BOISE COUNTY

RESOLUTION # 2009-03

A BOISE COUNTY RESOLUTION DESIGNATING NATIONAL FOREST RELATED SAFETY-NET PAYMENTS

WHEREAS, Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest lands be paid to states for use by the counties in which the lands are situated for the benefit of public schools and roads; and

WHEREAS, the principal source of revenues from National Forest lands is from the sale and removal of timber, which has been curtailed in recent years with a corresponding decline in revenues shared with counties; and

WHEREAS, the United States Congress recognized a need to stabilize education and road maintenance funding through predictable payments to the affected counties, and to achieve that goal enacted the Secure Rural Schools and Community Self-Determination Act of 2000, which has been amended and re-authorized for FFY 2008 - 2011 ("SRS2008"); and

WHEREAS, Title I of SRS2008 gives each eligible county the right to elect to receive either its traditional share of revenues from the National Forest lands pursuant to the Act of May 23, 1908 and Section 13 of the Act of March 1, 1911 (the "25-percent payments"), or instead to receive a guaranteed minimum share of the State payment pursuant to Sections 102(a)(1)(B) and 103 (the "full county payment amount"); and

WHEREAS, an election to receive the full county payment amount is effective for all federal fiscal years through FFY 2011, and an election to receive a 25-percent payment is binding for two years; and

WHEREAS, any county electing to receive a full county payment amount that is $100,000 or more must further elect to expend an amount not less than 15 percent nor more than 20 percent of its full county payment amount as project funds; and

WHEREAS, Title I, Section 102(d) of SRS2008 requires that counties electing to receive a full county payment amount of $100,000 or more must allocate its project funds between projects in accordance with Title II and Title III, and return the balance of project funds unspent under Titles II and III to the Treasury of the United States, and communicate such allocation to the Secretary of the United States Department of Agriculture; and

WHEREAS, Title II provides for special projects on federal lands or that benefit resources on federal lands, which projects are recommended by local resource advisory committees ("RACs"); and

WHEREAS, RACs recommend projects for consideration by the Secretary of Agriculture, with project funding supplied in whole or in part out of monies allocated for such purposes by participating counties; and

WHEREAS, counties that allocate funding to projects under Title II, and are participants in more than one RAC, may further direct that their Title II project funds be divided between different RACs according to an allocation decided by each participating county, with such funds held in the Treasury of the United States under the name of the county with a designation of the amount allocated to each RAC; and

WHEREAS, Title III provides for county projects, some of which are associated with federal lands, with Title III authorizing expenditures for search, rescue and emergency services, fire prevention and planning under the Firewise Communities program, and development of community wildfire protection plans; and

WHEREAS, a county with a full county payment amount of $350,000 or more may not allocate more than 7 percent of its full county payment amount for Title III projects.

NOW THEREFORE BE IT RESOLVED as follows:

Boise County hereby elects to receive the guaranteed minimum full county payment amount pursuant to SRS2008 Sections 102(a)(1)(B) and 103.

Boise County has elected to receive a full county payment amount that is $100,000 or more, and hereby allocates fifteen percent (15%) of its full county payment amount for expenditure on projects under Title II and Title III. Boise County will return none (zero percent) of its full county payment amount to the Treasury of the United States.

Of the percent allocated to Title II and Title III projects above in paragraph 2, Boise County further allocates between such Titles for FFY 2008 (for expenditure after FFY 2008) on the following basis: ten percent (10%) of full county payment amount for expenditure on Title II projects and five percent (5%) of the full county payment amount for expenditure on Title III projects.

The original or a copy of this Resolution shall be transmitted to Sharon Burke at sburke@idcounties.org or faxed to (208) 345-0379 by October 31, 2008.

APPROVED and **ADOPTED** this 27th day of October, 2008.

BOISE COUNTY BOARD OF COMMISSIONERS

LINDA W. ZIMMER, Chairman

TERRY C. DAY, Commissioner

F H Lawson

FRED H. LAWSON, Commissioner

Attest:

Constance Swearingen

Constance Swearingen, Clerk to the Board