

RESOLUTION #22- 25

TREASURER'S OFFICE

A RESOLUTION OF THE BOARD OF BONNER COUNTY COMMISSIONERS, STATE OF IDAHO, BONNER COUNTY, AUTHORIZING TRANSFER OF EXCESS SALE PROCEEDS TO THE STATE TREASURER PURSUANT TO IDAHO CODE §31-808

The following resolution and order was considered and adopted by the Bonner County, Idaho Board of Commissioners ("Board") on the 29<sup>th</sup> day of March, 2022.

Upon the motion of Commissioner Bradshaw and second by Commissioner Connolly, the Board resolves as follows:

**WHEREAS**, Idaho Code §31-801 grants the general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

**WHEREAS**, Idaho Code §31-828 grants the Board authority "to do and perform all other acts...which may be necessary to the full discharge of the duties of the chief executive authority of the county government"; and

**WHEREAS**, Idaho Code §31-807 authorizes the Board to manage county property subject to restrictions including, but not limited to, those described in Idaho Code §31-808; and

**WHEREAS**, Idaho Code §31-808 authorizes the Board to sell surplus properties acquired by tax deed; and

**WHEREAS**, Idaho Code §31-808 provides that proceeds from the sale of property acquired by tax deed, after payment of all delinquent taxes, late charges, interest and costs, (excess proceeds) be apportioned by the Board of parties in interest that make claims, and then to the owner(s) of record at the time the tax deed was issued on the property; and

**WHEREAS**, Idaho Code §31-808 was amended by 2016 Senate Bill 1347a to permit the County, after payment of party in interest claims, to transfer excess proceeds resulting from the sale of tax deeded properties to the State Treasurer to be claimed and distributed as unclaimed property; and

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TRANSFER OF EXCESS SALE PROCEEDS  
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WHEREAS, The State Treasurer has indicated that he will accept transfer of unpaid excess proceeds in the possession of the County provided certain conditions are met as set forth in Exhibit A; and

WHEREAS, the County has certain unpaid excess proceeds on account as set forth in Exhibit B, and finds that transferring said proceeds to the State Treasurer will result in more efficient processing of such claims; and




WHEREAS, the board had determined that the County met the requirements for transferring said excess proceeds to the State Treasurer


**NOW THEREFORE, THE BOARD OF COMMISSIONERS OF BONNER COUNTY, IDAHO HEREBY RESOLVES**, that the excess proceeds, as described in Exhibit B, be transferred to the State Treasurer, pursuant to Idaho Code §31-808, together with a completed unclaimed property report as directed by the State Treasurer and such other information that the State Treasurer might reasonable request.

**IT IS FURTHER RESOLVED BY THE BOARD**, that notice of said transfer be sent as required by Idaho Code §31-808.

**IT IS FURTHER RESOLVED BY THE BOARD**, that this resolution shall be effective this 29<sup>th</sup> day of March 2022.

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 Dan McDonald, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Jeff Connolly, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Steve Bradshaw, Commissioner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTESTED  
By   
Deputy Clerk

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## Treasurer's Office

**Cheryl Piehl**

1500 Highway 2, Suite 304 • Sandpoint, ID 83864 • Phone: (208) 265-1433

March 23, 2022

### Memorandum

Treasurer  
Item #1

To: Bonner County Commissioners

From: Cheryl Piehl  
Bonner County Treasurer

Re: **Approval to pay excess tax deed funds to the Idaho State Treasurer Unclaimed Property Department per Idaho Code §31-808**


I am requesting that the Board of County Commissioners approve transferring the overage of \$16,025.20 to Idaho State Treasurer Unclaimed Property Department.

Per Idaho Code 31-808 (c) the time has passed for accepting claims for overages from the tax sale and Idaho Code 31-808. We received only one claim for the overage on RP58N01W200152A in the amount of \$16,025.20. We are requesting approval to pay the funds to the Idaho State Treasurer Unclaimed Property Department.

Legal has reviewed this and approved it.

I move to approve Resolution #22-25 approving the payment of excess tax sale funds in the amount of \$16,025.20 to the Idaho State Treasurer Unclaimed Property Department. The time for recorded parties of interest and record owners to make a claim for the overage has past for RP58N01W200152A. This has been reviewed and approved by legal.

Recommendation Acceptance:  yes  no

  
Commissioner Dan McDonald, Chairman

Date: 3/29/22