

Resolution No. 2019-005

A resolution of the Board of Directors of The Bayview Water and Sewer District, Kootenai County, Idaho designating that:

- *Capitalization fees or designated portions there-of shall be deposited to the Capital Facility Fund of the respective Water System or Waste Water System and;*
- *that a portion of the monthly Basic Charge for water service and for sewer service may be reserved for Capital Facilities as directed by the Board from time to time and;*
- *directing deposit of the same to the Capital Facility Fund for each system on a monthly basis and;*
- *providing for an effective date of the resolution and policies as adopted;*
- *and providing for other matters properly relating thereto.*

WHEREAS, Bayview Water and Sewer District, Kootenai County, Idaho (the "District") is a duly and properly formed water district under and by virtue of the Idaho Constitution and Title 42 Chapter 32 of the Laws of the State of Idaho and governed by an elected Board of Directors (the "Board");

WHEREAS, Idaho Statute Title 42 Chapter 32.12 Part I provides that the Board may, ". . . fix and from time to time to increase or decrease water and sewer rates, tolls or charges for services or facilities furnished by the district . . .";

WHEREAS, The Board approved a water rate increase of \$8.00/ month in the basic charge for each residence at their regular meeting July 17, 2019;

NOW, THEREFORE, be it resolved by the Board of Directors of Bayview Water and Sewer District (**BWSD**) as follows:

1. That henceforth all Capitalization Fees shall be deposited monthly in the Capital Facility Fund of the System for which they were collected.
2. That a portion of the basic charge for water and for sewer, as determined by the Board from time to time, may be designated a Capital Facility Fee and;
3. That the water rate increase approved on July 17, 2019 shall be so designated and;
4. That Capital Facility Fees shall be deposited monthly in the Capital Facility Fund of the System from which they were collected.
5. That the Water and Sewer Rate Schedule for the District shall be adjusted to include the Capital Facility Fee as a portion of the Basic Rate for each residential sewer service or Equivalent Residence (ER) per Ord. 1990-1 and as a portion of the Basic Rate for each residential water service or Equivalent Domestic Unit (EDU) as the Board may hereafter define.

This resolution shall go into effect upon the date adopted.

All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and shall have no further force or effect.

If any part of portion of this resolution is found by a Court of competent jurisdiction to be unlawful or unenforceable that portion shall be deemed separable from the remainder of the resolution and shall not affect the validity of the remaining provisions.

Upon a motion to adopt the text of the foregoing Resolution made by:

Director: May, and

Seconded by Director: Doney

the following roll call vote was recorded:

Director Doney:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director Meyer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director May:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director Nolan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director Edwards:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Upon said *roll call vote*, the text of the foregoing was duly enacted as a Resolution of the Board of Directors in Bayview, Idaho, on the 25th day of August, 2019.

Bayview Water and Sewer District

Sharon Meyer
Sharon Meyer, Chairman

Robyn Edwards
Robyn Edwards, Vice Chairman

R. E. Doney
Richard Doney, Director

Calvin Nolan
Calvin Nolan, Director

Stephen May
Stephen May, Director

ATTEST:

Jessie Roe
Jessie Roe, Secretary for the District