

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING  
WEDNESDAY, NOVEMBER 28, 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 and Renee Jaques, Indigent Services; and Amber Ellis 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:**

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. 2 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  - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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. 19 Final Decisions for Hearings from 10/31/12 - 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S. ULLMAN MOVED TO APPROVE THE CONSENT AGENDA – 2 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 5 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 19 FINAL DECISIONS FOR HEARINGS FROM 10/31/12 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 NOS. 1208-030, 1209-047, 1209-044, 1204-099, 1209-072 AND 1209-049 TO JANUARY 23, 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 30, 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*)  
(9 Approvals; 37 Denials; 37 Liens; 35 Form N1 (UCC) Liens; 27 Releases of Lien; 25 Releases of Form N1 (UCC) Liens; 2 Lien Corrections; and 2 Form N3 (UCC) Amendment Liens)

*[R. Jaques joined the hearings and was sworn in for testimony.]*

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

**ACTION: S. ULLMAN MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED NOVEMBER 28, 2012, FOR 9 APPROVALS; 37 DENIALS; 37 LIENS; 35 FORM N1 (UCC) LIENS; 27 RELEASES OF LIEN; 25 RELEASES OF FORM N1 (UCC) LIENS; 2 LIEN CORRECTIONS; AND 2 FORM N3 (UCC) AMENDMENT LIENS; 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.**

3. Special Cases (3) (*Authorize the Chairman to Sign*)  
a. 1009-064  
b. 0506-701  
c. 0507-22

R. Jaques presented the Staff report for Case No. 1009-064, a request for a partial release of lien. She also presented the joint Staff report for Case Nos. 0506-701 and 0507-22, a settlement offer.

The Board and R. Jaques discussed the Staff reports.

**ACTION: S. ULLMAN MOVED TO DENY CASE NO. 1009-064 AS THE ORDER TO REIMBURSE THE COUNTY \$9060 HAS NEVER BEEN FULFILLED; AUTHORIZE A CONSENSUAL LIEN FOR CASE NOS. 0506-701 AND 0507-22, ACCEPTING THE \$6,548.84 PAYMENT TO DO SO, BUT REPLACE THE LIEN ON THE PROPERTY AT THE END OF THE TRANSACTION; 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 10:20 a.m.

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Rick Yzaguirre, Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk