

RESOLUTION NO. 09- 34

A resolution of North Kootenai Water District, of Kootenai County, Idaho, confirming rates in the Hayden Haven-Gem Shores Service Area for water usage charges; and providing for other matters properly relating thereto

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

**HAYDEN HAVEN-GEM SHORES SERVICE AREA
WATER SERVICE CHARGES**

BE IT RESOLVED BY THE Board of Directors of North Kootenai Water District, of Kootenai County, Idaho (the "District") as follows:

WHEREAS, North Kootenai Water District, of Kootenai County, Idaho (the "District") is a duly and properly formed water district under and by virtue of the constitution and laws of the State of Idaho and provides water and sewer utility services;

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

WHEREAS, effective in the fall of 2008, after a vote of the qualified electors of the District, the District assumed full ownership of the potable water treatment system built and previously operated by the Hayden Lake Recreational Sewer District in an area commonly known as "Hayden Haven-Gem Shores Service Area";

WHEREAS, the District has accumulated all information and evaluated the actual expense of operating the Systems, including, but not limited to a review of staffing and equipment needs, operational requirements of the systems, equipment upgrades required and other comments and input received from those receiving utility services. Based upon this range of input, the Board has determined the appropriate water usage rates to cover the costs of providing such services in accordance with the cost evaluation prepared by the District Engineer and District Manager;

WHEREAS, the rates being charged, based upon the analysis of the District appears to be appropriate and the Board wishes to confirm those rates;

WHEREAS, the Board advertised a public hearing on rates by publication of such notice in the official newspaper of the District, which notices invited telephone calls, public comments and attendance at the public hearing held on Thursday, October 1, 2009 at 12:30 p.m. at the District office; and

WHEREAS, the Board has considered and discussed the comments and input received at the public hearing, as well as any other comments received by the District.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Board of Directors of the District as follows:

Section 1: CONFIRMATION OF MONTHLY WATER USAGE CHARGES IN THE HAYDEN HAVEN-GEM SHORES SERVICE AREA

The Board hereby determines, after examining the costs of operation, upkeep and maintenance of the potable water treatment plant and distribution system, including required and necessary reserves to insure the adequate repair, replacement and continued operation of the systems, that all customers within the Hayden Haven-Gem Shores Service Area shall be required to pay the amounts established in Schedule "A" attached hereto, or as may be modified hereafter by the Board.

Section 2: 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 3: 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 rate setting and the hearing process is hereby ratified and approved.

Section 4: EFFECTIVE DATE


This Resolution shall become and is effective as of the date of its adoption.

PASSED at a regular meeting of the Board of Directors of the North Kootenai Water District held on this 1st day of October, 2009, upon which a roll call vote was duly taken and duly enacted.

NORTH KOOTENAI WATER DISTRICT,
Kootenai County, Idaho


Chairman, Board of Directors

ATTEST:


District Secretary

(S E A L)

I, the undersigned, Secretary of the Board of Directors 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 the District on October 1, 2009, of which meeting all members of the 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, Directors: 5

NAYS, Directors: 0

ABSENT, Directors: 0

ABSTAIN, Directors: 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 District on October 1, 2009.

Garthurst
District Secretary

(SEAL)

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SCHEDULE "A"

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.