

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING  
WEDNESDAY, JULY 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 and Andrea DeGiulio, Indigent Services; and Amber Ellis, 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 9:02 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. 1 Matter to be Continued – Exhibit "A"
  - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"
  - c. 2 Matters to be Removed from the Table to be Heard – Exhibit "C"
  - d. 20 Final Decisions for Hearings from 6/10/13 - Exhibit "D"
  - e. 18 Final Decisions for Hearings from 6/19/13 - Exhibit "E"

**ACTION: J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA – 1 MATTER TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 2 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," 20 FINAL DECISIONS FOR HEARINGS FROM 6/10/13 AS LISTED ON EXHIBIT "D," AND 18 FINAL DECISIONS FOR HEARINGS FROM 6/19/13 AS LISTED ON EXHIBIT "E"; 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:**

*[R. Dempsay and A. DeGiulio joined the hearing in Executive Session to present the tax hardships.]*

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

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

## 2. Motion on Hardship Applications

**ACTION:** J. TIBBS MOVED TO TABLE CASE NOS. 1304-081 AND 1305-021 TO AUGUST 28, 2013; TABLE CASE NO. 1304-049 TO AUGUST 14, 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, JULY 12, 2013; DENY TAX HARDSHIP APPLICATION NO. 13008 ERICK KLEINMAUS, PARCEL NO. R7334201370; DENY TAX HARDSHIP APPLICATION NO. 13-009 JILL C. CHAPPELL, PARCEL NO. R3193020010; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED.

**DISCUSSION:** D. CASE CLARIFIED THAT THE REPORTS FOR BOTH TAX HARDSHIP APPLICATIONS INDICATED THAT THERE IS DISPOSABLE INCOME; AND APPLICATION NO. 13-008 APPEARED TO HAVE EQUITY IN THE HOME.

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

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

(13 Approvals; 30 Denials; 75 Liens; 73 Form N1 (UCC) Liens; 57 Releases of Lien; 52 Releases of Form N1 (UCC) Liens; 1 Lien Correction; 1 Form N3 (UCC) Amendment Lien; and 1 Partial Release of Lien)

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

4. Special Cases (2) (*Authorize the Chairman to Sign*)

## a. 1306-084

R. Dempsay presented the Staff report for Case No. 1306-084, a request for an amended Order of Reimbursement.

## b. 0507-81

A. DeGiulio presented the Staff report for Case No. 0507-81, a request for an amended Order of Reimbursement.

**ACTION:** J. TIBBS MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED JULY 10, 2013, FOR 13 APPROVALS; 30 DENIALS; 75 LIENS; 73 FORM N1 (UCC) LIENS; 57 RELEASES OF LIEN; 52 RELEASES OF FORM N1 (UCC) LIENS; 1 LIEN CORRECTION; 1 FORM N3 (UCC) AMENDMENT LIEN; AND 1 PARTIAL RELEASE OF LIEN; APPROVE AND CORRECT THE ORDER OF REIMBURSEMENT FOR CASE NO. 1306-084 FOR THE AMOUNT OF \$10,080; APPROVE THE SUBORDINATION OF LIEN FOR CASE NO. 0507-81 AND ISSUE AN ORDER OF REIMBURSEMENT IN THE AMOUNT OF \$25 PER MONTH; 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 11:04 a.m.

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David L. Case, Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk