

Resolution No. 2010-05

Resolution of the Board of Directors of North Kootenai Water District, Kootenai County, Idaho setting a public hearing to receive input on the setting of water rate charges for use of district fire hydrants; directing that public notice of such hearing be given; providing for certain policies which impact fire hydrant use; and providing for other matters properly relating thereto

WHEREAS, North Kootenai Water District, 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 governed by an elected Board of Directors (the "Board");

WHEREAS, the District provides water service through its water system ("System") throughout Kootenai County, Idaho;

WHEREAS, the District has a number of fire hydrants connected to its system to provide fire protection to certain residents within the boundaries of the District;

WHEREAS, certain individuals, specifically contractors, may have need to connect to these hydrants for excess water for dust control and other purposes associated with their projects and the Board wishes to facilitate the reasonable use of its fire hydrants;

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

NOW, THEREFORE, be it resolved by the Board of Directors of North Kootenai Water District as follows:

Section 1. Incorporation of Recitals. The Board hereby incorporates the recitals set forth herein as a part of this resolution.

Section 2. Finding of Costs Associated with the Connection of Third Parties to District Fire Hydrants. There is a cost associated with staff unlocking the fire hydrants and making proper connections for use by third parties of water from the fire hydrants. The Board wishes to recover this cost from those who benefit from the connection to the fire hydrants.

Section 3. Establishment of Rate Schedule for Use of Fire Hydrants by Third Parties. Effective as of the adoption of this resolution, the Board proposes implementation of the following rate schedule for third party use of District fire hydrants:

Installation Fee: \$50.00

Monthly Minimum Rate: \$50.00 in the Gozzer area, \$15.00 in the remaining area of the District

Water Usage Charges: At current rates in the service area where the Hydrant is located.

The District will also be allowed to charge up to 1% per month commencing the 30<sup>th</sup> day after the bill is sent, if said bill is not paid. Other late fees and charges, as determined by the Board of Directors shall also be applicable.

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Section 4. Public Hearing. The Board hereby sets August 3, 2010, at 12:30 p.m. in the offices of the District, located at 1841 West Hayden Avenue, Hayden, Idaho for a public hearing on the establishment of fire hydrant rates and charges as set forth in this Resolution.

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 at:

North Kootenai Water District  
1841 West Hayden Ave.  
P.O. Box 2290  
Hayden ID 83835  
Attn: Mike Galante  
Email: mikeg@nkwsd.com

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

Section 5. 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 be published at least once each week for two weeks proceeding the date of the public hearing.

Section 6. Other Policies Relating to Fire Hydrant Access. The party who accesses water through the fire hydrant shall be responsible for any damage caused by such use. The District Manager is authorized to develop the appropriate checklist document and other forms for those desiring to connect to District fire hydrants.

Section 7. Severability. If any one or more of the provisions provided for in this resolution or the Policy shall be declared by any court of competent jurisdiction to be contrary to law, then such provisions shall be null and void and shall be deemed separable from the remaining provisions in this resolution or the Policy and shall in no way affect the validity of the other provisions of this resolution or the Policy.

Section 8. 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 attached personnel policies and they are hereby ratified and approved.


Section 9. Effective Date. This Resolution and the notice of public hearing attached hereto as Exhibit "A" are effective as of the date of adoption of this Resolution.

Passed and adopted by the Board of Directors of North Kootenai Water District, Kootenai County, Idaho at a regular meeting this 1<sup>st</sup> day of July, 2010.

NORTH KOOTENAI WATER  
DISTRICT, KOOTENAI COUNTY,  
IDAHO

By:   
Board Chairman

ATTEST:

  
District Secretary

CERTIFICATE OF DISTRICT SECRETARY

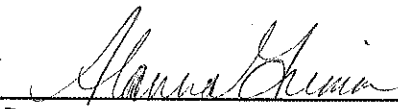
I DO HEREBY CERTIFY that I am the duly chosen, qualified and acting Secretary of the North Kootenai Water District, Kootenai County, Idaho (the "District"), and keeper of the records of the Board (the "Board"); and

I HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 2010-05 (the "Resolution"), as finally passed at a regular meeting of the Board held on the 1<sup>st</sup> day of July, 2010, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the passage of the Resolution; that all other requirements and proceedings incident to the proper passage of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 1<sup>st</sup> day of July, 2010.

  
Secretary

NOTICE OF PUBLIC HEARING ON  
FIRE HYDRANT RATES

NORTH KOOTENAI WATER DISTRICT

The Board of Directors ("Board") of North Kootenai Water District ("District") will hold a public hearing on August 19, 2010 at 12:30 p.m. at the District Office, located at

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

The proposed rates for fire hydrant usage fees are as follows:

Installation Fee: \$50.00

Monthly Minimum Rate: \$50.00 in the Gozzer area, \$15.00 in the remaining area of the District

Water Usage Charges: At current rates in the service area where the Hydrant is located.

The District will also be allowed to charge up to 1% per month commencing the 30<sup>th</sup> day after the bill is sent, if said bill is not paid. Other late fees and charges, as determined by the Board of Directors shall also be applicable.

Applicants for connection to District fire hydrants will be required to execute the appropriate forms.

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.

The effective date of the new rates shall be as set forth in the Resolution setting the rates, but is expected to be on or about August ~~8~~, 2010.

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