

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE GENERAL SESSION OF THE INDIGENT HEARING
THURSDAY, NOVEMBER 6, 2014
1:30 P.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 Dempsay, Indigent Services; Chris Rich, Clerk's Office; and Justin Cafferty, Prosecuting Attorney's Office. Minutes Recorder: Angel Dicus.

I. IN THE MATTER OF CALL TO ORDER:

Commissioner David L. Case called the meeting of the Ada County Commissioners to order at 1:32 p.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. 3 Matters to be Continued - Exhibit "A"
 - b. 3 Matters to be Removed from the Table to be Heard - Exhibit "B"
 - c. 10 Final Decisions for Hearings from 10/8/14 - Exhibit "C"

ACTION: J. TIBBS MOVED TO APPROVE THE CONSENT AGENDA - 3 MATTERS TO BE CONTINUED AS LISTED ON EXHIBIT "A"; 3 MATTERS TO BE REMOVED FROM THE TABLE TO BE HEARD AS LISTED ON EXHIBIT "B"; AND 10 FINAL DECISIONS FOR HEARINGS FROM 10/8/14 AS LISTED ON EXHIBIT "C"; 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. Dempsay and T. Cook joined the hearing during 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 NOS. 1409-061 AND 1409-026 TO DECEMBER 17, 2014; CASE NO. 1409-045 TO JANUARY 28, 2015; 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 MONDAY, NOVEMBER 10, 2014; 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

a. Tax Hardship Applications

- David R. Bowman	R7594000070	2011	\$1,829.46
	14-020	2012	\$1,676.30
		2013	\$1,494.22

b. Trash Hardship Applications

- Ellen Keenan	14-005	October 2014-September 2015
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ACTION: R. YZAGUIRRE MOVED TO DENY TAX HARDSHIP APPLICATION NO. 14-020, R7594000070, FOR 2011 \$1,829.46, 2012 \$1,676.30 AND 2013 \$1,494.22. J. TIBBS SECONDED.

DISCUSSION: R. YZAGUIRRE EXPLAINED THE DENIAL AND ENCOURAGED THE APPLICANT TO UTILIZE THE CIRCUIT BREAKER PROGRAM. D. CASE REITERATED COMMISSIONER YZAGUIRRE'S COMMENTS.

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

ACTION: J. TIBBS MOVED TO DENY TRASH HARDSHIP APPLICATION NO. 14-005. R. YZAGUIRRE SECONDED.

DISCUSSION: D. CASE STATED THE DENIAL WAS BASED ON LACK OF JURISDICTION.

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

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

(9 Approvals; 23 Denials; 25 Liens; 24 Form N1 (UCC) Liens; 34 Releases of Lien; and 32 Releases of Form N1 (UCC) Liens)

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

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

a. Unfinished Business (*Tabled from 10/29/14*)

1. 0208-48A
2. 0401-29
3. 0405-11
4. 0407-93

ACTION: R. YZAGUIRRE MOVED TO REMOVE THE UNFINISHED BUSINESS FROM THE TABLE FOR CONSIDERATION. J. TIBBS SECONDED. R. YZAGUIRRE, AYE, J. TIBBS, AYE, AND D. CASE, AYE. THE MOTION CARRIED UNANIMOUSLY.

T. Cook presented the joint Staff report for Case Nos. 0208-48A, 0401-29, 0405-11, and 0407-93, a request for subordination of liens. The parties discussed lien options.

[C. Rich joined the hearing.]

- b. New Business
 - a. 52912
 - b. 53044
 - c. 0304-08H
 - d. 0902-059

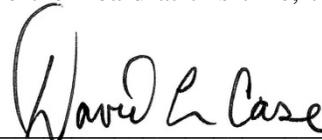
T. Cook presented the Staff report for Case No. 0304-08H, a request to suspend the Order of Reimbursement for six months; and Case No. 0902-059, a request for a settlement offer in the amount of \$4,090.

R. Dempsay presented the Staff report for Case Nos. 52912 and 53044, requests to suspend applications pending determination of other resources.

ACTION: R. YZAGUIRRE MOVED TO ACCEPT THE RECOMMENDATIONS OF THE INDIGENT SERVICES STAFF AS LISTED ON THE SUMMARY OF CASES DATED NOVEMBER 6, 2014, FOR 9 APPROVALS; 23 DENIALS; 25 LIENS; 24 FORM N1 (UCC) LIENS; 34 RELEASES OF LIEN; AND 32 RELEASES OF FORM N1 (UCC) LIENS; DENY THE JOINT REQUEST FOR RELEASES OF LIEN FOR CASE NOS. 0208-48A, 0401-29, 0405-11 AND 0407-93; SUSPEND APPLICATION FOR CASE NOS. 52912 AND 53044 PENDING DETERMINATION OF OTHER RESOURCES; APPROVE A SIX MONTH SUSPENSION ON THE ORDER OF REIMBURSEMENT FOR CASE NO. 0304-08H; ACCEPT THE SETTLEMENT OFFER OF \$4,090 ON CASE NO. 0902-059; 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 2:32 p.m.



David L. Case, Chairman

ATTEST:



Christopher D. Rich, Ada County Clerk