

Resolution No. 2011-07

Resolution of the Board of Directors of North Kootenai Water District, Kootenai County, Idaho setting a public hearing to receive input on the requirement for a deposit for use of district fire hydrants; directing that public notice of such hearing be given; providing for certain policies which impact fire hydrant use; 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 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 provides water service through its water system ("System") throughout Kootenai County, Idaho;

WHEREAS, the District has a number of fire hydrants connected to its system to provide fire protection to certain residents within the boundaries of the District;

WHEREAS, on August 19, 2010 the Board adopted Resolution No. 2010-06 which set forth the rates and charges associated with the use of District fire hydrants;

WHEREAS, it has come to the attention of the Board that hydrants have been returned to the District after their use with damaged meters and/or faulty backflow devices, which currently cost \$1,500.00 to repair;

WHEREAS, the Board wishes to increase the installation fee to \$100.00 and charge a deposit no less than \$1,500.00 for the use of the hydrant, which would be fully refundable if the hydrant is returned in full working order;

WHEREAS, the Board wishes to disseminate information regarding the proposed deposit to the ratepayers of the District and conduct a public hearing allowing the residents of the District and others to provide public comment on the proposed deposit for use of District fire hydrants, prior to the enactment of the deposit;

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. Finding of Deposit Associated with Use of District Fire Hydrants. It has come to the attention of the Board that District Hydrants have been being returned

with damaged meters and/or faulty backflow devices. The cost to the District associated with the repair of these damages is currently \$1,500.00.

Section 3. Establishment of Deposit for Use of Fire Hydrants by Third Parties. The Board proposes to increase the installation fee to \$100.00 and implement a deposit of a no less than \$1,500.00 for third party use of District fire hydrants. If the fire hydrant is returned in good working order the \$1,500.00 deposit would then be refunded to the third party that made such deposit.

Section 4. Public Hearing. The Board hereby sets July 7, 2011, at 12:30 p.m. in the offices of the District, located at 1841 West Hayden Avenue, Hayden, Idaho for a public hearing on the establishment of a deposit for fire hydrant use as set forth in this Resolution.

All interested parties are invited to attend this public hearing and provide any comments they wish to provide on the proposed deposit for fire hydrant use.

Any individual who is unable to attend the public hearing but has comments to make on the proposed deposit 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 deposit amount.

Section 5. Notice and Publication of the Public Hearing. 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 deposit, in a form similar to that set forth in Exhibit "A" attached hereto shall be published at least once each week for two weeks proceeding the date of the public hearing.

Section 6. Severability. If any one or more of the provisions provided for in this resolution or the Policy 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 or the Policy and shall in no way affect the validity of the other provisions of this resolution or the Policy.

Section 7. 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 hydrant deposit and they are hereby ratified and approved.

Section 8. 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 16th day of June, 2011.



NORTH KOOTENAI WATER
DISTRICT, KOOTENAI COUNTY,
IDAHO

By: *Thomas O...*
Board Chairman

ATTEST:

Anna Kim
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. 2011-07 (the "Resolution"), as finally passed at a regular meeting of the Board held on the 16th day of June, 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 16th day of June, 2011.


Secretary

NOTICE OF PUBLIC HEARING ON
FIRE HYDRANT DEPOSIT

NORTH KOOTENAI WATER DISTRICT

The Board of Directors ("Board") of North Kootenai Water District ("District") will hold a public hearing on July 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 increase of the fire hydrant installation fee to \$100.00 and the establishment of the proposed deposit for fire hydrant usage in an amount no less than \$1,500.00 in accordance with Idaho Code Section 63-1311A.

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

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.