

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
MONDAY, NOVEMBER 25, 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 Gene Petty, 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 9:03 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 - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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. 10 Matters to be Removed from the Table to be Heard – Exhibit "C"
 - d. 16 Final Decisions for Hearings from 10/30/13 - 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J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA – 1 MATTER TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 10 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 16 FINAL DECISIONS FOR HEARINGS FROM 10/30/13 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:

[R. Yzaguirre left the hearing at 10:24. R. Dempsay joined the hearing during Executive Session to present the Trash Hardships.]

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

1. Motion on 22 Appeal Hearings (*Authorize the Chairman to Sign*)

2. Motion on Hardship Applications

- Trash Hardships

- | | | |
|--------------------|--------|---------------------------|
| 1. Stephanie Cain | 13-010 | Null |
| 2. Bonnie Jacobson | 13-011 | Feb 2014 through Jan 2015 |
| 3. Vernon B Cherry | 13-012 | Feb 2014 through Jan 2015 |

ACTION: J. TIBBS MOVED TO TABLE CASE NOS. 1310-054, 1310-034, 1304-100 AND 1310-043 TO JANUARY 29, 2014; TABLE CASE NOS. 1308-044 AND 1310-053 TO MARCH 5, 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 P.M. WEDNESDAY, NOVEMBER 27, 2013; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD; DENY TRASH HARDSHIP APPLICATION NO. 13-010 AS IT IS IN ANOTHER JURISDICTION; DENY TRASH HARDSHIP APPLICATION NO. 13-011 AS APPLICANT HAS DISPOSABLE INCOME; AND DENY TRASH HARDSHIP APPLICATION NO. 13-012 DUE TO THE LACK OF FINANCIAL INFORMATION.

DISCUSSION: D. CASE ADDED THAT THE CHAIRMAN WOULD SIGN THE APPROPRIATE DOCUMENTS. J. TIBBS INCLUDED THAT IN HIS MOTION.

ACTION: D. CASE SECONDED. J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED.

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

(6 Approvals; 29 Denials; 35 Liens; 34 Form N1 (UCC) Liens; 29 Releases of Lien; 24 Releases of Form N1 (UCC) Liens; 1 Lien Correction; and 1 Form N3 (UCC) Amendment Liens)

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

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

- a. 1305-041
- b. 0309-107
- c. 0304-57
- d. 1304-031

R. Jaques presented the Staff reports for Case Nos. 1305-041, a subordination of lien; Case No. 0309-104, a request for a partial release of lien; Case No. 0304-57, a request for a partial release of lien; and Case No. 1304-031, a request for a partial release of lien.

ACTION: J. TIBBS MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED NOVEMBER 25, 2013, FOR 6 APPROVALS; 29 DENIALS; 35 LIENS; 34 FORM N1 (UCC) LIENS; 29 RELEASES OF LIEN; 24 RELEASES OF FORM N1 (UCC) LIENS; 1 LIEN CORRECTION; AND 1 FORM N3 (UCC) AMENDMENT LIEN; DENY THE SUBORDINATION OF LIEN FOR CASE NO. 1305-041; APPROVE THE PARTIAL RELEASE OF LIEN FOR CASE NO. 1309-107; APPROVE THE PARTIAL RELEASE OF LIEN FOR CASE NO. 0304-57; SUSPEND THE DECISION ON THE REQUEST FOR REIMBURSEMENT MODIFICATION

FOR ONE YEAR FOR CASE NO. 1304-031 AND REVIEW IT AT THAT TIME.

DISCUSSION: D. CASE ADDED THAT THE CHAIRMAN WOULD SIGN THE APPROPRIATE DOCUMENTS. J. TIBBS INCLUDED THAT IN HIS MOTION.

ACTION: D. CASE SECONDED. J. TIBBS, 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 10:58 a.m.

David L. Case, Chairman

ATTEST:

Christopher D. Rich, Ada County Clerk