

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
WEDNESDAY, JANUARY 18, 2012
8:30 A.M.**

The Board of Ada County Commissioners (Board) met this date in Open Session in the Commissioners' Conference Room of the Ada County Courthouse Complex to act on the following items. Staff members present: Bonnie Malmstrom and Toni Hellman, Indigent Services; and Claire Tardiff, Prosecuting Attorney's Office. Minutes Recorder: Judy Morris.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner Rick Yzaguirre called the meeting of the Ada County Commissioners to order at 8:48 a.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre, Sharon M. Ullman and Vernon L. Bisterfeldt were present. Commissioner Ullman joined the hearings in executive session.

III. IN THE MATTER OF OPEN SESSION – CONSENT AGENDA:

ACTION: V. BISTERFELDT MOVED TO APPROVE THE CONSENT AGENDA – THREE MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT “A,” SIX MATTERS TO BE WITHDRAWN FOR FURTHER CONSIDERATION AS LISTED ON EXHIBIT “B,” AND FOUR MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT “C,” AND THAT SAID EXHIBITS REMAIN ON FILE IN THE COMMISSIONERS’ OFFICE. R. YZAGUIRRE SECONDED. V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

IV. IN THE MATTER OF EXECUTIVE SESSION:

ACTION: V. BISTERFELDT MOVED TO ADJOURN INTO EXECUTIVE SESSION TO HEAR MEDICAL INDIGENCY APPLICATIONS WHICH, IN ACCORDANCE WITH IDAHO CODE § 31-874 ARE REQUIRED TO BE KEPT CONFIDENTIAL; AND THAT THE VOTE TO DO SO BE BY ROLL CALL. R. YZAGUIRRE SECONDED. V. BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

[Commissioner Ullman joined the hearings at this time.]

V. IN THE MATTER OF OPEN SESSION:

After returning to open session, the following actions were taken:

A. Notice of Failure to Appear

S. Ullman read into record the Notice of Failure to Appear. It stated that this is the time and place scheduled for the following cases: 1110-321, 1110-722, 1109-025, 1111-044, 1110-101, 1110-058, 1111-055, 1110-064, 1111-043, 1110-117, 1110-721, 1111-013, 1110-118, 1110-076OR, 1110-038, 1111-031, 1110-119, 1110-108 and 1110-100. The records in these matters show that timely notice of this hearing was properly given to the appealing parties and the appealing parties are not present. The proposed Findings of Fact and Conclusions of Law and exhibits by Staff are admitted into the record. No additional evidence being provided, the Board will consider these appeals based on the record.

B. Determination on Appeal Hearings of Indigent Case Nos.

1. **1111-026**
(See Executive Session Minutes for detail.)
2. **1107-053**
(See Executive Session Minutes for detail.)
3. **1111-036**
(See Executive Session Minutes for detail.)
4. **1110-321**
(See Executive Session Minutes for detail.)
5. **1111-030**
(See Executive Session Minutes for detail.)
6. **1110-722**
(See Executive Session Minutes for detail.)
7. **1109-025**
(See Executive Session Minutes for detail.)
8. **1111-044**
(See Executive Session Minutes for detail.)
9. **1109-031**
(See Executive Session Minutes for detail.)
10. **1110-101**
(See Executive Session Minutes for detail.)
11. **1110-098**
(See Executive Session Minutes for detail.)
12. **1111-007**
(See Executive Session Minutes for detail.)
13. **1110-058**
(See Executive Session Minutes for detail.)
14. **1111-055**
(See Executive Session Minutes for detail.)
15. **1111-035**
(See Executive Session Minutes for detail.)
16. **1110-064**
(See Executive Session Minutes for detail.)
17. **1111-043**
(See Executive Session Minutes for detail.)
18. **1110-107**
(See Executive Session Minutes for detail.)
19. **1110-117**
(See Executive Session Minutes for detail.)
20. **1110-071**
(See Executive Session Minutes for detail.)
21. **1110-721**
(See Executive Session Minutes for detail.)

22. **1111-013**
(See Executive Session Minutes for detail.)
23. **1110-111**
(See Executive Session Minutes for detail.)
24. **1111-027**
(See Executive Session Minutes for detail.)
25. **1110-720**
(See Executive Session Minutes for detail.)
26. **1111-039**
(See Executive Session Minutes for detail.)
27. **1110-118**
(See Executive Session Minutes for detail.)
28. **1110-072**
(See Executive Session Minutes for detail.)
29. **1110-076OR**
(See Executive Session Minutes for detail.)
30. **1110-038**
(See Executive Session Minutes for detail.)
31. **1111-031**
(See Executive Session Minutes for detail.)
32. **1110-119**
(See Executive Session Minutes for detail.)
33. **1110-108**
(See Executive Session Minutes for detail.)
34. **1110-116**
(See Executive Session Minutes for detail.)
35. **1110-102**
(See Executive Session Minutes for detail.)
36. **1110-100**
(See Executive Session Minutes for detail.)

ACTION: S. ULLMAN MOVED TO APPROVE CASE NOS. 1107-053, 1110-722, 1109-025, 1111-044, 1110-072, 1110-038 AND 1111-031; APPROVE TABLES "B" AND "C" AND DENY TABLE "D" IN CASE NO. 1110-064; APPROVE TABLE "E" AND DENY TABLE "D" IN CASE NO. 1110-119; APPROVE CASE NO. 1110-720 WITH NO ORDER OF REIMBURSEMENT AT THIS TIME, BUT REVIEW IN ONE YEAR; TAKE CASE NOS. 1111-026, 1109-031 AND 1110-071 UNDER ADVISEMENT FOR 30 DAYS; AMEND THE ORDER OF REIMBURSEMENT FOR CASE NO. 1110-076OR; STAY CASE NO. 1111-013 UNTIL THE BANKRUPTCY IS RESOLVED; TABLE CASE NOS. 1110-098, 1111-007, 1111-035, 1111-039, 1110-116 AND 1110-102 TO APRIL 4, 2012; TABLE CASE NO. 1110-111 TO APRIL 16, 2012; DENY CASE NOS. 1111-036, 1110-101, 1110-058, 1111-055, 1110-721, 1110-108 AND 1110-100 AS THE APPEALS WERE WITHDRAWN; DENY CASE NOS. 1110-321, 1111-030, 1111-043, 1110-107, 1110-117, 1110-027 AND 1110-118; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. V. BISTERFELDT SECONDED. S. ULLMAN, AYE, V.

BISTERFELDT, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VI. IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at approximately 12:24 p.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk