

**Resolution No. 2025-68**  
**Appropriation of Fiscal Year 2025 Contingency Funds**

WHEREAS, Idaho Code §§ 31-1605 and 63-805(2) provides that the Board of County Commissioners has the right to make general reserve appropriations for the current expense fund as long as the levy is within the statutory limits; and

WHEREAS, the allowable reserve appropriations were included in the final adopted budget for contingencies arising which could not have been reasonably foreseen; and

WHEREAS, the expenditures identified below meet these criteria;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Kootenai County Board of Commissioners that the Fiscal Year 2024-2025 budget shall be adjusted to reflect the appropriation of contingency funds as noted below:

<u>Department</u>	<u>Org. Code</u>	<u>Acct.</u>	<u>Expense Description</u>	<u>General Fund Contingency</u>
General Fund	Fund 10	8298	Costs and Attorney Fees per Idaho Supreme Court Order, Docket 51332 (see Attached "Schedule A")	\$ 102,434.49
			<b>FY25 Adopted Budget</b>	\$ 250,000.00
			<b>FY25 Contingency Usage – Resolution 2025-60</b>	\$ (68,556.00)
			<b>FY25 Contingency Usage – Resolution 2025-65</b>	\$ (45,691.67)
			<b>FY25 Remaining Balance</b>	\$ 33,317.84

Upon a motion to adopt the foregoing Resolution, made by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_, the following vote was recorded:

Commissioner Duncan: \_\_\_\_\_  
 Commissioner Eberlein: \_\_\_\_\_  
 Chair Mattare: \_\_\_\_\_

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of County Commissioners of Kootenai County, Idaho on this \_\_\_\_\_ day of July, 2025.

**KOOTENAI COUNTY**  
**BOARD OF COMMISSIONERS**

**ATTEST:**  
 JENNIFER LOCKE, CLERK

## Schedule A

### Awards of Costs and Attorney Fees

*East Side Highway Dist. et al. v. Kootenai County*  
District Court Case Nos. CV28-22-7161 and CV28-22-7471  
Idaho Supreme Court Docket No. 51332-2023

#### Highway Districts

##### *District Court*

Costs	\$ 187.50
Attorney Fees	\$ 10,629.00
Total	\$ 10,816.50

##### *Supreme Court*

Costs	\$ 0.00
Attorney Fees	\$ 30,510.00
Total	\$ 30,510.00
<b>Grand Total</b>	<b>\$ 41,326.50</b>

#### Cities

##### *District Court*

Costs	\$ 378.74
Attorney Fees	\$ 15,000.00
Total	\$ 15,378.74

##### *Supreme Court*

Costs	\$ 36.00
Attorney Fees	\$ 45,693.25
Total	\$ 45,729.25
<b>Grand Total</b>	<b>\$ 61,107.99</b>

***Grand total of all costs and attorney fees: \$ 102,434.43***

