

C E R T I F I C A T EMARSHALL COUNTY ORDINANCE NO. 4

STATE OF IOWA)
)
 COUNTY OF MARSHALL)

I, Martha Grimes Knutsen, County Auditor of said County do hereby certify that as County Auditor I have in my possession and under my control, the official proceedings of the Marshall County Board of Supervisors; that I certify the foregoing papers to which this certificate is attached are true and correct extracts of records pertaining thereto.

a. Extract, Board of Supervisor's Proceedings, Regular Session, April 18, 1988, setting date for public hearing.

b. Affidavit of publication, printed in the Marshalltown Times Republican newspaper on April 23, 1988.

c. Extract, Board of Supervisor's Proceedings, Special Session, May 2, 1988

d. Affidavit of publication, printed in the Marshalltown Times Republican newspaper on May 5, 1988.

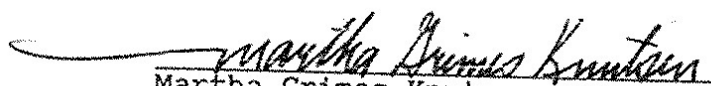
e. Extract, Board of Supervisor's Proceedings, Special Session, May 12, 1988.

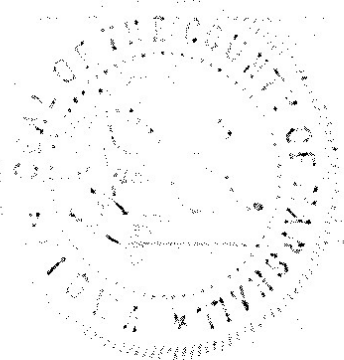
f. Extract, Board of Supervisor's Proceedings, Regular Session, May 19, 1988, setting date for public hearing.

g. Affidavit of publication, printed in the Marshalltown Times Republican newspaper on May 24, 1988.

h. Extract, Board of Supervisor's Proceedings, Special Session, May 31, 1988, resolution adopting ordinance.

Dated at Marshalltown, Iowa this 28th day of September, 1988.


 Martha Grimes Knutsen
 Marshall County Auditor



Extract "a"

BOARD OF SUPERVISOR'S PROCEEDINGSREGULAR SESSION APRIL 18, 1988 AT 9:00 A.M.

The Board met in Regular Session April 18, 1988 at 9:00 a.m. with all members present.

* * * * *

HEARING DATE SET - Motion by Schneider, second by Edel to set May 2, 1988 at 8:30 a.m. as the date and time for a public hearing on the proposed Ordinance No. 4, "Ordinance Prescribing The General Relief Program in Marshall County".

Edel-Aye Armbrrecht-Aye Schneider-Aye

* * * * *

ADJOURNMENT - Motion by Schneider, second by Edel that Board adjourn until May 2, 1988 at 9:00 a.m., and all business to be acted upon at this session be submitted to County Auditor's or Board of Supervisor's office by April 28, 1988 at 12:00 noon.

Edel-Aye	Armbrrecht-Aye	Schneider-aye
<u>/s/ Matthew A. Edel</u>	ATTEST: <u>/s/ Martha Grimes Knutsen</u>	
Matthew A. Edel, Chrm.	Martha Grimes Knutsen	
Board of Supervisors	County Auditor	

AFFIDAVIT OF PUBLICATION

In the Court of the State of Iowa, In and for Marshall County:

Notice of Public Hearing on Proposed County

Ordinance No. 4

STATE OF IOWA, Marshall County, ss.

I, Darlene Van Kirk, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organized under the laws of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am Credit Manager of said corporation and a full time employee of said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily editions of said "Times-Republican" once each week for one consecutive weeks on the days and dates as follows, to-wit:

Saturday, April 23, 1988

Darlene Van Kirk

Sworn to before me and subscribed in my presence by the said

Darlene Van Kirk, this 26th day of April, 1988

Marshall N. Zeller
Notary Public, Marshall County, Iowa.

My commission expires 8-10, 1989

FEE: 15.99

NOTICE OF PUBLIC HEARING ON PROPOSED COUNTY ORDINANCE NO. 4

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that on the 2nd day of May, 1988 at 8:30 A.M. in the office of the Board of Supervisors, Courthouse, Marshalltown, the Board of Supervisors will hold a public hearing on the proposed Marshall County Ordinance No. 4 ORDINANCE PRESCRIBING THE GENERAL RELIEF PROGRAM IN MARSHALL COUNTY, IOWA. The Board of Supervisors are proposing to enact an ordinance prescribing the General Relief Program which is summarized as follows:

General relief shall be provided as emergency relief for needy persons, relief for poor persons, and relief of an extended nature. The relief shall be purchased directly from the supplier for the applicant; the family unit and will be provided on the voucher system. Relief shall be available for food, rent and shelter, utilities, medical or dental services and prescriptions, and transportation.

A copy of the proposed ordinance is available in the Auditors office.

YOU ARE FURTHER NOTIFIED that any objections to the proposed Ordinance No. 4, should be filed with the Marshall County Board of Supervisors in writing prior to that date or may be presented either in writing or orally at said hearing.

TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY.

ATTEST: Martha Grimes Knutsen
County Auditor
Matthew A. Edel,
Chairman Board of Supervisors

BOARD OF SUPERVISORS' PROCEEDINGSSPECIAL SESSION MAY 2, 1988 AT 8:30 A.M.

The Board met in Special Session May 2, 1988 at 8:30 a.m. with all members present. The purpose of this hearing is to consider Ordinance No. 4 (Ordinance prescribing the general relief program in Marshall County).

There was one person in attendance; Jack Kudelka with MICA

There were no written objections on file, however there were several questions and requests for verification of items in the ordinance, at the hearing.

Summary is as follows;

General relief shall be provided as emergency relief for needy persons, relief for poor persons, and relief of an extended nature. The relief shall be purchased directly from the supplier for the applicant or the family unit and will be provided on the voucher system. Relief shall be available for food, rent and shelter, utilities, medical or dental services and prescriptions, and transportation.

Motion by Armbrecht, second by Schneider that May 12, 1988 at 8:30 A.M. be set as the date and time of a public hearing on the second reading of Ordinance No. 4 (Ordinance prescribing the general relief program in Marshall County.)

Edel-Aye Armbrecht-Aye Schneider-Aye

ADJOURNMENT- Motion by Armbrecht, second by Schneider that Board adjourn.

Edel-Aye Armbrecht-Aye Schneider-Aye

/s/ Matthew A. Edel
Matthew A. Edel, Chrm.
Bd. of Supervisors

ATTEST: /s/ Martha Grimes Knutsen
Martha Grimes Knutsen
Co. Auditor

AFFIDAVIT OF PUBLICATION

FILED

MAY 06 1988

In the Court of the State of Iowa, in and for Marshall County:

Notice of Public Hearing on Proposed

Count Ordinance No. 4

Marshall County, Iowa-

STATE OF IOWA, Marshall County, ss.

I, Darlene Van Kirk, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organized under the laws of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am Credit Manager of said corporation and a full time employee of said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily editions of said "Times-Republican" once each week for ^{one} consecutive weeks on the days and dates as follows, to-wit:

Thursday: May 5, 1988

Sworn to before me and subscribed in my presence by the said

Darlene Van Kirk, this 5th day of May, 1988.

Notary Public, Marshall County, Iowa.

My commission expires 8-10, 1989.

FEE \$14.82

NOTICE OF PUBLIC HEARING
ON PROPOSED COUNTY ORDINANCE
NO. 4

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that on the 12th day of May 1988 at 8:30 a.m. in the office of the Board of Supervisors, Courthouse, Marshalltown, the Board of Supervisors will hold a public hearing on the second reading of the proposed Marshall County Ordinance No. 4 - ORDINANCE PRESCRIBING THE GENERAL RELIEF PROGRAM IN MARSHALL COUNTY, IOWA.

The Board of Supervisors are proposed to enact an ordinance prescribing the General Relief Program which is summarized as follows:

General relief shall be provided as emergency relief for needy persons, relief for poor persons, and relief of an extended nature. The relief shall be purchased directly from the supplier for the applicant or the family unit and will be provided on the voucher system. Relief shall be available for food, rent and shelter, utilities, medical or dental services and prescriptions, and transportation.

A copy of the proposed ordinance is available in the Auditor's Office.

YOU ARE FURTHER NOTIFIED that any objections to the proposed ordinance No. 4 should be filed with the Marshall County Board of Supervisors in writing prior to that date, or may be presented either in writing or orally at said hearing.

for Matthew A. Edel

ATTEST: /s/ Martha
Grimes Knutson
Co. Auditor

Bd. of Supervisors

BOARD OF SUPERVISOR'S PROCEEDINGSSPECIAL SESSION MAY 12, 1988 AT 8:30 A.M.

The Board met in Special Session May 12, 1988 at 8:30 a.m. with all members present. The purpose of this hearing is to have second reading to consider Ordinance No. 4 (Ordinance prescribing the general relief program in Marshall County).

There were five persons in attendance; Matthew Edel, Joseph Armbrrecht, Eldon Schneider, Board of Supervisors, and Martha Grimes Knutsen, County Auditor and Joan Hartwig, Department of Human Services.

There was one written objection stating that it is inappropriate for the Marshall County Board of Supervisors to pay for general relief from property taxes.

(By law the County Board of Supervisors must provide General Relief.)

There were no oral objections at the hearing.

Summary is as follows:

General relief shall be provided as emergency relief for needy persons, relief for poor persons, and relief of an extended nature. The relief shall be purchased directly from the supplier for the applicant or the family unit and will be provided on the voucher system. Relief shall be available for food, rent and shelter, utilities, medical or dental services and prescriptions, and transportation.

Motion by Schneider, second by Armbrrecht to set the date for the 3rd hearing on Ordinance No. 4, at the May 19, 1988 Regular Session.

Edel-Aye Armbrrecht-Aye Schneider-Aye

ADJOURNMENT - Motion by Schneider, second by Armbrrecht that Board adjourn.

Edel-Aye	Armbrrecht-Aye	Schneider-Aye
/s/ Matthew A. Edel	ATTEST: /s/ Martha Grimes Knutsen	
Matthew A. Edel, Chrm.	Martha Grimes Knutsen	
Board of Supervisors	County Auditor	

Extract "f"

BOARD OF SUPERVISOR'S PROCEEDINGS

REGULAR SESSION MAY 19, 1988 AT 10:00 A.M.

The Board met in Regular Session May 19, 1988 at 10:35 a.m.
with all members present.

* * * * *

PUBLIC HEARING DATE SET - Motion by Armbrecht, second by
Schneider to set May 31, 1988, immediately following the
May 31, 1988 9.00 A.M. Special Session, as the date and
time for a public hearing for the 3rd reading of proposed
Ordinance No. 4 on Marshall County General Relief Pro-
gram.

Edel-Aye Armbrecht-Aye Schneider-Aye

* * * * *

ADJOURNMENT - Motion by Armbrecht, second by Schneider
that Board adjourn until June 6, 1988 at 9:00 A.M. and
all business to be acted upon at this session be submit-
ted to Co. Auditor's or Bd of Supervisor's office by
June 2, 1988 at 1:00 P.M.

Edel-Aye Armbrecht-Aye Schneider-Aye

/s/ Matthew A. Edel	ATTEST: /s/ Martha Grimes Knutsen
Matthew A. Edel, Chrm.	Martha Grimes Knutsen
Bd. of Supervisors	Co. Auditor

AFFIDAVIT OF PUBLICATION

In the Court of the State of Iowa, In and for Marshall County:

Marshall County, Iowa - Notice of Public

Hearing on Proposed County Ordinance

No. 4 -

STATE OF IOWA, Marshall County, ss.

Denis Crotty

I,, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organized under the laws of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am Adv. Manager of said corporation and a full time employee of said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily editions of said "Times-Republican" once each week for one consecutive weeks on the days and dates as follows, to-wit:

Tuesday: May 24, 1988.

Denis Crotty

Sworn to before me and subscribed in my presence by the said

Denis Crotty this 24th day of May, 1988.

Notary Public, Marshall County, Iowa.

My commission expires 8-10-88, 19.....

FEE\$13.26

NOTICE OF PUBLIC HEARING ON PROPOSED COUNTY ORDINANCE NO.4

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that on the 31st day of May 1988, immediately following the May 31, 1988 9:00am Special Session, in the office of the Board of Supervisors, Courthouse, Marshalltown, the Board of Supervisors will hold a public hearing on the third reading of the proposed Marshall County Ordinance NO. 4-ORDINANCE PRESCRIBING THE GENERAL RELIEF PROGRAM IN MARSHALL COUNTY, IOWA.

The Board of Supervisors are proposing to enact an ordinance prescribing the General Relief Program which is summarized as follows: General relief shall be provided as emergency relief for needy persons, relief for poor persons, and relief of an extended nature. The relief shall be purchased directly from the supplier for the applicant or the family unit and will be provided on the voucher system. Relief shall be available for food, rent and shelter, utilities, medical or dental services and prescriptions, and transportation. A copy of the proposed ordinance is available in the Auditor's office.

YOU ARE FURTHER NOTIFIED that any objections to the proposed Ordinance No.4 should be filed with the Marshall County Board of Supervisors in writing prior to that date, or may be presented either in writing or orally at said hearing.

Dated at Marshalltown this 19th day of May, 1988.

TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY.

Matthew A. Edal, Chm Bd of Supervisors
ATTEST: Martha Grimes Knutsen, Co. Auditor

BOARD OF SUPERVISOR'S PROCEEDINGS

SPECIAL SESSION MAY 31, 1988

The Board met in Special Session May 31, 1988 at 9:08 a.m. with all members present and 3 interested persons present. The purpose of this hearing is to consider the adoption of Ordinance No. 4 (Ordinance prescribing the general relief program in Marshall County).

There were no written objections on file and no oral objections at the hearing.

RESOLUTION - ORDINANCE PRESCRIBING THE GENERAL RELIEF PROGRAM IN MARSHALL COUNTY

WHEREAS, after due notice and hearing, the Marshall County Board of Supervisors have considered the proposed Ordinance No. 4 (Ordinance prescribing the general relief program in Marshall County),

NOW THEREFORE BE IT RESOLVED that the Marshall County Ordinance No. 4 (Ordinance prescribing the general relief program in Marshall County), be and is hereby adopted as follows:

ORDINANCE PRESCRIBING THE GENERAL RELIEF PROGRAM IN MARSHALL COUNTY,
IOWA

Be It Enacted by the Board of Supervisors of Marshall County, Iowa:

SECTION 1 Categories

There shall be three (3) categories of general relief in Marshall County, Iowa. They are:

- A. Emergency Relief for Needy Persons
- B. Relief for Poor Persons
- C. Relief of an Extended Nature

SECTION 2 Definitions

For use in this ordinance, certain terms or words used herein shall be interpreted or defined as follows:

1. "Needy person" is a person or the family unit of that person and is domiciled in Marshall County, Iowa or who is a transient in the County for less than three (3) days and who, because of circumstances which are not attributable to that person, needs immediate relief. The term "needy person" shall exclude the applicant and any family unit, who has voluntarily terminated employment for any reason or who has been terminated from employment for excessive absenteeism. Such disqualification shall last only for a period of two months.
2. "Poor Person" is a person or the family unit of that person and is domiciled in Marshall County, Iowa and who, because of physical or mental disability, is unable to engage in gainful employment and otherwise cannot make a living.
3. "Relief" means food, rent, shelter, utilities, transportation and medical services. Burial assistance is set out by Resolution and not covered by this Ordinance. "Relief" also includes provision of any of the above items of relief by the General Relief Director or Board of Supervisors through the offering of residence at the County Care Facility.
4. "Net Worth" includes income or monies from any source, monies due, savings and other deposits, stocks, bonds, real estate, cash value of life insurance policies, jewelry, and the value of all other real and personal property but it excludes clothing, wedding rings, usual household furniture, bedding, towels, and similar equipment, one automobile of a value not in excess of One Thousand Dollars (\$1,000.00) and a homestead with a value not to exceed Twenty-Five Thousand Dollars (\$25,000.00).

SECTION 2 Definitions (Continued)

5. "Family Unit" means the individual applying and all members of the immediate family (spouse, children under eighteen (18) years of age, children over eighteen (18) years of age who are dependent upon the applicant, and anyone else who is a dependent of the applicant for federal tax purposes) as long as they reside with the applicant as a family unit.
6. "Liquid Assets" means cash or any other item of net worth of the family unit that can be readily converted to cash within seven (7) days.
7. "Awaiting Approval and Receipt" pertains to a Poor Person who has applied for assistance under any state or federal law: who has pursued that application with due diligence; and who has not had that application denied. This does not include an appeal of a denial of benefits. It does include a person who has an application denied and who reapplies after eighteen (18) consecutive months have expired from the date of the denial.

SECTION 3 Form

The relief shall be purchased directly from the supplier for the applicant or the family unit and will be provided on the voucher system. It may be for one or more of the items of relief that can be provided. It will not be provided to pay deposits, taxes, interest or carrying charges.

SECTION 4 Eligibility

If the applicant/family unit is or appears to be eligible for assistance from other Federal, State or local sources, the Director shall immediately refer the applicant to that source.

A. Eligibility of Needy Persons

Emergency relief is to be provided a needy person who is in need of immediate relief, cannot obtain relief from any other source, and whose income or assistance from a state or federal program has been delayed or not actually received by the person because of reasons not attributable to that person and who does not have liquid assets of the family unit from which to pay for the items of relief that can be provided. Emergency relief is, also, to be provided persons who are in need of immediate relief, cannot obtain relief from any other source, whose net worth is less than Five Hundred Dollars (\$500.00), and who, because of reasons not attributable to that person, does not have liquid assets of his or her family unit from which to pay for items of relief that can be provided.

SECTION 4 Eligibility (Continued)B. Eligibility of Poor Persons

Relief is to be provided poor persons who are in need of immediate relief, cannot obtain relief from any other source, whose family unit's net worth is less than Five Hundred Dollars (\$500.00), and who are eligible for, and are awaiting approval and receipt of, assistance under programs provided by state and federal law, or whose actual needs, as defined within the limitations imposed by this Ordinance, cannot be fully met by the assistance furnished under such programs.

SECTION 5 Requirements for Receiving Relief by a Needy Person

A needy person who is not needed in the home to care for minor children shall immediately register for employment with Job Services of Iowa and otherwise actively seek employment. The needy person shall seek and accept any reasonable employment whether or not it is suitable employment under the guidelines of Job Services of Iowa. A refusal or failure to actively seek employment or refusal or failure to accept reasonable employment offered shall disqualify the needy person from receiving future benefits. The needy person may be required to provide reasonable proof that he or she is actively seeking employment.

SECTION 6 Level of Benefits

The maximum level of benefits to be provided for each item of relief for each person or that person's family unit shall be:

1. Food: Food, if food stamps have not been received, at the level of guidelines for food stamps. Food does not include cigarettes or alcoholic beverages but does include laundry products, paper goods, personal grooming aids, household cleaning products.
2. Rent and Shelter: Reasonable rental value not to exceed One Hundred Fifty Dollars (\$150.00) per month for the person and an additional Twenty-Five Dollars (\$25.00) per month for each additional member of the family unit that actually resides with the person with a maximum payment of Two Hundred Fifty Dollars (\$250.00). Rent shall be paid only to property owners. Rent shall not be paid to responsible relatives such as parents, grandparents, children and grandchildren.
3. Utilities: Heat, light, fuel and water-the amount needed to provide these services.
4. Medical: Medical, dental services and prescriptions, the reasonable value of these services actually needed as shown by a statement from a physician, dentist or pharmacist. This ordinance does not cover eligibility for the "State Paper Program" at the University of Iowa Hospitals and Clinics.
5. Transportation: Transportation expenses shall include but not be limited to gasoline, bus tickets, medical transportation by providers.

SECTION 6 Level of Benefits (Continued)

6. Maximum limitation for any one person per year for the above benefits, disregarding residents of the County Care Facility, shall be One Thousand Dollars (\$1,000.00) and One Hundred Dollars (\$100.00) extra for each additional member of the family unit, unless extended relief is being provided under Section 7 of this Ordinance in which case the maximum shall be Two Thousand Five Hundred Dollars (\$2,500.00) plus One Hundred Dollars (\$100.00) for each additional member of a family unit.

The total amount for all of the above items of relief needed, at any one time, shall be determined, and there shall be deducted the amount of liquid assets the person or the family unit have available and the balance remaining is the amount of relief benefits the needy person is to receive. If the needy or poor person, except for reasons not attributable to that person, fails to repay the value of the benefits received, if agreed, he or she shall be disqualified from receiving future benefits. The Board of Supervisors may, upon application, waive the repayment of all or some of the benefits provided on the same basis as it may waive payment of property taxes.

SECTION 7 Relief of an Extended Nature

It is contemplated that items of relief to be provided to needy persons, poor persons or their family unit will not, during any one consecutive period of time, exceed sixty (60) days. If it appears that items of relief should be provided continuously beyond this sixty (60) day period, they will be provided by placement in the County Care Facility, or it is determined by the Director of Relief that it is better for the family unit of the needy or poor person to continue to receive items of relief on a month-to-month basis.

SECTION 8 Application for Relief

Applications for relief shall be submitted by needy and poor persons to the Director of Relief Office, located in Marshalltown, Iowa, during usual business hours upon forms provided by the Director. If, because of undue hardship, a needy or poor person cannot come to this office, the Director shall mail such person an application form or deliver to such person the application. If the applicant or the family unit is or appears to be eligible for relief or assistance from any other federal, state, or local source, the Director shall immediately refer the applicant to that source. It shall be the obligation of the applicant to immediately make application to that source and pursue such application with due diligence as a condition to be eligible for further relief under this ordinance. It is the obligation of each person applying to establish his or her eligibility for any category of general relief and need for any item of relief. If requested, the person applying shall provide the Director with a verified statement of net worth, federal and state income tax returns for the past five (5) years, medical reports, medical authorization, and anything else requested by the Director that

SECTION 8 Application for Relief (Continued)

bears upon the person's eligibility and need for relief. The Director may also require, upon approval of the Board, that the applicant submit to a physical or mental examination to determine applicant's capacity to labor. The Director shall also receive anything that the person applying desires to submit to establish his or her eligibility or need to include statements or letters, medical reports, and other written documents as well as the verbal statements of the applicant. The Director shall then proceed to conduct a reasonable investigation concerning the applicant's eligibility and needs. The applicant's file and the investigation and findings of the Director shall be made available to the applicant, upon request, or to the applicant's attorney by written authorization.

SECTION 9 Initial Determination

- A(1) The Director shall make an initial determination of the eligibility and needs of the applicant within three (3) working days of the receipt of the application. Upon the determination, the Director shall notify the applicant by telephone immediately, if possible. If no telephone is available, the Director may request the person to return to the General Relief Office and personally receive the determination. Within two (2) working days after that determination, the Director shall mail the applicant at the last address shown on the application, by ordinary mail, the Director's written decision showing the reasons for the determination and the statutes or ordinances applied, together with the specific benefits and their amounts to which the applicant is entitled.
- A(2) If the Director cannot make the initial determination within three (3) working days, the Director shall immediately inform the applicant, by telephone, if possible, of the reasons why such determination cannot be made. The Director shall, also, mail to the applicant, by ordinary mail, within two (2) working days thereafter, the Director's written decision showing the reasons why such determination could not be made.
- B. If an applicant has been previously found eligible, the Director need not receive a new application, but may proceed to a determination of whether or not current relief is warranted. Notice and mailing of such determination shall be as provided above. If an emergency and immediate need is present, the Director may verbally authorize a supplier or vendor to furnish any item of relief for the benefit of the applicant and the amount allowed for such benefit. The Director shall inform the applicant and issue a written decision as provided above.
- C. Whenever an applicant is found eligible and entitled to relief, the Director shall proceed to provide the same and notify the Board of Supervisors.

SECTION 10 Appeal

- A. Every applicant, whether granted relief or not, shall be informed in the Director's written decision of the applicant's right to appeal from such decision to the Board of Supervisors. The applicant shall be informed (1) of the method by which an appeal may be taken, and (2) that he or she may represent him or herself, or may be represented by an attorney.
- B. Any written appeal or communication to the Director by or on behalf of an applicant requesting appeal of the Director's determination, shall be taken by the Director and put immediately upon the Board of Supervisor's agenda, in accordance with Chapter 21, Code of Iowa, for the next regular Board meeting, provided that such appeal shall not be heard sooner than five (5) days after appeal is taken. The written appeal or communication must be made to the Director within ten (10) days of the Director's determination, provide the applicant's current address and telephone number, and state the reasons for the appeal. The applicant shall be informed immediately, by telephone and by ordinary mail, of the date and time of hearing before the Board. Applicant and his or her attorney, upon written authorization, shall be granted access by the Director to his or her relief file if request is made.

SECTION 11 Appeal Hearing

- A. The Board of Supervisors shall hear applicant's appeal de novo at the time scheduled in the agenda unless continuance is requested by applicant. Applicant shall be permitted to present whatever evidence desired in support of the appeal including testifying, having other witnesses testify, offering documentary evidence and reasonable cross examination of other witnesses, if present. The technical rules of evidence shall not apply. The Board may set reasonable times for the present action of the parties at any appeal. The applicant's file shall be admitted into evidence. The Board may question the applicant, and the Director shall present the Board with the reasons for the determination. The appeal will be tape recorded. The hearing before the Board will not be an open meeting under Chapter 21, Code of Iowa, since the confidential files of the applicant will be in evidence. When the Board deliberates the appeal, no parties shall be present.
- B. The Board shall make a decision on the appeal within five (5) working days. The Board's decision shall be only on the basis of the evidence submitted before the Board. The applicant shall be informed immediately by telephone of the decision and within four (4) working days thereafter, the Board shall mail to applicant at his or her last known address, by ordinary mail, its decision in writing. The decision shall state the reasons for the action, together with any statute or ordinance applied. The Board's decision shall also state that an appeal may be taken from the Board's determination, as provided below, and the method by which such appeal may be taken.

SECTION 11 Appeal Hearing (Continued)

- C. Any appeal to the district court shall be allowed by the applicant from the Board's decision within the time and by the manner and procedures established under the Iowa Administrative Procedures Act, Chapter 17A, Code of Iowa.

SECTION 12 Actions of the Board of Supervisors

In the event the Board of Supervisors, in reviewing the actions of the Director of Relief, questions any allowance of relief benefits allowed by the Director, it shall take no action concerning such allowance until it conducts a hearing. This hearing, the reasons for it, and notification to the applicant shall be given in the same manner as if the applicant had taken an appeal. This hearing shall proceed in the same manner as an appeal from the Director's determination.

SECTION 13 Additional Provisions

The Director may allow, upon application, the additional benefits provided for in Chapter 252, Code of Iowa. The provisions of Chapter 252.13, Code of Iowa, for repayment of benefits to Marshall County, are applicable and the applicant shall acknowledge the same in writing. Recipients of relief may further be required to work for the County as a condition to receipt of such benefits as required in Section 252.7 and 252.42, Code of Iowa. Benefits provided a recipient may be further a claim against the homestead of a recipient and a claim in probate, as provided by law.

SECTION 14 Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 15 Severability Clause

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

01643-1988-9

GENERAL RELIEF - MARSHALL COUNTY

CERTIFICATION

I, the undersigned, do certify that all the facts given by me in this application are correct and true to the best of my knowledge and belief.

I do hereby authorize any banking or savings institution, employer, firm, corporation, person, and personnel of the Iowa Department of Human Services and/or any other public or private assistance agency to disclose to the Marshall County General Relief Director any information which is required to determine, document or verify this application and information I have provided and to coordinate any assistance plan regarding my general assistance application with any other such Federal, State or private agency. I hereby further authorize any doctor, nurse, hospital, clinic or health care provider to provide any confidential medical information concerning me. I agree to assist the General Relief Director with documentation or verification of the information given if requested to do so.

I agree to notify the General Relief Director of any change in income or living arrangements of myself or of my family for whom assistance is received.

I also agree to make every effort to secure employment which will enable me to support myself and my family.

I understand that I have a right to file an appeal if I disagree with the decision by the General Relief Director regarding my application. I understand that a copy of the appeal process will be provided to me and any questions I have about the process answered for me. I also understand that I will be informed in writing of the Director's decision regarding my application for relief.

Signature of applicant _____ Date _____

Signature of spouse/witness _____ Date _____

This application is approved _____ rejected _____ for general assistance or medical assistance.

Date _____ Approved/Rejected by _____

COMMENTS:

APPEAL RIGHTS

YOU have the right to appeal the decision of the General Relief Director to the Marshall County Board of Supervisors if you disagree with that decision, its findings, or its partial or total denial to you of general relief.

IF YOU WISH TO APPEAL YOU MUST:

1. WRITE out the reasons why you are appealing or tell the Relief Director who will do so for you;
2. WRITE out your current address and telephone number so you may be notified of when the Board of Supervisors will hear your appeal;
3. MAKE your appeal or tell us you wish to appeal WITHIN (TEN) DAYS FROM THE DATE OF THE DIRECTOR'S DECISION.

YOU have the right to appear by yourself or bring an attorney with you and to see the General Relief Director's records pertaining to you.

01643

GENERAL RELIEF - MARSHALL COUNTY

FINDINGS OF FACT:

CONCLUSIONS OF LAW:

GR-Marshall Co.
Approv.

SECTION 12 APPEAL HEARING

1. The Appeal Hearing shall start in an open session.
2. A motion to go into "closed session" will be made.
3. A two-thirds affirmative vote of members of the body present or affirmative vote of all of the members present at the meeting is required.
4. The meeting goes into "closed session" and only those involved in the hearing remain for the session.
5. The appeal hearing will be tape recorded.

The vote of each member on the question of holding the closed session and the reason for holding the closed session by reference to a specific exemption under this section (Chapter 21-Code) shall be announced publicly at the open session and entered in the minutes.

Such as: This meeting was called to hear an appeal on a decision rendered on a general relief application submitted by _____. In accordance with Chapter 21.5(a) of the Code of Iowa, I, _____ make a motion to go into closed session at this time.
 I, _____, so vote that this meeting go into closed session.
 I, _____, so vote that this meeting go into closed session.

A two-thirds affirmative vote has been received on a motion for this meeting to go into "closed session" and therefore this meeting is now in "closed session".

The "closed session" hearing will be tape recorded. The tape recording of this closed session will be retained for a period of at least one year from the date of the meeting.

The governmental body shall keep detailed minutes of all discussion, persons present and action occurring at a closed session, and shall also tape record all of the closed session. The detailed minutes and tape recording of a closed session shall be sealed and shall not be public records open to public inspection. However, upon order of the court in an action to enforce this Chapter, the detailed minutes and tape recording shall be unsealed and examined by the court in camera. The court shall determine what part, if any, of the minutes should be disclosed to the party seeking enforcement of this chapter for use in that enforcement proceeding.

01643 - 1988-9

BE IT FURTHER RESOLVED, that this Ordinance becomes effective upon publication. (published June 23, 1988)

Dated at Marshalltown, this 31st day of May, 1988.

Motion by Armbrecht, second by Schneider that after due notice and two previous readings, this resolution is adopted.

Roll call voter: Edel-Aye Armbrecht-Aye Schneider-Aye

/s/ Matthew A. Edel
Matthew A. Edel, Chrm.
Board of Supervisors

ATTEST: /s/ Martha Grimes Knutsen
Martha Grimes Knutsen
County Auditor

MARSHALL CO. IA
FILED FOR RECORD AT

1988 SEP 28 AM 10:46

MICRO FILE 1643-1988-9

RECORDED

Jean A. Smith

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NOTED

Tracy