

**RESOLUTION NO. 17 - 69**  
**DEPARTMENT NAME**  
**Budget Adjustment - Justice and General Fund**  
**Statutory Reserve**

**WHEREAS**, 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, and;

**WHEREAS**, Bonner County has been involved in an ongoing lawsuit whereby Silverwing at Sandpoint, LLC filed a complaint against the County in seeking multi-million dollar damages against the County; and

**WHEREAS**, The County Prosecutor and County Commission have a statutory obligation to defend the County against lawsuits brought by third-parties; and

**WHEREAS**, the fees and expenses required to defend this case were unknown at the time the FY2017 budget was prepared; and

**WHEREAS**, the costs required to defend this and other lawsuits have exceeded the civil litigation budget; and


**WHEREAS**, the Justice & Current Expense Fund Statutory Reserve Budgets have funds available to cover these expenses and Idaho Code allows for the Statutory Reserve funds to be used for this purpose.

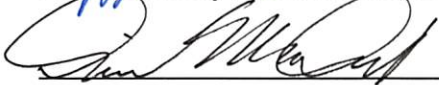
**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of Bonner County, Idaho authorize the Clerk to open the Justice Fund Statutory Reserve Budget and decrease line item 34-03412 by \$100,000 & Current Expense Reserve and decrease line item 01120-7860 by \$100,000.00 for a total of \$200,000 and increase Justice Fund Civil Litigation budget line item 03471-7180 Intensive Litigation, by \$200,000.

The foregoing was duly enacted as a Resolution, by the Board of County Commissioners of Bonner County, Idaho, by *unanimous vote* on the 8<sup>th</sup> day of August, 2017.

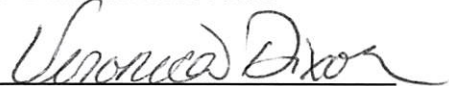
**BOARD OF BONNER COUNTY COMMISSIONERS**

  
\_\_\_\_\_  
Glen Bailey, Chairman

  
\_\_\_\_\_  
Jeff Connolly, Commissioner

  
\_\_\_\_\_  
Daniel McDonald, Commissioner

**ATTEST:** Michael Rosedale

By   
\_\_\_\_\_  
Deputy Clerk



# PROSECUTOR

8/3/17  
8/8/17 meeting

MISC.  
Item #1

## MEMORANDUM

**To:** Commissioners

**Re:** Budget Adjustment Authorization Resolution

**Description:** Statutory Reserve Appropriation and Budget Adjustment Authorization

The Prosecutor's Office civil department needs an additional \$200,000.00 for on-going litigation expenses in various matters including the Silverwing matter.

**Distribution:** Original to Dan Shea.

A suggested motion would be: **Mr. Chairman based on the information before us I move to approve the proposed Statutory Reserve Appropriation and budget adjustment.**

*Resolution 17-69*

Recommendation Acceptance:  yes  no

*Glen Bailey*  
Commissioner Glen Bailey, Chairman

Date: 8/8/17