYMOND: With the County, yeah.

BOARDMEMBER McLEAN: Do you foresee any obstacles?

I mean, it all seems very --

MS. SCHATTENBURG-RAYMOND: Unless somebody wants
that four acres. We might have to --

BOARDMEMBER McLEAN: Or in getting the long-term
lease? It all seems very cooperative.

MS. SCHATTENBURG-RAYMOND: The long-term lease could be a problem. But, the exciting thing, is once we get the long-term lease, being a nonprofit, then we can go for bigger grants. We can set up endowment funds and things like that. But when you are just --

BOARDMEMBER RAISBECK: Has it been presented to the County yet?

MS. SCHATTENBURG-RAYMOND: We have to do a survey, and we have to put in an application. And because of all the construction going on, we are like number 20 on the survey list for the company that we are working with. So, it's just

taking a little longer than we expected.

BOARDMEMBER JOHANSEN: I was curious about
xeriscape. That's dry cultivation?

MS. SCHATTENBURG-RAYMOND: X-E-R-I, xeriscape.

BOARDMEMBER JOHANSEN: And that includes drip
irrigation?

MS. SCHATTENBURG-RAYMOND: Yeah, it's making good
selections with plants. You don't want -- you want something
that's adapted to your area. And then drip irrigation, it's
limiting the amount of turf that you have, because turf is a

high water user, making larger -- mulching, making decisions
like that.

BOARDMEMBER JOHANSEN: I was just -- we were at
the AWWA conference in San Francisco last week, and they
mentioned how far superior drip irrigation is to open -- I
don't know what you call the other stuff. But that may be
something that we want to emphasize in this County.

MS. SCHATTENBURG-RAYMOND: Uh-huh.

CHAIRMAN VICTORINO: Any other comments or
questions? Thank you, Lisa, very much for being here.

MS. SCHATTENBURG-RAYMOND: Thank you.

CHAIRMAN VICTORINO: And we will call upon you in the future for some more information. So, thank you very much. We do appreciate it.

Okay. Now, I am going to try to go back to the top and go back to Item Number IV -- Number VI, I should say. Actually, I correct myself. I am going back to item Number V, public testimony. We didn't do that.

So, is there anyone in the audience that wants to give public testimony?

Cathy, do you know of anybody that wants to give testimony? I know, Rick, yours is coming up next, so --

Okay. Hearing none, I move on to unfinished business, Item A, which would be Communication 05-02. Rick, would you -- and I apologize for keeping you waiting so long. Kind of the way things go sometimes. I do apologize. Go ahead.

MR. STRINI: What?

CHAIRMAN VICTORINO: You want to say anything

or --

MR. STRINI: Only that the results of the staff's investigation are consistent with what I reported.

CHAIRMAN VICTORINO: Okay.

MR. STRINI: And I basically would like those conditions waived and be like these other people who got theirs approved.

CHAIRMAN VICTORINO: The communication that Rick is referring to is on page four. There's a letter from -- to us from the Board, from the Director of the Water Department.

Mr. Director, do you have any comments? I can read what you are saying here. Any additional comments or discussion?

DIRECTOR TENGAN: I will let Alva handle that.

CHAIRMAN VICTORINO: Alva, would you come up,

please? We have your report in front of us, the request and
the results of the staff's investigation. Got that there,
page four.

BOARDMEMBER PARSONS: Is there another page to
this?

CHAIRMAN VICTORINO: I think that's it, yeah?

MR. STRINI: That's it.

CHAIRMAN VICTORINO: One page, only one page. So,
I think it's consistent with what we discussed.

MR. NAKAMURA: Yes, Mr. Chair.

CHAIRMAN VICTORINO: Yes.

MR. NAKAMURA: I guess after looking at this whole situation, I think pretty consistent, we are -- we attempted to include in your report all of the background material that we could find including minutes of the past Board meetings and what we had in the file.

And as a result of that, what you see in this report is what we, you know, determined from reading all of that. I'm not really clear as to why, maybe, some of the other subdivisions were approved. Because if you read the results of what I submitted to the Board, after we did our

investigation, it wasn't all that clear as to what the rationale was behind the actions that the Board took. But nonetheless, it did approve the subdivisions. That is established from our investigation.

CHAIRMAN VICTORINO: Okay. Do we have any questions or comments?

VICE-CHAIRMAN OKAMURA: Yeah, I got some.

CHAIRMAN VICTORINO: Okay. Mr. Okamura.

VICE-CHAIRMAN OKAMURA: I think on page four, number one, there is a difference, I think, in that one, in that it's a three-lot subdivision, and all three lots would

have been served by a private water system. The one that Mr. Strini is asking for is a hybrid, you know, with lots on a private water system and the third lot being served by the water meter.

MR. STRINI: The existing water meter.

VICE-CHAIRMAN OKAMURA: Yeah. But I think the Department's position is well founded in that once he -- he's asking for a subdivision. Okay. And since part of the lot would still be part of the group, it's not, you know, a stand-alone lot. It's part of the subdivision.

And once that becomes -- it should meet the subdivision -- that particular meter should meet the subdivision requirements, which is what the Department is saying, I think. So, it's a difficult situation. I think, in the past, the Board did -- the Board did grant approval on the subdivision, where there was like a two lot -- a hybrid, like, you know, the one that Mr. Strini is asking for.

But I was thinking, you know, the way the rules are written, it becomes a subdivision, so it should follow the -- you know, the requirements for the meter should follow the subdivision rules, you know, either that or the rules

should be changed.

So, I think it's, you know, the Department's position that the subdivision request be denied is correct, although the -- in the past, the Board has approved a similar situation. I don't think, like Mr. Nakamura said, there wasn't a good rationale as to why, you know, that was done, you know. And I don't know. To me, you know, just because they did it in the past, that doesn't mean that we need to do -- you know, we need to agree on the same -- on the same grounds, because I can't -- you know, by looking at what was written, I can see that once -- you know, he's asking to be a

subdivision, and that meter doesn't meet the requirements for a subdivision. And that's -- the Department is asking for the upgrades that would meet those requirements.

MR. STRINI: Can I say something?

CHAIRMAN VICTORINO: Go ahead, Mr. Strini.

MR. STRINI: The meter has always been deemed adequate for fire protection, for everything, for 13 acres. I am reducing the size of that meter consumption down to a five-acre lot. I am not asking for water to be used in my other two lots, and they are trying to hold me hostage to put in improvements to 6,000 feet of waterline. For what? For

reduced consumption?

VICE-CHAIRMAN OKAMURA: I don't think it's a personal thing that they are doing. I think it's the way the rules are written.

BOARDMEMBER PARSONS: No, no.

MR. STRINI: No, the rules are not written that way now.

BOARDMEMBER PARSONS: There are no rules on this.

VICE-CHAIRMAN OKAMURA: I think there are other people, you know, that made the requirements.

MR. STRINI: Not in the subdivision.

VICE-CHAIRMAN OKAMURA: There was, you know, an exception made in the past.

BOARDMEMBER JOHANSEN: Can we have a statement about the rule?

BOARDMEMBER PARSONS: There is no rule.

VICE-CHAIRMAN OKAMURA: About what?

CHAIRMAN VICTORINO: Hang on. One moment, please.

VICE-CHAIRMAN OKAMURA: On page four of the rules, actually, page five --

CHAIRMAN VICTORINO: Uh-huh.

VICE-CHAIRMAN OKAMURA: -- in regards to

subdivision, it talks about water mains and appurtenances or whatever. It says like a two-unit subdivision, the minimum size of water main, one-and-a-half-inch limited to 200 feet, and six inches limited to 600 feet. It looks like a three to 12-unit subdivision, it will be like four inches limited to 200 feet or six inches limited to 600 feet. That's why the Department is saying that they should put in that six-inch line from this. Is that correct or --

MR. NAKAMURA: That's correct.

MR. STRINI: But the subdivision was handled years

ago. This was okayed by the Water Department years ago.

VICE-CHAIRMAN OKAMURA: Okay. According to what was said in the last meeting, it wasn't -- you know, the Department didn't have any say in the subdivision being granted originally because of the rules of the way the County Code is written.

And I think there's a problem there that, you know, somebody has to follow-up on.

MR. STRINI: You have to change the rules.

VICE-CHAIRMAN OKAMURA: Yeah, but the Water Department had no say in the previous subdivision, and that's

the point that the Department was trying to make.

CHAIRMAN VICTORINO: May I make a note right here, that the section that Mr. Okamura has read from was from our Department of -- Rules and Regulations from the Department of Water, County of Maui, on page four --

VICE-CHAIRMAN OKAMURA: Page five.

CHAIRMAN VICTORINO: Excuse me. Correction. Page five, Section 2-3, water main and appurtenances.

VICE-CHAIRMAN OKAMURA: Yeah, appurtenances, whatever.

CHAIRMAN VICTORINO: Just so that we note where

that was read from.

BOARDMEMBER JOHANSEN: But we don't have that in

front of us.

VICE-CHAIRMAN OKAMURA: I think the Department was

following the rules.

CHAIRMAN VICTORINO: He has his book. He has his

book with -- this was the book given to all of us, this book,

Ralph. So, we all have this. That's a big book to carry

around.

BOARDMEMBER JOHANSEN: I wasn't at the last

meeting, so --

CHAIRMAN VICTORINO: Okay. Miss Parsons.

BOARDMEMBER PARSONS: What size pipeline is in there right now going to his meter?

MR. CHANG: I will give you more background in the subdivision. Peter Martin and Bob Horcajo, back in the early '90's, purchased like probably plus or minus 12 lots, and they were all mishmash. Some of them were like really small. Some were huge. And what they did was they consolidated the property into one giant piece, resubdivided into a beautiful cul-de-sac developed style subdivision.

And they went through the consolidation and resubdivision process, which is what we call a fast track, which requirement was the Water Department has no ability to comment on the subdivision, because the rules -- this fast track rule was to adjust property lines in the event that someone, for instance, built a garage over somebody's property, and so the County didn't want to deal with these things.

But what's happening is developers like Horcajo, they kind of used it differently. They had like 12 ugly lots that was all landlocked, consolidated, resubdivided, made a

nice cul-de-sac. And because of this fast track rule, the Water Department couldn't require fire protection, which we would have required, the same thing that we required of Mr. Strini. So, now all these lots are created without fire protection, but they got meters, which is like -- I guess in your case, like 3,000 feet away from your property.

MR. STRINI: 6,000.

MR. CHANG: The water meter is 3,000 feet.

MR. STRINI: Oh, okay. 3,000.

MR. CHANG: The improvements would have been 6,000

like you said.

MR. STRINI: Right.

MR. CHANG: So, here we are.

MR. STRINI: I think what she's asking, we have a four-inch -- I believe, four-inch main that goes all the way up.

MR. CHANG: There is a four-inch on Hana Highway.

MR. STRINI: Yeah.

MR. CHANG: But that's inadequate for --

MR. STRINI: And every time we have got a building permit down on Manawai, they have given us adequate fire

protection stamp of approval, a final on every building down there. So, they basically are saying you have adequacy in front of us according to the rules and regulations of the Department of Water Supply.

And as it turns out, the Director is the duly authorized representative. Whether it's adequate pressure, storage, and pipeline size to supply water to meet the fire flow, domestic and irrigation demands for water without determining existing consumers.

So, every building that's down there has been okayed with the final by the Water Department, signed off, and

by the fire protection.

BOARDMEMBER PARSONS: I got a couple questions for you. You are just looking for this water meter to be on one lot, and the rest are going to be on a private system?

MR. STRINI: Exactly.

BOARDMEMBER PARSONS: Is there a tank system that's going to be in that vicinity?

MR. STRINI: For the existing lots, they will meet the fire protection --

BOARDMEMBER PARSONS: They will.

MR. STRINI: -- standards, actually.

CHAIRMAN VICTORINO: Well, let me --

BOARDMEMBER PARSONS: I am not finished. I am not finished.

CHAIRMAN VICTORINO: Well, hang on. Hold on, Miss Parsons. If there are other questions, okay, come on.

BOARDMEMBER PARSONS: My other question is directed for Mr. Kushi. If we have set a precedent, do we have any liability for not going forward, if we have already set a precedent? Is that an issue that could be taken to court?

DEPUTY CORPORATION COUNSEL: Well, let me go back

for a moment. Anything can be taken to court. What is before

you is an appeal and a recommendation to the Director. The

final decision as of now is with the Director.

BOARDMEMBER PARSONS: Okay.

DEPUTY CORPORATION COUNSEL: This being a

subdivision, if the Director's position stands, he will then

tell Public Works not to approve the subdivision. Okay. He

can then appeal the Public Works Director's decision to the

BA.

BOARDMEMBER PARSONS: Okay.

DEPUTY CORPORATION COUNSEL: So, he has an avenue.

Or he could take Director Tengan's decision to court, which we would, of course, defend. The issue is subdivision. The Director of Public Works cannot move until they get word from the Department of Water Supply.

BOARDMEMBER PARSONS: Would you be willing to put a tank on your property where the meter is in order to have enough fire flow --

MR. STRINI: For?

BOARDMEMBER PARSONS: -- as well.

MR. STRINI: For what? For the existing

buildings?

BOARDMEMBER PARSONS: For the lot that's going to have the water meter that we are having the problem with.

MR. STRINI: Uh-huh.

BOARDMEMBER PARSONS: Because the rest is private, so we don't have any say in the private area. But it's the one that has the water meter. Would you be willing to put a tank on that property -- piece of property to house for the fire flow?

MR. STRINI: Would I need a tank, or would I need sprinklers?

BOARDMEMBER PARSONS: You would have to have a larger line, and they would have to determine whether you can have a larger line. I think you need one-and-a-half inch for the sprinkler system. I don't think they can upgrade in this area. That's their call. But a tank would probably -- might be an answer. That is up to Mr. Chang.

MR. CHANG: Again, if he wants to do a tank on site, it wouldn't comply with our regulations.

CHAIRMAN VICTORINO: Before we continue, any other Board Member, just so that the conversation doesn't stay with

only two Board Members. Do other Board Members have questions? Michele.

BOARDMEMBER McLEAN: To George and Alva. All of the meters for the lots on this road are up at the top?

MR. CHANG: Direct on Hana Highway.

BOARDMEMBER McLEAN: And each individual lot owner has their own pipe coming from their meter to their lot -- to serve their lot?

MR. CHANG: The Department did not inspect what they did. We just supplied meters.

BOARDMEMBER McLEAN: Because the Department's

responsibility, in a sense, ends at the meter. It's up to the lot owner at that point. Whether the meter is five feet from your house or 300 feet from their property, that's up to the lot owner to figure out how to get --

MR. CHANG: Correct.

BOARDMEMBER McLEAN: Okay. Can you guys or the Director, Corp Counsel --

MS. HOWARD: I am sorry. I am not picking you up.

BOARDMEMBER McLEAN: Sorry. Can you give some explanation or rationale for the -- why the Department doesn't like the hybrid system of one lot being on a -- in a

subdivision like this, and like the previous ones, one lot created by the subdivision continuing to be served by a meter and the others being private?

I mean, it obviously goes back a while, but what is your sense of the reasoning to not allow those?

MR. CHANG: If I can speak on behalf of the Director, he can correct me if I am wrong. But it goes back to what Ken was saying. The rule and regs requires, if the Department -- Water Department is going to recommend final subdivision approval, rules and regs, which include fire protection, domestic service, irrigation has to comply with

the requirements of the Department for the subdivision, which is bringing in the waterline, standpipe, fire, service laterals, water meters on each property that it serves, and basically trying to supplement the rules and regs.

It's just like the only thing we can think of, as far as in the past where we did have private systems, the private systems are not maintained. You end up asking the Department to take over for hardship on the people who buy into these things. They are not sure what they are getting into. They don't know how to maintain it. It's expensive to

maintain them. We get these sad stories coming to the Department to help.

BOARDMEMBER McLEAN: Do you ever see, like in these cases -- not necessarily these cases, but in cases like this where the lots that are supposed to be on the private system actually tap into the metered lot?

MR. CHANG: We haven't really investigated it, but it's a real possibility to have. In case it fails, then where else do you go? There's a meter right there.

CHAIRMAN VICTORINO: Hang on.

MR. CHANG: It's illegal.

CHAIRMAN VICTORINO: Is there any other Board

Member, before I recognize the Board Members who have asked questions?

BOARDMEMBER JOHANSEN: I would like to hear an

immediate response.

MR. STRINI: My immediate response is that is an

illegal situation, and you could lose your meter. That's why

nobody does that.

BOARDMEMBER McLEAN: I don't think anyone can say

that nobody does it.

MR. STRINI: Well, I can speak for our

subdivision.

BOARDMEMBER McLEAN: Well, I believe you and maybe others on the road --

MR. STRINI: And there's other people in our subdivision. One other thing, too, is the irony of this -- and this may not have any effect, but the Board also approved roadway lots, putting a meter on the roadway lots in a number of these situations in Manawai, but yet they didn't require them to expand the line all the way up to the Hana Highway.

So, what kind of irony is that? There's two owners like myself that got approval, and two other owners

that got roadway lot approvals. So, they still got the water.

They can still use it for irrigation.

CHAIRMAN VICTORINO: Yes, Ralph.

BOARDMEMBER JOHANSEN: I would like to know, in

line with what you are saying, what the essential distinction

is between the cases that have been decided before by the

Board and this case. And if that distinction rests on a

misinterpretation of some rule or practice, I'd like to know

what that is.

And I would also like to know if there is a

discrepancy in the rules that is creating something other than a fair situation, how we could remedy that. How we could change the rule, if such exists, so that we have equal treatment, and we have fairness, and we aren't just haggling over what really aren't the essential points.

CHAIRMAN VICTORINO: Let me say, first of all, answer the first question about precedents and what has been decided by past boards. It is difficult to understand, if you read the minutes, what their thinking at that moment was. So, that's one of those, I can't tell you what the past -- other than what I read in front of me like you. So, I can't answer

that question.

Making rules accord and doing changes is maybe something that needs to be worked on, but in this case, we need to focus on what we have right now. And, so, anybody else? If not, Miss Parsons and then Mr. Okamura.

BOARDMEMBER PARSONS: Now, I am not in favor of this, but how many lots are -- how many lots are you subdividing here?

MR. STRINI: I am taking one lot and turning it into three.

BOARDMEMBER PARSONS: Okay. I am not in favor of

this, but have you considered a private -- drilling a well?

MR. STRINI: We have a well.

BOARDMEMBER PARSONS: That services the other --

MR. STRINI: Yeah.

BOARDMEMBER PARSONS: Why not service the other

ones and just take it off the meter.

MR. STRINI: All three?

BOARDMEMBER PARSONS: Uh-huh. You can the take

four, and you fly under the guise of the -- you know.

MR. STRINI: I can take four. What do you mean?

BOARDMEMBER PARSONS: You have four lots, and you

fly right under the Health Department and everything else.

It's the minimum amount.

MR. STRINI: For what?

BOARDMEMBER PARSONS: For lots for a private well
system.

MR. STRINI: Well, that's really not what I was
trying to do.

BOARDMEMBER PARSONS: Your subdivision would go
through, and you wouldn't be -- you wouldn't have to hassle
with this. I don't -- I don't like them, but -- and I think

that they need to be really guarded, and they need to be tested, and they need to be, you know, really thoroughly tested, because --

MR. STRINI: Wells?

BOARDMEMBER PARSONS: Yes. Because of the runoffs -- and because of the runoffs and the microbial problems and everything else, that they really need to be worked on. But if that gets you out of having to do -- I mean, I don't know how much this costs, but it looks like to me it could be, what, a half a million dollars, or 200 -- 6,000 feet?

MR. CHANG: 6,000 feet.

MR. STRINI: What I am trying to do here is retain my water meter on the existing two structures and the five-acre lot, because it's there, and I am using the water for the house.

BOARDMEMBER PARSONS: Yeah, but I am just saying, you have an alternative here. If you want to just go private with everything to get this through, I would consider that, and deal with the water meter at some later date.

I'm not in favor of -- I'm not in favor of the homeowners or the subdividers that are in the small

subdivisions doing the infrastructure. I think that that's unfair. But that said, you know, and you are a small subdivider. I don't know. They have got to follow the rules. We have got to support them for following the rules. You have another option.

MR. STRINI: There is no rule, though, that says that, see?

BOARDMEMBER PARSONS: Well, the size of the piping does for the -- for the -- I mean, that's what they are going on is the size of the piping to have a subdivision, and it's not adequate. So --

CHAIRMAN VICTORINO: Okay. If I may, Mr. Okamura, you had another question.

VICE-CHAIRMAN OKAMURA: Yeah. Like the other person got approved that had three lots, and he went private on all three, right?

MR. STRINI: Well, the Kellys did that. They did a roadway lot with their water meter and were able to keep their water meter.

VICE-CHAIRMAN OKAMURA: I don't know about that. But like Ginny said, for the subdivision requirements, if you

just put all three lots under a private water system, you would get approvals, I think.

CHAIRMAN VICTORINO: This is an alternative for you just to consider, because I think what -- the contentions I am hearing, and they will decide that, is that the rules are here. The rule is here. It's not something we arbitrarily decided. It's here. And we back the Department with the rules.

Now, maybe we need to change the rules, but that's another issue and not something we can do right this moment in time, you know.

MR. STRINI: Okay.

CHAIRMAN VICTORINO: And the other thing that I have always had a quandary with is every time we bend the rule or we give exceptions, then we open the next can of worms for the next group to come along. And the previous groups, which none of us were a part of, may have set some precedent, but it doesn't mean we have to continue doing --

In other words, two wrongs never make a right.

And if we are going to continue doing that, then where do we stop, and when do we say no to somebody and make sure the rules are followed as so specified. Now, we change the rules.

That's another issue.

BOARDMEMBER JOHANSEN: Mr. Chair.

CHAIRMAN VICTORINO: Yes.

BOARDMEMBER JOHANSEN: On that exact point, I read

Peter Rice, Chair at the time, back in April of 2001 --

BOARDMEMBER PARSONS: What page?

BOARDMEMBER JOHANSEN: This is page 53. He says,

that's exactly why we need to go back and review all the
rules, have a thorough review and make changes as necessary.

This is five years ago.

CHAIRMAN VICTORINO: Yeah.

BOARDMEMBER JOHANSEN: Have a thorough review and make changes, if necessary, because if we are sitting here every month and making exceptions -- I want to read this into the record -- and amending the rules and providing for exceptions, then we are going to get ourselves in trouble. And we're already deep, as I can see it, in some kind of trouble. I don't know everybody's personal situation here on Maui, but to me, Ron's request seems to be reasonable. What would be required of him otherwise, and what you are here referring to under Rule 16 is that we would waive subdivision

requirements, but he would still be required to put in the \$400,000 worth of improvement.

And then he goes on with Mr. Craddick. But anyway, here we are five -- five years later. I think we may have an issue down the line with the Director and the County of detrimental reliance on previous precedents. And I think we should be very careful about overturning the precedents that have been established, unless and until we clarify the rules, so that everybody knows where they stand. So, I would vote to -- I would vote in favor of Mr. Strini.

CHAIRMAN VICTORINO: Well, we haven't -- we

haven't had a motion. We need to have a motion before we --

BOARDMEMBER JOHANSEN: I was voicing my opinion.

CHAIRMAN VICTORINO: No, no. Thank you. Thank
you. Michele.

BOARDMEMBER McLEAN: I am not ready to make a
motion yet. Another clarification, just reading through all
of the history on these other subdivisions, it seemed that in
the past, as with this case, the staff is recommending no.

And I realize on the first one, staff wasn't in
the loop, because it was the consolidation resubdivision. But
the staff has previously recommended the same thing that they

are recommending now, so staff's position, I don't think, has changed on any of these.

And, so, previously, the applicants went to the Board, and the Board approved a waiver, just like we are being asked to today.

CHAIRMAN VICTORINO: Uh-huh.

BOARDMEMBER McLEAN: So, is that correct? I want to check with staff if that's correct? But --

MR. NAKAMURA: Yes.

BOARDMEMBER McLEAN: Okay. And it's -- and I know that in -- just in the short time I have been on the Board,

when applicants have come before us, we realize we are just making a recommendation. That's all that our authority is at this time. But we have been really careful to say we are not setting a precedent. This is based on this applicant's circumstances, whether it's the -- whatever the nature of the request deals with.

So, we do have to be careful about that, and it looks like things are -- are pushing us towards making a decision because of these previous decisions. But we are here being asked for an exception. And that, by its nature, is not

precedent setting to me.

We need to be consistent in what we do, but I don't think we should be that concerned with previous Boards' actions, because they had their rationale at that time, and their authority was different than our authority is now.

BOARDMEMBER JOHANSEN: Mr. Chair.

CHAIRMAN VICTORINO: Yes.

BOARDMEMBER JOHANSEN: May I just respond briefly.

CHAIRMAN VICTORINO: Yes.

BOARDMEMBER JOHANSEN: Unless we can determine that the previous decisions of the Boards, on which we would

be basing our recommendations, differed in some respect that makes this precedent not applicable, then I don't follow your logic.

CHAIRMAN VICTORINO: Okay. I think -- and just not to cut this, you know, back-and-forth stuff, I understand what you are saying, Michele. You know, we have always tried to be careful to say what we are doing is for this purpose and for this situation. However, as you can see, it is brought back. I don't care how you look at it --

BOARDMEMBER McLEAN: Uh-huh.

CHAIRMAN VICTORINO: -- somewhere, somewhere along

the line, when we make decisions today will come back to a future Board for another future situation.

I agree with the statement that it's been five years, and we still haven't changed anything. The only change is now we are no longer semi-autonomous. We all under the County, and we advise the Director. Really, other than that, we basically follow the same --

BOARDMEMBER JOHANSEN: It's still up to some decision-making body, and we do have precedents in place.

CHAIRMAN VICTORINO: Okay. So, do we have a motion on the floor one way or the other, to approve -- I am

waiting for the motion that we can take action.

BOARDMEMBER PARSONS: I will make a motion that we approve based on the precedents that were set previously.

BOARDMEMBER RAISBECK: You are saying approve a waiver.

BOARDMEMBER PARSONS: Approve a waiver, yes, based on the precedents that were set in the past.

CHAIRMAN VICTORINO: A recommendation to the Director --

BOARDMEMBER PARSONS: A recommendation, yes.

CHAIRMAN VICTORINO: -- to the Director for

approval of this waiver?

BOARDMEMBER PARSONS: Right.

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER JOHANSEN: I second, and I would like
to propose a friendly amendment.

CHAIRMAN VICTORINO: Go ahead.

BOARDMEMBER JOHANSEN: In line with what was
discussed in the previous cases, there are several provisos
that were added to the approval, one of which was that this be
recorded, and that the meter not ever be used for the lots

which are served by a private well.

And there were several others, that I will have to look them up, but I would like -- I would like some help on this, because we had several provisos in the -- that are in the minutes, that are attached here, that seem to make sense to me.

CHAIRMAN VICTORINO: Okay. I think the one proviso you are saying, on the friendly part of the amendment that you wanted to -- if I am correct, Mr. Johansen, is that this water meter may not be used to enhance or to expend the private system that they are talking about in their

subdivision.

BOARDMEMBER JOHANSEN: And that that be recorded

to run with the land.

CHAIRMAN VICTORINO: Is that all right with the

Board to add that as an amendment to the motion?

BOARDMEMBER PARSONS: I would also think we should

request the -- a tank for the purpose of fire flow -- to

subsidize the fire flow, that a tank be added as part of it.

CHAIRMAN VICTORINO: Can we have a second to that?

VICE-CHAIRMAN OKAMURA: Second.

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER CRIVELLO: What motion are we on?

CHAIRMAN VICTORINO: We second the amendments already right now. Stacy, we have gone from motion to amending the motion, adding the first proviso, which was that meter not be allowed to be used to enhance or expand the private system. And the second amendment that's being added is that the water tank be added to this for fire flow protection.

VICE-CHAIRMAN OKAMURA: To meet the requirements of fire flow --

CHAIRMAN VICTORINO: Fire flow, yeah.

DEPUTY CORPORATION COUNSEL: Clarification, for

that one lot?

CHAIRMAN VICTORINO: For that one lot.

BOARDMEMBER PARSONS: For that one lot.

MR. STRINI: Is that 6,000 gallons per building?

BOARDMEMBER PARSONS: You will have to talk to the

Fire Department.

CHAIRMAN VICTORINO: I am not sure on that.

MR. STRINI: Just to enhance what's there already?

CHAIRMAN VICTORINO: Yeah. And to protect -- and

to make sure you follow the code.

MR. STRINI: Yeah.

CHAIRMAN VICTORINO: Okay.

VICE-CHAIRMAN OKAMURA: My question would be how would we know that Mr. Strini is following the requirements? How would we know?

BOARDMEMBER PARSONS: He gets inspected, and when the -- with the subdivision, and that's part of the rules that go with the subdivision. And upon inspection -- the County inspects.

VICE-CHAIRMAN OKAMURA: So, can you put these

requirements on the approval for subdivision?

BOARDMEMBER PARSONS: Yes, it goes on the notes,
right?

CHAIRMAN VICTORINO: Mr. Kushi.

DEPUTY CORPORATION COUNSEL: Mr. Chair, after you
vote on your amended motion, I can clarify.

CHAIRMAN VICTORINO: Would you like to clarify
that first before?

DEPUTY CORPORATION COUNSEL: Okay.

CHAIRMAN VICTORINO: I think better to clarify it
first before we vote on it, then we find out --

DEPUTY CORPORATION COUNSEL: Okay. If you pass

whatever you do and approve this --

CHAIRMAN VICTORINO: Yes.

DEPUTY CORPORATION COUNSEL: -- approve this with

recommendations --

CHAIRMAN VICTORINO: To the Director. That's

correct.

DEPUTY CORPORATION COUNSEL: If the Director

chooses to follow your recommendation and approves the

subdivision with the conditions, in the rules, it calls for a

modification of subdivision agreement. It's a document. It says, whereas, you know, the rules require this, but because of, you know, circumstances -- unique circumstances, the Department approves the subdivision with the following modifications. Then it will list it out.

CHAIRMAN VICTORINO: Okay.

DEPUTY CORPORATION COUNSEL: And the developer -- the applicant signs. The Director signs. We record it. That's how we get it to run with the land.

CHAIRMAN VICTORINO: Are we clear with that? All Board Members clear with that?

DEPUTY CORPORATION COUNSEL: That's if he takes --

CHAIRMAN VICTORINO: Yeah, yeah. No, again, we understand this is a recommendation to the Director, and then the Director has the final say. We are not disputing that point.

But I just want the Board Members to understand, if it is approved, sent to him and Mr. Tengan approves it, that it will be put in that and will actually be enforceable. And I think that's important. And you understand that, Mr. Strini?

MR. STRINI: Yeah. I don't have a problem with

that, but I thought the Mayor signs this off or not. No?

CHAIRMAN VICTORINO: No.

MR. STRINI: So, it goes back to this guy?

CHAIRMAN VICTORINO: It goes back to Mr. Tengan.

That's correct.

MR. STRINI: And then if he disagrees, that's when

I have to file suit?

BOARDMEMBER PARSONS: That or go to the Mayor.

MR. STRINI: Or go to the Mayor. I knew it went

to the Mayor somewhere there.

CHAIRMAN VICTORINO: Just for real historical

purposes, the Mayor, last year, came back to us and asked us to adjudicate these situations instead of everybody going to him, because he was getting inundated. Okay?

So, we are doing this, and most of the recommendations, in the past, have been accepted by Director. Does not mean he does every time, but he has graciously allowed us this opportunity. So, try to do our work -- our homework before we come up with a decision.

MR. STRINI: I got it.

CHAIRMAN VICTORINO: Okay, Mr. Strini?

MR. STRINI: I got it.

CHAIRMAN VICTORINO: All right. So, any other questions or discussion? Yes, Mr. Tengan.

DIRECTOR TENGAN: As you stated in reading the past cases, it was kind of confusing as to what the Board was discussing, what their frame of mind was in approving or granting those waivers.

So, it would help me, in writing up some recommendation to the Mayor, exactly what the Board is thinking about in granting or in their recommendation to grant this -- grant this waiver, so that, in the future, we wouldn't

have to go back to documents or minutes like we have in the past and be totally confused. So that we know exactly what the Board is thinking or, you know, what the reasons were, or what the reasons are for recommending waiver of this subdivision requirement.

BOARDMEMBER PARSONS: That's a secondary subject after this one.

CHAIRMAN VICTORINO: Yeah, I think that can be done. Mr. Kushi.

DEPUTY CORPORATION COUNSEL: One more comment.

CHAIRMAN VICTORINO: Yes.

DEPUTY CORPORATION COUNSEL: Just to follow-up

on --

CHAIRMAN VICTORINO: Michele.

DEPUTY CORPORATION COUNSEL: -- Member Michele's

comment that what the Board did before. You all know that the Board's authority changed.

CHAIRMAN VICTORINO: That's correct.

DEPUTY CORPORATION COUNSEL: And these previous subdivisions, I believe, were done before, when the Board was semi-autonomous and the Board could directly overturn the Director's decision. And if the Board didn't do it, the

applicant could sue the Board. Could appeal the Board.

CHAIRMAN VICTORINO: That's correct.

DEPUTY CORPORATION COUNSEL: That's a totally

different situation from what you have now. So, I wouldn't

depend on the precedents, if at all, that you are setting,

because the authority and the rule -- the roles of the Board

is different.

CHAIRMAN VICTORINO: Is different. Yes.

BOARDMEMBER McLEAN: I mean, if I can speak to

that a little bit more.

CHAIRMAN VICTORINO: Yes, Michele.

BOARDMEMBER McLEAN: I do understand the -- the weight that precedent can have. But, if that's the only reason that we are going to go forward with this, then everyone that comes along, we are going to have to say yes to, regardless of their circumstances. And any decision that -- any request that comes to us, where a Board has previously acted on a similar request, we are just going to have to do the same thing that they did before.

So, yeah, there is weight to be given to it, but,

at the same time, I mean, that's no de facto rule making as

they say. We are just, oh, well, our hands are tied, because look what they have done in the past, so we have to do it, too.

I mean, and that's not a reason to go against it either because we are afraid of setting precedent. I mean, to me the precedent issue balances both ways, so just put that aside and look at the merits to me.

CHAIRMAN VICTORINO: I think we are trying to do the merits of this situation. And I think that's why Mr. Tengan is asking for some kind of, like, response to what our rationale to making this decision on this particular

issue, so that, in the future, there is not this same pulling out and say, hey, this is what I did and all this other stuff.

BOARDMEMBER JOHANSEN: Mr. Chair.

CHAIRMAN VICTORINO: Hang on. Miss Parsons, then Mr. Johansen.

BOARDMEMBER PARSONS: I look at this, Michele, as a small subdivision, I think, and we probably should discuss what is a large subdivision. What is a small subdivision. But if we keep putting upon the landowner these tremendous amounts of money for infrastructure, that we technically should be doing ourselves, we are just driving the cost of

land sky high, and nobody is going to be able to afford it.

And -- unless it's just the very, very wealthy,

which is where we are starting to drive things to right now

anyway. And I think that there's going to be some cases where

we have to -- our job is to try to help the public, not to

find a way against them, but a way to help make this happen.

He has a right to subdivide his property. Like I

said before, he can go on a private well system and skirt us

altogether. Do you want that? I mean, is that what we are

looking for? Or, you know, we -- putting on -- I mean, this

is 6,000 feet. You are in the business. You know exactly what it costs to do that. It's not fair on a small land subdivision.

Again, you know, this is infrastructure that we would be doing if we had the CIP fund for it. I just look at it -- that's my reasoning.

BOARDMEMBER McLEAN: Now, that's an excellent argument. The precedent thing is a --

CHAIRMAN VICTORINO: Is not a part of it.

BOARDMEMBER McLEAN: That's an excellent argument.

CHAIRMAN VICTORINO: Mr. Johansen.

BOARDMEMBER JOHANSEN: Well, back on the precedent thing.

CHAIRMAN VICTORINO: Trying to move on. Go ahead.

BOARDMEMBER JOHANSEN: I think that unless -- you are saying that we are going to go on making exceptions every time somebody gets in this kettle of fish. That's precisely why I read out what Peter Rice has said.

That rule has to be changed, by some responsible body, so that there is clarification. And I don't think it's up to us to clarify that, although probably we would be pleased to do it if called on. Why not? But -- and also, I

do think that we have some responsibility to follow that precedent, because the issue of liability, based on detrimental reliance, is still in the picture here, and we better follow precedent unless and until we have clarification of the rule change.

CHAIRMAN VICTORINO: Okay. I think the subject has kind of gone full circle. Unless there's something that needs to be added --

BOARDMEMBER RAISBECK: Yeah, I would like to comment. I really find it difficult when policy issues really are -- have to be thrashed out in context of one individual's

situation. And one of the policy issues here has to do with -- with are we making reasonable requirements for fire protection or are we being unreasonable about fire -- you know.

CHAIRMAN VICTORINO: Right.

BOARDMEMBER RAISBECK: And that's sort of a technical matter that I don't feel qualified to really decide. I would love to see -- well, there's rule changes that have to be looked at by people who are knowledgeable, and the rule changes have to be coordinated with the County Code, and the

Public Works Department, and the people who give the
subdivision requirements, without even contacting the
Department of Water Supply. I mean the subdivision
permission.

So, there's so many changes that need to be done,
and Mr. Strini here is the victim, basically, of the fact that
the County hasn't done the job it should have done. So, I
probably -- I probably will vote for the waiver based more on
Ginny's arguments, I suppose. But we shouldn't be making
these policy decisions in such an ad hoc fashion really.

DIRECTOR TENGAN: Mr. Chair.

CHAIRMAN VICTORINO: Yes, Mr. Tengan.

DIRECTOR TENGAN: I think one question that should be answered is, is the County responsible to put in the improvements for landowners -- regardless of whether they are small subdividers or large subdividers.

Is the County responsible to put in the infrastructure required for them to do what they want to do on their land for their economic benefit? I think that's one big issue that has to be answered, and I don't think anybody has talked about that.

CHAIRMAN VICTORINO: Yeah, that's a good point.

Thank you. That's a very good point.

BOARDMEMBER PARSONS: That's a legal point.

CHAIRMAN VICTORINO: Anyhow -- yes.

VICE-CHAIRMAN OKAMURA: One point, yeah. It's a hard question, I think, what we decide on this issue. But I think Mr. Strini has one option, which is a legal option, to put his whole subdivision request under private water system. So, he has that one option.

CHAIRMAN VICTORINO: Right.

VICE-CHAIRMAN OKAMURA: I don't know if the tank would serve -- how much of that requirement that that would

meet. So, you know, I would vote against this motion.

CHAIRMAN VICTORINO: That's fine. Let's not --
again, I guess what I would like to do is call for the
question, unless you have more discussion. I would like to,
A, start with the first amendment. And I got to do my memory
correctly. The first amendment was --

BOARDMEMBER CRIVELLO: Start off with your main
motion, please, Mr. Chair.

CHAIRMAN VICTORINO: Well, I got to go amendments
back to the beginning -- the main motion.

BOARDMEMBER CRIVELLO: The waiver.

CHAIRMAN VICTORINO: The first one was to put the
tank in.

BOARDMEMBER PARSONS: No, the second one was --

CHAIRMAN VICTORINO: The second motion was to put
the tank in for fire flow protection.

BOARDMEMBER PARSONS: The first one was
primarily --

CHAIRMAN VICTORINO: The meter was going to be --

BOARDMEMBER PARSONS: The meter was exclusively
used for that one lot.

CHAIRMAN VICTORINO: For the existing structure.

And then the other one was -- the main motion was to approve

Mr. Strini's waiver. Are we clear with that, Stacy?

BOARDMEMBER CRIVELLO: Uh-huh.

CHAIRMAN VICTORINO: I got to do this right, so I don't get all confused. So, let's start with the first amendment, vote on the first amendment, which was the putting in of the --

BOARDMEMBER PARSONS: No, it was exclusively using the --

CHAIRMAN VICTORINO: No, the first -- the

second -- wait. I going backwards now. Second one is --

BOARDMEMBER PARSONS: The second one is the tank.

CHAIRMAN VICTORINO: The tank. Okay. Let's not confuse me now. I confused already. The second one is the tank, adding the tank for fire flow protection.

VICE-CHAIRMAN OKAMURA: Requiring that Mr. Strini put in a tank --

CHAIRMAN VICTORINO: For fire flow protection requirement.

VICE-CHAIRMAN OKAMURA: -- for fire flow protection.

BOARDMEMBER PARSONS: Which is done on other
properties.

CHAIRMAN VICTORINO: Okay. That's the first one.

All those in favor of that amendment, signify by saying aye.

(Chorus of ayes.)

Opposed.

(Silence.)

Okay. The first amendment, which was the
exclusive use of the --

BOARDMEMBER PARSONS: Meter.

CHAIRMAN VICTORINO: -- meter for the existing structure and not to be used for expansion or additions to the other lots.

BOARDMEMBER PARSONS: Exactly.

BOARDMEMBER JOHANSEN: And that that runs with the land.

CHAIRMAN VICTORINO: Okay.

DIRECTOR TENGAN: That's by rule anyway.

CHAIRMAN VICTORINO: Yeah. Let's not add that part, because that goes with the rules already.

BOARDMEMBER PARSONS: I don't think I would say

existing structure. What size is your lot?

MR. STRINI: Well, the meter is lot A. B and C
are the divided lots.

BOARDMEMBER PARSONS: The one that the meter is
on, how many structures are on there right now?

MR. STRINI: Right now, there's two structures.

BOARDMEMBER PARSONS: Okay. So, he's maxed.
That's fine.

CHAIRMAN VICTORINO: All those in favor of
amendment number one signify by saying aye.

(Chorus of ayes.)

Opposed?

(Silence.)

Now we get to the overall motion, which is the approval of the waiver by Mr. Strini for the subdivision development.

BOARDMEMBER PARSONS: Right.

CHAIRMAN VICTORINO: Okay? All those in favor signify by saying aye.

(Chorus of ayes.)

Okay. I think we are going to have to take a hand count.

BOARDMEMBER CRIVELLO: Roll call.

CHAIRMAN VICTORINO: Yeah. Michele.

BOARDMEMBER McLEAN: No.

CHAIRMAN VICTORINO: Stacy.

BOARDMEMBER CRIVELLO: No.

CHAIRMAN VICTORINO: Ken.

VICE-CHAIRMAN OKAMURA: No.

CHAIRMAN VICTORINO: Ralph.

BOARDMEMBER JOHANSEN: Yes.

CHAIRMAN VICTORINO: Sally.

BOARDMEMBER RAISBECK: Yes.

CHAIRMAN VICTORINO: Ginny.

BOARDMEMBER PARSONS: Yes.

CHAIRMAN VICTORINO: And I vote yes, but still

four to three, we don't have a majority. So, I guess the

recommendation -- we won't make any recommendation for

approval. It was four to three.

BOARDMEMBER RAISBECK: It would take five.

CHAIRMAN VICTORINO: Okay. I guess your options,

as we had stated to you, is go with the private water system,

or if you want to go the next step, I guess to the Mayor.

MR. STRINI: Okay. How do I do that?

BOARDMEMBER McLEAN: The Director still needs to
make his decision.

CHAIRMAN VICTORINO: Yeah. Okay. I am sorry. We
are recommending that, so that goes to him, and he has to
still make the final decision. Okay?

DIRECTOR TENGAN: Mr. Chair.

CHAIRMAN VICTORINO: Yes.

DIRECTOR TENGAN: What I would be doing would be
trying to summarize this in some understandable form for the
Mayor and submitting the action by the Board to the Mayor --

CHAIRMAN VICTORINO: Okay.

DIRECTOR TENGAN: -- for his review. Actually, he could very well decide otherwise. That's what I would be doing.

I have a question for Mr. Strini though. Assuming the subdivision is approved as is planning right now, you said there are two existing structures on the lot. Will the subdivision create a situation whereby these two existing structures would be on two different parcels?

MR. STRINI: No.

DIRECTOR TENGAN: Okay.

MR. STRINI: No, they remain on lot A, the five-acre parcel and the meter. The other two lots have nothing on them. Nothing is planned for them. Mostly just want it for our family.

BOARDMEMBER RAISBECK: Could I make a comment, Mr. Chair?

CHAIRMAN VICTORINO: Go ahead.

BOARDMEMBER RAISBECK: Yeah, I think Mr. Strini should know that the Mayor has said to us, in asking us to, as the Chairman said, adjudicate these matters, that he more or

less has told us that he will support our recommendations.

And in this case, you know, we did not recommend the waiver.

So, I'm not sure that going to see the Mayor about it is going

to be very productive for you.

BOARDMEMBER PARSONS: George still has to make

that --

BOARDMEMBER RAISBECK: Yeah.

DIRECTOR TENGAN: I would submit the results of

the Board's action and give him the vote count also.

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER CRIVELLO: May I ask a question?

CHAIRMAN VICTORINO: Sure.

BOARDMEMBER CRIVELLO: George, would you submit
your recommendation to the Mayor or --

DIRECTOR TENGAN: Well, my recommendation would be
the same as staff recommendation.

BOARDMEMBER CRIVELLO: Okay.

CHAIRMAN VICTORINO: Not to prolong the situation,
thank you, Mr. -- yes.

DEPUTY CORPORATION COUNSEL: She needs a break.

CHAIRMAN VICTORINO: Yeah. Okay. Thank you,
Mr. Strini. We will take a five-minute break.

(Recess, 10:31 a.m. Resumed, 10:40 a.m.)

CHAIRMAN VICTORINO: I would like to call this meeting back to order. I kept trying to get everybody's attention. Nobody wanted to pay attention. I hit the gavel.

Okay. Next, under Number VII, Communication 05-03, letter from Jaime Meddings dated May 16, 2005, disputing water bill. And this will be found on pages 77 through pages 99.

First, I would like to call -- I guess Holly is not here, but you. Okay. Come. Helene, come. I guess you are in the hot seat. If you could give us a history.

BOARDMEMBER RAISBECK: Mr. Chair.

CHAIRMAN VICTORINO: Yes.

BOARDMEMBER RAISBECK: Excuse me. Is

Miss Meddings --

CHAIRMAN VICTORINO: No, she's not here.

BOARDMEMBER RAISBECK: She is not here.

CHAIRMAN VICTORINO: She is not here.

BOARDMEMBER RAISBECK: Should we possibly defer

this?

BOARDMEMBER PARSONS: We are not sure what's

happened to her. She may have gotten evicted because of this,

and then we need to find out what happened.

CHAIRMAN VICTORINO: Well --

MS. HOWARD: She moved from that place.

CHAIRMAN VICTORINO: She moved --

MS. HOWARD: Mr. Chair, would you like me to --

CHAIRMAN VICTORINO: Yes, come, Cathy, because you

have been trying to reach her, and maybe you can enlighten

Miss Raisbeck and the rest of the Board Members and what we

have done to this point to reach her.

MS. HOWARD: Okay. Ms. Meddings contacted -- was

contacted about her over -- or past due bill, as you can see.

She would like -- she wanted to speak to the Board, because she had a dispute about the bill.

When she contacted me, I gave her our address and gave her the procedure. And her landlord said that she was moving the beginning of the month. When she -- she has a cellphone that I could reach her at, even though she was moving.

So, I called her and let her know that we would need her new address when we were ready, and that she would be on the agenda for this meeting. She said that her mother was

getting a new Post Office box, and that she would call me with a new address. I have tried to contact her at the cellphone number that I have been contacting her at, but her voice mail message has changed.

I sent the packet to her old address in hopes that it would reach her by forwarding, but I have not heard back from her. I put in the letter that I had been trying to contact her, and that we needed her to send in her new address or to call me, but I have not heard anything from her. So, in several attempts, leaving voice mails, I have not heard back.

CHAIRMAN VICTORINO: And you don't have a current

mailing address or any forwarding address?

MS. HOWARD: No current mailing address and no forwarding address and no phone number. So, to -- it's up to you what you would like to do as far as that goes, but you might want to hear what has happened so far.

CHAIRMAN VICTORINO: Okay. Well, let me bring it to the Board. Would you -- knowing that Miss Meddings is not here -- Ms. Meddings is not here and not to give her side of the story, whatever it may be, now we are only going to hear one side. And I'm not disputing what the Board -- I mean,

what the staff will tell me -- tell us, I should say.

However, when we take action, we have always wanted to make sure all parties were available.

Now, my question to you is this. For the purpose -- I will ask to defer this motion till next month -- this item to next month with the attempts to reach her for her to be here. If, by next month, she is not here and she's not able to attend the meeting, does not communicate with us in any way, shape, or form, then I will listen to what the staff has to say and take whatever appropriate action.

But, I want to be fair to her. If this -- what

you have brought up to our attention, she's moved and all that, and we have not been able to reach her, I would like to defer this matter till next month, give her an opportunity to be here, and, at that point in time, do whatever necessary action. If she's not here, then after all our attempts, then that's it. Yes.

BOARDMEMBER CRIVELLO: So, Mr. Chair, so we are saying that all the attempts that staff has made, and that's chronologically documented in here, is to -- is not enough supporting evidence including a copy of the returned check?

CHAIRMAN VICTORINO: Yeah, no. She -- again, if

Cathy is correct, she just moved, right? She just moved.

MS. HOWARD: Yeah.

CHAIRMAN VICTORINO: So, just recently she moved.

BOARDMEMBER CRIVELLO: But the issue is that she is disputing that she made payment, did not give payment. But if we look at the report that we have, there's every evidence that is documenting as to the payment was not applicable.

CHAIRMAN VICTORINO: I agree with you, Member Helm, but also, on the other side, if the person has maybe some other evidence she wants to produce, and she's not here to produce it, are we being fair to that -- to the person?

Now, I don't know. But you know, we have seen things by other people coming in, brought things that we did not have from staff. And not knocking staff, but something else that could add or could contribute to the case.

BOARDMEMBER CRIVELLO: I know, but I just looking at this particular situation, what has been provided here.

CHAIRMAN VICTORINO: Yeah, but we only have the staff's report. We do not have anything, and she's not here to present anything. I am just asking, because you want to discuss the matter, we can do it. But then again, we are not

being fair, because the person is not here.

If I give -- since she just moved, and what you have just told me, she just moved. I would give -- if you give us another month with our attempts to reach her, if she's unable or we are not able to reach her, then we will take action and then go from there. But we got to be fair, because I don't want to come back later and say, oh, well, I just moved. You couldn't reach me and then -- you know.

MS. HOWARD: Mr. Chair, she did say that she had copies of cancelled checks that she was going to bring in, and she had copies that she was going to have faxed directly from

her bank, but she never did.

CHAIRMAN VICTORINO: Okay.

MS. HOWARD: So I don't know if you are going to get any more documents from her than we got.

CHAIRMAN VICTORINO: Those documents that we got from her, or she said she had some she's going to give?

MS. HOWARD: She said she had. She was going to send them in. She said she was going to bring them in to me -- no, she said she was going to fax them in and bring in copies to Holly. And I asked her to bring them in to me as well when she came in, so that I could get them to you, but

she did not come in.

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER RAISBECK: I just wonder if there's really an issue here for us. Because, from what I read -- and correct me if I am wrong, George. From what I read, the landowner is ultimately responsible for the water bill, and I think the landowner has paid the water bill.

DIRECTOR TENGAN: Yes.

CHAIRMAN VICTORINO: Yeah, that's right.

BOARDMEMBER RAISBECK: So that between him and the tenant is his own private civil matter. Nothing to do with

the Board of Water Supply. I am not sure there is an issue here that the Board needs to decide.

DIRECTOR TENGAN: Maybe is that she's trying to show that she did, in fact, make payment to the Department, and that -- you know, so that would release her of any liability or responsibility to the landlord, because the landlord did make the payment.

BOARDMEMBER JOHANSEN: Mr. Chair, I wasn't clear.

Did she receive notice that this matter was going to be on the agenda on June 23rd?

MS. HOWARD: She was told over the phone prior --

or the day that she moved, I got in contact with her and said that it's on the agenda. But next week, when I go to mail the pack, I will need your new -- or it was two weeks. I will need your new address to mail it to, and I have not heard back from her.

MS. KAU: Mr. Chair, may I just make one comment?

CHAIRMAN VICTORINO: Yeah. Sure.

MS. KAU: Director Tengan is absolutely right, and our understanding is that Jaime Meddings wanted to appear before the Board, provide this documentation, and,

essentially, discredit the Department or discredit the -- you know, the fiscal staff.

The fiscal staff has consistently requested copies of these documents that she says that she has, but Miss Meddings claims that this would be too easy, and she wants to go before the Board, et cetera.

For the record, as of this date, the account does have a \$236.08 balance. I don't know if the landlord is going to --

CHAIRMAN VICTORINO: Take care of that.

MS. KAU: Yeah, take care of that, or if he's

going to try and have her take care of that. That may be why

she's continuing to --

CHAIRMAN VICTORINO: Pursue it.

MS. KAU: Yeah, pursue it. Or she claimed -- we

have consistently requested copies of that documentation, and

we indicated that we would gladly adjust her account

accordingly, but we have not received any such documentation

from her.

BOARDMEMBER PARSONS: I have a question.

MS. KAU: Certainly.

BOARDMEMBER PARSONS: Just for clarification

purposes.

CHAIRMAN VICTORINO: I would prefer not to go into detail unless we decide we are going to discuss it, or we are going to table it until she comes. And I am concerned that if she says she has documents, I want to give her the opportunity to bring these documents. If she doesn't, and we do all of our best judicial ability to reach her, and we don't, and she doesn't appear, then I will just let this matter -- I will just let this matter settle.

Because I agree. You know, this is not something

we should be deciding, but I want to give her that opportunity. So, I would propose we defer this matter to our next meeting and give Miss Meddings a chance to be here. If she is not, after all the attempts -- best attempts we can make by mail, by phone, and by other means of communication, and she does not appear, then I will just say this matter is not something to be discussed. Is that all right with the Board?

BOARDMEMBER CRIVELLO: Is there a call for deferral then?

CHAIRMAN VICTORINO: Yeah. So, I will defer this

matter. Moving along.

BOARDMEMBER PARSONS: Could I just get clarification, only because I don't understand what some of the exhibits are.

CHAIRMAN VICTORINO: Well, can you meet with the staff members --

BOARDMEMBER PARSONS: Sure.

CHAIRMAN VICTORINO: -- on their own, because I would prefer, if you have those questions, go right to them and ask them on those questions.

BOARDMEMBER PARSONS: Okay.

CHAIRMAN VICTORINO: Okay. Moving along. Okay.

Director's report, 05-13, pages 100 and 101. Report on the questions on Fong Construction regarding work completed on Ainakula area -- in the Ainakula area. Mr. Tengan.

DIRECTOR TENGAN: Mr. Chair, the staff has prepared a report for the Board answering certain questions that the Board had at the last meeting. And Arnold Abe, the engineer in charge of the project, is here to go over the details.

CHAIRMAN VICTORINO: Would you like to start,

Mr. Abe, or, Alva, would you like to start?

MR. NAKAMURA: I can start, Mr. Chair. At the last meeting, I believe there were three questions that the Board had with regard to this particular project. One was when the work was completed, why was the meter moved, and when the line was replaced, why was it buried.

And we attempted to try to answer all three of these questions to the best of our ability. I brought Arnold along this morning, because there might be some very specific questions regarding the project that I might not be able to answer, but he's available to answer any questions that you

might have.

CHAIRMAN VICTORINO: Okay. I open the floor for questions for Mr. Abe. You have the report in front of you -- or response. If you have specific questions -- I mean, this is quite contradictory to what we were told the other day, at our last meeting, but it's there before you, page 100. Do you have questions for Mr. Abe?

VICE-CHAIRMAN OKAMURA: Yes.

CHAIRMAN VICTORINO: Kenneth. I mean, Mr. Okamura. Excuse me.

VICE-CHAIRMAN OKAMURA: On what basis do you --

you know, the whole service along Ainakula Road were

transferred, and the meter work was completed on June 15th.

On what do you base that statement?

MR. ABE: Do I have to --

CHAIRMAN VICTORINO: Yeah, yeah. Go ahead,

please.

MR. ABE: This is all based on the information I

was given from the inspector Garrick Motooka for the project.

So, he was specific. That's why -- that's why, in terms of

the dates, like especially the meter relocation, he gives

specific things, because he does keep his own notes regarding

the project.

VICE-CHAIRMAN OKAMURA: So, that's Garrick is the
inspector, is a staff member --

MR. ABE: Yeah, he's the inspector for the Water
Department, and he was assigned to this particular project.

VICE-CHAIRMAN OKAMURA: So then, why was the --
and the question you had was you don't know why the thing --
the line was buried so deeply, but -- is that -- you tried to
answer that in this thing?

CHAIRMAN VICTORINO: The third -- go ahead.

MR. ABE: And anything after the water meter is

the homeowner's responsibility. So, if he buries it five feet deep, if he lays the pipe on the -- you know, on the ground, that's their responsibility.

VICE-CHAIRMAN OKAMURA: Yeah, but we were told that because of the relocation of the meter, that line had to be relocated by the contractor.

MR. ABE: Once the new line goes in -- we basically replaced a two-inch line with an eight-inch waterline out there. When the new line comes in, we had to put in a whole new service lateral. And we typically put the

water meters like -- you know, like as close to the water meter as possible, so that we can make a short connection back into the existing line.

And that's basically what we do. His claims about our Department burying the line so deeply and, you know, after the meter and stuff, you know, if his lines were already deep, we have to reconnect it. So, we would just put a reconnection back in. It's just a couple-feet-type-of-thing back in.

So, I'm not sure, and I didn't understand like his point about that the Department -- why the Department had to put in new service and stuff like that. I mean, that's part

of the scope of the work to put in the meter.

VICE-CHAIRMAN OKAMURA: So, did you speak to the people that came in that wanted -- you know, that made -- you know, had questions about the inspector's report and stuff like that? Did you speak to them, or did anyone on the staff go and visit the site, and go check it out?

MR. ABE: Right. From what I understood, Fong Construction did talk with the owners at the time. And the father, I believe, was talking with them. And I believe the inspector that was temporarily assigned to the project, because Garrick wasn't around, he spoke with the older owner.

And he -- you know, it was kind of contradictory what he proposed to what was proposed here or presented by the -- one of the -- the owner's son, that there wasn't a pressure reducing -- or what is it?

VICE-CHAIRMAN OKAMURA: Yeah. Valve.

MR. ABE: Pressure regulator. I am sorry. Yeah,

but --

VICE-CHAIRMAN OKAMURA: So, there was some --

MR. ABE: -- I don't know.

VICE-CHAIRMAN OKAMURA: Already there was some,

you know, miscommunication or whatever. You had some

disagreement already from the time the inspector spoke to --

MR. ABE: Right. There was disagreement between even the father and the son. I mean, I hate for them to not be here and not defend themselves, because this is all hearsay myself.

CHAIRMAN VICTORINO: Right. Right.

MR. ABE: I mean, I don't -- I don't know.

VICE-CHAIRMAN OKAMURA: But, anyway, as far as the Department's handling of the situation, maybe if there was some disagreement, it would have been good to get somebody

else to go -- outside of the inspector, a third party to go
and check it out maybe. Just, you know --

MR. ABE: I am not sure what we would have seen.

VICE-CHAIRMAN OKAMURA: -- hindsight is 20/20.

MR. ABE: Yeah, because at that point, there
wasn't that pressure regulator there. And the inspector said
that there wasn't the pressure regulator after the whole
thing. He doesn't remember seeing anything before, but, you
know, this is a case of he-said-she-said-kind-of-thing, I
believe.

And it's, I guess, up to the Board to -- in your

guys' infinite wisdom to figure out the truth. Because for me personally, I can't say definitively one way or the other either. So --

VICE-CHAIRMAN OKAMURA: Okay. But it seems

like -- I know you guys got a lot of stuff to do, but maybe if there was some -- you know, I don't know -- somebody in the field could actually go and talk, and look at the situation, and clarify it would have been good. But, you know, we -- you don't know what's going to come out. You probably have a lot of complaints and not everybody is going to come to the Board for adjudication.

MR. ABE: Well, and even if I did go out there and take a look at the situation, I would have saw that there is no pressure regulator. He would have said that there is a -- there was one before. The contractor had not replaced it. Just kind of looking at the facts, as far as the contractor, you know, there was two water meters that were right next to each other.

And the contractor did put back the one regulator for one of them, and he's claiming that there wasn't -- he didn't put it back for the other one. As far as for me, just looking -- logically looking at it, like looking at the

contractor, why would he put back one and not the other? But, it could have happened.

I -- like I said, I can't definitively say yes or no. But I would tend to think that if there was a regulator there, the contractor would have put it back.

CHAIRMAN VICTORINO: And Mr. Abe -- excuse me.

Mr. Abe, would not one -- because you have increased the size of the pipe, which would increase the size of the pressure -- am I correct in saying that?

MR. ABE: Not necessarily.

CHAIRMAN VICTORINO: You got a bigger pipe now,

right? You have gone from --

MR. ABE: You got more volume from the pipe, but

you know late at night, when nobody is using water --

CHAIRMAN VICTORINO: Yeah.

MR. ABE: -- that's when the pressure is the

highest.

CHAIRMAN VICTORINO: Okay.

MR. ABE: So, whether it's a two-inch pipe or an

eight-inch pipe, you are stilling going to have the same

amount of pressure going through it, as long as there is no

consumption. Once you have consumption in the line, that's

when the pressure drops in the line.

CHAIRMAN VICTORINO: Okay. But still, the fact is

you got a bigger line, whether you have more pressure or not.

I guess the question is how much is one of those regulators?

MR. ABE: The cost?

CHAIRMAN VICTORINO: Yeah.

MR. ABE: Actually, I really wouldn't know. I am

sorry.

CHAIRMAN VICTORINO: Okay. I ask that, and my

answer -- my statement to you or to the -- to Fong, if you put

one back, why not put another one there, because you know something is going to happen eventually. If there is no pressure regulator, eventually the pressure -- you just said, whether it's two-inch or eight-inch, will build up late at night and something could go wrong. Right?

MR. ABE: Sure. And according to the rules and regulations though, it is the owner's -- homeowner's or customer's responsibility to make sure they have these types of devices on their homes.

Just another point. The Ishiis, the one that has put in the complaint, they do have a pressure regulator at

their home. Now, typically, we don't see people having a regulator at the meter, a regulator at the home type of situation. I am not saying that it's not possible, but typically, you only see one regulator.

CHAIRMAN VICTORINO: So, maybe that's where the problem was. Okay.

BOARDMEMBER PARSONS: I would just like to acknowledge the fact that you have been a wonderful Department of Water Supply employee, and I don't know if the Board knows this or not, but you have gotten a promotion to wastewater,

and we are going to miss you terribly.

BOARDMEMBER RAISBECK: Wastewater.

BOARDMEMBER PARSONS: It is a promotion, and I would like to thank you for all the service that you have done for us and wish you the best.

CHAIRMAN VICTORINO: Thank you, Mr. Abe. Plus I enjoyed going to class with you. Any other questions for Mr. Abe or for Mr. Nakamura? Okay. Thank you very much.

BOARDMEMBER McLEAN: Thank you.

CHAIRMAN VICTORINO: Okay. Moving right along.
Okay. Move down to item IX, and I guess we go to B. Board --

I am going to say, you know, a report from me, but I ask a report from everybody that was there. I would like to start from Stacy and go right down the line. If everybody would give 30 seconds to a minute, your overview of the AWWA convention in San Francisco that we attended June 12 through June 16 of 2005. Miss Crivello.

BOARDMEMBER CRIVELLO: Well, for me, this was my first, and I popped into some sessions that I went, whoa, this is way above -- too much above my head, you know, technical. But I think what I came away from that was a reminder for me that water is an asset, water is not free, and water provides

service.

And then the value of water, its sustainability and the value that we -- what we provide our customers. I think conservation was also a highlight for me anyway, and the discussions on conservation and trying to identify new sources.

And sometimes we don't recognize the services that depend on the water, like fire protection, you know, or even the ships that come into Maui, you know, those kind of industries. That's just some notes I had.

And then I am reminded, too, that all of us are

stewards of this most valuable source. And, you know, it's important for us to be the proper stewards for what we take for granted -- what we take so much for granted, and it's the most valuable resource that we have in Hawaii.

So, there's got to be a time of a balance. I wrote this quote down. It said -- it's a Native American quote. "The frog does not drink up the pond in which he lives." At one of the session, that was brought up, and I thought, you know, it's right.

And then another highlight I found was important,

that we need to educate, so people have understanding. And more importantly, we need to communicate. And then I reflect back to where I come from, Molokai, where water is always a contentious issue for us. And then, you know, it's not free. You got to bust for it. And I'm sure staff can, you know, attest to that.

But, this was a cute one. One of the guys said, "Whiskey is for drinking. Water is for fighting." And I know that's what they do on Molokai.

CHAIRMAN VICTORINO: Thank you, Miss Helm.

BOARDMEMBER CRIVELLO: Maybe not the whiskey, but

the bud.

CHAIRMAN VICTORINO: Okay. Mr. Okamura.

VICE-CHAIRMAN OKAMURA: Oh, yes. Thank you. It was really enlightening to go. Like you said, some of the sessions were very, very worthwhile to visit. I think that's the reason I went was because of the sessions -- the topics in the sessions.

And, you know, because the subject is so broad, serving on the Board, it's very hard to get, you know, your hands around the subject. So, but the topics that we discussed gave you some tools to look at, you know, issues

regarding water, such as the value of water, and conservation, and energy and stuff, and to see what other places are doing. So, it was very worthwhile to go -- to spend the time to go.

CHAIRMAN VICTORINO: Thank you, Mr. Okamura.

Mr. Johansen.

BOARDMEMBER JOHANSEN: Well, I went to one session that was especially interesting. It had to do with the World Bank. It certainly gave me a broad perspective on what's going on with water and the privatization of water, and the virtual capture of the public commonwealth by private corporations, and they were failing. They were being kicked

out of one country after the other.

And I kept sitting there waiting for an explanation from him as to why, and the only thing I got was that better education was the answer. What that said to me was support your local Water Department, because if it is to remain competent and serve the public need, there's no reason for private corporations to come in.

They may come in, in project -- specific project roles, contracting roles and that sort of thing, but that's not really what these French companies and the other companies

are after.

I also learned a lot of things that I won't go into here, but they have to do with conservation and with projection of population, increased water availability, and that sort of thing. I think you and I heard about a plan, that you may talk in more detail about, because you discussed it more. About how you can lay out on one -- one sheet or one screen exactly what the situation of the Water Department is, and they have that tool, and I think we ought to explore it.

CHAIRMAN VICTORINO: Thank you. Miss Raisbeck.

BOARDMEMBER RAISBECK: Yeah, I, also -- I really

enjoyed this year. I had gone the previous year, and it's a marvelous opportunity. And I'm really glad that the Board Members -- that the Department, you know, funded the Board Members going.

I would love to see more staff be able to go. And if we can work out any ways that more of the staff could take advantage of this. For the benefit of Michele, who wasn't there, they have up to 12,000 people there, and they have 35 -- sometimes 35 simultaneous, you know, seminars going on. It's really something.

The value of water was very emphasized in many

respects. And I particularly enjoyed an economist who talked about the distinction between value and cost. I liked that. I also learned that public water supplies were originally for fire protection, not for drinking water.

CHAIRMAN VICTORINO: Exactly.

BOARDMEMBER RAISBECK: But probably some of the terrible fires they had in the 19th Century led to that. I would like us, as a Board, to -- before next year, before it rolls around, to do something about reconciling the Department requirements for fire protection with the --

CHAIRMAN VICTORINO: Fire department.

BOARDMEMBER RAISBECK: -- with the Fire

Department's requirements for fire protection. As I say, I personally need to understand better just what -- you know, what the physical requirements are for fire protection.

I also found the public health is -- is our present number one priority. And I want to thank Ginny for all she has done to make sure that the people Upcountry have as good water as the rest of us on Maui. There's a little town in Canada that had 71 deaths from polluted water a few years ago, and everybody -- you know, everybody knows about

that. And it was partly because they didn't have well-trained operators, who just assumed everything was fine.

So, I think we owe a debt of gratitude to our Department and our operators for the fact that we do have very good water. And also I want to -- I want to -- every time I go to one of these, I find out more about how technically difficult it can be to put together different waters, and have different disinfection systems sort of interacting with each other is a very complicated issue.

And we do need -- you know, we do need really expert help to make sure that when we combine water, we are

getting something that's good instead of bad. Oh, there was a phrase -- there was one quote that says, "Chemicals delivered to your door. No prescription necessary." That was somebody describing it.

There were a few new ideas I will just mention.

They talked, one session, about rainwater harvesting, meaning essentially local residential saving of rainwater for toilet flushing, and individual private homes having, you know, a dual system, basically, for toilet flushing, and laundry, and, of course, irrigation, and using -- using the rainwater harvest for that.

I liked hearing about some people who were taking an integrated approach. I mean, about half the water departments in the country have combined water and sewer and half just have water. But the ones that are really forward-looking, they are sort of going to more integrate their water, their sewer, and the storm water drainage.

A new concept from Australia. Everybody was talking about asset management. And I -- particularly, there was a brilliant guy from Seattle. His name was Chuck Clark who talked about that. And I want to go over the notes -- my notes and his notes and learn more about it.

Also, from Australia, they are talking about the triple bottom line, which is the financial side, the social side, and the environmental side. And they are treating them as you have to consider all three every time, and they call it the triple bottom line.

And lastly, the last day, I was interested, San Luis Obispo had a project. They mostly had just been buying their water. You know, they didn't have to treat it or do anything like that. They had just been buying water. So, they decided they wanted to go into brackish water desal. And

they hired this company to do design, build, finance, operate
for 20 years. And it was interesting. It was interesting.

They were quoting time lines for doing this stuff
is, you know, like a year and a half. Things that would take
us five, six years. But, on the other hand, they also were
saying that, oh, it was all at the risk of the contractor,
and, so, I asked, well, how do you make sure the contractor
doesn't go bankrupt?

CHAIRMAN VICTORINO: Right, right, right, right.

BOARDMEMBER RAISBECK: And then they worked a year
on insurance arrangements that would, you know, protect the

County, protect the -- anyway, there were a lot of interesting ideas, and I'm so glad we were able to go.

CHAIRMAN VICTORINO: Ms. Parsons.

BOARDMEMBER PARSONS: Well, again, I focused on water quality. It was a great year for water quality. I learned that a lot of what we -- maybe what we need to do, too, George, is look at the University to partner with us, especially on this -- you know, on the chemical and the microbio aspects of the water.

Surface water, like Sally said, and mixing with the groundwater, there is such a science. And every time I

spoke to someone about the fact that we were mixing sources in Central Valley, we are going to mix sources Upcountry, they were agast. I mean, it's like this is such a highly specialized area, that -- that we really need to look at.

One of the other issues that was brought up, too, was the fact of knowing what your source -- what your source contains exactly. And I've been promoting this, and I am hoping that we will think about the fact that we need to take the source waters and identify all the microbial aspects of it, everything we can possibly get out of it. And that may mean sending samples or having a company come in and test it

to see what's there, so that we know how to disinfect against it, because the disinfection is -- chlorine now is, in some cases, not enough to kill some of the bacteria that's coming through.

There was also a session, which I had studied this before, but was brought up that I thought was really interesting. In Europe, they only allow -- they allow zero HPC. Zero. And they were talking about England and Wales having zero HPC count. We tolerate 500 colony forming units. And there is other countries that are much -- the more

prosperous nations don't tolerate it.

And I think it's something we need to look at, in Hawaii, on an overall basis, because of our environment. And Florida has looked at it, too. They have gotten to a point, in some of the areas, where they don't tolerate the HPC. They have got high heterotrophic plate counts. They go in, and they have got the ability that we don't have yet, but they have got chemistry and biology departments to take it apart.

If they start seeing a climb, they look to see what it is. In our cases, we look to see if we have some of the bacterias that they are looking for. And that, also, in

the next few years will be -- we will be adding -- EPS is adding more of the bacterias that we need to be looking for. But they go beyond that to see, you know, what else is in there that might be causing problems.

And I -- I thought it was a great session. It was a lot that I got out of it. And hopefully, we can all benefit from what we have learned and be able to help guide the Department. And I would like to know -- I know George went to some really good sessions. I want to know what he had to say.

DIRECTOR TENGAN: I don't have anything to add.

BOARDMEMBER PARSONS: Oh, come on. There must

have been something out of there.

DIRECTOR TENGAN: Well, the one session that I went to that left a big impression on my mind was EPA's looking at developing or coming up with an MCL for monitoring purposes of atrozine. And there was discussion that certain levels -- well, the study looked at different levels of atrozine in the water.

And it seems like the result of the study was that if you set it at a certain base, then -- and it was an acceptable base for them at the time, then most of the Water Departments wouldn't have to monitor for atrozine. And, so,

now they are looking at doing it -- lowering that level, so that more utilities would have to monitor for atrozine.

And to me, in my mind, it's kind of working backwards. If there is to be zero tolerance, set it at zero tolerance, and then develop your monitoring requirements based on that, and not work it backwards, where you want to see a certain amount of utilities that need to go through the monitoring. To me, that was completely ridiculous.

BOARDMEMBER PARSONS: That's a good point. One more quickie. You attended this one, too. Dr. Edwards did --

one of his students did a seminar, and they were doing -- they had done tests on the chloramines and the mixture of -- how the ammonias were breaking out. And one of the things that they found, like down -- down pipe, way, way out, that the chlorine broke down, and all that was left were large counts of ammonia.

And that was one of the things I was going to ask.

Do we monitor for the ammonia counts? Do we know? Because it was organic matters that was causing this.

DIRECTOR TENGAN: Well, we look at the chloramine residual at the end of the system. So, I don't know that we

do have that problem here.

BOARDMEMBER PARSONS: So, we are getting it at the
end? We are getting our chloramines at the end?

DIRECTOR TENGAN: Yes.

BOARDMEMBER PARSONS: Yes.

CHAIRMAN VICTORINO: Well, since everybody pretty
much said everything I was going to say, I have nothing to
say.

VICE-CHAIRMAN OKAMURA: You can say something.

BOARDMEMBER PARSONS: How was the golf course,
Mike?

CHAIRMAN VICTORINO: I didn't go near a golf course. Go ahead.

VICE-CHAIRMAN OKAMURA: Just what Sally said, one of the people there said you are from Hawaii. He said how come you guys don't send more engineers over here?

BOARDMEMBER PARSONS: We don't have any engineers.

VICE-CHAIRMAN OKAMURA: I know Herb said that he went nine years ago or something like that, and I was thinking, if possible, the Department should look at sending the engineers more frequently, maybe every three years. I don't know, you know, but I guess --

DIRECTOR TENGAN: I think the Board Members will sacrifice some positions, you know, we could do that.

VICE-CHAIRMAN OKAMURA: I can do that.

BOARDMEMBER RAISBECK: I would be willing to give -- I want to go to San Antonio next year, and I love the sessions, but I would give it up if one of the staff members could go in my place.

CHAIRMAN VICTORINO: Well, we will discuss that in a little more detail.

DIRECTOR TENGAN: I might want to add something.

I attended the breakfast for the AWWA Research Foundation.

And, you know, I was impressed by the amount that the particular unit of AWWA has grown. I think it was mentioned that in the first year, receiving dues from utilities such as us, they got something less than \$500,000.

And now, I think their budget is like over \$10 million in research projects. So, you know, that part of the organization has really grown, and it's doing a lot of research and hiring consultants to do their -- to do the much needed research in the industry.

And, so, that part of the industry is really

growing, you know, through AWWA. And there's a lot of studies going on right now. And I guess what I'm doing, making a pitch for the Board to make sure that we have in our budget an amount to contribute to the research programs.

CHAIRMAN VICTORINO: Absolutely. Any closing?

BOARDMEMBER RAISBECK: One question. George, could you make out or could you have somebody in the Department make out, for the Board, a list of all the papers from AWWA or all the books -- you know, the technical books and the --

DIRECTOR TENGAN: From the conference?

BOARDMEMBER RAISBECK: Well, when I went to the book store there at the thing, there were all kinds of books I would love to be able to read. And I'm sure the Department has some of them.

I recommended one to Holly about benchmarking, and if -- if I could know what books the Department already has, then I could maybe, from the book store catalog, make out a list of things that -- you know, it would be put on a wish list.

DIRECTOR TENGAN: Okay.

BOARDMEMBER RAISBECK: Would that be possible?

DIRECTOR TENGAN: Yeah, I could send out a memo to the division heads to get an inventory of what they have.

BOARDMEMBER RAISBECK: Yeah, I would like to see that. They have some really, really good technical manuals and stuff about fire protection. All kinds of good stuff.

CHAIRMAN VICTORINO: See what you missed? Yes, Ralph.

BOARDMEMBER JOHANSEN: Just a couple things. One, there were 12,000 people there, according to staff. And the second, in line, with what Ken was saying, I noticed they have

a positions board in the lobby. And I think it would be a good idea if we had an attractive brochure next time on that positions board advertising for engineers and whatever.

BOARDMEMBER PARSONS: I also brought back some business cards of some people that want to come, so I have got to give them to you.

CHAIRMAN VICTORINO: You had to reach to all those guys, right?

BOARDMEMBER PARSONS: I was pitching for us, because we need engineers.

CHAIRMAN VICTORINO: Anyhow, since everybody

pretty much covered everything, there's not much more for me to say, other than I take a real different approach on the overview of the conference. I think the one thing that -- you know, I was with Ralph and Ginny, and I ran all over the place with different ones, because I thought this was good and that was good.

But the one thing I got, more than anything else, as far as the dedication, by many professionals, to continue to -- like you stated earlier -- be good stewards of our water. You know, to make sure that we are doing the things that are going to provide clean, drinkable water to the people

of America or to the world. Actually, to the world. Let's say this is a world conference.

The other thing I got was the fact that many of you had a chance to attend the Hawaii section dinner, the Hawaii section breakfast, and you get to meet other stewards of the system in Hawaii from other counties. And I think that's very important, because you share ideas. You share the similarities in problems, or sometimes you hear solutions that they may be moving into that we haven't even thought of or maybe are thinking of.

So, I think that's -- if there's another view of

the conference, is that camaraderie, that you attend these conference, meet people, get cards. I have had an opportunity to sit down with -- what was his name? Your friend?

BOARDMEMBER PARSONS: Rich Gianni.

CHAIRMAN VICTORINO: Rich Gianni and had lunch with him.

BOARDMEMBER PARSONS: It's WASA, Washington, DC, water quality.

CHAIRMAN VICTORINO: Thank you. And, you know, the things that I was able to walk away from and really

enlightens me in what we need to continue to do to provide clean, drinkable water for our people here in Maui County and make sure that we all do a good job.

So, moving right along, I think that was more than three minutes each, but that's okay. I went five and a half.

Okay. On under D, discussion of possible action regarding creation and appointment of committees. I have had -- and I got to be honest. I was negligent in getting this done because of the conference. I will move this to the next meeting, and I will meet with certain people that we have been discussing this, kind of formulate a plan, and then

present it to you, George, for you to look over.

Because it's not something I want to do without George's, you know, concurrence. Okay? So, I will defer that to our next meeting.

Now, going to receipts of Board Members' request and agenda items for placement on future agendas.

BOARDMEMBER PARSONS: I'd like to see -- when we get a topic like we had today, regarding like the changing of the rule agenda, that we not let it go. Take it to the next meeting, and discuss it, and get some kind of discussion started, and then if you want to put it into a committee

meeting from that point forward.

But when we have something brought to us like this, rather than wait, let's try to reach out for it. That and fire protection, with the Fire Department, maybe it's not on the next agenda, but the following one, so we give the Fire Chief time to come in.

CHAIRMAN VICTORINO: Sit down and discuss it.

BOARDMEMBER PARSONS: Uh-huh.

CHAIRMAN VICTORINO: Okay. Any other items?

Mr. Okamura. I am sorry, Ralph. Okay. Go ahead,

Mr. Johansen.

BOARDMEMBER JOHANSEN: On June 29th, the Water Resources Committee is scheduled to discuss promulgation of changes in rules for this Board. And I wonder, first of all, if we want to put that on our agenda for next time, and also, whether we want to discuss some input into this meeting coming up on the 29th right now.

DEPUTY CORPORATION COUNSEL: Mr. Chair, if I may.

CHAIRMAN VICTORINO: Yes.

DEPUTY CORPORATION COUNSEL: Member Johansen, I just got word this morning that meeting has been cancelled.

CHAIRMAN VICTORINO: Okay.

DEPUTY CORPORATION COUNSEL: But to follow-up on that, the Chair of that committee, Michelle Anderson, did formally request my office -- our office to propose a set of -- to codify the rules into ordinance form.

And we are still working on that. I mean, basically, not all of this, but most of this will be in ordinance form like the building code, like the wastewater code. And we are still working on that, of course. But, I believe you have a Rules Committee.

CHAIRMAN VICTORINO: Right.

DEPUTY CORPORATION COUNSEL: And we would

recommend that the -- the draft or whatever be sent down to
this Board.

CHAIRMAN VICTORINO: Okay. That's fair enough.

Okay. Thank you, Mr. Kushi. So, we will defer that matter,
and we will work on this. Okay.

BOARDMEMBER RAISBECK: Mr. Chair, I will be absent
next month, and so if there is a -- I would like to be
involved in any discussion of fire flow, so if that could
be --

CHAIRMAN VICTORINO: We are looking at the

following meeting, the August meeting, not the July meeting.

BOARDMEMBER RAISBECK: Yeah, yeah. That would be good. Thank you.

CHAIRMAN VICTORINO: Yes, Ken. You had something.

VICE-CHAIRMAN OKAMURA: Yeah, I was thinking that maybe since we sort of starting a new year again --

CHAIRMAN VICTORINO: Yeah.

VICE-CHAIRMAN OKAMURA: -- if somehow we could discuss, you know, what some issues that the Board would like to address. You know, like one of them is like fire flow it seems.

CHAIRMAN VICTORINO: Right.

VICE-CHAIRMAN OKAMURA: But instead of trying to focus on a few things and trying to get something done, you know, for the year, I don't know how we can do it or what you guys' idea on it is. Maybe we can get, at the end of the year, we can accomplish these things. Maybe something like that. I am not sure, but some areas to focus in except something outside of that, you know, the monthly meeting kind of stuff.

CHAIRMAN VICTORINO: Okay.

VICE-CHAIRMAN OKAMURA: Depends on what people --

how people want to approach it. I don't know.

CHAIRMAN VICTORINO: Well, when I open up to

suggestions, is I would like -- if you have -- any of the

individual member has what I call concerns or ideas they would

like us to work on or focus in for this upcoming year, if you

would e-mail me that, and I will kind of put a little blurb

together, put them all together, and then go back to you guys.

Bring it at the next meeting and show you what we like to do,

and see if that's what we would like to focus in on. Is that

fair?

DEPUTY CORPORATION COUNSEL: There's such a danger

about e-mails.

CHAIRMAN VICTORINO: No, e-mail it only to me.

DEPUTY CORPORATION COUNSEL: Okay.

CHAIRMAN VICTORINO: Only to me. Only to me now,
please. And then I will share it at the meeting, Mr. Kushi.

DEPUTY CORPORATION COUNSEL: Correct.

CHAIRMAN VICTORINO: Whew, I got to be careful.

Stacy, anything?

BOARDMEMBER CRIVELLO: No.

CHAIRMAN VICTORINO: Michele?

BOARDMEMBER McLEAN: No. Thank you.

BOARDMEMBER RAISBECK: Mr. Chair.

CHAIRMAN VICTORINO: I am sorry.

BOARDMEMBER RAISBECK: You know, Stacy was not here when we voted for the new Chair and Vice-Chair, and probably she needs to be told.

CHAIRMAN VICTORINO: Oh, yeah. The new Chair, is --

BOARDMEMBER CRIVELLO: Oh, you jumped your agenda. I was wondering what happened to C.

CHAIRMAN VICTORINO: Yeah. What happened was

because we had this presentation, and we were trying to buy up some time, and we thought some members were going to leave before 11:30, so we wanted to hold that. So, we did that early, and we moved it. The Vice-Chair is Ken Okamura and the Chair is yours truly.

BOARDMEMBER CRIVELLO: Okay.

CHAIRMAN VICTORINO: Okay. Anything else? Yes,

Alva.

MR. NAKAMURA: Bring one thing up. In preparation

for today's meeting agenda, I had requested Cathy to defer two

items. One was discussion of the Dowling well agreement. We weren't too clear exactly what the Board wanted from us as far as a staff report. So, I needed the clarification on that.

The other one was on the vulnerability assessment report. Now, for your information, the vulnerability assessment, we are not able to make copies because of security reasons.

CHAIRMAN VICTORINO: Yes, yes.

MR. NAKAMURA: I don't know what the question was on the vulnerability. We tried to look it up, and we couldn't figure out exactly what the question was. So, I need to get

two clarifications from the Board today, so that we can prepare for next time, if we need to have this discussion made.

CHAIRMAN VICTORINO: Let's start with the vulnerability report. You cannot make copies, and you can't disburse copies. I understand.

BOARDMEMBER PARSONS: Executive session.

CHAIRMAN VICTORINO: Can we go into executive session and discuss that?

DEPUTY CORPORATION COUNSEL: I would advise you do it.

CHAIRMAN VICTORINO: Okay. So, why don't we do that. Go into executive session and discuss the vulnerability report.

MR. NAKAMURA: Specifically, what did you have in mind that you wanted to discuss? What it is, or what it covers? I need to get some clarification on that.

CHAIRMAN VICTORINO: Okay. Ralph.

BOARDMEMBER JOHANSEN: I want bring to mind --

CHAIRMAN VICTORINO: Wait, wait. No, let's not go on from where we are. Stay on the vulnerability, Ralph, if you don't mind. I mean, I kind of remember the suggestion

being brought up, and I am not sure. Who was it?

BOARDMEMBER RAISBECK: I don't remember who brought it up, but I would think that what I -- you know, I didn't ask it for myself. But what I would appreciate knowing is what the Department sees as its particular vulnerabilities and what program it has for correcting them, if possible.

CHAIRMAN VICTORINO: What the plan is, and I guess what the plan is in place right now, and what anticipated problems that you guys may be looking at, and what action you might want to take on that.

MR. NAKAMURA: Okay.

CHAIRMAN VICTORINO: That be specific enough?

MR. NAKAMURA: That's fine. That's fine.

CHAIRMAN VICTORINO: Now, the first item was the

Dowling --

MR. NAKAMURA: The Dowling one.

CHAIRMAN VICTORINO: -- Dowling one. Now, I know

somebody brought that up, and it wasn't me.

MS. HOWARD: It was the month before. It was

Ginny.

BOARDMEMBER PARSONS: Was it me? All right.

CHAIRMAN VICTORINO: What were you asking?

BOARDMEMBER PARSONS: I didn't see the minutes. I

think we were talking about what the agreement was, but I

think it was what the usage is? I don't remember now what it

was.

BOARDMEMBER CRIVELLO: I have the minutes here.

CHAIRMAN VICTORINO: Instead of wasting any time

on this, can you go back and look at the minutes, contact him

directly --

BOARDMEMBER PARSONS: Was it April?

CHAIRMAN VICTORINO: -- and let him know what you

want specifically. Because you weren't here last meeting. It couldn't have been last meeting, the May meeting. You know what, I am not going to waste people's time looking for it.

BOARDMEMBER PARSONS: No problem.

CHAIRMAN VICTORINO: Can you do that? And then get to Alva, and then Alva take it from there. Is that fine?

MR. NAKAMURA: That's fine.

CHAIRMAN VICTORINO: Anything else? Yes, Ralph. You had something. Excuse me.

BOARDMEMBER JOHANSEN: I don't know whether this should be on the agenda or how to work it out. But we are

getting minutes almost two months after meetings. The latest minutes we have were from April 23rd. Cathy tells me the meetings for May meeting -- the minutes for the May meeting came in last night, right?

MS. HOWARD: Right.

BOARDMEMBER JOHANSEN: I just wonder, in order to preserve continuity and a sense of progression, can we have those minutes before -- before each succeeding meeting? I don't know what the logistics of that are, and it might be difficult. How can we work that out?

CHAIRMAN VICTORINO: I guess that would come back

from the court reporter, right? That you are depending on
them handing that in to us?

MS. HOWARD: But I think what Ralph would like,

Mr. Chair, is that I send out the minutes as soon as I receive
them? Is that correct, Ralph?

BOARDMEMBER JOHANSEN: Well --

MS. HOWARD: Instead of sending them with your
Board packet.

BOARDMEMBER JOHANSEN: Are they coming within 30
days, which the rules call for? The rules request that they

be within 30 days.

MS. HOWARD: The 22nd -- Yes, I am getting them within -- what was last meeting's date? May 26th. I am getting them June 22nd, so I am getting them within the 30 days.

CHAIRMAN VICTORINO: However, we are not getting it with our packet, because like she said, it came here last night. And if she brought it today, it wouldn't help us any, because we are not going to approve something we haven't had a chance to read, yeah?

BOARDMEMBER JOHANSEN: My concern was we have gone

for several meetings with no minutes.

MS. HOWARD: Well, I send them out with the packet, whether or not you come to the meeting. But I can send them out earlier, if you would like them right away, if you would like them before your packets.

BOARDMEMBER RAISBECK: I would.

MS. HOWARD: But I don't want you to lose them, but do you --

BOARDMEMBER RAISBECK: Can you e-mail them?

MS. HOWARD: They are already on the web site. As soon as I get them, I will post them on the web site. But if

you need a hard copy, just let me know.

BOARDMEMBER JOHANSEN: I have a second concern, and that has to do with the Council, Honolulu Council for the County Council. We still don't know whether there's a report, or what the report will contain, and how it affects the Board.

DEPUTY CORPORATION COUNSEL: Okay. The last Water Resource Committee meeting, they didn't have any information -- any further information. There was no -- no report from Ben Kudo's office.

BOARDMEMBER RAISBECK: There was a report that it

was determined it was confidential and wouldn't be made

public. So, is there any way that we can, in executive

session --

DEPUTY CORPORATION COUNSEL: There was a report

that was discussed in executive session, and this goes back to

several months ago. I think it was late '04. But there was

supposed to be another report later on, which nobody seems to

know if it's done or not.

The executive session report, I think you need to

talk to -- somebody needs to talk to Michelle, the Council

Chair, because that report is for the Council.

CHAIRMAN VICTORINO: You mean Riki.

DEPUTY CORPORATION COUNSEL: Riki.

CHAIRMAN VICTORINO: Councilmember Hokama would be
the one that we need to speak to.

DEPUTY CORPORATION COUNSEL: Right, if that report
is going to be released.

CHAIRMAN VICTORINO: Okay. Let me go see and talk
to him.

BOARDMEMBER RAISBECK: And I wouldn't expect it to
be, but parts of it could be nonconfidential or else we could
look at the confidential thing in executive session again.

CHAIRMAN VICTORINO: Let me ask Council Chair

Hokama, and he may have to go back for a ruling from you guys, whatever. Let me start the process by giving him a call and asking him for it. And if I need to make a formal letter, I will make a formal letter requesting it. Okay.

Anything else? If not, going to Division Reports.

You have the Division Reports. I will ask only if you have questions on any specific item in the Division Reports to --
Mr. Okamura.

VICE-CHAIRMAN OKAMURA: On page eight.

CHAIRMAN VICTORINO: Okay.

BOARDMEMBER PARSONS: I have to take off. See you

guys.

CHAIRMAN VICTORINO: Okay. Thanks.

(Boardmember Parsons left the meeting.)

VICE-CHAIRMAN OKAMURA: This is in regards to --

it shows the level of the Kahakapao Reservoir. And I was

thinking, at one time, that there was something about trying

to keep that reservoir full, so that if there was a time of

shortage, you could drawn down on it or something like -- you

know when there was a drought, the drought?

DIRECTOR TENGAN: Yeah, that I think what you are

referring to is when Elmer Cravalho was on the Board, and he wanted the Department to maintain a certain level within the reservoir. In my mind, trying to manage the resources we have, if you are going to keep the reservoir full all the time, then you don't really need a reservoir. Just process whatever water that comes into your intakes.

The purpose of the reservoir is to store water when it's available and use it when it's not available at the intakes. So, you need to manage the levels based upon anticipated weather conditions.

VICE-CHAIRMAN OKAMURA: How much you expect it to
rain.

DIRECTOR TENGAN: And that's what we are trying to
do.

VICE-CHAIRMAN OKAMURA: I see. I see.

DIRECTOR TENGAN: When we get down to 50 percent,
then we look at it very seriously. We look at our
alternatives as to how we can make up -- or, you know, retain
or keep the reservoirs from dropping any further. And that
requires pumping from -- more from Wailua, the Kamole
Treatment Plant. It may involve pumping from the Hamakuapoko

wells. Those are the kinds of thing we do.

VICE-CHAIRMAN OKAMURA: I see. Because this --

the last -- okay. That's what I was interested for. Because my concern was the last sort of warning of the low -- you know, lack of rainfall. And I was thinking, oh, that came about pretty fast, because this year was sort of rainy, from my perspective.

And it seems like there was more rain, and there was a short dry period, and the water went down real fast.

So, I was concerned about that. I said, gee, because, you know, at one time, I went through a period when there was

water problems with my line -- area in my line, and -- I think this is a different topic. But, you know -- and I realized that -- and I didn't have water pressure for a few days. And I said, well, for farmers, if we don't have water for even -- or if the water slowly decreases, we are sort of like very vulnerable.

DIRECTOR TENGAN: You see, if you look at about the 18th of May, that's when both Piiholo and Kahakapao at its lowest levels in the month of May. But immediately following that, the level at Kahakapao increased substantially. But yet

it was towards the end of the month, you know, Piiholo was going down somewhat. So, I believe it was about this time that we initiated action to take water from Kahakapao.

We have a temporary line going from Kahakapao reservoir into Piiholo, which we had constructed last year.

VICE-CHAIRMAN OKAMURA: I see.

DIRECTOR TENGAN: And gave us the ability to take water from Kahakapao down to Piiholo, so we did that for a day or so until Piiholo could catch up and maintain its level.

VICE-CHAIRMAN OKAMURA: I see. Anyway, that was a concern. I see. But I see how you doing, but also, would it

be possible to pump water up to Piiholo from other sources?

DIRECTOR TENGAN: The only way we can do it is by producing more water at the Kamole Treatment Plant and then producing enough to take care of the demand on the lower system, plus put water into the Piiholo Reservoir. We try to stay away from doing that, because whenever we put water from Kamole Treatment Plant into Piiholo Reservoir, that water has to be treated twice before --

VICE-CHAIRMAN OKAMURA: I see.

DIRECTOR TENGAN: -- consumption.

VICE-CHAIRMAN OKAMURA: Thank you. This is a good

chart, too. Thank you.

CHAIRMAN VICTORINO: Okay. Is that all with the Division Reports? One more quick item, and something like -- when we talk about -- sometimes we never recognize the work our staff and engineers and our operational people -- the field people do. And I want to read one real quick report and have these awards passed out to the attaboy guys.

Okay. All you guys know, on Friday, June 17, at about 2:00 p.m., the automated transformer at Shaft 33 failed.

Okay. And I guess you guys read that in the paper, and the pump and motor on Shaft 33 discontinued operation and stopped

providing the necessary water for Central and South Maui.

Shaft 33 contributes about 5 million gallons to the Central Maui water system.

As a result of this failure, the Board was forced to issue a press release, which we all read, requesting conservation on the part of consumers and requesting conservation measures be taken in hotels to help reduce demand on the system.

It was estimated that completion of this repair would be done by June 22, 2005. Joe Mendonca, yeah? Yeah,

Joe Mendonca, who heads up the Plant Operation Division,

immediately swung into action, organized his team to

investigate the failure and how the problem can be corrected.

Upon his arrival at Shaft 33 -- which we all know,

that's not an easy place to go down -- he determined that the

automate transformer, which serviced the electrical motor

driving the pump, had failed due to overheating. This caused

most of the wiring to burn.

After a thorough check, a meeting was held with

his team to discuss a plan of action. It was decided to

completely rewire the entire area including replacement of the

automated transformer. This included the installation of a new PLC to place the -- replace the old timer, which had failed, causing the burning of the automated transformer.

The team worked 13 hours straight on Saturday and nine hours straight on Sunday to complete the rewiring and installation of the new automated transformer. Shaft 33 was back into production around 4:00 p.m. on Sunday, June 19th, 2005.

This tremendous achievement on the part of the team members, who showed cooperation, teamwork, and dedication in completing their objective, the Department of Water Supply

would -- and the Board of Water Supply would -- was very grateful to the dedication of these employees and their quick response and restoration of Shaft 33.

Based upon this, I would like to recommend the Attaboy Award to Joe Mendonca and all his team. And his team is Dean Tanimoto, Ryan Hedani, Lloyd Shiraki, Christopher Kele, Ed Cabo, Robert Foley, Kinson Kuba, and Kelly Wright, these members.

DIRECTOR TENGAN: The last three guys were involved in a different activity.

CHAIRMAN VICTORINO: Oh, I so sorry. Oh, so

sorry.

BOARDMEMBER CRIVELLO: That's all right. They can
be attaboys.

CHAIRMAN VICTORINO: They can be attaboys, too.

So, whatever they did -- sometimes we don't recognize the
great things. And if you imagine now, these guys spent how
many hours doing all these repairs and got it rewired and set
up in two-and-a-half days verse what they were looking at five
or six days. That's a great accomplishment. And on behalf of
the people of Maui, we would like to thank all of them for the

attaboy.

BOARDMEMBER CRIVELLO: What about attagirl?

CHAIRMAN VICTORINO: Don't have an attagirl. Just

attaboys. Helene, do we have an attagirl on this one?

MS. KAU: No, no. Sorry. Just one comment.

CHAIRMAN VICTORINO: Yeah.

MS. KAU: He isn't here, but Member Hiranaga

inquired at the last meeting about 27-meter installations

Upcountry.

CHAIRMAN VICTORINO: Yeah, yeah, yeah.

MS. KAU: And just for the Board's information, at

least 22 of those were related to the Kula residential lots,
the Hawaiian Homes subdivision.

CHAIRMAN VICTORINO: Okay.

MS. KAU: So, it wasn't any new kind of
subdivision.

CHAIRMAN VICTORINO: Right. That's that Hawaiian
Homes development up in Kula?

MS. KAU: Yes, yes.

CHAIRMAN VICTORINO: Okay. And that shows up as
meter installations.

DIRECTOR TENGAN: Yeah, we do give attagirl

awards.

CHAIRMAN VICTORINO: But I wanted to recognize these gentlemen for their outstanding contribution. On behalf of Board and on behalf of the people of Maui, we thank them for their quick, diligent, and expedient work in repairing this real problem. Because 5 million gallons of water out of service is a real challenge. So, thank you. And on behalf of all of us --

DIRECTOR TENGAN: Did you sign them?

CHAIRMAN VICTORINO: Yeah, I signed them. You got to have the Mayor sign.

BOARDMEMBER CRIVELLO: For Hawaii, girls won,

yeah, pipe tapping?

CHAIRMAN VICTORINO: So, that's another thing.

The Hawaii girls' team won the world championship. This is the world championship of pipe tapping. And they also set a new record time. And if I am not mistaken, it was one minute, sixty seconds point three or four seconds, which was a new world's record. So, we got to congratulate the ladies from Oahu representing the State of Hawaii.

DIRECTOR TENGAN: We could give them attagirl

awards from the County of Maui.

CHAIRMAN VICTORINO: From the County of Maui.

Could you do that, George, please, from the County of Maui?

BOARDMEMBER CRIVELLO: Yeah, that's a good idea,

George, attagirl.

CHAIRMAN VICTORINO: If nothing else --

MS. HOWARD: Mr. Chair, could you please remind

any members that have not turned in their --

CHAIRMAN VICTORINO: Ethics.

MS. HOWARD: -- the sexual harassment prevention

policies.

BOARDMEMBER CRIVELLO: Gosh, I didn't.

MS. HOWARD: Can you just mail in that one sheet
would be fine.

CHAIRMAN VICTORINO: If you have it, can you
please do it as soon as possible, please. Okay. Nothing
else, meeting adjourned. Thank you very much.

(Adjourned 11:45 a.m.)

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