

Joan A. Smith-Legg

9905614

INST. NO. _____ REC. MON. _____
FEE PAID _____ FEE _____
REC. FEE _____ AUD. FEE _____

No fee

Prepared by: Marshall County Auditor's Office, Courthouse, Marshalltown, Iowa, 515/754-6323

CERTIFICATE

**AMENDMENT NO. 99-01 TO MARSHALL COUNTY ORDINANCE NO. 8 PRESCRIBING
THE VETERANS ASSISTANCE PROGRAM OF THE COMMISSION OF VETERANS
AFFAIRS OF MARSHALL COUNTY**

STATE OF IOWA)
) ss:
COUNTY OF MARSHALL)

I, Jeffrey Heil, 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, and that the papers to which this certificate is attached are true and correct extracts of records pertaining thereto.

A. Extract of Board of Supervisors proceedings, Regular Session June 7, 1999, First Reading of Proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County and Set Date for Public Hearing.

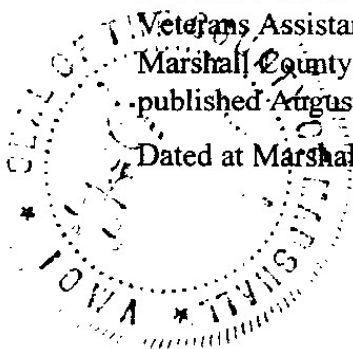
B. Affidavits of Publication of Public Notice of Proposed Amendment No. 99-01 published June 17, 1999, in the Marshalltown Times-Republican and the State Center Enterprise-Record newspapers.

C. Extract of Board of Supervisors proceedings, Regular Session July 6, 1999, Second Reading of Proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County and Public Hearing.

D. Extract of Board of Supervisors proceedings, Regular Session July 19, 1999, Third Reading of Proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County.

E. Affidavits of Publication of Notice of Adoption of Amendment No. 99-01 to the Veterans Assistance Program of the Commission of Veterans Affairs Ordinance of Marshall County, published July 29, 1999, in the Marshalltown Times-Republican and published August 5, 1999, in the State Center Enterprise-Record newspapers.

Dated at Marshalltown, Iowa, this 11th day of August 1999.



Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

5403-1992-3

**Board of Supervisors Proceedings
Regular Session June 7, 1999, at 9:00 a.m.**

The Board met in regular session on June 7, 1999, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse. All members present.

* * *

First Reading of Proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County and Set Date for Public Hearing--

After recommendation by the Commission of Veteran's Affairs, the Marshall County Board of Supervisors is considering the adoption of the Amendment No. 99-01. The following action is to make the ordinance current with Code of Iowa.

Copies of the proposed Amendment will be available upon request at the offices of the Veteran's Affairs, Board of Supervisors, and Auditor and will also be available at the public hearing.

The Ordinance shall not be effective until a public hearing is held at 9:00 a.m. on the 6th day of July 1999, with a notice of the public hearing published in the Marshalltown Times-Republican and the State Center Enterprise-Record at least 15 days prior to the above date, and the Board adopts the third reading of the proposed Amendment and the Amendment or a summary thereof is published.

Dated at Marshalltown, Iowa, this 7th day of June 1999.

Motion by Goecke, second by Soorholtz to adopt the first reading of the Ordinance and set the date of a public hearing at 9:00 a.m. on the 6th day of July 1999.

Roll call vote:	Goecke-Aye	Johnson-Aye	Soorholtz-Aye
	Member	Chairman	Vice Chrm.

/s/ Gordie Johnson
Gordie Johnson
Board of Supervisors, Chairman

Attest: /s/ Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

* * *

Adjournment--There being no further business to come before the Board, the meeting is adjourned. The next regular meeting is June 21, 1999, 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by June 17, 1999, at 1:00 p. m.

/s/ Gordie Johnson
Gordie Johnson
Board of Supervisors, Chairman

Attest: /s/ Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

AFFIDAVIT OF PUBLICATION

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

Public Notice

STATE OF IOWA, Marshall County, ss.

I, Phylliss Troutner, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organization under the law 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 Office Mgr. of said corporation and a full time employee of the 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 edition of the said "Times-Republican" once each week for one consecutive weeks on the days and dates as follows, to-wit:

June 17, 1999

Phylliss Troutner

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

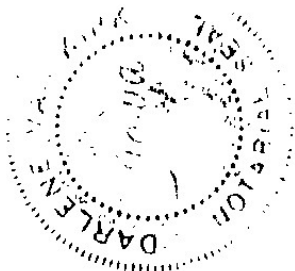
Phylliss Troutner this 17th day of June, 1999

Darlene Van Kirk

Notary Public, Marshall County, Iowa.

My commission expires May 16, 2000

Fee \$ 14.50



FILED
JUN 18 1999
Jeffrey Heil
COUNTY AUDITOR

Public Notice

You are hereby notified that the Marshall County Board of Supervisors has received a recommendation from the Commission of Veteran's Affairs to adopt Amendment No. 98-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County.

You are further notified that the Marshall County Board of Supervisors will hold a public hearing thereon on July 6, 1999, at 9:00 a.m. in Meeting Room #2, 3rd floor, northeast corner of the Courthouse, Marshalltown, Iowa. You may submit comments in writing prior to the hearing, or appear to give oral or written comments at the hearing.

Take notice and govern yourselves accordingly.

Dated at Marshalltown, Iowa, this 10th day of June 1999.

Jeffrey Heil
Marshall County Auditor

**PROOF OF PUBLICATION
OF**

Mike Hunter
Blackhawk
Amend # 99-11

STATE OF IOWA)
MARSHALL COUNTY) ss.

John C. Strawn being first duly
sworn on his oath deposes
and states that he is the
publisher of the

ENTERPRISE-RECORD

a weekly newspaper of general
circulation, published wholly
in the English language and
printed and published in

State Center

which is within the County of
Marshall and State of Iowa;
and the printed notice hereto
attached is a true copy of the

notice

and was published in the
regular edition of said
newspaper once each week on
the same day of the week, one
publication thereof being had
on each of the following dates:

June 17, 1999

Fees for publication \$ 9.00

Public Notice

You are hereby notified that the Marshall County Board of Supervisors has received a recommendation from the Commission of Veterans Affairs to adopt Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County.

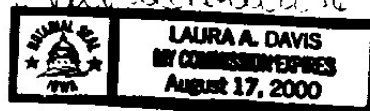
You are further notified that the Marshall County Board of Supervisors will hold a public hearing thereon on July 6, 1999, at 9:00 a.m. in Meeting Room #2, 3rd floor, northeast corner of the Courthouse, Marshalltown, Iowa. You may submit comments in writing prior to the hearing, or appear to give oral or written comments at the hearing.

Take notice and govern yourselves accordingly.

Dated at Marshalltown, Iowa, this 10th day of June 1999.

Jeffrey Heil
Marshall County Auditor

AUDITOR



**Board of Supervisors Proceedings
Regular Session July 6, 1999, at 9:00 a.m.**

The Board met in regular session on July 6, 1999, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse. All members present.

* * *

Second Reading of Proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County and Public Hearing--

After recommendation by the Commission of Veteran's Affairs, the Marshall County Board of Supervisors is considering the adoption of the Amendment No. 99-01. The following action is to make the ordinance current with the Code of Iowa.

A summary of the proposed Amendment is as follows:

The proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 brings the County Ordinance current with the Code of Iowa and makes a few grammatical changes. Some minor changes were made requiring those veterans being provided assistance to provide certain information to the commission in order to receive assistance.

Copies of the proposed Amendment will be available upon request at the offices of the Veteran's Affairs, Board of Supervisors, and Auditor and will also be available at the public hearing.

Whereas, Notice of Public Hearing was published in the Marshalltown Times-Republican and the State Center Enterprise-Record on June 17, 1999

The Ordinance shall not be effective until a public hearing is held at 9:00 a.m. on the 6th day of July 1999, and the Board adopts the third reading of the proposed Amendment and the Amendment or a summary thereof is published.

There were no written comment/s presented and no one presented oral comments or questions at the hearing.

Dated at Marshalltown, Iowa, this 6th day of July 1999.

Motion by Goecke, second by Soorholtz to adopt the second reading of the ordinance.

Roll call vote:	Goecke-Aye	Johnson-Aye	Soorholtz-Aye
	Member	Chairman	Vice Chrm.

/s/ Gordie Johnson
Gordie Johnson
Board of Supervisors, Chairman

Attest: /s/ Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

* * *

Adjournment--There being no further business to come before the Board, the meeting is adjourned. The next regular meeting is July 19, 1999, 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by July 15, 1999, at 1:00 p. m.

/s/ Gordie Johnson
Gordie Johnson
Board of Supervisors, Chairman

Attest: /s/ Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

**Board of Supervisors Proceedings
Regular Session July 19, 1999, at 9:00 a.m.**

The Board met in regular session on July 19, 1999, at 9:00 a.m. in meeting room #2, 3rd Floor, northeast corner of the courthouse. All members present.

* * *

Third Reading of Proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County--

After recommendation by the Commission of Veteran's Affairs, the Marshall County Board of Supervisors is considering the adoption of the Amendment No. 99-01. The following action is to make the ordinance current with the Code of Iowa.

Whereas, a public hearing was held on July 6, 1999, at 9:00 a.m. The three required readings were held June 7, 1999, July 6, 1999, and July 19, 1999.

A summary of the proposed Amendment is as follows:

The proposed Amendment No. 99-01 to Marshall County Ordinance No. 8 brings the County Ordinance current with the Code of Iowa and makes a few grammatical changes. Some minor changes were made requiring those veterans being provided assistance to provide certain information to the commission in order to receive assistance.

Copies of the proposed Amendment will be available upon request at the offices of the Veteran's Affairs, Board of Supervisors, and Auditor and will also be available at the public hearing.

The Ordinance shall not be effective until the Board adopts the third reading of the proposed Amendment and the Amendment or a summary thereof is published.

**AMENDMENT NO. 99-01 TO MARSHALL COUNTY ORDANCE NO. 8
PRESCRIBING THE VETERANS AFFAIRS ASSISTANCE PROGRAM OF THE
COMMISSION OF VETERANS AFFAIRS OF MARSHALL COUNTY.**

SECTION 1 Purpose

This ordinance is passed by virtue of the authority established under Iowa Code, Chapter 35B, for the purpose of providing assistance to indigent veterans and their dependents.

SECTION 2 Definitions

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

1. "Needy Veteran" is a Veteran, or the family unit of that Veteran, domiciled in Marshall County, Iowa, who has some means but who, because of circumstances which are not attributable to that Veteran, needs assistance. The term "needy veteran" 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 for a period of two months.

2. "Poor Veteran" is a Veteran, or the family unit of that Veteran, domiciled in Marshall County, Iowa and who has no property, exempt or otherwise, and because of physical or mental disability, is unable to engage in gainful employment and otherwise cannot make a living.
3. "Assistance" means food, rent, shelter, utilities, emergency telephone, transportation, emergency medical services and burial assistance. Please refer to Section 6 for a delineation of each type of benefit.
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 and a homestead.
5. "Family Unit" means the individual veteran applying and all members of the immediate family (spouse, and dependent children or other person(s) qualifying as a dependent of the veteran for federal tax purposes) as long as they reside with the veteran as a family unit. In case the veteran is deceased, "family unit" shall mean the veteran's surviving spouse, who has not been divorced from the veteran nor remarried, and/or children of the deceased Veteran who are dependent, for federal tax purposes, upon the surviving spouse and who reside with the surviving spouse as a family unit member.
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 Veteran 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 Veteran who has an application denied and whom reapplies after eighteen (18) consecutive months have expired from the date of the denial.
8. "Commission" shall mean the Marshall County Commission of Veterans Affairs.
9. "Director" shall mean the Executive Director of the Marshall County Commission of Veterans Affairs, or his/her designee.

SECTION 3 Form

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

SECTION 4 Eligibility Requirements for Veteran Assistance

To be eligible for benefits, a Veteran must be:

- Domiciled in Marshall County.
- Discharged under honorable conditions (legible discharge document must be provided),
- Have served on active duty during the following wars and within the dates (dates are

inclusive) set forth below:

- World War I – April 6, 1917 to November 11, 1918
- World War II – December 7, 1941 to December 31, 1946
- Korean War – June 25, 1950 to January 31, 1955
- Vietnam Conflict – December 22, 1961 to May 7, 1975
- Persian Gulf – August 2, 1990 to (ending date not yet determined by

Congress)

- Any other dates established in the Iowa Code.

If the Veteran/family unit is, or appears to be eligible for assistance from other federal, state or local sources, the Director shall immediately refer the Veteran to that source. (Please refer to Section 8 Application for Veteran Assistance for a listing of other assistance resources which must be sought for the veteran/family unit.)

A. Eligibility of needy veterans

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

B. Eligibility of Poor Veterans

Assistance is to be provided poor Veterans (a Veteran who is unable to engage in employment and otherwise cannot make a living) who are in need of immediate assistance, cannot obtain assistance 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, 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 Work Requirements for Receiving Assistance by a Needy Veteran

A needy Veteran 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 Veteran 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 Veteran from receiving future benefits. The needy Veteran may be required to provide reasonable proof that he or she is actively seeking employment. Failure to comply with work search requirements shall be a basis for denial of benefits. An applicant who voluntarily withdraws from the work force to attend school is not eligible for Veterans Assistance. Full time students will only be eligible in an extreme emergency situation and are not eligible for an extended nature.

SECTION 6 Level of Benefits

The maximum level of benefits to be provided for each item of assistance, for each veteran or that veteran's family unit shall be:

1. **Food Vouchers:** Food, if food stamps have not been received, at the level of guidelines for food stamps. Food Vouchers will not be used as a supplement for the Veteran or family that is eligible for food stamps or receives food stamps on an on going basis. 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 Vouchers:** Reasonable rental value not to exceed One Hundred Fifty Dollars (\$150.00) per month for the Veteran and an additional twenty-five dollars (\$25.00) per month for each additional member of the family unit that actually resides with the veteran with a maximum payment of Two Hundred Fifty dollars (\$250.00). Rent shall be paid only to property owners. Rent will not be paid to responsible relatives such as parents, grandparents, children, grandchildren, mother-in-law, father-in-law, stepmother, or stepfather. Single Veterans living in a roommate situation shall be eligible for their proportionate share, to the limit established above, of the rent based on their own income. If the roommate needs assistance, that person must make an application, and qualify, in their own name. Rent or shelter vouchers do not cover deposits or mortgage payments of principle but interest may be paid in accordance with limits established above.
3. **Utility Vouchers:** Heat, light, fuel and water – the amount needed to provide these services. Utilities must be in the name of the Veteran or another member of the family unit. Single Veterans living in a roommate situation shall be eligible for their proportionate share of the utilities based on their own income. If the roommate needs assistance, that person must make an application, and qualify, in their own name. Utility vouchers do not cover deposits, taxes, interest or carrying charges. The maximum amount authorized will be the amount of the current month billing from the utility.
4. **Emergency Telephone Vouchers:** If a veteran and/or spouse live in a rural area and the nearest neighbor is too distant to reach in the event of an emergency, or has a medical necessity, the monthly cost of one telephone is to be allowed. Long distance telephone charges for other than medical emergencies shall not be allowed or provided.
5. **Emergency Medical/Dental/Prescription Voucher:** Emergency medical shall be only on a temporary basis to stabilize the Veteran until transferred to the Veterans Administration Medical Centers, University Hospitals or other applicable resource. Emergency dental services includes dental work necessary to alleviate pain to a limit of \$200.00 per year. Further dental care will be referred to the University of Iowa Dental School. Prescription voucher may be made in conjunction with an emergency medical or dental voucher as prescribed by the treating physician or dentist.
6. **Eye Glasses:** Assistance may be granted for one eye examination in a two year period, unless the veteran/spouse provides verification from

the ophthalmologist that a more frequent schedule is necessary. In this case, the Director shall work with the veteran/spouse to obtain care at an appropriate referral center such as the University of Iowa Clinic or VA medical center prior to local assistance being granted. Eye glass assistance may be granted once in a two year period, unless a more frequent examination has been determined necessary as per above, and only for the least expensive frame and/or lenses available. Tinted lenses will not be allowed unless the ophthalmologist states these are medically necessary.

7. **Transportation:** Transportation expenses shall include gasoline, bus tickets, medical transportation by providers.
8. **Burial Expenses:** The Commission may pay such expenses in an amount established by the Marshall County Board of Supervisors in compliance with 35B.13, Code of Iowa, (minus any Social Security burial benefits, federal veterans burial benefits, state aid, life insurance, and any other funds which are available), for funeral expenses for any eligible veteran, spouse, surviving spouse, or minors under the age of eighteen (18) years of age. A marker at a cost of not exceeding Fifteen Dollars (\$15.00), shall be provided only for the deceased veteran. (Headstones – This section of Chapter 250, Code of Iowa, has been repealed: the Commission cannot allow payment for headstones.)
9. Maximum limitation for any one Veteran per year for the above benefits 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 assistance 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 assistance needed, at any one time, shall be determined, and there shall be deducted the amount of liquid assets the Veteran or the family unit have available and the balance remaining is the amount of assistance benefits the needy Veteran may receive.

If the needy or poor Veteran except for reasons not attributable to that Veteran fails to repay the value of the benefits received, if agreed, he/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 Assistance of an Extended Nature

It is contemplated that the items of assistance provided to needy Veterans, poor Veterans or their family unit will not, during any one consecutive period of time, exceed sixty (60) days. If it appears that items of assistance should be provided continuously beyond this sixty (60) day period, they may be provided by placement in the Iowa

Veterans Home, or if it is determined by the Director and the Commission that it is better for the family unit of the needy or poor Veteran to continue to receive items of relief, they may be provided on a month-to-month basis. The director and the Commission shall review the status of any extended assistance at least once per month and redetermine the appropriateness of the continued assistance.

SECTION 8 Application for Veteran Assistance

1. Application form. Applications for Veteran Assistance shall be submitted, in person, by the needy or poor veteran/spouse to the Director, located in Marshalltown, Iowa, during usual business hours upon forms provided by the Commission. If, because of undue hardship, a needy or poor Veteran cannot come to this office in person, the Director shall mail such person an application form or deliver to such person the application. No assistance will be granted over the telephone. The applicant must be domiciled in Marshall County.
2. In applying for benefits, the veteran must submit to the director with the application, the following:
 - a) Department of Defense Discharge or Separation documents. Usually, DD Form 214- "Report of Separation from Armed Forces" or Certificate of Release or Discharge from Active Duty",
 - b) Certificate of Marriage, if applicable,
 - c) Birth Certificate(s) of child(ren), if applicable and for those under eighteen years of age,
 - d) Social Security Card.

In lieu of a Certificate of Marriage, Birth certificate(s), and a Social Security card, the Veteran may provide a copy of his/her latest Federal income tax return showing the same information. However, when application is made by a surviving spouse, a Certificate of Marriage must be submitted with birth certificates of any minor children claimed as the veteran's.

3. Application Must Be Made For All Possible Other Assistance Programs. If the Veteran or the family unit is or appears to be eligible for assistance from any other federal, state, or local source the Director shall immediately refer the Veteran to that source. It shall be the obligation of the Veteran to immediately make application to that source and pursue such application with due diligence as a condition to be eligible for assistance under this Ordinance. The Commission/Director will offer assistance in making application for the Iowa Veterans Home, pensions, service-connected disability or non-service connected disability benefits, if requested.

The following applications must be completed prior to any assistance granted under this Ordinance:

- a) Applicant, who is physically able and not needed in the home to care for minor children, must have registered for

employment with Job Service of Iowa. A refusal or failure to actively seek employment, refusal or failure to accept employment offered, shall disqualify the applicant. The applicant may be required to provide reasonable verification that employment is being sought.

- b) Applicant must apply for food stamps.
 - c) Applicant must apply for FIP. Family Investment Program, if minor children are in the home.
 - d) Applicant must apply for the MICA Energy Program.
- 4 Verification of Financial Eligibility: It is the obligation of each Veteran applying to establish his/her financial eligibility for assistance. If requested, the Veteran applying shall provide the Director with a verified statement of net worth and federal or state income tax returns for the past five (5) years. The applicant must verify any and all income. Income includes but is not limited to: Wages, reserve pay, VA pension, VA disability, Social Security, Social Security Disability, SSI, Railroad retirement, Company retirement, Strike benefits, sale or rent of real estate, Dividends, Interest, Annuities, FIP, Food Stamps, Unemployment Benefits, Farm Income, Student Loans, Student Grants, GI Bill, Cash on Hand, Cash in the Bank, Stocks, Bonds, IRA's, C.D.'s, Child Support, etc.
- 5 Verification of Applicant's Inability to Engage in Employment. It is the obligation of the applicant to establish their inability to engage in employment. This is required for applicants seeking to be classified as a "Poor Veteran". The applicant will provide his/her attending physicians medical certification stating the debilitating factors of the applicants inability to engage in employment.

The Director may also require, upon approval of the Commission, that the Veteran submit to a physical or mental examination to determine Veteran's capacity to engage in employment. This examination shall be paid for by the Veteran's Commission.

The Director shall then proceed to conduct a reasonable investigation concerning the Veteran's eligibility and needs. The Veteran's file and the investigation and findings of the Director shall be made available to the applicant, upon request, or to the Veteran's attorney by written authorization.

A false statement or an incorrect statement on an application for assistance may be cause for denial of benefits.

SECTION 9 Initial Determination

A. (1) The Director shall make an initial determination of the eligibility and needs of the applicant within five (5) 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 Veterans Affairs Office and personally receive the determination. Within seven (7) 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 Veteran is entitled.

A. (2) If the Director cannot make the initial determination within five (5) 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 seven (7) working days thereafter, the Director's written decision showing the reasons why such determination could not be made.

B. If a Veteran/family unit has been previously found eligible, the Director need not receive a new application, but may proceed to a determination of whether or not current assistance is warranted and is within the limitations of this ordinance. 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 assistance for the benefit of the Veteran/family unit and the amount allowed for such benefit. The Director shall inform the Veteran/family unit and issue a written decision as provided above.

C. Whenever a Veteran is found eligible and entitled to assistance, the Director shall proceed to provide the same and notify the Commission.

SECTION 10 Appeal

A. Every applicant, whether assistance is denied in whole or in part, shall be informed of the Commission's decision in writing, and of the applicant's right to appeal from such decision. The applicant shall be informed of the method and time by which an appeal may be taken.

B(1) Any written appeal or verbal communication to the Director or to the Commission, by or on behalf of, an applicant requesting appeal of the determination, shall be accepted by the Commission or the Director. This appeal must be made within ten (10) working days of the date of decision, provide applicant's current address and telephone number, and state the reason(s) for the appeal. The applicant shall be informed immediately by telephone and by ordinary mail of the time and date of the hearing of the appeal. Applicant and his or her attorney, upon written authorization, should be granted access by the Commission to his or her case file, if requested.

B (2) If the Director made the decision from which the appeal is taken, the appeal shall be to the entire Commission. An agenda for the appeal before the Commission shall be made and posted as required by Iowa Code Chapter 21. The appeal shall be heard before the Commission at its next regular monthly meeting provided that the appeal shall not be heard sooner than five (5) days after the appeal has been taken. If the Commission's regular monthly meeting is scheduled more than ten (10) days beyond the date the appeal was taken, the Commission shall

set a special meeting for the hearing of the appeal between the fifth and tenth day from the date the appeal was made. Any appeal taken before the Commission at a regular or special meeting shall be closed pursuant to Iowa Code Section 21.5(1)(a) 1991 because the identity and particulars of the case are confidential under Iowa Code Section 35B.12 1993.

- B(3) If the Commission made the original decision from which the appeal is taken or if further appeal is taken from the Commission's decision on appeal, it shall be to the Board of Supervisors. (The written appeal continuance or a communication of a continuation request must be made to the Director within ten (10) days of the Commission's determination, provide the applicant's current address and telephone number, and state the reasons for the continuation of the appeal.) The Director shall immediately place the appeal or the appeal continuance upon the Board of Supervisors' 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 the appeal is taken. The applicant shall be informed immediately, by telephone and by ordinary mail, of the date and time of hearing before the Board of Supervisors. Applicant and his or her attorney, upon written authorization, shall be granted access by the Director to his or her file, if a request is made.

SECTION 11 Appeal Hearing

- A. The Board of Supervisors shall hear applicants' appeal de novo at the time scheduled in the agenda unless applicant request continuance. Applicant shall be permitted to present whatever evidence desired in support of 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 Boards' 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 boards' decision shall also state that an appeal may be taken from the Boards' determination, as provided below, and the method by which such appeal may be taken.

- C. Any appeal to the district court shall be allowed by the applicant from the Boards' 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 or Commission, questions any allowance of assistance benefits allowed by the Director or Commission; 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 Veteran shall acknowledge the same in writing. Recipients of assistance may further be required to work for the County as a condition to receipt of such benefits as required in Section 252.27 and 252.42, Code of Iowa. Benefits provided a Veteran may be further a claim against the homestead of a Veteran 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.

VETERAN ASSISTANCE – 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 Commission of Veteran Affairs 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 Veteran Affairs Director with documentation or verification of the information given if requested to do so.

I agree to notify the Veteran Affairs 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 Veteran Affairs 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 assistance or medical assistance.

Date _____ Approved/Rejected by _____

COMMENTS:

APPEAL RIGHTS

You have the right to appeal the decision of the Veteran Affairs Director to the Commission of Veteran Affairs and the Marshall County Board of Supervisors if you disagree with that decision, its findings, or its partial or total denial to you of relief.

IF YOU WISH TO APPEAL YOU MUST:

1. Write out the reasons why you are appealing;
2. Write out your current address and telephone number so you may *can* be notified of when the Board of Supervisors will hear your appeal;
3. Make your 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 Marshall County Commission of Veteran Affairs records pertaining to you.

VETERAN AFFAIRS – MARSHALL COUNTY

FINDINGS OF FACT:

CONCLUSIONS OF LAW:

VA-Marshall Co.

Approv.

**INTERNAL PROCESS FOR COMPLETING A HEARING IN ACCORDANCE
WITH SECTION 12...**

SECTION 16 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 taped-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 of Iowa 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 Veteran Affairs application submitted by _____. In accordance with Chapter 21.5(1)(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 record 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.

SECTION 17 Effective Date

This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Dated at Marshalltown, Iowa, this 19th day of July 1999.

Motion by Goecke, second by Soorholtz that this constitutes the third reading and adoption of Amendment No. 99-01 to Marshall County Ordinance No. 8 Prescribing the Veterans Assistance Program of the Commission of Veterans Affairs in Marshall County.

Roll call vote:	Johnson-Aye	Soorholtz-Aye	Goecke-Aye
	Chairman	Vice Chrm.	Member

/s/ Gordie Johnson
Gordie Johnson
Board of Supervisors, Chairman

Attest: /s/ Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

* * *

Adjournment--There being no further business to come before the Board, the meeting is adjourned. The next regular meeting is August 2, 1999, 9:00 a.m. All business to be acted upon at that session should be submitted to the County Auditor's Office or the Board of Supervisors' Office by July 29, 1999, at 1:00 p. m.

/s/ Gordie Johnson
Gordie Johnson
Board of Supervisors, Chairman

Attest: /s/ Jeffrey Heil
Jeffrey Heil
Marshall County Auditor

AFFIDAVIT OF PUBLICATION

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

Public Notice Notice of Adoption of
Amendment No. 99-01

STATE OF IOWA, Marshall County, ss.

I, Phyliss Troutner, being first duly sworn, on oath depose and say that Marshalltown Newspaper, Inc. is a corporation for pecuniary profit organization under the law 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 Office Mgr. of said corporation and a full time employee of the 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 edition of the said "Times-Republican" once each week for one consecutive weeks on the days and dates as follows, to-wit:

July 29, 1999

Phyliss Troutner

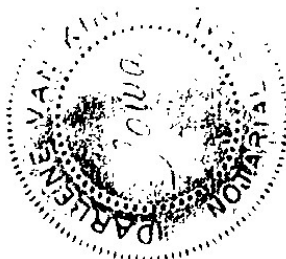
Sworn to before me and subscribed in my presence by the said

Phyliss Troutner this 29th day of July, 1999

Darlene Van Kirk

Notary Public, Marshall County, Iowa.
My commission expires May 16, 2000

Fee \$ 14.82



PUBLIC NOTICE
NOTICE OF ADOPTION OF
AMENDMENT NO. 99-01 TO MAR-
SHALL COUNTY ORDINANCE NO.
8 PRESCRIBING THE VETERANS
ASSISTANCE PROGRAM OF THE
COMMISSION OF VETERANS
AFFAIRS OF MARSHALL COUNTY

TO WHOM IT MAY CONCERN:
You are hereby notified that on July
19, 1999, the Marshall County Board
of Supervisors adopted the third and
final reading of Amendment No. 99-
01 to the Veterans Assistance Pro-
gram of the Commission of Veterans
Affairs Ordinance of Marshall County.
The Amendment brings the County
Ordinance current with the Code of
Iowa and makes a few grammatical
changes. Some minor changes were
made requiring those veterans being
provided assistance to provide cer-
tain information to the commission in
order to receive assistance.
Dated at Marshalltown, Iowa, this
26th day of July 1999.
Jeffrey Heil
Marshall County Auditor

**PROOF OF PUBLICATION
OF**

M. Co Auditor

Public notice

Amend #99-01

STATE OF IOWA)
MARSHALL COUNTY)

John C. Strawn being first duly
sworn on his oath deposes
and states that he is the
publisher of the

ENTERPRISE-RECORD

a weekly newspaper of general
circulation, published wholly
in the English language and
printed and published in

State Center

which is within the County of
Marshall and State of Iowa;
and the printed notice hereto
attached is a true copy of the

public notice

and was published in the
regular edition of said
newspaper once each week on
the same day of the week, one
publication thereof being had
on each of the following dates:

August 5, 1999

John C. Strawn
Publisher

Fees for publication \$ *11.04*

PUBLIC NOTICE

NOTICE OF ADOPTION OF AMENDMENT
NO. 99-01 TO MARSHALL COUNTY
ORDINANCE NO. 8 PRESCRIBING THE
VETERANS ASSISTANCE PROGRAM OF
THE COMMISSION OF VETERANS AFFAIRS
OF MARSHALL COUNTY

TO WHOM IT MAY CONCERN:

You are hereby notified that on July 19,
1999, the Marshall County Board of
Supervisors adopted the third and final reading
of Amendment No. 99-01 to the Veterans
Assistance Program of the Commission of

Veterans Affairs Ordinance of Marshall
County.

The Amendment to the County
Ordinance current with the State of Iowa and
makes a few grammatical changes. Some
minor changes were made requiring those
veterans being provided assistance to provide
certain information to the Commission in order
to receive assistance.

Dated at Marshalltown, Iowa this 26th day
of July 1999.

Jeffrey Heil
Marshall County Auditor

Laura Davis
LAURA A. DAVIS
MY COMMISSION EXPIRES
August 17, 2000