

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING  
WEDNESDAY, JULY 31, 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, Kelly Helland, John Traylor, Angela Watkins 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 9:00 a.m.

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

Commissioners David L. Case and Rick Yzaguirre were present.

**III. CHANGES TO THE AGENDA: \*\*ITEM ADDED INSIDE 48 HOURS\*\***

- Added Item (VI)(3)(h)

**ACTION: R. YZAGUIRRE MOVED TO AMEND THE AGENDA TO ADD ITEM (VI)(3)(H). D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

**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  - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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. 2 Matters to be Removed from the Table to be Heard – Exhibit "C"

**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R. YZAGUIRRE MOVED TO APPROVE THE CONSENT AGENDA – 0 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," AND 2 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C"; THAT SAID EXHIBITS REMAIN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. D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

**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. D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

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

[A. DeGiulio joined the hearing and was sworn in for testimony.]

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

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

**ACTION: R. YZAGUIRRE MOVED TO TABLE CASE NOS. 1305-041, 1305-015, 1305-028, 1305-083, 1305-036 AND 1305-037**

**TO SEPTEMBER 18, 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, AUGUST 2, 2013; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

2. Weekly Indigent Items (*Authorize the Chairman to Sign*)  
(11 Approvals; 34 Denials; 33 Liens; 33 Form N1 (UCC) Liens; 43 Releases of Lien; and 40 Releases of Form N1 (UCC) Liens)

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

**ACTION: R. YZAGUIRRE MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED JULY 31, 2013, FOR 11 APPROVALS; 34 DENIALS; 33 LIENS; 33 FORM N1 (UCC) LIENS; 43 RELEASES OF LIEN; AND 40 RELEASES OF FORM N1 (UCC) LIENS; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

3. Special Cases (8) (*Authorize the Chairman to Sign*)  
a. 0812-730

*[This case was heard after Case Nos. 0702-020, 0708-045, 0709-071, 0803-097 and 0905-025.]*

A DeGiulio presented the Staff report for Case No. 0812-730, a request for a partial release of lien.

- b. 0507-81

A DeGiulio presented the Staff report for Case No. 0507-81, a settlement offer.

*[Case Nos. 1302-031, 1304-050, 1306-025, and 1308-020 were heard next.]*

- c. 0702-020  
d. 0708-045  
e. 0709-071  
f. 0803-097  
g. 0905-025

*[Case Nos. Case Nos. 0702-020, 0708-045, 0709-071, 0803-097 and 0905-025 were heard first.]*

Attorney Trisha Soper was present on behalf of the Personal Representative of the Estate of Applicant.

A DeGiulio presented the joint Staff reports for Case Nos. 0702-020, 0708-045, 0709-071, 0803-097, and 0905-015, a settlement offer.

T. Soper posed questions to the Board and presented testimony.

The Board responded to the questions raised by T. Soper and explained their decision.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE THE PARTIAL RELEASE OF LIEN FOR CASE NOS. 0702-020, 0708-045, 0709-071, 0803-097 AND 0905-025; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF**

**OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

- h. 1302-031, 1304-050, 1306-025, and 1308-020 (combined) **\*\*ADDED\*\***

A DeGiulio provided a joint Staff report for Case Nos. 1302-031, 1304-050, 1306-025, and 1308-020, request for a partial release of lien. The Board and C. Tardiff discussed the lien in further detail and determined a full release would be appropriate.

**ACTION: R. YZAGUIRRE MOVED TO APPROVE THE PARTIAL RELEASE OF LIEN FOR CASE NO. 0812-730 AND ACCEPT A CASH PAYMENT OF \$8,000; ACCEPT THE SETTLEMENT OFFER OF \$3,500 AND RELEASE THE LIEN; AND FULLY RELEASE THE LIEN FOR CASE NOS. 1302-031, 1304-050, 1306-025, AND 1308-020; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. D. CASE SECONDED. R. YZAGUIRRE, AYE, AND D. CASE, AYE. THE MOTION CARRIED.**

**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 11:16 a.m.

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David L. Case, Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk