

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
WEDNESDAY, OCTOBER 30, 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, Angela Watkins, Carol Zborowski, John Traylor, Roxanna Dempsay and Renee Jaques, Indigent Services; and Jana Gomez, 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 9:05 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 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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. 5 Matters to be Removed from the Table to be Heard – Exhibit "C"
 - d. 15 Final Decisions for Hearings from 10/02/13 - 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J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA – 1 MATTER TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 5 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 15 FINAL DECISIONS FOR HEARINGS FROM 10/02/13 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:

[R. Dempsay and R. Jaques joined the hearing during Executive Session.]

1. Motion on Appeal Hearings (19) (*Authorize the Chairman to Sign*)

ACTION: J. TIBBS MOVED TO TABLE CASE NOS. 1309-036, 1308-060, AND 1308-061 TO JANUARY 22, 2014; 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, NOVEMBER 1, 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

- Trash Hardships

- Elaine Nelson 13-008 Past Due, Plus 2013

ACTION: R. YZAGUIRRE MOVED, WITH REGARD TO TRASH HARDSHIP APPLICATION NO. 13-008, TO APPROVE THE HARDSHIP FOR THE NEXT YEAR, AND LEAVE THE AMOUNT IN PLACE THAT HAS BEEN CERTIFIED TO THE TAX ROLL.

DISCUSSION: D CASE INQUIRED IF THE AMOUNT OF \$51.54 WAS PAST DUE. R. DEMPSAY STATED THAT WAS THE CURRENT AMOUNT DUE NOVEMBER 14TH.

ACTION: R. YZAGUIRRE CONTINUED HIS MOTION MOVING TO WAIVE THE \$51.54; LEVY \$347.74, WHICH IS THE AMOUNT CERTIFIED TO THE TAX ROLL; AND GRANT THE HARDSHIP FOR THE FOLLOWING YEAR. J. TIBBS SECONDED.

DISCUSSION: R. DEMPSAY CLARIFIED THE AMOUNT CERTIFIED TO THE PROPERTY ROLL WAS \$290.74. R. YZAGUIRRE AFFIRMED THE AMOUNT WAS \$290.74 AND ASKED IF STAFF NEEDED ANY ADDITIONAL CLARIFICATION. R. DEMPSAY RESPONDED SHE UNDERSTOOD THE BOARD'S DIRECTION.

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

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

(9 Approvals; 33 Denials; 30 Liens; 27 Form N1 (UCC) Liens; 22 Releases of Lien; and 21 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. 1210-343
- b. 1305-045
- c. 1211-308
- d. 1107-106OR, 1112-022

R. Jaques present the Staff reports for Case No. 1210-343, a settlement offer; Case No. 1305-045, a petition to modify reimbursement; Case No 1211-308, a request to suspend an Order of Reimbursement; and Case Nos. 1107-106OR and 1112-022, a joint request to modify reimbursement.

ACTION: J. TIBBS MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED OCTOBER 30, 2013, FOR 9 APPROVALS; 33 DENIALS; 30 LIENS; 27 FORM N1 (UCC) LIENS; 22 RELEASES OF LIEN; AND 21 RELEASES OF FORM N1 (UCC) LIENS; ACCEPT THE SETTLEMENT OFFER OF

\$500 FOR CASE NO. 1210-343; APPROVE THE MODIFIED REIMBURSEMENT FOR CASE NO. 1305-045, ADDING THE LUMP SUM AMOUNT OF \$1,029 TO THE CURRENT MONTHLY PAYMENT FOR A TOTAL OF \$38.34 PER MONTH FOR 144 MONTHS; SUSPEND CASE NO. 1211-308 FOR ONE YEAR AND REVIEW IT AT THAT TIME; AND SUSPEND JOINT CASE NOS. 1107-106OR AND 1112-022 AND REVIEW IT IN ONE YEAR; 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 10:59 a.m.

David L. Case, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk