

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
WEDNESDAY, SEPTEMBER 24, 2014
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: Jesse Barcroft, Kelly Helland, Angela Watkins, Toni Hellman, Teresa Cook and Roxanna Dempsey, Indigent Services; and Gene Petty, Prosecuting Attorney's Office. Minutes Recorder: Angel Dicus.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner Rick Yzaguirre called the meeting of the Ada County Commissioners to order at 9:01 a.m.

II. IN THE MATTER OF ROLL CALL:

Commissioners Rick Yzaguirre and Jim Tibbs 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. 6 Matters to be Removed from the Table to be Heard - Exhibit "A"
 - b. 10 Final Decisions for Hearings from 8/27/14 - Exhibit "B"

ACTION: J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA - 6 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "A"; AND 10 FINAL DECISIONS FOR HEARINGS FROM 8/27/14 AS LISTED ON EXHIBIT "B"; 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, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

V. IN THE MATTER OF EXECUTIVE SESSION:

ACTION: J. TIBBS 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. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

VI. IN THE MATTER OF OPEN SESSION:

[T. Cook and R. Dempsay joined the hearing in Executive 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. 1407-053 TO OCTOBER 29, 2014; CASE NOS. 1408-017 AND 1405-017 TO NOVEMBER 6, 2014; CASE NO. 1405-023 TO DECEMBER 17, 2014; CASE NOS. 1408-006 AND 1307-025 TO DECEMBER 30, 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, SEPTEMBER 26, 2014; AND AUTHORIZE THE CHAIRMAN TO SIGN THE DOCUMENTS ON BEHALF OF THE BOARD. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

2. Motion on Hardship Applications

Tax Hardship Applications

a. Christopher Bosse	R3193020195	2011	\$277.58
14-018		2012	\$1,002.20
		2013	\$656.58

ACTION: J. TIBBS MOVED TO APPROVE TAX HARDSHIP APPLICATION NO. 14-018, CHRISTOPHER BOSSE, PARCEL NO. R3193020195, FOR 2011 ONLY AS THAT WILL ELIMINATE THE THREAT OF TAX DEED. R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

R. Yzaguirre explained to Applicant that approving the tax hardship for 2011 would remove the current threat of tax deed and give him another year to satisfy 2012 and 2013 taxes. He encouraged Applicant to work with Staff to complete a circuit breaker.

b. Nathan Corson	R7684430560	2013	\$0.00
14-019		2014	Est. \$3,173.00

ACTION: J. TIBBS MOVED TO DENY TAX HARDSHIP APPLICATION NO. 14-019, PARCEL NO. R7684430560, NATHAN CORSON FOR 2014.

DISCUSSION: J. TIBBS STATED THERE WAS NO THREAT OF TAX DEED.

ACTION: R. YZAGUIRRE SECONDED. J. TIBBS, AYE, AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

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

(5 Approvals; 24 Denials; 17 Liens; 16 Form N1 (UCC) Liens; 11 Releases of Lien; and 10 Releases of Form N1 (UCC) Liens)

4. Special Cases (14) (*Authorize the Chairman to Sign*)

a. 52802

R. Dempsey presented the Staff report for Case No. 52802, a request to suspend an application pending determination of other resources.

- b. 1109-121
- c. 1106-023
- d. 1103-054

Applicants, Benjamin and Michelle Wilson and Tasha Chapman and Carolyn Vaught were present and sworn in for testimony.

T. Cook presented the Joint Staff report for Case Nos. 1109-121, 1106-023, and 1103-054, a request for subordination of liens.

B. Wilson presented testimony.

The parties discussed the current situation.

C. Vaught presented testimony.

G. Petty advised the Board that the Applicant had not made any payments on the cases and their monthly payment was \$50.

T. Cook stated the realtor submitted an unverified monthly income worksheet showing the Applicant has \$163.00 of disposable income.

ACTION: J. TIBBS MOVED TO APPROVE THE JOINT REQUESTS FOR THE SUBORDINATION OF LIENS FOR CASE NOS. 1109-121, 1106-023 AND 1103-054 WITH A NEW ORDER OF REIMBURSEMENT OF \$50 AND A PROMISSORY NOTE. R. YZAGUIRRE SECONDED. J. TIBBS, AYE AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

DISCUSSION: R. YZAGUIRRE STATE THE MOTION SHOULD BE SPECIFIED AS \$50 PER MONTH.

ACTION: J. TIBBS MOVED TO AMEND HIS MOTION TO \$50 PER MONTH.R. YZAGUIRRE SECONDED. J. TIBBS, AYE AND R. YZAGUIRRE, AYE. THE MOTION CARRIED.

- e. 0712-073
- f. 0606-57A
- g. 1405-044
- h. 1407-074
- i. 1310-073
- j. 1302-060
- k. 1102-061
- l. 9912-47
- m. 0002-83
- n. 0104-24

T. Cook presented the Staff reports for Case No. 0712-073, a settlement offer; Case Nos. 0606-57A, 1405-044 and 1407-074, a joint request for suspension of Orders of Reimbursement; Case No. 1310-073, a request to suspend the promissory note; Case No. 1302-060, a request to suspend the promissory note; Case No. 1102-061, a request to subordinate the lien; and Case Nos. 9912-47, 0002-83 and 0104-24, a joint request for release of liens.

ACTION: J. TIBBS MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED SEPTEMBER 24, 2014, FOR 5 APPROVALS; 24 DENIALS; 17 LIENS; 16 FORM N1 (UCC) LIENS; 11 RELEASES OF LIEN; AND 10 RELEASES OF FORM N1 (UCC) LIENS;

DISCUSSION: J. TIBBS STATED THAT TWO OTHER CASES WERE PREVIOUSLY ADDRESSED BUT THIS MOTION WILL ADDRESS THE REMAINDER.

ACTION: APPROVE CASE NO. 0712-073 SETTLEMENT OFFER; APPROVE CASE NOS. 0606-157A, 1405-044, 1407-074, 1310-073 AND 1302-060 SUSPENSION OF THE ORDER OF REIMBURSEMENTS; APPROVE CASE NO. 1102-061 SUBORDINATION OF LIEN; AND APPROVE CASE NOS. 9912-47, 0002-83 AND 0104-24 RELEASE OF LIENS. R. YZAGUIRRE SECONDED.

DISCUSSION: R. YZAGUIRRE NOTED THAT THE WEEKLY INDIGENT ITEMS WERE NOT PRESENTED AND ASKED STAFF IF IT WAS PROPERLY PRESENTED IN THE MOTION. STAFF CONFIRMED IT WAS GOOD.

ACTION: J. TIBBS, AYE, AND R. YZAGUIRRE, 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 11:41 a.m.


Rick Yzaguirre, Acting Chairman

ATTEST:


Christopher D. Rich, Ada County Clerk