

**RESOLUTION NO. 2020 - 63**  
**PROSECUTOR'S OFFICE**  
**Budget Adjustment Authorization**  
**& Justice Reserve Appropriations**

**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 \$50,000 has been identified and been identified as available and deployable for litigation expenses.

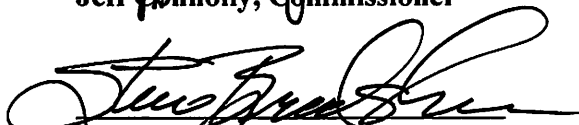
**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners of Bonner County, Idaho hereby authorizes the Clerk to open the Justice Civil Lit budget and decrease line item 03412-7860 Justice Statutory 5% Reserve (I.C. 31-1605) by \$50,000.00 and increase line item 03471-7190 Settlements, Judgements, and Claims in the amount of \$50,000.00.

**Adopted** as a unanimous Resolution of the Board of Commissioners of Bonner County, Idaho on the 10<sup>th</sup> day of August, 2021.

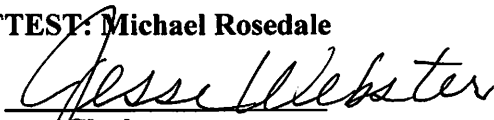
**BOARD OF BONNER COUNTY COMMISSIONERS**

  
Daniel McDonald, Chairman

  
Jeff Connolly, Commissioner

  
Steven Bradshaw, Commissioner

**ATTEST: Michael Rosedale**

By   
Deputy Clerk



# Prosecuting Attorney's Office

127 S. F Avenue • Sandpoint, ID 83861 • Phone: (208) 263-6711

August 14, 2021

## 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 FY 2021 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 unanticipated budget needed by the County and Idaho Code allows for the Statutory Reserve funds to be used for this purpose.

Legal: SB

Auditing: mt

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 2021- 63 authorizing the Clerk to open the Justice Civil Lit budget and decrease line item 03412-7860 Justice Statutory 5% Reserve by \$50,000.00 and increase line item 0347 1-7190 Settlements, Judgements, Claims in the amount of \$50,000.00.

Recommendation Acceptance: Yes ; No ; Signed: [Signature] Date: 8/10/21  
Commissioner Dan McDonald, Chairman