

RESOLUTION NO. 2008- 23

A Resolution of the Board of Directors of the North Kootenai Water District, Kootenai County, Idaho, forming and funding the Conservation Fund; Identifying projects to be funded from the Conservation Fund; providing for the effective date of the Conservation Fund; providing for the effective date of this Resolution and other matter 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, the North Kootenai Water District ("District") is a duly and properly formed water district under and by virtue of the constitution and laws of the State of Idaho;

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

WHEREAS, the Board is committed to implementing and maintaining a strong conservation effort in the District;

WHEREAS, the Board received and accepted a Conservation Plan ("Plan") from its Engineer and staff in October of 2007;

WHEREAS, the Board approved the Plan on May 1, 2008;

WHEREAS, the Board wishes to create and fund a Conservation Fund ("Fund");

WHEREAS, the Board also wishes to identify project that can be funded by the Fund;

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

Section 1: CREATION OF CONSERVATION FUND

The Board hereby creates a Conservation Fund to fund projects in the Plan.

Section 2: FUNDING OF THE CONSERVATION FUND

The Board hereby commits the transfer to the Fund of eight percent (8%) of the revenue generated by the water rates generated by Tier 4 water rates of the District.

Section 3: PROJECTS TO BE FUNDED WITH THE CONSERVATION FUND

The money in the Fund can be used to finance conservation efforts of the District, including, but not limited to: education about conservation; rebate program for water conservation devices; water line leak detection and repairs and other conservation measures.

Section 4: EFFECTIVE DATE OF FUND

The Board creates the Fund effective October 1, 2008. Monies shall be transferred into the Fund as of October 1, 2008.

Section 5: 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 6: 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, and the hearing process is hereby ratified and approved.

Section 7: EFFECTIVE DATE OF RESOLUTION

This Resolution shall take effect and be in force and effect from and after its passage and approval.

PASSED at a special meeting of the Board of Directors of the North Kootenai Water District, held on the 17th day of July, 2008, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT

Chairman



ATTEST

[Handwritten Signature]

Secretary

K:\1738243\00003\17040_MCO\17040R2GVZ

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 special meeting of the Board of Directors, duly and regularly held at a special meeting place thereof on July 17, 2008, 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: 3

NAYS, Boardmembers: 1

ABSENT, Boardmembers: 1

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 Board on July 17, 2008.



NORTH KOOTENAI WATER DISTRICT

 Hainhurst
Secretary