

RESOLUTION NO. 2012-94
KOOTENAI COUNTY SHERIFF'S DEPARTMENT - SURPLUS PROPERTY

WHEREAS, *Idaho Code § 31-808* vests the Board of County Commissioners with the power and authority to manage real and personal property for the benefit of the County; and

WHEREAS, *Idaho Code § 31-829* provides that whenever any elected official has any personal property belonging to the county under his/her jurisdiction or control which, in his/her judgment, is of no further use to the county, he/she may, with the consent of the Board of County Commissioners, have the property declared as surplus and dispose of the property through sale or other means; and,

WHEREAS, *Idaho Code § 37-2807(b)(ii)* provides that if vehicles [obtained through civil asset forfeiture proceedings] are sold at public auction, the attorney general, or appropriate prosecuting attorney, shall publish a notice of the sale by at least one (1) publication in a newspaper published and circulated in the city, community or locality where the sale is to take place at least one (1) week prior to sale of the property.

WHEREAS, the Kootenai County Sheriff's Department has obtained through civil asset forfeiture proceedings the following described motorcycles and vehicles:

<u>Year</u>	<u>Vehicle/Motorcycle Description & VIN</u>
1993	Toyota T10 Pickup – VIN JT4VD10A3P0003364
1998	Ford XPL – VIN 1FMZU32P6WZC35560
1998	Volvo 4D S90 – VIN YV1KS9609W1139359
1999	Honda Civic – VIN 1HGEJ8143XLo80827
2003	Honda CBR 600 Motorcycle – VIN JH2PC371X3M001490
2004	Mitsubishi Lancer – VIN JA3AJ26E74U017178
2007	Kawasaki Ninja Motorcycle – VIN JKAZXCD1X7A027857
2007	Honda TRX500F ATV – VIN 1HFTE266574602262

The motorcycles and vehicles are not useful to the Sheriff's Department, and the sale of the same would generate additional income for the Department; and,

WHEREAS, each of the motorcycles and the vehicles described hereinabove has a value in excess of \$250; and

WHEREAS, the Kootenai County Sheriff's Department desires to have the motorcycles and vehicles declared as surplus property, and as such, to be disposed of by the County at public auction.

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NOW THEREFORE, IT IS HEREBY RESOLVED, that the motorcycles and vehicles described hereinabove be, and hereby are, declared to be surplus property, and, in accordance therewith, said motorcycles and vehicles shall be sold at public auction to the highest bidder in accordance with *Idaho Code* § 31-808.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner _____, and seconded by Commissioner _____, the following vote was recorded:

Commissioner Nelson:
Commissioner Green:
Chairman Tondee:

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho, on the 25th day of September, 2012.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

ATTEST:
CLIFFORD T. HAYES, CLERK

W. Todd Tondee, Chairman

By:_____

Daniel H. Green, Commissioner

Jai Nelson, Commissioner