

CHAPTER 262

COUNTY SYSTEM

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**262.01 COUNTY BOARD SUPERVISORS OF THE POOR; RELIEF; RELIEF AGENT; POORHOUSES.** In counties having the county system, the members of the county board shall be supervisors of the poor; provided, that in counties where the board has employed and appointed an overseer of the poor, the county board may by resolution confer full authority for granting temporary relief to the poor on the overseer of the poor or such other person as may be appointed by them, and in such cases the overseer or such other person so appointed shall be the only authorized agent of the county to incur expenses for relief of the poor. In case a person other than the overseer of the poor is appointed for the purpose, he shall be designated as the county poor relief agent and shall hold his office during the pleasure of the county board and his compensation shall be fixed by the board annually. The board may establish and maintain a poorhouse for the reception and support of poor persons chargeable on the county, and also, if it shall deem best, a poor farm or workhouse, or both, for the employment of the poor therein. If, in the opinion of the board the number of poor persons does not warrant the purchase or lease of a poorhouse, it may provide for their support in any other way which it may deem proper including the payment of cash. The expense of providing the necessary land and buildings shall be defrayed by a special tax, to be assessed, levied, and collected like other county taxes.

[R L s 1492; 1933 c 198; Ex1933 c 10 s 1; 1949 c 420 s 2] (3165)

**262.02 LIMITATIONS APPLYING TO MEMBERS OF BOARD.** No member of the county board shall be directly or indirectly interested in furnishing supplies for the benefit of poor persons, or in the erection or maintenance of any poorhouse or other place provided for the reception of the poor, and no such member shall be a physician for, or overseer of, the poor. Every person violating this section shall be guilty of a misdemeanor.

[R. L. s. 1493] (3166)

**262.03 OVERSEER OF POOR, WHEN APPOINTED.** When a poorhouse is established the county board shall appoint, for the term of one year and may at pleasure remove, an overseer of the poor, who shall hold office until his successor qualifies, and whose compensation shall be fixed by the board annually. In a county where no poorhouse is established, the county board may appoint, for the term of one year and may at its pleasure remove, an overseer of the poor, who shall hold office until his successor qualifies, and his compensation shall be fixed by the board annually. Before entering upon his office, the overseer, in either case, shall give bond to the county in such sum as the county board may direct, to be approved by it, and conditioned for the faithful performance of his duties; and the county board may require an additional bond when the bond is deemed insufficient.

[R. L. s. 1494; 1933 c. 19] (3167)

**262.04 POWERS AND DUTIES OF OVERSEER.** The overseer of the poor shall have immediate charge and control of all poor persons supported by the county and of the poorhouse and other places provided for their reception or employ-

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ment, subject to the supervision of the county board, or a committee thereof appointed for that purpose. He shall keep a record of the name, age, residence, condition, date of reception, and discharge of each of the persons received under his charge, and of all deaths and births occurring. He shall keep an account of all moneys and property received and disbursed by him, and shall render and settle the same at least once each year at such time as the county board may appoint; and at the expiration of his term of office, and at other times when required, he shall make a report showing the number, names, ages, and condition of all persons who are or have been under his charge during the time covered thereby, the length of time each person has received support, the amounts received in money or otherwise from the produce of the farm or workhouse and from the labor of the inmates, and such other facts and information as the county board may require.

[R. L. s. 1495] (3168)

**262.05 COMMITMENT TO POORHOUSE.** The overseer shall receive poor persons and furnish them with suitable support at the place provided for that purpose upon order of the county board. The county board may discharge any such person when satisfied that he is not legally chargeable upon the county. When any inmate shall have left, or been discharged, from the poorhouse the overseer shall report the fact in writing to the county board at its next meeting.

[R. L. s. 1496] (3169)

**262.06 COMMITMENT BY MEMBER.** When application for relief or support is made to a member of the county board, by or for any poor person in his district, if satisfied that he is in actual need, is a proper subject for public relief or support, and is legally settled in the county, or has no legal settlement in the state, he shall make and sign an order directing the overseer to receive such person, and to furnish him with suitable support. Such order shall contain or be accompanied by a statement of such person's name, age, condition, former occupation, place of residence, and length of residence in the county. Upon delivery to him of such order, the overseer shall receive such person, and provide him with support until the further order of the county board. The member making such order shall report the facts in writing to the county board at its next session.

[R. L. s. 1497] (3170)

**262.07 TEMPORARY RELIEF.** If upon inquiry such member of the county board be of the opinion that only temporary and limited assistance will be required by such person, or any member of his family, and that it will be for the best interest of the county to grant the same, instead of making the order aforesaid, he may allow such person or any member of a family relief to the amount that he may deem expedient, provided, however, that relief shall not be granted to any one person or any one member of a family in a sum exceeding \$35 in one calendar year, except that in cases extended relief is asked before July 1st and approved by the commissioner, the county board may, by resolution, authorize him to increase the relief to the amount of \$75; and, by resolution unanimously adopted, authorize him to increase the relief to the amount of \$200, or so much thereof as may be necessary.

When relief is given under this section, an itemized and verified bill of goods furnished, services rendered or cash paid, accompanied by an acknowledgment of the same from the person receiving them, must be presented to such member. Upon his approval thereof, he shall direct the county auditor in writing to issue his warrant for the amount specified to be paid out of the fund for the support and relief of the poor. A blank form for such bill, acknowledgment, approval, and order shall be provided by the county auditor and used in all such cases.

[R L s 1498; 1907 c 360; 1909 c 290 s 1; 1949 c 420 s 3] (3171)

**262.08 RELIEF AGENTS.** In any county having the county system and having within its limits any city of the third class, the county board may employ a relief agent to assist any member of the board whose district is composed solely of a city of the third class, in the performance of the duties of such board member, prescribed by sections 262.06 and 262.07.

[1933 c. 6 s. 1] (3171-1)

**262.09 DUTIES; REPORTS; TERM.** In the performance of such duties any relief agent so employed shall receive such compensation as shall be fixed from time to time by the county board. He shall act under the general supervision and

direction of the member of whose district he shall be assigned by the county board, subject to such regulations and orders as it shall adopt. He shall make his report in writing to the member whom he is employed to assist.

The term of employment of the relief agent authorized by section 262.08 shall be fixed by the county board.

[1933 c. 6 ss. 2, 3] (3171(2), 3171-3)

**262.10 CONVEYANCE OF POOR PERSONS.** When an order is made directing an overseer to receive any poor person who is unable to travel without conveyance at public expense the county board, or member thereof making the same, may in writing direct the sheriff or any nearby constable to convey him to the place provided; and such officer shall receive from the county reasonable compensation therefor.

[R. L. s. 1499] (3172)

**262.11 SETTLEMENT IN ANOTHER COUNTY.** When application for support or relief is made by a person whose settlement is in another county, or in a town, city, or village of another county, the county board applied to, or its chairman, shall warn him to depart from its county; and, if he is unable or refuses to do so within a reasonable time, and is likely to become a public charge, the chairman may issue an order, under his hand and the seal of the county board, to the sheriff or any constable of the county, requiring him to convey such person to the place of his settlement. If he be so sick, infirm, or otherwise disabled as to render it unsafe or inhuman to remove him, and is in immediate need of support or relief, provision therefor shall be made in the manner prescribed in sections 262.06, 262.07, and 262.10. All proper expenses incurred by such county in making such removal or in furnishing such support or relief shall be paid by it and be a legal claim in its favor against the county, town, city, or village in which such person has a settlement.

[R. L. s. 1500] (3173)

**262.12 COUNTY BOARD TO APPOINT PHYSICIAN.** The county board shall appoint one or more practicing physicians to be physicians of the poor who shall hold office during the pleasure of the county board and receive such compensation as it may from time to time determine. If more than one be appointed, the order of appointment shall prescribe the district in which each shall act, and none shall be required to act outside of his district except in case of urgency. When directed by a member of the county board or by the overseer such physician shall attend upon and prescribe for any sick poor person in charge of the overseer, and on written direction of a member of the county board shall attend upon and prescribe for any sick person who is entitled to receive support or relief from the county. If immediate treatment of any person who has been declared a county charge be required, any licensed physician who may prescribe for or treat him before the arrival of the county physician shall be paid therefor. He shall at once notify the county physician, who shall thereupon take charge of the case. Within 30 days thereafter he shall file with the county auditor a verified report showing the name and residence of the patient, the day and hour when called, the distance traveled in going to such place, the nature of the disease or injury, the service performed, the time when the county physician was notified and took charge, and the amount claimed as compensation. The county auditor shall present such report at the next meeting of the county board, which shall allow reasonable compensation.

[R. L. s. 1501] (3174)

**262.13 MINORS, HOW PROVIDED FOR.** When a minor becomes chargeable upon any county the county shall provide a home for him with some respectable householder, if one can be found who will take him.

[R. L. s. 1502; 1949 c. 420 s. 4] (3175)

**262.14 BURIAL AT EXPENSE OF COUNTY.** When a person dies in any county, not leaving sufficient means to defray the necessary expenses of his burial, nor any relatives therein of sufficient ability to procure his burial, the county board shall cause a decent burial of his remains to be made at the expense of the county.

[R. L. s. 1503] (3176)

**262.15 TAX FOR SUPPORT OF POOR.** The county board shall levy a tax annually sufficient to defray the estimated expenses of supporting and relieving the poor therein during the succeeding year, and to make up any deficiency in the fund raised for that purpose during the preceding year.

[R. L. s. 1504] (3177)

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**262.16 TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.** The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for old age assistance, aid to dependent children, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

[1937 c. 304 s. 1] (3177-1)

**262.17 DISTRICT POORHOUSE; BOARD OF DIRECTORS.** The county boards of two or more counties, having a joint population of not less than 10,000, by concurrent resolutions, may unite as a district and establish therein a district poorhouse, which shall be deemed the poorhouse of the several counties. The management of such poorhouse shall be vested in a board of directors, consisting of the chairmen of the several county boards, if the district comprise more than two counties; if it comprise two counties only, such board shall be composed of the chairmen of the two county boards, one other member of each board to be chosen annually, and a fifth chosen by the other four. Such board shall be a body corporate, with power to sue and be sued, and to purchase, hold, and convey real and personal property. It shall meet at the district poorhouse on the fourth Tuesdays of January and July in each year for the transaction of such business as may be brought before it, and may hold extra sessions as it may deem necessary. An extra session may be called by a majority of the board and the secretary shall give at least ten days' notice thereof to the members. Each year, at its January meeting, the board shall elect from its number a chairman, secretary, and treasurer. The chairman shall preside at all meetings and sign all documents requiring signature. The secretary shall prepare and present to the county boards bills for all amounts due from the respective counties for the support of poor persons, which shall be allowed and paid as other like bills. The district overseer of the poor shall be assistant secretary. The directors shall receive \$3.00 per day for their attendance upon meetings and ten cents per mile for travel; but no director shall be paid for more than 20 days' attendance, or mileage for more than five meetings in one year.

[R. L. s. 1505] (3178)

**262.18 LOCATION AND ERECTION.** Upon the establishment of such district, the directors by resolution shall set a time and place for a meeting to receive and consider offers from any county, town, city, village, or person in the district for the sale of land therein for a poorhouse. At such meeting, or any adjournment thereof, the board may purchase such land upon terms which it may deem most advantageous and contract for or procure the erection of such poorhouse and other buildings thereon and the necessary equipment and supplies therefor. The board in its discretion may provide for the employment therein of such poor persons as may be able to labor; but no such buildings shall be erected until the plans, specifications, and location thereof are approved by the director of social welfare.

[R. L. s. 1506] (3179)

**262.19 EXPENSE, HOW APPORTIONED.** The expense of providing such land, buildings, equipments, and supplies shall be assessed pro rata upon the several counties according to the assessed valuation of the taxable property therein for the preceding year. The board shall fix a weekly rate for each inmate, to be paid by the county from which he comes; and, if at the end of any fiscal year it appears that such rate was insufficient to pay all expenses of maintaining such poorhouse, the board shall levy upon each county to meet such deficit an amount determined by the proportion which the number of days' board furnished to inmates from each county bears to the total number furnished to all poor persons kept therein. The secretary shall certify to the several county auditors all amounts assessed upon the counties under this section.

[R. L. s. 1507] (3180)

**262.20 OVERSEER OF POOR.** The board shall appoint an overseer of poor of the district, who shall hold office for six years and until his successor qualifies, unless sooner removed by the board for cause. He shall give bond, as provided in the case of a county overseer, except that such bond shall be approved by the board,

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and made payable to its treasurer. He shall have charge of all poor persons maintained at the district poorhouse, subject to the supervision and written direction of the board, or a committee thereof appointed for that purpose. He shall keep records and accounts, and settle his accounts with, and make reports to, the board as provided in the case of a county overseer; stating in his reports the county to which each poor person is chargeable. He shall render to the director of social welfare such reports as are required from county overseers of the poor.

[R. L. s. 1508] (3181)

**262.21 LAND FOR POOR FARM.** The board of control of any county of this state may purchase land of its poor farm to be operated in connection with its almshouse. The land shall be paid for in the same manner as other purchases of the board of control are paid for, and the title to the land shall be taken and held in the same manner as the title of other lands of the board of control is now held; provided, that the land so purchased for the poor farm, together with land heretofore purchased and now owned by the board of control, shall not exceed in area 320 acres; and no such land shall be purchased without the approval of the city council of the city and the board of county commissioners of the county wherein the board of control exists.

[1911 c. 218 s. 1] (3182)

**262.22 CONTRACT FOR CARE OF PERSONS OTHER THAN PAUPERS.** The board of county commissioners of any county now or hereafter maintaining a poorhouse for the reception and support of poor persons chargeable on such county is hereby authorized to enter into contracts for the support and care at such poorhouse of aged and decrepit persons or indigent persons who are then actual residents of the county, for a stipulated sum per week; provided that the sum shall be one amply sufficient to fully reimburse the county, unless such person is an indigent person; and the county board shall have the privilege and right to terminate such contracts when the board may deem it for the best interest of the county so to do.

[1915 c. 321 s. 1] (3183)