

MINUTES

DEPARTMENT OF WATER SUPPLY
COUNTY OF HAWAI'I
WATER BOARD SPECIAL MEETING

November 8, 2011

Department of Water Supply, Operations Center Conference Room

MEMBERS PRESENT: Mr. Dwayne Mukai, Chairperson
Mr. Robert Meierdiercks, Vice-Chairperson
Mr. David Greenwell
Mr. Delan Perry
Mr. Art Taniguchi
Mr. Milton Pavao, Manager, Department of Water Supply
(ex-officio member)

ABSENT:

Mr. Kenneth Kaneshiro, Water Board Member
Mr. Bryan Lindsey, Water Board Member
Ms. Bobby Jean Leithead-Todd, Director, Planning Department (ex-officio member)
Mr. Warren Lee, Director, Department of Public Works (ex-officio member)

OTHERS PRESENT: Ms. Kathy Garson, Assistant Corporation Counsel
Ms. Emarie Carvalho, Legal Technician, Corporation Counsel
Ms. Kanani Aton, Public Information and Education Specialist

CALL TO ORDER - Chairperson Mukai called the Special Meeting to order at 10:17 a.m.

STATEMENTS FROM THE PUBLIC:

Chairperson Mukai reported that written testimony had been submitted, which was copied and distributed to all of the Board.

MISCELLANEOUS:

A. DISCUSSION OF PROCESS AND CRITERIA FOR SELECTION OF NEW MANAGER-CHIEF ENGINEER OF THE DEPARTMENT OF WATER SUPPLY:

Ms. Aton said that because most of the process to select the new Manager-Chief Engineer will be conducted in Executive Session, it would be helpful to maintain positive media coverage by determining ahead of time what information the Board wants to release. She noted that the key reporters covering the recruitment process are Ms. Nancy Cook Lauer of West Hawai'i Today and Mr. Peter Sur of the Hawai'i Tribune-Herald. They have diligently kept up to date on stories about the Manager-Chief Engineer's decision to retire, the selection process and the selection timeline, Ms. Aton said. She suggested that the Board consider releasing to the media and the public some key points of information including the significant benchmarks that have been achieved so far in the recruitment process, the number of applicants and the number of candidates who qualified. When the Board makes its final selection, the identities of the applicants should also be released. She noted that Mr. Lincoln Ashida, the Corporation Counsel, had personally called each of the short-listed candidates for Fire Chief, to inform them that this process was a public one because it was a government recruitment. When the Board is ready to make its decision, it would be a good time to let the reporters know by phone and also

with a follow-up press release, Ms. Aton said. Ms. Aton said she discussed with Ms. Garson earlier the template that Mr. Ashida used for the press release regarding the Fire Chief selection; Ms. Aton said she wanted to obtain that press release and work from that template. All press releases will be posted to the Department's website. Ms. Aton said she had a list of reporters and bloggers to whom she would send information. She said it was up to the Board to decide how pointed the information should be.

Chairperson Mukai asked Ms. Garson if a Motion were necessary regarding how the information should be disseminated to the public.

Ms. Garson said that would be premature.

Mr. Meierdiercks agreed, saying the Board had not yet decided what specific information to release.

Ms. Garson suggested that at this point, the Board should go into Executive Session. The Board could always go back, after the Executive Session, to a discussion of Ms. Aton's media plan in open session she said.

Mr. Greenwell asked if the Board were free as of today to give dates of what the Board has accomplished so far in the selection process, the number of candidates who applied, and the number of candidates who qualified for the job.

Ms. Garson said no, the Board is going to discuss that in Executive Session.

Chairperson Mukai said that the Board would move into Executive Session; when the Board reconvenes in open session, the Board would revisit Item 3(A) with regard to the recruitment process.

The Manager-Chief Engineer asked whether he and Ms. Aton should return when the Board reconvenes in open session to discuss Ms. Aton's media plan.

Mr. Meierdiercks said the discussion could be put on record in the Minutes from the open session.

The Manager-Chief Engineer acknowledged that in that case, there was no need to return later for the open session.

Ms. Aton offered to make a copy of her media plan for the Board.

Chairperson Mukai said that the main thing would be that Ms. Aton would be available by phone in case there were any questions.

(The Manager-Chief Engineer and Ms. Aton left the meeting.)

**B. EXECUTIVE SESSION RE: PROCESS AND CRITERIA FOR SELECTION OF NEW
MANAGER-CHIEF ENGINEER OF THE DEPARTMENT OF WATER SUPPLY:**

The Water Board convened an executive meeting, closed to the public, pursuant to Hawai'i Revised Statutes, Sections 92-4 and 92-5(a)(4) for the purpose of consulting with the Water Board's attorney on questions and issues pertaining to the Water Board's powers, duties, privileges, immunities and liabilities. A two-thirds vote, pursuant to HRS Section 92-4, is necessary to hold an executive meeting.

MOTION: Mr. Meierdiercks moved to go into Executive Session; seconded by Mr. Taniguchi, and carried unanimously by voice vote.

(The Board went into Executive Session at 10:22 a.m. and ended at 12:14 p.m.)

A. DISCUSSION OF PROCESS AND CRITERIA FOR SELECTION OF NEW MANAGER-CHIEF ENGINEER OF THE DEPARTMENT OF WATER SUPPLY:

Chairperson Mukai asked whether there was anything further to discuss on this Item.

Ms. Garson asked for a short break. *(About a minute later, the Board reconvened.)*

Ms. Garson confirmed that the Board is going to work on a press release, and when the candidates are finalized, the Board will draft invitation letters to the short-listed candidates.

Chairperson Mukai confirmed that this was correct.

ADJOURNMENT

Chairperson Mukai entertained a Motion to adjourn the Special Meeting.

ACTION: Mr. Meierdiercks so moved; seconded by Mr. Perry. Motion carried unanimously by voice vote.

The Special Meeting adjourned at 12:16 p.m.

Acting Secretary-Administrative Assistant

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in this Water Board Meeting should contact Doreen Shiota, Secretary, at 961-8050 as soon as possible, but no later than five days before the scheduled meeting.

The Department of Water Supply is an Equal Opportunity provider and employer.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist. {Article 15, Section 2-91.3(b), Hawai'i County Code} A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, Hilo, Hawai'i.

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