

RESOLUTION NO. 2013-01

A RESOLUTION of the Board of Directors of North Kootenai Water District, Kootenai County, Idaho, rescinding the Bylaws of the District; declaring the principal office of the District; and providing for other matters properly relating thereto.

NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE NORTH KOOTENAI WATER DISTRICT, KOOTENAI COUNTY, IDAHO, as follows:

WHEREAS, North Kootenai Water District (the "District") is a validly and properly formed water district under and by virtue of the laws of the state of Idaho;

WHEREAS, the District is governed by an elected five member Board of Directors (the "Board");

WHEREAS, at a meeting on March 21, 2005, the Board adopted "By-laws of North Kootenai Water District" (the "Bylaws") pursuant to Idaho Code Section 42-3212(m), which Bylaws addressed certain purposes and powers of the District, including but not limited to declaring the location of the District's principal office;

WHEREAS, a substantial majority of the provisions of the Bylaws purport to restate certain laws of the state of Idaho that govern the District and, due to changes and amendments to certain laws of the state of Idaho, material provisions of the Bylaws are in conflict with such laws;

WHEREAS, after review and consideration of the Bylaws, the Board has decided it is in the best interests of the District to rescind those Bylaws to avoid conflict and confusion with the laws of the state of Idaho.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS as follows:

Section 1: RESCISSION OF BYLAWS

The Bylaws adopted on April 7, 2005 are hereby rescinded because such Bylaws are not necessary for the governance and operation of the District.

Section 2: DECLARATION OF PRINCIPAL OFFICE

The Board declares the principal office of the District shall be located at 13649 N. Meyer Road, Rathdrum, Idaho, 83858-4904. The Board shall have the power and authority to establish and maintain branches or subordinate offices at any location within the boundaries and/or jurisdiction of the District.

Section 3: RATIFICATION

The Board hereby ratifies all acts taken by members of the Board and/or agents on behalf of the Board or District relative to the rescission of the Bylaws of the District and/or declaration of the principal office of the District.

Section 4: SEVERABILITY

If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of each section, paragraph, clause, or provision shall in no manner affect any remaining provision of this Resolution.

Section 5: EFFECTIVE DATE

This Resolution is and shall be effective as of the date of its adoption.

PASSED at a regular meeting of the Board of Directors, North Kootenai Water District, Kootenai County on the 3rd day of January, 2013, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT



Chair, Board of Directors

ATTEST:



District Secretary

(SEAL)



I, the undersigned, Secretary of the North Kootenai Water District, Kootenai County, Idaho hereby certify that the foregoing Resolution is a full, true, and correct copy of a Resolution duly adopted at a regular meeting of the Board of Directors, duly and regularly held at a regular meeting place thereof on January 3, 2013 of which meeting all members of said Board had due notice and at which a majority thereof were present; and that at said meeting said Resolution was adopted by the following vote:

AYES, and in favor thereof, Boardmembers: 5

NAYS, Boardmembers: 0

ABSENT, Boardmembers: 0

ABSTAIN, Boardmembers: 0

I further certify that I have carefully compared the same with the original Resolution on file and of record in my office; that said Resolution is a full, true, and correct copy of the original Resolution adopted at said meeting; and that said Resolution has not been amended, modified, or rescinded since the date of its adoption, and is now in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the North Kootenai Water District, Kootenai County, Idaho, on January 3, 2013.

Alanna Brooks

District Secretary

(SEAL)

