

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
THURSDAY, DECEMBER 6, 2012
1:30 P.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: Toni Hellman, Kelly Helland, John Traylor and Roxanna Dempsay, Indigent Services; and Jana Gomez 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 1:34 p.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre and David L. Case were present. Commissioner Sharon M. Ullman joined the hearing at approximately 1:37 p.m.

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 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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. 8 Matters to be Removed from the Table to be Heard – Exhibit "C"

ACTION: D. CASE MOVED TO APPROVE THE CONSENT AGENDA – 1 MATTER TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," AND 8 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C;" THAT SAID EXHIBITS REMAIN ON FILE IN THE COMMISSIONERS' OFFICE; AND AUTHORIZE THE CHAIRMAN TO SIGN THE APPROPRIATE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

V. IN THE MATTER OF EXECUTIVE SESSION:

ACTION: D. CASE 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. D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

VI. IN THE MATTER OF OPEN SESSION:

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

[Commissioner Sharon M. Ullman and R. Dempsay joined the hearings during Executive Session.]

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

ACTION: S. ULLMAN MOVED, DUE TO AN OVERSIGHT AT THE NOVEMBER 28, 2012, HEARINGS, TO REOPEN CASE NO. 1209-034 TO TAKE ACTION AT THIS TIME. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE,

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

ACTION: S. ULLMAN MOVED TO TABLE CASE NO. 1209-034 TO JANUARY 23, 2013. D. CASE SECONDED. S. ULLMAN, AYE, D. CASE, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED UNANIMOUSLY.

ACTION: S. ULLMAN MOVED TO TABLE CASE NOS. 1209-075, 1210-706, 1210-009 AND 1209-089 TO JANUARY 30, 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 MONDAY, DECEMBER 10, 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 DENY APPLICATION NO. 12-020 AS THE TAXES HAVE BEEN PAID IN FULL, THERE IS NO THREAT OF TAX DEED AND THERE ARE ADEQUATE RESOURCES TO PAY THE TAXES; DENY APPLICATION NO. 12-021 AS THERE ARE ADEQUATE RESOURCES IN THE FORM OF EQUITY IN THE HOME TO PAY THE TAXES AND THERE IS NO THREAT OF TAX DEED; AND DENY TAX HARDSHIP APPLICATION NO. 12-022 FOR YEARS 2009 - 2012 AS THERE ARE ADEQUATE RESOURCES IN THE FORM OF EQUITY IN THE HOME. 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*)

- a. Ratification of 1 Release of Lien (*Signed by Commissioner Yzaguirre on 11/26/12*)
- b. 14 Approvals; 55 Denials; 21 Liens; 21 Form N1 (UCC) Liens; 14 Releases of Lien; and 14 Releases of Form N1 (UCC) Liens

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

ACTION: S. ULLMAN MOVED TO APPROVE AND RATIFY THE 1 RELEASE OF LIEN SIGNED BY COMMISSIONER YZAGUIRRE ON NOVEMBER 26, 2012; ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED DECEMBER 6, 2012, FOR 14 APPROVALS; 55 DENIALS; 21 LIENS; 21 FORM N1 (UCC) LIENS; 14 RELEASES OF LIEN; AND 14 RELEASES OF FORM N1 (UCC) 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.

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 3:43 p.m.

Rick Yzaguirre, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk