

RESOLUTION NO. 2009-29

A Resolution of the Board of Directors of North Kootenai Water District, Kootenai County, Idaho ratifying a public hearing on the District's budget; providing for posting and publication of the notice of public hearing on said budgets; providing for the effective date of this resolution; and providing for other matters 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, 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 five member elected Board of Directors ("Board");

WHEREAS, the Board is required by Idaho Code Section 42-3228 to conduct a hearing on its annual budget;

WHEREAS, the Board previously set Thursday, September 17, 2009 at 12:30 p.m. for the public hearing to invite public comment from its rate payers and others who reside within the District on the budget;

WHEREAS, appropriate notice of the budget hearing could not occur in sufficient time prior to the original date set for the public hearing so the hearing was moved to another date and time so that adequate public notice could be given;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1: INCORPORATION OF RECITALS.

The recitals set forth above are incorporated herein by this reference.

Section 2: PUBLIC HEARING

The Board hereby confirms and ratifies that Monday, September 21, 2009 as the date for the public hearing on the District's budget. Said public hearing will be held at 12:30 pm in the District's offices located at 1841 West Hayden Ave., Hayden, Idaho 83835 and shall continue until all who are in attendance have had the opportunity to make any comments they have or raise any questions which might exist, regarding said budget.

Section 3: NOTICE OF HEARING ON BUDGET

Pursuant to Idaho Code Section 42-3229 notice of the budget has been posted at least ten (10) full days prior to the date of the public hearing at the District office. In addition, a copy of said notice has been published in the official newspaper of the District in one issue thereof, during this ten day period.

A copy of said budget will continue to be available at the District office during normal business hours, 8:00 a.m. to 5:00 p.m. Monday through Friday.

Section 4: 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 the budget, and the hearing process is hereby ratified and approved

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: REPEAL OF HEARING DATE

The hearing date of September 17, 2009 is hereby cancelled. The public hearing on the budget will be conducted on September 21, 2009.

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 regular meeting of the Board of Directors of the North Kootenai Water District, held on the 17th day of September, 2009, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT

Shirley A. Staller

Vice Board Chairman

ATTEST:

Fainhurst

Board Secretary

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 regular meeting of the Board of Directors, duly and regularly held at a regular meeting place thereof on September 17, 2009, 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: *Four*

NAYS, Boardmembers: *None*


ABSENT, Boardmembers: *One - Cummins*

ABSTAIN, Boardmembers: *None*

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 September 17, 2009.

NORTH KOOTENAI WATER DISTRICT



Secretary