

Resolution No. 2011-02

A Resolution of the Board of Directors of North Kootenai Water District, Kootenai County, Idaho, setting a public hearing for the purpose of hearing public comment regarding a proposed water rate in the Gozzer Ranch Service Area for up to 15,000 gallons of water per month; directing that public notice of such hearing be given; 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 and sewer 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 has received full ownership of the potable water treatment system built and previously owned and operated by Discovery Coeur d'Alene Investors, LLC (the "System") in an area commonly known as the "Gozzer Ranch 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;

WHEREAS, pursuant to Idaho Code Section 63-1311A, 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 monthly water rate charge in the Gozzer Ranch Service Area for up to 15,000 gallons of water per month, 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. Public Hearing. The Board hereby determines, after examining the cost of operation, upkeep and maintenance of the System, that appropriate and necessary rates for access to the System be charged to all customers in the Gozzer Ranch Service Area. The Board further determines that a public hearing shall be held on April 7th, 2011, at 12:30 p.m. in the offices of the District, located at 1841 West Hayden Avenue, Hayden, Idaho regarding the establishment of the proposed monthly water rate charge in the Gozzer Ranch Service Area for 0 - 15,000 gallons of water per month.

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 3. 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 water rate charge in the Gozzer Ranch Service Area for 0 - 15,000 gallons of water per month shall be published at least once each week for two weeks proceeding the date of the public hearing.

Section 4. Severability. If any one or more of the provisions provided for in this resolution 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 and shall in no way affect the validity of the other provisions of this resolution.

Section 5. 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 proposed rates and they are hereby ratified and approved.

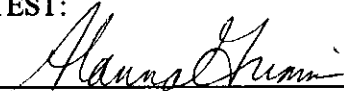
Section 6. Effective Date. This Resolution and the notice of public hearing attached hereto as Exhibit "A" are effective as of the date of adoption of this Resolution.

Passed and adopted by the Board of Directors of North Kootenai Water District,
Kootenai County, Idaho at a regular meeting this 17th day of March, 2011.

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. 2011-02 (the "Resolution"), as finally passed at a regular meeting of the Board held on the 17th day of March, 2011, 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 17th day of March, 2011.



Secretary

EXHIBIT "A"

**NOTICE OF PUBLIC HEARING ON
WATER RATE IN GOZZER RANCH SERVICE AREA**

NORTH KOOTENAI WATER DISTRICT

The Board of Directors ("Board") of North Kootenai Water District ("District") will hold a public hearing on April 7, 2011 at 12:30 p.m. at the District office, located at

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

The purpose of the public hearing is to take public comments regarding the establishment of the proposed monthly water rate charge in the Gozzer Ranch Service Area for 0 - 15,000 gallons of water in accordance with Idaho Code Section 63-1311A.

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

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.

All interested parties are invited to attend this public hearing and provide any comments they wish to provide on the proposed rates and charges. 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 April 16, 2011.

Passed and adopted by the Board of Directors of North Kootenai Water District,
Kootenai County, Idaho at a regular meeting this 17th day of March, 2011.

NORTH KOOTENAI WATER DISTRICT,
KOOTENAI COUNTY, IDAHO

By: 
Board Chairman

ATTEST:


District Secretary

CERTIFICATE OF DISTRICT SECRETARY

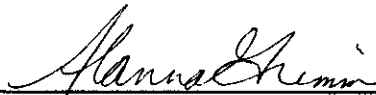
I DO HEREBY CERTIFY that I am the duly chosen, qualified and acting Secretary of the North Kootenai Water District, Kootenai County, Idaho (the "District"), and keeper of the records of the Board (the "Board"); and

I HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. 2011-03 (the "Resolution"), as finally passed at a regular meeting of the Board held on the 17th day of March, 2011, 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 17th day of March, 2011.


Secretary