

RESOLUTION NO. 2016-12

A Resolution of North Kootenai Water District, Kootenai County, Idaho, amending, reestablishing and providing for a system of cross connection control between the public water system and the private premises connected thereto to prevent contamination of the public water system; and other matters related 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 duly and properly formed water district existing and operating under and by virtue of the Constitution and laws of the State of Idaho and is governed by a Board of Directors ("Board");

WHEREAS, the District owns and operates a public water system, including sources of supply, storage and distribution lines;

WHEREAS, the State of Idaho requires that each water system in the State of Idaho establish a system of control to prevent the contamination of the public water system by private premises connected to the public water system now and in the future;

WHEREAS, the Board adopted Ordinance No. 00-01 on April 27, 2000, setting forth a system of cross connection control between the public water system and private premises to prevent the contamination of the public water system;

WHEREAS, the Board adopted Resolution No. 2013-02 on March 21, 2013, amending, reestablishing and providing for a system of cross control between the public water system and private premises to prevent the contamination of the public water system; and

WHEREAS, the Board desires to set forth the District's amended system of cross connection control between the public water system and private premises to prevent, as reasonably possible, the contamination of the public water system as follows:

Purpose:

The purpose of this Resolution, in conjunction with IDAPA 16.01.08 Idaho Rules for Public Drinking Water Systems, and section 1003 of the Uniform Plumbing Code, is to protect the public health by the control and prevention of actual and potential cross-connections by requiring the proper installation and safeguarding of service lines leading to premises where cross-connections exist or are likely to occur, by periodic inspection and by regulating plumbing within premises or to the public water system itself. Furthermore, an additional purpose of this Resolution is to provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent, to the extent reasonably possible, the contamination or pollution of all potable water delivered by the water system of the District.

Applicability:

This Resolution applies throughout the District to all residential, commercial and industrial premises and the owners and occupants thereof served by the water system, or any portion thereof, of the District, now existing or in the future. Every owner and occupant of any premises covered by the Resolution is responsible for compliance with its terms and shall be strictly liable for all damage incurred as a result of failure to comply with the express terms and provisions contained herein.

Enforcement:

The District Manager, or qualified designee, will administer the provisions of this Resolution. Any deviation, modification, or changes from approved standards must be approved by the District Manager.

Definitions:

AIR GAP (AG) SEPARATION: The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to any tank, plumbing fixture, or other device and the flood level rim of the receptacle, and must be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel. In no case may the gap be less than one inch (1”).

AUXILIARY SUPPLY: Any water source or system other than the District water system that may be available in the building or on the premises.

BACKFLOW: The flow other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution of the public water system.

- A. “Back Pressure” means backflow caused by a pump, elevated tank, boiler, or other means that could create pressure within the system greater than the potable water supply system.
- B. “Back Siphonage” means a form of backflow due to a negative or sub-atmospheric pressure within the water system.

BACKFLOW PREVENTION ASSEMBLY: An assembly to prevent back pressures or prevent back siphonage.

CROSS-CONNECTION: Any physical arrangement whereby a public water system is connected, directly or indirectly, with any other nonpotable water system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, or other temporary or permanent devices through which, or because of which, backflow may occur are considered to be cross-connections.

DOUBLE-CHECK VALVE ASSEMBLY (DCVA): An assembly composed of two (2) single, independently acting check valves, including resilient seated tightly closing shut-off valves located at each end of the assembly and equipped with properly located resilient seated test cocks for testing the watertightness of each check valve.

PRESSURE VACUUM BREAKER BACK SIPHONAGE PREVENTION ASSEMBLY (PVBA): An assembly containing an independently operating, internally loaded check valve and an independently operating internally loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with properly located resilient seated test cocks and tightly closing resilient seated shut-off valves attached at each end of the assembly. This assembly is designed to protect against a back siphonage condition only.

REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ASSEMBLY (RPBA): An assembly incorporating two (2) or more check valves and an automatically operating differential relief valve located between the two (2) checks. Two (2) resilient seated shut-off valves, one (1) located at each end of the assembly and equipped with properly located resilient seated test cocks for testing. The assembly must operate to maintain the pressure in the zone between the two (2) check valves, less than the pressure on the public water system side of the assembly. At cessation of normal flow, the pressure between the check valves must be less than the supply pressure. In case of leakage of either check valve the differential relief valve must operate to maintain the reduced pressure by discharging to the atmosphere. When the inlet pressure drops below two (2) pounds per square inch, the relief valve must open to the atmosphere, thereby providing an atmospheric zone between the two (2) check valves.

Cross-Connections Prohibited:

- A. All cross-connections, whether or not they are controlled by automatic devices (such as but not limited to check valves) or by hand-operated mechanisms (such as but not limited to gate valves or stop clock) are prohibited.
- B. Any reinjection of water, sewage, or other liquid by individual, commercial, or industrial uses, to the public water system is specifically prohibited. Water-to-water and water-to-air heat exchangers are considered a cross-connection because of health risks. Any modifications to the public water system that may allow for reinjection are prohibited.
- C. Failure on the part of persons, firms, or corporations, to discontinue the use of all cross-connections and/or to physically separate cross-connections is sufficient cause for the immediate discontinuance of public water services to the premises.

Installation of Backflow Prevention Assemblies:

Backflow prevention assemblies shall be installed at the service connection or within any premises consistent with American Water Works Association Pacific Northwest Section Cross-Connection Control Manual, Seventh Edition (August 2012), as may be amended from time to time, and/or, where in the judgment of the District Manager, the nature and extent of activity on the premises, the materials used in connection with the activities, or materials stored on the premises would present a potential hazard to health or public safety should a cross-connection

occur, even though such cross-connection does not exist at the time the backflow prevention device is required to be installed. This includes:

- A. Premises having auxiliary water supply.
- B. Premises having internal cross-connections that are not correctable or plumbing arrangements that make it impractical to ascertain whether or not cross-connections exist.
- C. Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficient short notice to assure that cross-connections do not exist.
- D. Premises having a history of cross-connections being established or reestablished on one (1) or more occasions.
- E. Premises on which any substance is handled under pressure so as to permit entry into the public water system, or where a cross-connection could reasonably be expected to occur, including but not limited to the handling of process waters and cooling waters.
- F. Premises where materials of a toxic or hazardous nature are handled, such that if back siphonage should occur, a health hazard may result.
- G. The following types of facilities require mandatory service protection:
 - 1. Hospitals, mortuaries, clinics;
 - 2. Laboratories;
 - 3. Piers and docks;
 - 4. Sewage treatment plants;
 - 5. Food or beverage processing plants;
 - 6. Chemical plants using a water process;
 - 7. Metal plating industries;
 - 8. Petroleum processing or storage plants;
 - 9. Radioactive material processing plants or nuclear reactors;
 - 10. Car washes;
 - 11. Hot water and steam boilers for individual, commercial and industrial uses; and
 - 12. Any other facility deemed reasonably necessary by the District Manager

Plan Review:

All required backflow prevention assemblies shall be shown and specified on all required building and engineering plans. District approval of the plans for the intended assembly installation is required prior to installation of such backflow prevention assembly and water service being provided by the District.

Types of Backflow Prevention Assemblies Required:

The type of prevention device required depends on the degree of hazard that exists:

- A. An air gap separation or reduced principle backflow prevention assembly shall be installed where the water supply may be contaminated by sewage, industrial waste of a toxic nature or other contaminant that could cause a health or system hazard.
- B. In the case of a substance which may be objectionable but not hazardous to health, an air gap separation, a reduced pressure principle backflow prevention assembly, or a double-check valve assembly shall be installed.
- C. Lawn sprinkler systems that are supplied by the District's public water system shall be required to have a double check valve backflow prevention assembly, a pressure vacuum breaker assembly, or atmospheric vacuum breaker assembly depending on the design of the sprinkler system and potential risk to the potable water supply. Backflow prevention assemblies larger than one inch (1") shall be submitted to the District Manager for design and approval. All backflow prevention assemblies shall be of a type approved by the Idaho Department of Health and Welfare, Division of Environmental Quality.

Location:

Backflow prevention assemblies required by this Resolution must be installed at the meter on metered accounts, at the property line of the premises when meters are not used, or at a location designated by the District Manager so as to be readily accessible for maintenance and testing. In all cases, no part of any backflow prevention assembly shall be submerged or hidden from inspection.

Installation:

Backflow prevention assemblies installed and required by the Resolution shall be inspected and approved by the District Manager, or his qualified designee, prior to water service being provided by the District. As a condition of receiving water from the District, the legal owner of any real property receiving a new service connection shall acknowledge and consent in writing that the District Manager, or his qualified designee, shall be authorized to enter onto the real property where the backflow prevention assembly is located and/or the real property receiving water service from the District for which the backflow prevention assembly is necessary to inspect and approve the backflow assembly and the double-check valve assembly.

Acceptable Types:

Any protective device required by this Resolution shall be of a type approved by the District Manager. A double-check valve assembly or a reduced pressure principle backflow prevention assembly will be approved if it has successfully passed performance tests of the University of Southern California, Foundation for Cross Connection Control and Hydraulic Research, or other testing laboratories satisfactory to the District Manager.

Backflow prevention assemblies which are in service but are not approved in accordance with the previous paragraph shall be permitted to remain in service, provided they:

- A. Were identified on the current Approved Cross Connection Control Assembly List at the time such device was installed;
- B. Have been properly maintained;
- C. Are commensurate with the degree of hazard; and
- D. Have satisfactorily passed all inspections and/or tests by the District.

When any such device is altered in any way or requires more than routine maintenance, it shall be replaced by an assembly that is on the current list of approved assemblies. To maintain an approval status, all assemblies must be delivered to the job site and be installed with the shut-off valves #1 and #2 and test cocks which are supplied by the device manufacturer.

Approval of Assemblies:

The term "approved assembly" shall mean any backflow prevention assembly, which has satisfactorily completed laboratory and field test by an independent laboratory recognized by the Idaho Department of Health and Welfare, Division of Environmental Quality. A backflow device shall be of the correct type as required by the District and be selected from the State approved list.

Annual Inspection Required:

The reduced pressure principle backflow assembly and the double-check valve assembly must be inspected annually or more often when successive inspections indicate failure by a person certified by the State of Idaho, Bureau of Occupational Licenses to perform such inspection. The District, as a matter of courtesy, may arrange for such certified person to perform the necessary inspection; provided, the legal owner of the real property shall acknowledge and consent in writing that the certified person shall be authorized to enter onto the real property where the backflow prevention assembly and double-check valve assembly is located and/or the real property receiving water service from the District to inspect and approve the backflow assembly and the double-check valve assembly.

Testing and Maintenance of Assemblies:

Each backflow prevention assembly shall be tested by a backflow assembly tester certified by the State of Idaho, Bureau of Occupational Licenses, to ensure that it functions properly:

- A. Upon installation;
- B. After repairs;
- C. After being relocated, moved, or reinstalled; or
- D. Annually.

The owner of the property upon which the assembly is located shall be notified one (1) month prior to the date of the scheduled annual testing. The owner of the property upon which the assembly is located shall be responsible for acquiring the services of a certified tester to test the assembly and provide the District a copy of the test results. If the test indicates the assembly must be repaired, a record of the repair work and a report of a satisfactory final test shall be sent to the District. The annual testing of backflow prevention assemblies shall be done prior to any repair work or flushing of the relief valve to properly reestablish its operating status. Failure to test and maintain backflow prevention assemblies may be grounds for the District to discontinue water service.

Termination of Services; Civil Remedies:

The failure of the customer to cooperate in the installation, maintenance, test or inspection of backflow prevention assemblies required by this Resolution shall be grounds for termination of water services to the premises and/or the imposition of fees or charges established by the Board. This Resolution may be enforced by appropriate civil action in a court of competent jurisdiction, and the District shall be entitled to an award of reasonable attorney's fees and costs incurred in connection with the District's efforts to enforce this Resolution.

Repealer Clause:

All other ordinances or resolutions of this District, or parts thereof, in so far as they are in conflict with this Resolution, are repealed and rescinded.

Severability Clause:

If any section, paragraph, sentence, or provision hereof or the application thereof to any particular circumstance shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances in which it may validly apply.

Change by Resolution:

The District reserves the right to make changes by resolution at a regular meeting of the Board of Directors of the District.

Enforceability Clause:

The District shall enforce and seek remedies for breaches of the terms of this Resolution, as provided by the Laws of the State of Idaho.

Effective Date:

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

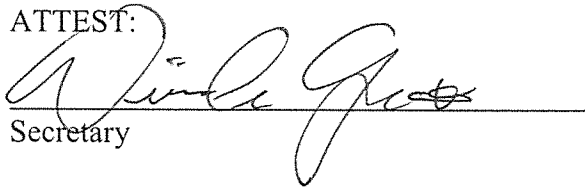
PASSED AND ADOPTED this 15th day of December, 2016.

NORTH KOOTENAI WATER DISTRICT



Chairman, Board of Directors

ATTEST:


Secretary

(SEAL)



CERTIFICATION

I, the undersigned Secretary of the Board of Directors 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 of the North Kootenai Water District, duly and regularly held at the regular meeting place thereof on December 15, 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:

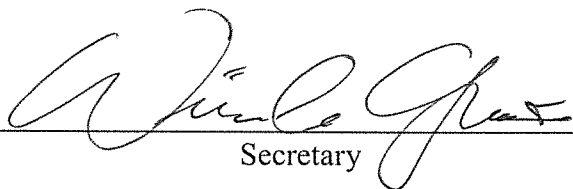
NOES, Directors:

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 said District on December 15, 2016.


Secretary

(SEAL)

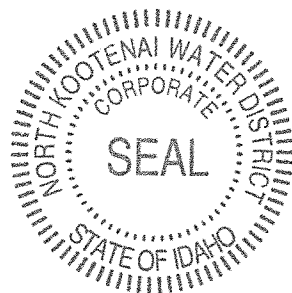


EXHIBIT D-1

Certificate Regarding Annual Financial Information

The undersigned on behalf of the North Kootenai Water District, Idaho (the "District") hereby certifies in connection with the Loan Agreement dated as of November 3, 2009 between the District and the Idaho Bond Bank Authority (the "Authority") that:

1. The attached financial statements are the true and correct audited financial statements of the District for the District's fiscal year ended September 30, 2016 (the "Prior Fiscal Year")
2. Unless already stated in the attached financial statements, the debt, and the amount of debt, outstanding against the District (including any debt to the Authority), as of the end of the Prior Fiscal Year 2016 is as follows: \$5,910,000 2009C Bond.
3. Except as stated below or on a separate attached sheet, there is not now, and has not been during the Prior Fiscal Year: (1) any default on the Loan Agreement or other debt of the District; (2) any litigation filed against the District challenging the validity of the Loan Agreement; or (3) any citations of non-compliance by any regulatory authority with respect to the District:

 NONE
_____. (Attach separate sheet if needed)

4. There are, and have been during the Prior Fiscal Year, no material "Listed Events," as reference in the Loan Agreement.

Dated this 10 day of February, 2017

North Kootenai Water District, Idaho

By John W. Bue
Its: Treasurer
 (Treasurer or Finance Director)

[Type here]

January 23, 2017

North Kootenai Water District
Mike Galante, District Manager
13649 N Meyer Rd
Rathdrum, ID 83858-4904

RE: Idaho Bond Bank Authority Revenue Bonds Series 2009C

Dear Mike Galante:

The following Continuing Disclosure requirement is due to the Trustee on or before **March 10, 2017** for Fiscal Year ending 09/30/2016:

Annual Report:

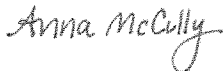
Per Section 5.9 (b) and (c) of the Loan Agreement dated 11/1/2009, the Municipality shall provide an Annual Report to the Dissemination Agent no later than 15 business days prior to when it's due to each Repository (six months after the end of the Municipality's fiscal year). The Municipality's Annual Report shall contain the following items:

- 1) Audited Financial Statements (FYE 09/30/16)
- 2) Exhibit D-1 (FYE 09/30/16)
- 3) Budget (FYE 09/30/17)

Please submit the above items via PDF to anna.mccully@zionsbank.com no later than March 10, 2017. Please review the section of Loan Agreement to ensure accurate reporting.

If you have any questions, please do not hesitate to contact me at (206) 438-1267 or anna.mccully@zionsbank.com.

Sincerely,



Anna McCully
Assistant Vice President

ZIONS BANK[®]

Corporate Trust

Anna McCully
Assistant Vice President
Telephone: (206) 438-1267
Facsimile: (855) 214-2352
Email: Anna.McCully@Zionsbank.com

January 17, 2017

North Kootenai Water Dist
ATTN: Mike Galante, District Mgr
13649 N. Meyer Rd.
Rathdrum, ID 83858-4904

RE: Idaho Bond Bank Authority Revenue Bonds, Series 2009C

Dear Mr. Galante,

The following amount is due on the above referenced issue on March 15, 2017. In order to credit the bond holders, funds will need to be received by us no later than 2:00 p.m. MST on February 28, 2017.

Interest:	\$120,100.00
Principal	\$0.00
(Less funds on hand)	(\$55.62)
Total Due: 2/28/17	\$120,044.38

Should you have any questions concerning this transaction, please do not hesitate to contact me.

Please send payments to:

By Wire or ACH:
ZB, NA dba Zions Bank
ABA: 124000054
Washington Corporate Trust
Account #080000706
Reference: IBBA 2009C - Kootenai

By Check:
Zions Bank
ATTN: Anna McCully
601 Union Street, Ste 3600
Seattle, WA 98101

Thank you.

Anna McCully

Anna McCully
Assistant Vice President

(AC 3872568)
cc: mikeg@nkwsd.com