

Resolution No. 2021-002

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

- *The \$8.00/ monthly increase in the basic rate charge for each residence that was adopted by the BWSO Board of Directors at their regular meeting, July 17, 2019 be hereinafter designated as part of the required principal and interest payment(s) on IDEQ SRF loan #DW2012 and;*
- *Directing deposit of the same to the Mountain West Bank "BWSO SRF Loan Fund account on a monthly basis and;*
- *Directing all funds accumulated from August 1, 2019 to date from said basic rate charge increase to be deposited to the Mountain West Bank "BWSO SRF Loan Fund account; and*
- *Providing for an effective date of the resolution and policies as adopted;*
- *And providing for other matters properly relating thereto.*

WHEREAS, The 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, the District entered into a loan offer acceptance and agreement for drinking water treatment design and construction known as Loan Project #DW2012 with the Idaho Department of Environmental Quality (IDEQ) on June 29, 2020; and

WHEREAS, Section IV, Item E of said Loan Offer Agreement requires that the District:  
"Provide for the accumulation of funds through charges made for services assessments on property owners or otherwise, for the purposes of establishing a fund dedicated solely to (1) the repayment of principal, interest and loan fee on this loan, (2) capital replacement and (3) future improvement, betterment, and extension of such works occasioned by increased usage on the facility."; and

WHEREAS, the Board hereby authorizes and directs that such accumulation of funds account be established at the Mountain West Bank in Coeur d'Alene, Idaho, identified as "BWSO SRF Loan Fund" account; and

WHEREAS, THE Board desires that the water basic rate increase in the amount of \$8.00 per month approved on July 17, 2019 and previously designated as a Capital Facility Fund fee is hereby directed to be deposited into said BWSO SRF Loan Fund account at Mountain West Bank, together with all funds accumulated from the payment of this monthly fee to date;

NOW, THEREFORE, BE IT RESOLVED, that the District Treasurer is authorized and directed to transfer the accumulation of funds from said \$8.00 monthly basic rate increase from August 1, 2019 to date, in the amount of \$56,824.25 from the LGIP account to the BWSO SRF Loan fund account at Mountain West Bank; and

RESOLVED FURTHER, that all future payments of said \$8.00 portion of the monthly basic rate charge be deposited into the BWSO SRF Loan Fund account at Mountain West Bank.

This resolution shall go into effect upon the date adopted, at the Regular Meeting of the BWSO Board of Directors held January 21, 2021.

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 or 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 foregoing Resolution made by:

Director: Dahlseid, and

Seconded by Director: Spahn

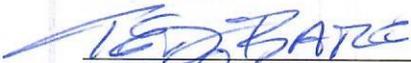
The following vote was recorded:

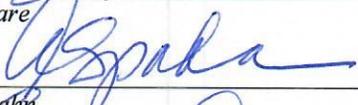
Director Nolan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director Leake	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Director Bare	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director Spahn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Director Dahlseid	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**Bayview Water and Sewer District**

  
\_\_\_\_\_  
Calvin Nolan

\_\_\_\_\_  
Larry Leake absent

  
\_\_\_\_\_  
Ted Bare

  
\_\_\_\_\_  
Ali Spahn

  
\_\_\_\_\_  
Colleen Dahlseid