

RESOLUTION NO. 2009- 30

A Resolution of North Kootenai Water District, Kootenai County, Idaho, setting a public hearing to ratify rates in the Hayden Haven – Gem Shores Service Area for water service; and providing for other matters properly relating thereto.

NORTH KOOTENAI WATER DISTRICT  
Kootenai County, Idaho

HAYDEN HAVEN – GEM SHORES SERVICE AREA  
SEWER AND WATER SERVICE CHARGES

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 and sewer 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 District has received full ownership of the potable water treatment system built and previously owned and operated by the Hayden Lake Recreational Water & Sewer District (the “System”) in an area commonly known as the “Hayden Haven – Gem Shores Service Area”;

WHEREAS, the District has accumulated information about and evaluated the actual and estimated expenses of operating the System and has determined an appropriate water rate to cover the costs of providing such service in accordance with the cost evaluations prepared by the District Engineer and District Manager;

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

Section 1: PUBLIC HEARING ON SYSTEM RATES

The Board hereby determines after examining the cost of operation, upkeep and maintenance of the System, that appropriate and necessary rates for access to these System be charged to all customers in the Hayden Haven – Gem Shores Service Area. The Board determines that a public hearing shall be held on these rates on the 1<sup>st</sup> day of October, 2009 at 12:30 p.m. at the District offices located at 1841 West Hayden Ave., Hayden, ID.

Section 2: NOTICE OF PUBLIC HEARING

The Board directs that notice of this public hearing shall be given by publication of a notice, the form of which is attached hereto as Exhibit "A", by publication twice in a newspaper of general circulation in the area.

Section 3: 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 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 this potential rate ratification and the hearing process is hereby ratified and approved.

Section 5: 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 17<sup>th</sup> day of September, 2009, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT

Shirley A. Stoller  
Vice Chairman

ATTEST:

[Signature]  
Secretary

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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 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 - Crimmings*

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



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Secretary

**EXHIBIT "A"**

**NOTICE OF PUBLIC HEARING ON  
HAYDEN HAVEN – GEM SHORES SERVICE AREA  
SEWER AND WATER RATES AND CHARGES**

**NORTH KOOTENAI WATER DISTRICT**

The Board of Directors ("Board") of North Kootenai Water District ("District") will hold a public hearing on October 1, 2009 at 12:30 p.m. at the District offices, located at

North Kootenai Water District  
1841 W. Hayden Ave.  
Hayden, ID

The Board hereby determines after examining the cost of operation, upkeep and maintenance of the Hayden Haven – Gem Shores Service Area System, that appropriate and necessary rates for access to these System be charged to all customers in the Hayden Haven – Gem Shores Service Area.

System Access Fee:

1. \$31.96 per dwelling unit or commercial unit per month.

Rate Structure:

- |                                     |                           |
|-------------------------------------|---------------------------|
| 1. 0 gallons – 5,000 gallons .....  | \$2.35 per 1,000 gallons  |
| 5,001 gallons – 9,000 gallons ..... | \$6.17 per 1,000 gallons  |
| 9,001 gallons and above.....        | \$12.34 per 1,000 gallons |

Debt Service Surcharge:

1. \$3.82 per dwelling unit or commercial unit per month.

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](mailto:mikeg@nkwsd.com)

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

These are the rates that have been in effect since assumption of the System by the District and will continue.