

Approved 9/25/2012

CHAMPAIGN COUNTY, ILLINOIS
COMMITTEE MINUTES

PUBLIC AID APPEALS COMMITTEE

Wednesday, September 22, 2010

**Brookens Administrative Center, Jennifer K. Putman Meeting Room
1776 E. Washington St., Urbana**

9:00 a.m.

MEMBERS PRESENT: Pamela Borowski, Bernard Magsamen, James Rusk, C. Pius Weibel

MEMBERS ABSENT: None

OTHERS PRESENT: Kat Bork (Administrative Assistant), Carol Elliott (Cunningham Township Supervisor), Fred Grosser (Cunningham Township Attorney), Susan McGrath (Senior Assistant State's Attorney)

CALL TO ORDER

Weibel called the meeting to order at 9:00 a.m.

ROLL CALL

Bork called the roll. Borowski, Magsamen, Rusk, and Weibel were present at the time of the roll call, establishing the presence of a quorum.

APPROVAL OF AGENDA/ADDENDUM

MOTION by Borowski to approve the agenda for the meeting; seconded by Rusk. **Motion carried with unanimous support.**

APPROVAL OF MINUTES

MOTION by Borowski to approve the Public Aid Appeals Committee minutes of June 1, 2009; seconded by Rusk. **Motion carried with unanimous support.**

PUBLIC PARTICIPATION

There was no public participation.

PUBLIC AID APPEAL FROM CUNNINGHAM TOWNSHIP REGARDING APPELLANT #02.63

Receipt of Evidence from Appellant and Township

Weibel noted the absence of Appellant #02.63. A communication from Appellant #02.63 that was received in the County Board Office on September 21, 2010 was distributed. Weibel confirmed the County Board Office had sent the required notice to the appellant. The notice was

sent via certified mail on September 10, 2010. Bork confirmed, via the United States Postal Service's website, that delivery of the notice was attempted on September 11, 2010 at 3:13 p.m. A notice was left for the appellant by the postal carrier that the parcel could be retrieved at the post office. An agenda packet for this meeting was mailed to Appellant #02.63 on September 17, 2010 via regular mail. The September 21st communication from the appellant verified the agenda packet had been received by the appellant. In this communication, the appellant requested an extension and submitted as evidence an unsigned form requesting authorization for repayment of interim assistance from the Illinois Department of Human Services. Section 13 of the Appeal Rules & Procedures of the Champaign County Public Aid Appeals Committee defines the good cause reasons for which an appeal hearing may be continued to a later date and requires that any request for continuance must be submitted seventy-two hours prior to the scheduled hearing. Appellant #02.63 did not comply with the stated deadline (also stated in the hearing notice sent to him on September 10, 2010) or meet the requirement of good cause listed in Section 13 of the Rules & Procedures. Weibel declined to grant an extension and Bork attempted to reach the appellant via telephone. She left a message on the voicemail that was positively identified as belonging to the Appellant #02.63. The request for an extension also refers to the township's written documentation not meeting disabilities standards for the appellant's disability. However, the appellant did not state what the disability was and it could not be determined if it was an ADA protected disability. McGrath confirmed no document was provided by Appellant #02.63 that sets forth his disability.

Elliott noted that, early in the process, documentation mailed to the appellant was returned to the township due to insufficient postage. The documentation was resent to the appellant with the correct postage. Elliott was neither aware of any special mailing procedures nor aware of any disability the appellant had. The appropriate forms and a public aid check had been previously sent to the appellant via regular mail and were received by the appellant.

The committee continued to wait for the appellant to appear. The committee took action when the appellant had not arrived for the scheduled hearing by 9:15 a.m.

MOTION by Borowski to accept the township's statement of facts into evidence; seconded by Rusk. **Motion carried with unanimous support.**

Closed Session Pursuant to 5 ILCS 120/2(c)(4) to Consider Evidence or Testimony Presented in Open Hearing to This Quasi – Adjudicative Body

No closed session was necessary.

Announcement of Decision

MOTION by Rusk to uphold the Cunningham Township's decision to terminate Appellant #02.63's general assistance benefits based on the appellant's failure to appear; seconded by Magsamen.

Borowski inquired if the appellant could file another appeal after failing to appear at this hearing. Elliott verified the appellant could request another hearing within a certain timeframe.

Motion carried with unanimous support.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting was adjourned at 9:19 a.m.

Respectfully submitted,

Kat Bork

Administrative Assistant

Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.