

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
WEDNESDAY, OCTOBER 2, 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: Kelly Helland, Angie Watkins, Carol Zborowski, John Traylor and Roxanna Dempsay, 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 9:30 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: **ADDED INSIDE 48 HOURS**

- Added Item VI (3), Special Case No. 1309-316

ACTION: R. YZAGUIRRE MOVED TO AMEND THE AGENDA TO ADD ITEM VI (3), SPECIAL CASE NO. 1309-316. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

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 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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. 1 Matter to be Removed from the Table to be Heard – Exhibit "C"
 - d. 14 Final Decisions for Hearings from 9/4/13 - Exhibit "D"

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J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA – 1 MATTER TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 1 MATTER TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 14 FINAL DECISIONS FOR HEARINGS FROM 9/4/13 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 NO. 1308-008 TO NOVEMBER 20, 2013; TABLE CASE NO. 1307-0600R TO OCTOBER 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 FRIDAY, OCTOBER 4, 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*)

[R. Dempsay joined the hearing and was sworn in for testimony.]

(6 Approvals; 34 Denials; 28 Liens; 25 Form N1 (UCC) Liens; 11 Releases of Lien; 9 Releases of Form N1 (UCC) Liens; and 2 Orders of Reimbursement)

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

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

- 1309-316

R. Dempsay explained that Case No. 1309-316 was a request to amend the initial determination. She stated that the matter was before the Board on September 18, 2013, and was denied at that time based on the failure of Applicant to timely submit the necessary documentation. She advised the Board that since that time, the missing documents had been located and the Clerk was advised that they had been timely submitted. She stated that based on the new information, Staff was requesting the Board amend the decision and approve the Application with 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 OCTOBER 2, 2013, FOR 6 APPROVALS; 34 DENIALS; 28 LIENS; 25 FORM N1 (UCC) LIENS; 11 RELEASES OF LIEN; 9 RELEASES OF FORM N1 (UCC) LIENS; AND 2 ORDERS OF REIMBURSEMENT; AMEND THE INITIAL DETERMINATION AND APPROVE CASE NO. 1309-316 WITH AN ORDER OF REIMBURSEMENT AS YET TO BE DETERMINED; 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 10:41 a.m.

David L. Case, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk