

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
WEDNESDAY, SEPTEMBER 26, 2012
9:00 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, Toni Hellman, Kelly Helland, Renee Jaques and John Traylor, Indigent Services; and Heather McCarthy, 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 9:00 a.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre, Sharon M. Ullman and David L. Case were present.

III. CHANGES TO THE AGENDA:

There were no changes to the agenda.

IV. IN THE MATTER OF THE CONSENT AGENDA:

- Consent Agenda (*Authorize the Chairman to Sign the Appropriate Documents*)
 - a. 4 Matters to be Continued – Exhibit "A"
 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"
 - c. 5 Matters to be Removed from the Table to be Heard – Exhibit "C"
 - d. 15 Final Decisions for Hearings from 9/5/12 - Exhibit "D"

ACTION: S. ULLMAN MOVED TO APPROVE THE CONSENT AGENDA – 4 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 5 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 15 FINAL DECISIONS FOR HEARINGS FROM 9/5/12 AS LISTED ON EXHIBIT "D;" THAT SAID EXHIBITS REMAIN ON FILE IN THE COMMISSIONERS' OFFICE; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

V. IN THE MATTER OF EXECUTIVE SESSION:

ACTION: S. ULLMAN 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. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VI. IN THE MATTER OF OPEN SESSION:

After returning to Open Session, the following actions were taken:

1. Motion on Appeal Hearings (*Authorize the Chairman to Sign*)

ACTION: S. ULLMAN MOVED TO TABLE CASE NO. 1207-040 TO MARCH 6, 2013; TABLE CASE NOS. 1207-042, 1207-023 AND 1207-050 TO NOVEMBER 14, 2012; TABLE CASE NO. 1207-043 TO OCTOBER 24, 2012; TAKE ALL OTHER CASES UNDER 30 DAY ADVISEMENT, CLOSE THE

RECORD ON THOSE CASES, EXCEPT ON THOSE CASES THAT THE BOARD HAS AUTHORIZED THE SUBMISSION OF ADDITIONAL DOCUMENTATION, WITH SUCH SUBMISSION TO BE MADE NO LATER THAN 5:00 PM FRIDAY, SEPTEMBER 28, 2012; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

2. Weekly Indigent Items (*Authorize the Chairman to Sign*)
 (12 Approvals; 43 Denials; 65 Liens; 61 Form N1 (UCC) Liens; 52 Releases of Lien; 45 Releases of Form N1 (UCC) Liens; 6 Lien Corrections; 6 Form N3 (UCC) Amendment Liens; and 1 Partial Release of Lien)

K. Helland presented the weekly indigent report and submitted the indigent requests.

4. Special Cases (7) (*Authorize the Chairman to Sign*)
- a. 1006-173
 - b. 1204-120
 - c. 1109-073
 - d. 0609-055
 - e. 1112-040
 - f. 1204-085
 - g. #47652

K. Helland stated that Case No. 47652 was a request to suspend application pending determination of other resources.

R. Jaques presented the Staff reports for Case Nos. 1006-173 and 1204-120, requests for consensual liens. R. Jaques requested that Case No. 1109-073 be withdrawn at this time to allow Staff time to obtain additional information. R. Jaques also presented the Staff reports for Case Nos. 0609-055, 1112-040 and 1204-085, petitions to modify Orders of Reimbursement. The Board and Staff discussed the cases in further detail.

ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED SEPTEMBER 26, 2012, FOR 12 APPROVALS; 43 DENIALS; 65 LIENS; 61 FORM N1 (UCC) LIENS; 52 RELEASES OF LIEN; 45 RELEASES OF FORM N1 (UCC) LIENS; 6 LIEN CORRECTIONS; 6 FORM N3 (UCC) AMENDMENT LIENS; AND 1 PARTIAL RELEASE OF LIEN; APPROVE CASE NO. 1006-173; APPROVE CASE NO. 1204-120; TAKE NO ACTION ON CASE NO. 1109-073 AS IT HAS BEEN WITHDRAWN; MODIFY THE ORDER OF REIMBURSEMENT FOR CASE NO. 0609-055 TO \$50 PER MONTH BEGINNING IN JANUARY 2013 AND CONTINUING UNTIL THE ENTIRE BALANCE IS PAID IN FULL; MODIFY THE ORDER OF REIMBURSEMENT FOR CASE NO. 1112-040 TO \$129 PER MONTH BEGINNING IN JANUARY 2013 AND CONTINUING UNTIL THE ENTIRE BALANCE IS PAID IN FULL; ALLOW APPLICANT FOR CASE NO. 1204-085 TO NOT MAKE PAYMENTS FOR THE NEXT YEAR AND REVIEW THE MATTER IN ONE YEAR TO SEE IF CIRCUMSTANCES HAVE CHANGED; SUSPEND CASE NO. 47652 PENDING DETERMINATION OF OTHER RESOURCES; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

VII. IN THE MATTER OF RECESS:

There being no further business to come before the Board at this time, the meeting was recessed at approximately 10:39 a.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk