

Resolution No. 2011-03

A Resolution of the Board of Directors of North Kootenai Water District, Kootenai County, Idaho, setting a public hearing for the purpose of receiving public comment regarding the creation and/or increase of certain fees or charges imposed on delinquent accounts in the District; and providing for other matters properly relating thereto

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

WHEREAS, the District operates a water utility system ("System") that provides water service to customers and ratepayers of the District;

WHEREAS, the District has observed an increase in delinquent or unpaid payments by customers and ratepayers for water service, which has thereby caused an increase in the District's administrative, operational and labor costs and expenses related to enforcing the District's rights to collect payments for such delinquent accounts, which include but are not limited to the District's practice of providing a "Yellow Card Notice" for the delinquent account, shutting off water service, and reconnecting water service upon receipt of the necessary payment;

WHEREAS, pursuant to Idaho Code Section 63-1311A, the Board desires to disseminate the proposed fees or charges to the customers and ratepayers of the District and conduct a public hearing to allow the customers and ratepayers of the District and others to provide public comment on the proposed fees or charges prior to enactment of the same;

NOW, THEREFORE, be it resolved by the Board of Directors of North Kootenai Water District as follows:

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

Section 2. Public Hearing. The Board hereby determines, after careful examination of the District's administrative, operational and labor costs and expense related to enforcing the District's rights to collect payments for delinquent accounts, the following proposed fees or charges should be imposed:

- (A) Increase the fee or charge for a Yellow Card Notice from \$20.00 to \$25.00;
- (B) A shut-off fee or charge of \$25.00;

(C) Increase the reconnect fee or charge to \$25.00 if such reconnection can be performed before 2:00 p.m.; and

(D) A reconnection fee or charge of \$100.00 if such reconnection must be performed after 2:00 p.m., which shall be authorized in writing by the customer or ratepayer.

The Board further determines that a public hearing shall be held on April 7th, 2011, at 12:30 p.m. in the offices of the District, located at 1841 West Hayden Avenue, Hayden, Idaho regarding the implementation of such fees or charges.

All interested parties are invited to attend this public hearing and provide any comments they wish to provide on the proposed rates and charges.

Any individual who is unable to attend the public hearing but has comments to make on rates and charges is invited to provide written comments on or before the date of the public hearing by mailing or emailing such comments to North Kootenai Water District at:

North Kootenai Water District
1841 West Hayden Ave.
P.O. Box 2290
Hayden ID 83835
Attn: Mike Galante
Email: mikeg@nkwsd.com

The Board will consider all written and oral communication in making a final determination of the appropriate rate schedule.

Section 3. Notice and Publication of the Public Hearing on Rates and Charges. The secretary is directed to provide notice of this public hearing by advertising with a public notice as provided in Idaho Code Section 63-1311A. Notice of the proposed special system fee changes shall be published at least once each week for two weeks proceeding the date of the public hearing.

Section 4. Severability. If any one or more of the provisions provided for in this resolution shall be declared by any court of competent jurisdiction to be contrary to law, then such provisions shall be null and void and shall be deemed separable from the remaining provisions in this resolution and shall in no way affect the validity of the other provisions of this resolution.


Section 5. 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 proposed rates and they are hereby ratified and approved.

Section 6. Effective Date. This Resolution and the notice of public hearing attached hereto as Exhibit "A" are effective as of the date of adoption of this Resolution.

Passed and adopted by the Board of Directors of North Kootenai Water District,
Kootenai County, Idaho at a regular meeting this 17th day of March, 2011.

NORTH KOOTENAI WATER DISTRICT,
KOOTENAI COUNTY, IDAHO

By: 
Board Chairman

ATTEST:

District Secretary

CERTIFICATE OF DISTRICT SECRETARY

I DO HEREBY CERTIFY that I am the duly chosen, qualified and acting Secretary of the North Kootenai Water District, Kootenai County, Idaho (the "District"), and keeper of the records of the Board (the "Board"); and

I HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 2011-02 (the "Resolution"), as finally passed at a regular meeting of the Board held on the 17th day of March, 2011, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the passage of the Resolution; that all other requirements and proceedings incident to the proper passage of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of March, 2011.

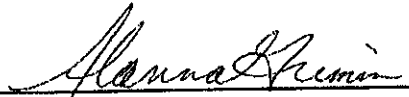

Secretary

EXHIBIT "A"

**NOTICE OF PUBLIC HEARING ON
CREATION AND/OR INCREASE OF CERTAIN FEES OR
CHARGES IMPOSED ON DELINQUENT ACCOUNTS**

NORTH KOOTENAI WATER DISTRICT

The Board of Directors ("Board") of North Kootenai Water District ("District") will hold a public hearing on April 7, 2011 at 12:30 p.m. at the District office, located at

North Kootenai Water District
1841 West Hayden Ave.
Hayden, ID 83835

The purpose of the public hearing is to take public comments regarding the establishment of the following proposed fees or charges to be by the District:

- (A) Increase the fee or charge for a Yellow Card Notice from \$20.00 to \$25.00;
- (B) A shut-off fee or charge of \$25.00;
- (C) Increase the reconnect fee or charge to \$25.00 if such reconnection can be performed before 2:00 p.m.; and
- (D) A reconnection fee or charge of \$100.00 if such reconnection must be performed after 2:00 p.m., which shall be authorized in writing by the customer or ratepayer.

The Board will consider all written and oral communication in making a final determination of the appropriate rate schedule.

If you are unable to attend the hearing, but wish to provide written comments to the Board for consideration, comments may be sent to:

North Kootenai Water District
P.O. Box 2290
Hayden, ID 83835

or dropped off at the District at:

North Kootenai Water District
1841 West Hayden Ave.
Hayden, ID 83835

Comments may be emailed to the District as well to:

mikeg@nkwsd.com

If you have any questions, please feel free to call Mike Galante, District Manager at (208) 772-3619.

All interested parties are invited to attend this public hearing and provide any comments they wish to provide on the creation and/or increase of certain fees or charges imposed to delinquent accounts. The effective date of the new fees will be on or after April 16, 2011.