

RESOLUTION NO. 2023 - 67
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

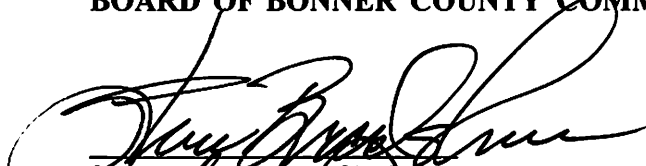
WHEREAS, Civil litigation expenses are difficult to foresee and are therefore funded and re-funded throughout the year as necessary;

WHEREAS, unscheduled funds in the amount of \$100,000 has been identified as available and deployable for litigation expense.

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 \$120,000 and increase line item 03471-7100 Professional services - Legal in the amount of \$120,000.

Adopted as a Resolution of the Board of Commissioners of Bonner County, Idaho on the 5th day of September, 2023.

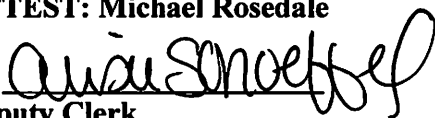
BOARD OF BONNER COUNTY COMMISSIONERS


Steven Bradshaw, Chairman


Luke Omodt, Commissioner


Asia Williams, Commissioner

ATTEST: Michael Rosedale

By 
Deputy Clerk



Prosecuting Attorney's Office
127 S. Fth Avenue • Sandpoint, ID 83861 • Phone: (208) 263-6711

9/05/2023

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 FYE 2023 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: BW
Auditing: ____
Distribution: ____

Original to BOCC
Copy to Prosecutor and civil attorney, Bill Wilson
Copy to Auditing

A suggested motion would be: Mr. Chairman based on the information before us I move to approve Resolution 2023-67 authorizing the Clerk to open the Justice Civil Lit budget and decrease line item 03412-7860 Justice Statutory 5% Reserve by \$120,000 and increase line item 0347 1-7100 Professional services - Legal in the amount of \$120,000

Recommendation Acceptance: Yes ; No ; Signed: [Signature] Date: 09.05.23