

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
MONDAY, JUNE 10, 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: Bonnie Malmstrom, Toni Hellman, Kelly Helland, John Traylor, Roxanna Dempsay, Andrea DeGiulio and Renee Jaques, Indigent Services; and Heather McCarthy, Prosecuting Attorney's Office. Minutes Recorder: Judy Morris.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner David L. Case called the meeting of the Ada County Commissioners to order at 8:59 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. 2 Matters to be Continued – Exhibit "A"
 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"
 - c. 6 Matters to be Removed from the Table to be Heard – Exhibit "C"
 - d. 17 Final Decisions for Hearings from 5/2/13 - Exhibit "D"

ACTION: J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA – 2 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 6 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 17 FINAL DECISIONS FOR HEARINGS FROM 5/2/13 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. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

V. IN THE MATTER OF EXECUTIVE SESSION:

ACTION: R. YZAGUIRRE 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. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, 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:

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

ACTION: J. TIBBS MOVED TO TABLE CASE NOS. 1303-048 AND 1303-079 TO JULY 24, 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 WEDNESDAY, JUNE 12, 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. Motion on Hardship Applications

ACTION: R. YZAGUIRRE MOVED TO DENY TRASH HARDSHIP APPLICATION NO. 13-006, JOHN AND LANELL HOWARD, AS THE APPLICATION APPEARS TO BE INCOMPLETE. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

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

(17 Approvals; 31 Denials; 25 Liens; 25 Form N1 (UCC) Liens; 10 Releases of Lien; and 9 Releases of Form N1 (UCC) Liens)

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

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

- a. #49608
- b. #49749
- c. 0309-107
- d. 9909-38A

R. Dempsay advised the Board that Case Nos. 49608 and 49749 were requests to suspend applications pending determination of other resources.

A. DeGiulio presented the Staff reports for Case No. 0309-107, a request for a partial release of lien, and Case No. 9909-38A, a settlement offer.

ACTION: J. TIBBS MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED JUNE 10, 2013, FOR 17 APPROVALS; 31 DENIALS; 25 LIENS; 25 FORM N1 (UCC) LIENS; 10 RELEASES OF LIEN; AND 9 RELEASES OF FORM N1 (UCC) LIENS; SUSPEND CASE NOS. 49608 AND 49749 PENDING DETERMINATION OF OTHER RESOURCES; APPROVE THE PARTIAL RELEASE OF LIEN FOR CASE NO. 0309-107; DENY THE SETTLEMENT OFFER FOR CASE NO. 9909-38A; 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.

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 9:48 a.m.

David L. Case, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk