

RESOLUTION NO. 2016-02

A RESOLUTION of North Kootenai Water District, Kootenai County, Idaho, establishing a QLPE Fee 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 NORTH KOOTENAI WATER DISTRICT, Kootenai County, Idaho, as follows:

WHEREAS, North Kootenai Water District (the "District") is a water district under and by virtue of the constitution and laws of the state of Idaho and is governed by an elected Board of Directors (the "Board");

WHEREAS, the Board has the statutory duty to operate, on a breakeven basis, the District's water utility system or systems (the "System") and to set the rates, fees, and charges necessary to maintain and operate the System;

WHEREAS, in District Resolution No. 99-1, the Board established a minimum fee of \$300.00 to conduct an engineering review of submitted plans and specifications that propose additions or modifications to the System;

WHEREAS, IDAPA 58.01.08, Section 504.03(c), allows for plans and specifications for a simple water main extension that connects to the System that are prepared by an engineer other than the District's engineer to be reviewed and approved by a Qualified Licensed Professional Engineer ("QLPE") acting on behalf of the District;

WHEREAS, the Board is informed the QLPE review is more labor intensive and is more expensive than the standard plan and specifications review contemplated in District Resolution No. 99-1;

WHEREAS, pursuant to Idaho Code Section 63-1311A, the District published notice in the Coeur d'Alene Press on January 21, 2016, and January 28, 2016, and conducted a public hearing on February 4, 2016, to provide an opportunity for the public to comment on the proposed QLPE Fee charged by the District;

WHEREAS, the Board has considered and discussed the information it has received and comments and input received at the public hearing, if any, as well as any telephone and written comments received by the District, if any; and

WHEREAS, the Board desires to set the QLPE Fee for the District as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

NOW, THEREFORE, IT IS HEREBY FURTHER RESOLVED as follows:

Section 1: Incorporation of Recitals. The Board hereby incorporates the recitals set forth herein as a part of this Resolution.

Section 2: QLPE Fee for the District. The QLPE Fee for the District shall be as set forth in Exhibit "A" attached hereto and incorporated herein by this reference. Unless otherwise set forth in Exhibit "A," all other rates, fees and charges for customers and users of the System shall remain in full force and effect, and as previously set and/or approved by the Board. The rates, fees, and charges set forth in Exhibit "A" shall be applicable on or after February 4, 2016.

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 implementation of new rates and charges.

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 shall become and is effective as of the date of its adoption.

PASSED at a regular meeting of the Board of Directors of North Kootenai Water District, held on the 4th day of February, 2016.

NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho


Chairman, Board of Directors

ATTEST:


District Secretary Pro Tem

(SEAL)



I, the undersigned, Secretary Pro Tem of 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 February 4, 2016, 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, Directors:


NAYS, Directors:

ABSENT, Directors:

ABSTAIN, Directors:

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 District on February 4, 2016.


District Secretary Pro Tem

(SEAL)

EXHIBIT "A"

QLPE Fee

The Qualified Licensed Professional Engineer ("QLPE") Fee shall be the actual estimated costs for each QLPE performed by the District engineer. The District's engineer shall provide the District a reasonable estimated cost for each QLPE based on the time and expense to the District for review of the plans and specifications for each simple water main extension. The District's engineer shall submit to the District a written task order setting forth the reasonable estimated cost for the QLPE, which upon acceptance by the District, shall be the QLPE Fee.