

RESOLUTION NO. 2009-35

A Resolution of North Kootenai Water District, Kootenai County, Idaho, approving the increase of water service rates in the District; 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 (the "District") is a water district under and by virtue of the constitution and laws of the state of Idaho and is governed by an elected Board of Directors ("Board"); and

WHEREAS, the Board has the statutory requirement to operate, on a breakeven basis, the water utility system/s ("System") of the District and also establishes the ability of the District to set the rates and charges necessary to maintain and operate the System; and

WHEREAS, the electors approved a water revenue bond issue in the aggregate principal amount of up to \$8,000,000, which requires an increase in rates in order to pay debt service on the approved bonds and the outstanding bonds of the District, as well as to pay the operation and maintenance expenses of the District;

WHEREAS, the Board adopted Ordinance No 99-4 on May 13, 1999, which set certain operating rules for the District and authorizes that future rates be set by Resolution of the Board; and

WHEREAS, the Board set a public hearing for October 1, 2009, for an increase in certain fees and charges and have provided notice to property owners and rate payers as provided by statute; and

WHEREAS, the Board has received comments and input from the community on the increase in rates and fees as proposed by the District; and

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 IN RATES AND CHARGES

The Rates changed to customers and users of the System and users of the System shall be increased as shown in Exhibit "A" attached hereto. These increases shall be effective in the bills sent out in October of 2009.

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 the implementation of new rates and charges, and the hearing process is hereby ratified and approved.

Section 4: 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 5: EFFECTIVE DATE OF RESOLUTION

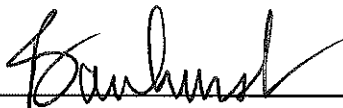
This Resolution shall take effect and be in force and effect from and after its passage and approval.

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

NORTH KOOTENAI WATER DISTRICT

  
Chairman

ATTEST:

  
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 regular meeting of the Board of Directors, duly and regularly held at a regular meeting place thereof on June 26, 2008, 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: 5

NAYS, Boardmembers: 0

ABSENT, Boardmembers: 0

ABSTAIN, Boardmembers: 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 Board on October 1, 2009.

NORTH KOOTENAI WATER DISTRICT

Bainhurst  
Secretary

EXHIBIT "A"

Rates

The proposed rates for water are as follows:

<b>Rate</b>	<b>2008 Monthly Rate</b>	<b>Proposed 2009 Monthly Rate</b>
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