

RESOLUTION NO. 2009- 39

A Resolution of North Kootenai Water District, Kootenai County, Idaho, setting a public hearing to receive input on the increase of the water rate charges in the District; directing that public notice of such hearing be given; 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, 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 District provides water service to fifteen discreet systems within the boundaries of this District;

WHEREAS, the current water service charges have been in place in the District since 2008;

WHEREAS, the electors of the District approved a bond measure in an election properly conducted on August 4, 2009 which requires a rate increase in order to generate sufficient funds to pay the principal of and interest on the Bonds;

WHEREAS, the Board adopted Ordinance 99-4 on May 13, 1999 setting forth certain rules of operation for the District and further providing that water fees and charges could be later established or modified by resolution of the District;

WHEREAS, the Board wishes to disseminate the proposed rate schedule to the ratepayers of the District and conduct a public hearing allowing residents of the District and others to provide public comment on the proposed rate fee schedule prior to its enactment;

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

Section 1: INCORPORATION OF RECITALS

The Board hereby incorporates the recitals set forth herein as a part of this resolution.

Section 2: INCREASE OF MONTHLY WATER USAGE CHARGES
NECESSARY IN THE VARIOUS SERVICE AREAS OF THE DISTRICT

The Board hereby determines that the Gozzer Ranch and Hayden Haven – Gem Shores Service Areas, should be required to pay the amounts established in the Notice attached as Exhibit “B” or as may be modified hereafter by the Board. The water use rates will be reflected in bills received by customers on or after October 15, 2009.

Section 3: PUBLIC HEARING

The Board hereby sets Thursday, October 1, 2009 at the hour of 12:30 p.m. as the date and time for a public hearing on the modification of rates, charges and other costs as set forth in this Resolution. The public hearing shall be held at:

North Kootenai Water District
1841 West Hayden Ave.
Hayden, ID 83835

All interested parties are invited to attend this public hearing and provide any comments they wish to provide on the proposed rates and charges.

Any individual who is unable to attend the public hearing, but has comments to make on rates and charges 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
Attn: Board of Directors
P.O. Box 2290
Hayden, ID 83835
Email: mikeg@nkwsd.com

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

Section 4: NOTICE AND PUBLICATION OF THE PUBLIC HEARING ON
RATES AND CHARGES

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 rates, in a form similar to that set forth in Exhibit "A" attached hereto shall also be published at least once each week for the two (2) weeks preceding the date of the public hearing.

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 September, 2009, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT

Shirley A. Stoller

Vice Chairman

ATTEST:

T. A. ...

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*

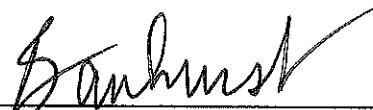
ABSENT, Boardmembers: *One - Cummins*

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

EXHIBIT "A"

NOTICE OF PUBLIC HEARING ON
WATER RATES

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 Office, located at

North Kootenai Water District
1841 West Hayden Ave.
Hayden, ID 83835

On August 4, 2009 the qualified electors of the District approved the issuance of up to \$8,000,000 in water revenue bonds. In order to generate sufficient revenue to pay the principal of and interest on these bonds, it is necessary to increase the water rates of the District customers.

The proposed rates for water are as follows:

Rate	2008 Monthly Rate	Proposed 2009 Monthly Rate
Debt Service	\$ 3.82	\$6.94
Access Fee	\$15.00	\$15.00
1 – 5000 Gallons	\$1.10/1000 Gallons	\$1.10/1000 Gallons
5001 – 15,000 Gallons	\$1.27/1000 Gallons	\$1.27/1000 Gallons
15,001 – 30,000 Gallons	\$1.44/1000 Gallons	\$1.44/1000 Gallons
Over 30,000 Gallons	\$2.19/1000 Gallons	\$2.19/1000 Gallons

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.

The effective date of the new rates shall be as set forth in Resolution No. 2009-____. Water rate increases, if approved, will be reflected in bills received by District customers in October.