

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING  
WEDNESDAY, MAY 15, 2013  
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: Toni Hellman, Bonnie Malmstrom, Kelly Helland, John Traylor, and Andrea DeGiulio, Indigent Services; and Claire Tardiff, Prosecuting Attorney's Office. Minutes Recorder: Judy Morris.

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**I. IN THE MATTER OF CALL TO ORDER:**

Commissioner David L. Case called the meeting of the Ada County Commissioners to order at 9:01 a.m.

**II. IN THE MATTER OF ROLL CALL:**

Commissioners David L. Case, Jim Tibbs and Rick Yzaguirre 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. 0 Matters to be Continued – Exhibit "A"
  - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"
  - c. 7 Matters to be Removed from the Table to be Heard – Exhibit "C"
  - d. 17 Final Decisions for Hearings from 4/24/13 - Exhibit "D"

**ACTION: R. YZAGUIRRE MOVED TO APPROVE THE CONSENT AGENDA – 0 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 7 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 17 FINAL DECISIONS FOR HEARINGS FROM 4/24/13 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. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**V. IN THE MATTER OF EXECUTIVE SESSION:**

**ACTION: J. TIBBS 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. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**VI. IN THE MATTER OF OPEN SESSION:**

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

D. Case stated that there was an item that needed to be removed from the table for consideration.

**ACTION: J. TIBBS MOVED TO REMOVE CASE NO. 1303-0100R FROM THE TABLE FOR CONSIDERATION.**

**DISCUSSION: R. YZAGUIRRE SUGGESTED REMOVING ALL THREE SPECIAL CASES FROM THE TABLE AT THIS TIME.**

**ACTION: J. TIBBS AMENDED HIS MOTION TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

D. Case requested a motion to go back into Executive Session to hear Case No. 1303-0100R.

**ACTION: R. YZAGUIRRE MOVED TO RETURN TO EXECUTIVE SESSION TO HEAR CASE NO. 1303-0100R AND THAT THE VOTE TO DO SO BE BY ROLL CALL. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.**

*[The hearing returned to Executive Session at 10:31 a.m. then resumed in Open Session at 10:37 a.m.]*

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

*[The Special Cases previously tabled were removed from the table prior to making a motion on Appeal Hearings.]*

**ACTION: J. TIBBS MOVED TO TABLE CASE NOS. 1301-097 AND 1302-124 TO JULY 31, 2013; TABLE CASE NO. 1302-716 TO JUNE 10, 2013; TABLE CASE NO. 1110-024 TO SEPTEMBER 11, 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, MAY 17, 2013; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

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

(11 Approvals; 25 Denials; 31 Liens; 30 Form N1 (UCC) Liens; 14 Releases of Lien; and 13 Releases of Form N1 (UCC) Liens)

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

3. Special Cases (*Authorize the Chairman to Sign*)

a. Unfinished Business (3)

*[These items were removed from the table before the motion on appeal hearings in order to hear testimony on Case No. 1303-0100R in Executive Session.]*

1. 1303-0100R (*Tabled from 5/1/13*)

*[This case was heard in executive Session.]*

2. 0909-122 (*Tabled from 5/8/13*)

3. 0507-81 (*Tabled from 5/8/13*)

A. DeGiulio presented the Staff report for Case No. 0909-122, a request for a Consensual Lien. She then requested that Case No. 0507-81 be withdrawn from the agenda as she was unable to contact the Applicant.

b. New Business

- 1209-041

A. DeGiulio presented the Staff report for Case No. 1209-041, a request to modify an Order of Reimbursement.

**ACTION: R. YZAGUIRRE MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED MAY 15, 2013, FOR 11 APPROVALS; 25 DENIALS; 31 LIENS; 30 FORM N1 (UCC) LIENS; 14 RELEASES OF LIEN; AND 13 RELEASES OF FORM N1 (UCC) LIENS; APPROVE THE CONSENSUAL LIEN FOR CASE NO. 1303-0100R; APPROVE THE CONSENSUAL LIEN FOR CASE NO. 0909-122 WITH AN ORDER OF REIMBURSEMENT OF \$100 PER MONTH; WITHDRAW CASE NO. 0507-81; SUSPEND THE ORDER OF REIMBURSEMENT FOR ONE YEAR FOR CASE NO. 1209-041 AND REVIEW IN ONE YEAR TO SEE IF CIRCUMSTANCES HAVE CHANGED; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, 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 10:44 a.m.

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David L. Case, Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk