

**BOARD OF ADA COUNTY COMMISSIONERS  
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING  
WEDNESDAY, FEBRUARY 20, 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 and Roxanna Dempsay, Indigent Services; and Justin Cafferty, 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 9:00 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:**

The Agenda was amended to add Tax Hardship Application No. 13-001.

**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  - b. 0 Matters to be Withdrawn from Further Consideration – Exhibit "B"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"
  - d. 9 Final Decisions for Hearings from 1/30/13 - Exhibit "D"

**ACTION: J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA – 0 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A," 0 MATTERS TO BE WITHDRAWN FROM FURTHER CONSIDERATION AS LISTED ON EXHIBIT "B," 2 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "C," AND 9 FINAL DECISIONS FOR HEARINGS FROM 1/30/13 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:**

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 NOS. 1212-071, 1211-058, 1212-003, 1212-059, 1212-078 AND 1212-052 TO APRIL 10, 2013, 2013; TABLE CASE NO. 1212-041 TO MARCH 6, 2013; TABLE CASE NOS. 1210-025, 1211-056, 1212-713, 1212-031, 1210-078 AND 1212-063 TO JUNE 5, 2012 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, FEBRUARY 22, 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.**

*[R. Dempsay and R. Jaques of Indigent Services and representatives for Teen Challenge joined the hearings and were sworn in for testimony.]*

J. Morris advised the Chairman that Tax Hardship Application No. 13-001 was inadvertently omitted from the agenda.

**ACTION: R. YZAGUIRRE MOVED TO AMEND THE AGENDA TO ADD TAX HARDSHIP APPLICATION NO. 13-001. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.**

**ACTION: R. YZAGUIRRE MOVED TO ADJOURN INTO EXECUTIVE SESSION PURSUANT TO IDAHO CODE § 31-874 TO DISCUSS THE HARDSHIP APPLICATION; 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.**

2. Tax Hardships

- Name

<u>Application No.</u>	<u>Parcel No.</u>	<u>Year</u>	<u>Amount</u>
Teen Challenge International Pacific Northwest Centers #13-001	R5459150020	2012	\$11,758.27

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

(12 Approvals; 28 Denials; 26 Liens; 25 Form N1 (UCC) Liens; 22 Releases of Lien; 19 Releases of Form N1 (UCC) Liens; and 1 Form N3 (UCC) Amendment Lien)

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

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

- 0512-28

R. Jaques presented the Staff report for Case No. 0512-28, a request for a consensual lien.

**ACTION: R. YZAGUIRRE MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED FEBRUARY 20, 2013, FOR 12 APPROVALS; 28 DENIALS; 26 LIENS; 25 FORM N1 (UCC) LIENS; 22 RELEASES OF LIEN; 19 RELEASES OF FORM N1 (UCC) LIENS; AND 1 FORM N3 (UCC) AMENDMENT LIEN; APPROVE THE CONSENSUAL LIEN FOR CASE NO. 0512-28; GRANT THE TAX HARDSHIP FOR APPLICATION FOR CASE NO. 13-001; 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 12:10 p.m.

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Chairman

ATTEST:

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Christopher D. Rich, Ada County Clerk