

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING  
WEDNESDAY, OCTOBER 17, 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, John Traylor, Roxanna Dempsay and Renee Jaques, Indigent Services; and Jana Gomez, Prosecuting Attorney's Office. Minutes Recorder: Judy Morris.

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**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. 1 Matter to be Continued – Exhibit "A"
  - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"
  - c. 4 Matters to be Removed from the Table to be Heard – Exhibit "C"
  - d. 16 Final Decisions for Hearings from 9/26/12 - Exhibit "D"

**ACTION: S. ULLMAN MOVED TO APPROVE THE CONSENT AGENDA – 1 MATTER TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 4 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 16 FINAL DECISIONS FOR HEARINGS FROM 9/26/12 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. UNFINISHED BUSINESS**

- Special Cases
  - 0901-028 (*Tabled from 10/11/12*)

**ACTION: S. ULLMAN MOVED TO REMOVE SPECIAL CASE NO. 0901-028 FROM THE TABLE FOR CONSIDERATION. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE,**

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

R. Jaques requested this item be re-tabled to October 24, 2012, to allow Staff additional time to obtain information.

**ACTION: S. ULLMAN MOVED TO TABLE CASE NO. 0901-028 TO OCTOBER 24, 2012. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

## 2. NEW BUSINESS

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

**ACTION: S. ULLMAN MOVED TO TABLE CASE NOS. 1205-131, 1208-081, 1208-056, 1208-049 AND 1208-025 TO DECEMBER 6, 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, OCTOBER 19, 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. Motion on Hardship Applications

**ACTION: S. ULLMAN MOVED TO APPROVE THE TAX HARDSHIP FOR APPLICATION NO. 12-018 FOR 2009 AS THERE IS A THREAT OF TAX DEED AND DENY YEARS 2010, 2011 AND 2012, AS THERE IS EQUITY AVAILABLE IN THE HOME THAT WOULD BE AVAILABLE TO PAY THE TAXES, IF THE APPLICANT DOWNSIZED. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

### 3. Weekly Indigent Items (*Authorize the Chairman to Sign*)

(6 Approvals; 27 Denials; 13 Liens; 13 Form N1 (UCC) Liens; 21 Releases of Lien; and 21 Releases of Form N1 (UCC) Liens)

R. Dempsay presented the weekly indigent report and submitted the indigent requests.

### 4. Special Cases (*Authorize the Chairman to Sign*)

- 47818

R. Dempsay advised the Board that Case No. 47818 was a request to suspend an application pending determination of other resources.

**ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED OCTOBER 17, 2012, FOR 6 APPROVALS; 27 DENIALS; 13 LIENS; 13 FORM N1 (UCC) LIENS; 21 RELEASES OF LIEN; AND 21 RELEASES OF FORM N1 (UCC) LIENS; SUSPEND CASE NO. 47818 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 11:56 a.m.

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Rick Yzaguirre, Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk