

RESOLUTION NO. 2020 - 75
PROSECUTOR'S OFFICE
Budget Adjustment Authorization

WHEREAS, Idaho Code Section 31-1605 provides that the Board of County Commissioners may adjust the budget, so long as there shall be no increase in anticipated property taxes; and

WHEREAS, the Bonner County Prosecutor's Civil – Litigation department has insufficient funds to pay its outstanding legal expenses; and

WHEREAS, unscheduled funds in the amount of \$300,000 has been identified and been identified as available and deployable for litigation expenses.

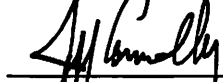
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Bonner County, Idaho hereby authorizes the Clerk to open the Justice Civil Lit budget and decrease line item 03412-7860 Justice Statutory 5% Reserve by \$300,000.00 and increase line item 03471-7100 Professional services - Legal in the amount of \$300,000.00.

Adopted as a Resolution of the Board of Commissioners of Bonner County, Idaho on the 20th day of October, 2020.

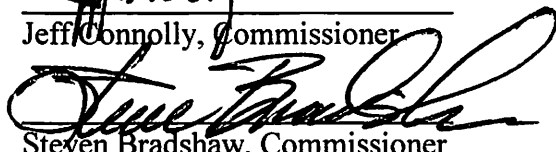
BOARD OF BONNER COUNTY COMMISSIONERS



Daniel McDonald, Chairman



Jeff Connolly, Commissioner

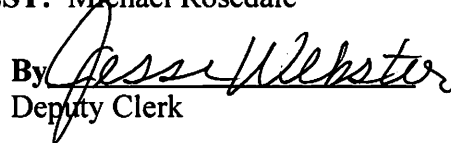


Steven Bradshaw, Commissioner

ATTEST: Michael Rosedale

By

Deputy Clerk





Prosecuting Attorney's Office

127 S. 1st Avenue • Sandpoint, ID 83864 • Phone: (208) 263-6714

October 20, 2020

Memorandum

PROSECUTOR
Item #1

To: Commissioners
Re: Budget Adjustment – Justice Fund Statutory Reserve

Description:

Idaho Code 31-1605 and 31-4603 provide that in the event of any unforeseen contingency arising, which could not reasonably have been foreseen at the time of making the budget, and which shall require the expenditure of money not provided for in the budget, the Board of County Commissioners, by unanimous vote thereof, shall have the right to make an appropriation from the statutory reserves to the office, department, service, agency or institution in which said contingency arises, in such amount as shall be determined by resolution of said Board.

At the time the FY2020 budget was prepared, an exact dollar amount needed to cover the fees and expenses necessary to litigate unforeseen matters could not have been reasonably known and the costs have exceeded the civil litigation budget.

The Justice Fund Statutory Reserve Budget has funds available to cover the anticipated budget needed to defend the County and Idaho Code allows for the Statutory Reserve funds to be used for this purpose.

Legal

Auditing

Distribution: Original to BOCC
Copy to Prosecutor and civil attorney, Scott Bauer
Copy to Auditing

A suggested motion would be: Mr. Chairman based on the information before us I move to approve Resolution 20- 76 authorizing the Clerk to open the Justice Civil Lit budget and decrease line item 03412-7860 Justice Statutory 5% Reserve by \$300,000.00 and increase line item 03471-7100 Professional services - Legal in the amount of \$300,000.00.

Recommendation Acceptance: ☒ yes ☐ no

Commissioner Daniel McDonald, Chairman

Date: 10/20/20