

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
WEDNESDAY, OCTOBER 31, 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 Roxanna Dempsay, Indigent Services; and Claire Tardiff and Justin Cafferty, 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:

Item Nos. VI (1) and (2) were reversed to hear New Business prior to Unfinished Business.

IV. IN THE MATTER OF THE CONSENT AGENDA:

- Consent Agenda (*Authorize the Chairman to Sign the Appropriate Documents*)
 - a. 2 Matters to be Continued – Exhibit "A"
 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"
 - c. 13 Matters to be Removed from the Table to be Heard – Exhibit "C"
 - d. 27 Final Decisions for Hearings from 10/11/12 - Exhibit "D"

ACTION: S. ULLMAN MOVED TO APPROVE THE CONSENT AGENDA – 2 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 13 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 27 FINAL DECISIONS FOR HEARINGS FROM 10/11/12 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:

ACTION: S. ULLMAN MOVED TO MODIFY THE AGENDA TO REVERSE ITEM NOS. IV (1) AND (2) TO HEAR NEW BUSINESS PRIOR TO UNFINISHED BUSINESS. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

[Item VI (2) was heard first.]

1. UNFINISHED BUSINESS

- Special Cases (3) (*Authorize the Chairman to Sign*) (*Tabled from 10/24/12*)
 1. 0901-028
 2. 1012-099
 3. 1109-035

ACTION: S. ULLMAN MOVED TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

R. Jaques advised the Board that Case No. 0901-028 was withdrawn by Applicant. She then presented a joint settlement offer for Case Nos. 1012-099 and 1109-035

ACTION: S. ULLMAN MOVED TO TAKE NO ACTION ON CASE NO. 0901-028 AS THE APPLICATION HAS BEEN WITHDRAWN; DENY THE REQUEST TO RELEASE THE LIEN IN CASE NOS. 1012-099 AND 1109-035 AS THERE IS SIGNIFICANTLY MORE EQUITY AVAILABLE IN THE HOME THAN THE FULL AMOUNT OWED TO THE COUNTY; 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. NEW BUSINESS

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

ACTION: S. ULLMAN MOVED TO TABLE CASE NOS. 1208-111, 1207-015, 1208-124, 1208-086, 1208-073 AND 1209-712 TO DECEMBER 19, 2012; TABLE CASE NOS. 1209-024, 1206-025 AND 1206-066 TO JANUARY 9, 2013; TABLE CASE NO. 1206-084 TO FEBRUARY 8, 2013; TABLE CASE NO. 1209-004 TO MARCH 6, 2013; 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, NOVEMBER 2, 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.

- b. Weekly Indigent Items (*Authorize the Chairman to Sign*)
(28 Approvals; 49 Denials; 45 Liens; 44 Form N1 (UCC) Liens; 13 Releases of Lien; 7 Releases of Form N1 (UCC) Liens; 5 Lien Corrections; 4 Form N3 (UCC) Amendment Liens; and 1 Consensual Lien)

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

- c. Special Cases (11) (*Authorize the Chairman to Sign*)
 1. #48058
 2. #47977
 3. #48121
 4. #47967
 5. 0909-153
 6. 0403-113
 7. 0402-106
 8. 0312-91
 9. 0309-144A
 10. 0307-15A
 11. 0304-63A

R. Dempsay advised the Board that Case Nos. 48058, 47977, 48121 and 47967 were requests for suspension pending determination of other resources.

R. Jaques presented the Staff report for Case No. 0909-153, a request for a partial release of lien. She then presented the combined Staff report for Case Nos. 0403-113, 0402-106, 0312-91, 0309-144A, 0307-15A and 0304-63A, a request for a partial release of lien.

ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED OCTOBER 31, 2012, FOR 28 APPROVALS; 49 DENIALS; 45 LIENS; 44 FORM N1 (UCC) LIENS; 13 RELEASES OF LIEN; 7 RELEASES OF FORM N1 (UCC) LIENS; 5 LIEN CORRECTIONS; 4 FORM N3 (UCC) AMENDMENT LIENS; AND 1 CONSENSUAL LIEN; SUSPEND CASE NOS. 48058, 47977, 48121 AND 47967 PENDING DETERMINATION OF OTHER RESOURCES; APPROVE THE PARTIAL RELEASE OF LIEN FOR CASE NO. 0909-153; APPROVE THE PARTIAL RELEASE OF LIEN IN CASE NOS. 0403-113, 0402-106, 0312-91, 0309-144A, 0307-15A AND 0304-63A; 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.

[Item VI (1) was heard next.]

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 11:48 a.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk