

RESOLUTION NO. 2009-01

A RESOLUTION OF NORTH KOOTENAI WATER DISTRICT, OF KOOTENAI COUNTY, IDAHO, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE ELECTION HELD ON FEBRUARY 3, 2009, FOR THE PURPOSE OF ELECTING NEW BOARD MEMBERS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO

**NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho**

BOARD ELECTION

BE IT RESOLVED BY THE CHAIR AND BOARD OF DIRECTORS OF NORTH KOOTENAI WATER DISTRICT, of Kootenai County, Idaho, as follows:

WHEREAS, NORTH KOOTENAI WATER DISTRICT (the "District"), of Kootenai County, Idaho, is an Idaho water district created and operating under the Constitution and laws of the State of Idaho; and

WHEREAS, an election was duly held on Tuesday, February 3, 2009, for the purpose of electing three (3) new Board members to the Board of the District; and

WHEREAS, the Board of Directors now desires to canvass the votes cast for or against the proposition and to declare the results of said election;

NOW, THEREFORE, BE IT FURTHER RESOLVED, DETERMINED, AND ORDERED as follows:

Section 1: ELECTION

The election was duly and regularly called, noticed, held, and conducted and the votes cast thereat received and canvassed, and the returns thereof made in the time, form, and manner required by law and by the resolutions, ordinances, orders, and proceedings taken by the District.

Section 2: NOTICE OF ELECTION

Notice of the calling of said election was duly and legally given by the publication of an appropriate notice in the official newspaper of the District.

Section 3: POLL

The poll of said election opened at 8:00 A.M. and remained open continuously until closed at the hour of 8:00 P.M., at the voting place specified in the Notice.

Section 4: QUALIFIED ELECTORS

Only persons who were qualified electors of the District, duly registered to vote therein, were permitted to vote at said election, and no person so qualified to vote at said election was refused the right to vote.

Section 5: BALLOTS

The ballots used at said election were in the form prescribed by law.

Section 6: PROPOSITION AND CANVASS

The Board of Directors has examined the returns of the election on the proposition and hereby canvasses said returns and declares the results of the election and the votes cast for the proposition submitted:

The ballot title for said election was in substantially the following form:

BALLOT

**NORTH KOOTENAI WATER DISTRICT
Kootenai County, Idaho**

February 3, 2009

Instructions: Vote for such candidates as you desire by placing an X in the small square at the right of the names

**North Kootenai Water District
Board of Directors
Six Year Term
Or Remainder of Six Year Term
(Vote for no more than 3)**

Jack Berger

Alanna Grimm

John (Jack) A. Hern III

Mamie F. Moore

~~**Ivan Ostfeld**~~

Shirley A. Stoller

~~**Dave Weinstein**~~

The total number of votes cast at the polling place for said election, both for and against the proposition, was as follows:

Polling Place	Name	No. of Votes Cast
North Kootenai Water District 1841 West Hayden Avenue Hayden, ID	Jack Berger	38
North Kootenai Water District 1841 West Hayden Avenue Hayden, ID	Alanna Grimm	126
North Kootenai Water District 1841 West Hayden Avenue Hayden, ID	Maime F. Moore	27
North Kootenai Water District 1841 West Hayden Avenue Hayden, ID	John (Jack) Hern III	126
North Kootenai Water District 1841 West Hayden Avenue Hayden, ID	Shirley A. Stoller	96

Votes cast for Ivan Ostfeld and Dave Weinstein were not counted. Said persons were determined to be ineligible for office based on residency after absentee ballots were issued. Absentee voters were sent replacement ballots. If two absentee ballots were returned to the

polling place by a voter, the earliest absentee ballot was declared spoiled and only the replacement ballot was counted. There were 16 spoiled absentee ballots.

Section 7: AUTHORIZATION TO PROCEED

The Board of Directors, acting as a Board of Canvassers, hereby finds, determines, and declares that:

(a) The following two individuals received the highest number of votes and have been named as Board members, whose terms expire after the Biennial election and after certification of the election results in February of 2015:

1. John (Jack) Hern, III
2. Alanna Grimm

(b) The following individual received the third most votes in the election and will be named as a Board Member whose term expires after the Biennial election and after certification of the election results in February 2013:

1. Shirley Stoller

(c) Said election was in all things held and conducted in strict compliance with the law.

Section 8: RATIFICATION

All actions taken by the District in connection with the publication of the Notice of Election and the preparation and the printing of the ballots and sample ballots used at the election are hereby in all respects ratified, approved, and confirmed.

Section 9: EFFECTIVE DATE

This Resolution is effective as of the date of its adoption.

ADOPTED by the Board of Directors of North Kootenai Water District on February 5, 2009.

NORTH KOOTENAI WATER DISTRICT,
KOOTENAI County, Idaho



Chair, Board of Directors

ATTEST:



District Secretary

(SEAL)



CERTIFICATION

I, the undersigned District Secretary of North Kootenai Water District, of 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 said Board of Directors duly and regularly held at the regular meeting place thereof on February 5, 2009, of which meeting all members of said Board of Directors 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: 5

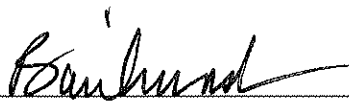
NOES, Directors:

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 February 5, 2009.



District Secretary

