

Resolution No. 2016-95

At a meeting of the Board of Kootenai County Commissioners, State of Idaho, on the 23rd day of August, 2016, the following resolution was unanimously adopted, to-wit:

Whereas, Idaho Code 31-3203, Sheriff's Fees, has been amended to permit the board of county commissioners of each county to set sheriff's fees by resolution; and

Whereas, such fees shall be reasonably related to but not exceed the actual costs of such services; and

Whereas, the Kootenai County Sheriff and Auditor have reviewed and analyzed the actual cost of service of process and determined that the following fees should be amended to more accurately reflect the true charges but not exceed the actual costs.

No Service fees will be charged for a State of Idaho entity, however actual costs will be charged.

	DOCUMENT	FEES AS OF OCTOBER 1, 2016
1+6	SERVE + RETURN Summons and Complaint	\$40.00 + \$65.00 = \$105.00
2A+6	SERVE + RETURN Writ on Personal Property & Real Property for attachment and /or sale or delivery of personal property	\$130.00 + \$65.00 = \$195.00
2B+6	SERVE + RETURN Writ of Execution on Personal Property (Wages/ Bank Account/Cash Demand/Till Tap)	\$80.00 + \$65.00 = \$145.00
3	For his trouble and expense in taking and keeping possession of and preserving property under attachment or execution or other process [Civil standby exceeding two (2) hours]	\$20.00 PLUS \$60.66 X Deputy hours involved
4	For making and issuing a keeper's receipt [KCSO does not issue these]	\$10.00
5	For taking a bond or undertaking in any case in which he is authorized to take the same	\$20.00
6	For copy of and making return on any Writ, Process or other paper, when demanded or required by law	\$65.00
7+6	SERVE + RETURN of every Notice, Rule or Order	\$35.00 + \$65.00 = \$100.00
8	For making and posting Notices and advertising property for sale on attachment or execution, or under any judgment or order of sale, exclusive of the costs of publication, each notice, per folio	\$155.00 Flat Fee
9+6	SERVE + RETURN of a Writ of Possession or Restitution, putting a person in possession of premises and in removing the occupant	\$135.00 + \$65.00 = \$200.00
10	For holding each inquest, or trial of right of property, to include all services in the matter except mileage [KCSO does not provide this service]	\$6.00
11+6	SERVE + RETURN a Subpoena, for each witness summoned	\$35.00 + \$65.00 = \$100.00
12	For commission for receiving and paying over money on execution or other proceeds, when land or personal property has been levied on and sold, on the first one thousand dollars (\$1,000), two percent (2%); on all sums above that amount, one percent (1%); but in no case of sale of real estate shall his commission exceed	\$100.00 Commission Flat Fee whether or not sale is completed.

	the sum of \$100.00 (When the amount of such sale is credited on the debt and no money is transferred, then one-half (1/2) of such commission.)	
13	For commissions for receiving and paying over money on execution without levy, or where lands or goods levied on are not sold, on the first one thousand dollars (\$1,000), one and one-half percent (1 ½%); and one-half (1/2) of one percent (1%) on all over that sum, but not to exceed in any case \$75.00	1.5% on first \$1,000 and .5% on all over that sum (no cap)
14	For drawing and executing a Sheriff's Deed, including the acknowledgement, to be paid by the grantee before delivery	\$50.00
15	For executing a Certificate of Sale, exclusive of the filing and recording of the same	\$50.00
16	For making every arrest in a criminal proceeding	\$10.00
17	For summoning each juror	\$35.00
18+6	SERVE + RETURN of a subpoena in a criminal action or proceeding, for each witness summoned	\$35.00 + \$65.00 = \$100.00
19	For traveling to serve any Summons and Complaint, or any other process by which an action or proceeding is commenced, Notice, Rule, Order, Subpoena, venire, attachment on property, to levy an execution, to post notice of sale, to sell property under execution or other order of sale, or execute an order of arrest, or order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, for each mile actually and necessarily traveled for the first twenty-five (25) miles no charge shall be allowed, and for any miles traveled over twenty-five (25) miles, even if process is not served, the following shall be allowed, in going only	Federal mileage rate in effect at time of travel Current Rate as of 2016 Fiscal Year is \$0.54/mi
20	For traveling to execute any warrant of arrest, Subpoena, venire or other process in criminal cases, or for taking a prisoner from prison, before a court or magistrate, or for taking a prisoner from the place of arrest to prison, or before a court or magistrate, for each mile actually and necessarily traveled, in going only	Federal mileage rate in effect at time of travel Current Rate as of 2016 Fiscal Year is \$0.54/mi
21	For each additional prisoner taken at the same time, per mile	\$.50 per mile
22	For all services under the election laws, the same mileage and fees as in this chapter provided for similar services	N/A
23	For copy of and making an Interim return on a Continuing Garnishment to show disbursement of moneys held by the Sheriff	\$18.00
24	For postage and processing of each mail renewal class D driver's license authorized pursuant to section 49-319, Idaho Code	\$2.00
	Certified Mailing Cost (1oz/#10 Envelope)	\$7.00