

**STORY COUNTY IOWA
RESOLUTION OF THE BOARD OF SUPERVISORS
RESOLUTION NUMBER #23-49**

**RESOLUTION BY STORY COUNTY BOARD OF SUPERVISORS
AMENDING THE VETERANS BENEFITS MANUAL**

WHEREAS, the Board of Supervisors approved the Code of Ordinances of Story County, Iowa, on May 21, 2013 and amended May 29, 2018;

WHEREAS, Section 22.04 Veterans Benefits Manual of the Code of Ordinances of Story County, Iowa, specifies the following:

22.04 VETERAN BENEFITS MANUAL.

1. The rules, regulations, standards and guidelines for administrating veteran benefits shall comprise the *Veteran Benefits Manual*.
2. The *Veteran Benefits Manual* shall be adopted by resolution of the Board.
3. Amendments to the *Veteran Benefits Manual* shall be made by resolution pursuant to Section 331.302 of the *Code of Iowa*, following publication of notice of the proposed change and opportunity for the public to be heard.
4. Copies of the *Veteran Benefits Manual* shall be available to the public in the office of the Director.

WHEREAS, Amendments to the *Veteran Benefits Manual* have been reviewed and approved by the Commission of Veterans Affairs.

WHEREAS, legal notice of the proposed public hearing regarding Resolution No. 23-49 Amending the Veterans Benefits Manual in accordance with Section 22.04 of the Story County Code of Ordinances was published in the official newspapers of Story County on Thursday, January 5, 2023; and

WHEREAS, the Story County Board of Supervisors held a public meeting on this matter on the 10th day of January, 2023.

BE IT RESOLVED, THEREFORE, by approving Resolution No. 23-49 Amending the Veterans Benefits Manual in accordance with Section 22.04 of the Story County Code of Ordinances, that the Story County Board of Supervisors approves the proposed manual as attached (Attachment A).

IT IS FURTHER RESOLVED that the Chairperson of the Board of Supervisors and the Clerk to the Board of Supervisors are authorized and they are hereby directed to certify a copy of this Resolution as the voluntary act and deed of the Board of Supervisors of Story County, Iowa.

Dated this 10th day of January 2023.

Chairperson, Board of Supervisors

Attest:

County Auditor

ROLL CALL
FOR ALLOWANCE

Latifah Faisal Yea ___ Nay ___ Absent ___
Lisa Heddens Yea ___ Nay ___ Absent ___
Linda Murken Yea ___ Nay ___ Absent ___

ALLOWED BY VOTE
OF BOARD

Yea ___ Nay ___ Absent ___

CHAIRPERSON Above tabulation made by _____

Attachment A

STORY COUNTY VETERANS BENEFITS MANUAL

(Revision 9-9-2022)

- I. General Provisions
- II. Eligibility of a Veteran and Eligible Family Member(s)
- III. Administration
- IV. Guidelines for Investigation and Determination of Eligibility
- V. Requirements for Receiving Assistance
- VI. Guideline Expenditures
- VII. Appeal

I. GENERAL PROVISIONS

Chapter 35B of the Code of Iowa outlines the legal basis for the County's Commission of Veteran Affairs. In Story County, the Veterans Affairs Director administers the Veterans Affairs Program, under the general supervision of the Veterans Affairs Commission.

Chapter 22 Veterans Affairs Program 22.04 establishes the County Veterans Benefits Manual.

Temporary benefits are granted for two months in a 12-month period to indigent Veterans and eligible family members. The Story County Commission of Veterans Affairs emphasizes that benefits are for the **indigent**, on a **temporary basis**. A County pension program is not available. Eligible Veterans are assisted one month at a time. An application must be filled out for each month with a maximum of 15 calendar days for completion.

II. ELIGIBILITY OF A VETERAN AND ELIGIBLE FAMILY MEMBER(S)

Veteran assistance is temporary aid to needy Veterans and/or their surviving spouse or eligible dependents when the Veteran meets all of the following criteria.

- A. Has legal residence in Story County for the last 90 consecutive days.
- B. Has served 90 consecutive days of full-time active federal service, other than training, in the Armed Forces of the United States and who was discharged under honorable conditions.
- C. Is a Veteran as defined by State of Iowa Code 35.1 - "Veteran" means any of the following:
 - 1. A resident of this county who served in the Armed Forces of the United States at any time during the following dates, and who was discharged under honorable conditions:

- a. World War I from April 6, 1917, through November 11, 1918.
- b. Occupation of Germany from November 12, 1918, through July 11, 1923.
- c. American expeditionary forces in Siberia from November 12, 1918, through April 30, 1920.
- d. Second Haitian suppression of insurrections from 1919 through 1920.
- e. Second Nicaragua campaign with Marines or Navy in Nicaragua or on combatant ships from 1926 through 1933.
- f. Yangtze service with Navy and Marines in Shanghai or in the Yangtze valley from 1926 through 1927 and 1930 through 1932.
- g. China service with Navy and Marines from 1937 through 1939.
- h. World War II from December 7, 1941, through December 31, 1946.
- i. Korean Conflict from June 25, 1950, through January 31, 1955.
- j. Vietnam Conflict from February 28, 1961, through May 7, 1975.
- k. Lebanon or Grenada service from August 24, 1982, through July 31, 1984.
- l. Panama service from December 20, 1989, through January 31, 1990.
- m. Persian Gulf Conflict from August 2, 1990, through the date the President or the Congress of the United States declares a cessation of hostilities. However, if the United States Congress enacts a date different from August 2, 1990, as the beginning of the Persian Gulf Conflict for purposes of determining whether a Veteran is entitled to receive military benefits as a Veteran of the Persian Gulf Conflict, that date shall be substituted for August 2, 1990.

2. Including:

- a. Former members of the reserve forces of the United States who served at least twenty years in the reserve forces and who were discharged under honorable conditions. However, a member of the reserve forces of the United States who completed a minimum aggregate of ninety days of active federal service, other than training, and was discharged under honorable conditions, or was retired under Tit. 10 of the United States Code shall be included as a veteran.
- b. Former members of the Iowa National Guard who served at least twenty years in the Iowa National Guard and who were discharged under honorable conditions. However, a member of the Iowa National Guard who was activated for federal duty, other than training, for a minimum aggregate of ninety days, and was discharged under honorable conditions or was retired under Tit. 10 of the United States Code shall be included as a veteran.
- c. Former members of the active, oceangoing Merchant Marines who served during World War II at any time between December 7, 1941, and December 31, 1946, both dates inclusive, who were discharged under honorable conditions.
- d. Former members of the Women's Air Force service pilots and other persons who have been conferred Veterans status based on their

civilian duties during World War II in accordance with federal Pub. L. No. 95-202, 38 U.S.C. § 106.

- e. Former members of the Armed Forces of the United States if any portion of their term of enlistment would have occurred during the time period of the Korean Conflict from June 25, 1950, through January 31, 1955, *but who instead opted to serve* five years in the reserve forces of the United States, as allowed by federal law, and who were discharged under honorable conditions.
- f. Members of the reserve forces of the United States who have served at least twenty years in the reserve forces and who continue to serve in the reserve forces.
- g. Members of the Iowa National Guard who have served at least twenty years in the Iowa National Guard and who continue to serve in the Iowa National Guard.

D. Income is within 100% of the Federal Poverty Guidelines.

- 1. Net income will be the aggregate of all income of household members (pensions, compensations, railroad retirement, social security, retirement pensions, 401K, child support, alimony, assistance from family members, worker's compensation, etc.) earned and unearned income.
- 2. Medical expenses and prescriptions, paid in the previous month will be deducted from net income.

III. ADMINISTRATION

The Veterans Affairs Director or designee will:

- A. Accept applications for Veterans Assistance from authorized Veterans and/or their authorized family members.
- B. Determine eligibility of each applicant according to the guidelines set in this manual.
- C. Place a copy of the discharge certificate in the client file and determine the type of discharge as follows:
 - 1. DD FORM 214 Report of Separation from Active Duty (began in 1951)
 - 2. DD FORM 215 Correction to DD Form 214
 - 3. DD FORM 217 Certification of Service. Used to place officer and enlisted personnel on Temporary Disabled Retired List (TDRL)
- D. Arrange for vendor payments by a voucher system.
- E. Assist Veterans and/or their family members to attain self-sufficiency.

IV. GUIDELINES FOR INVESTIGATION AND DETERMINATION OF ELIGIBILITY

The Director or designee will investigate the statements made on all applications. The following circumstances would make it prudent to make further inquiry into an individual's eligibility status, or a denial may be given if:

- A. Applicant's situation indicates potential unused resources.
- B. Applicant's property or cash reserves are near or equal to the financial limitations in this manual.
- C. Applicant's living expenses are greater than income.
- D. Applicant has a known history of misrepresentation or consistent use of veteran's assistance program.
- E. Applicant is a transient or someone who changes their address frequently or who has no permanent place of residence, or who temporarily relocated for employment purposes.

V. REQUIREMENTS FOR RECEIVING ASSISTANCE

The Veterans Assistance fund will not be utilized until all other sources of public assistance have been exhausted.

- A. The applicant must be a resident and reside in Story County for a minimum of 90 days and be current with their rent or mortgage to be eligible for assistance. An applicant located in Story County who has legal residence in another county of the State of Iowa may receive assistance as the Director deems appropriate, after examining the eligibility rules of the applicant's county of residence. The Director shall then bill the applicant's county of legal residence for any assistance provided.
- B. The applicant must complete and sign a pre-screening form, application form and all required documents before assistance from Story County Commission of Veterans Affairs can be granted.
- C. If physically and mentally able, the applicant must do a job search and actively seek employment.
 - 1. A person is not eligible for assistance if unemployed for the purpose of seeking post high school training or education unless that person is participating in a vocational program that is part of an Individual Comprehensive Plan (ICP) developed by their social worker, case manager, or the Veterans Vocational Rehabilitation Service.
 - 2. An applicant who is unemployed due to voluntarily quitting a job or is justifiably discharged from a job is not eligible for assistance for a period of three months after leaving the job.

- D. If physically or mentally unable to work, must provide doctor's written verification of diagnosis and length of illness.
- E. If eligible, must apply for Public Assistance Programs, such as Family Investment Program (FIP), Social Security, Supplemental Security Income (SSI), Social Security Disability (SSDI), Unemployment Compensation, and Food Stamps.
 - 1. If the applicant and their adult family members through action or inaction has created an ineligibility for assistance or a reduced level of assistance from any federal/state financial assistance programs they will be ineligible for assistance until they are eligible for federal/state financial assistance programs with Department of Human Services/Iowa Health and Human Services.

VI. GUIDELINE EXPENDITURES

- The guideline expenditures have been established by Story County Commission of Veterans Affairs with approval by the Story County Board of Supervisors.
- Veterans Assistance will pay for current bills only.
- The following will not be paid: past due bills, late fees and deposits.
- After eligibility is established and verified, the Director or designee shall disburse the Veterans Assistance granted according to the guidelines of this manual in the following categories:

A. Rent/Mortgage

- 1. Rent/Mortgage will not be paid to relatives and will only be paid to owners of the property or mortgage holders.
- 2. The total amount of rent or mortgage allowed for one person living in the home is \$550; if utilities are included \$600. With two or more persons living in the home, rent or mortgage allowed is \$650; if utilities are included \$700. The maximum amount of assistance is \$700.
- 3. When a single person has a roommate, who pays their portion of the rent and or utilities, only the Veteran's portion can be paid.

B. Utility Benefits

- 1. Utility payments will be made to gas, electric, water/sewer, and fuel oil companies who may provide another type of fuel needed for heating or cooking. This is capped at \$385.00 maximum for current bills, past due will not be paid. No hook-up charges or deposits will be paid.
- 2. The amount authorized will be the current amount billed by the utility company or budget billing. Taxes will not be paid.

3. Utilities must be in the name of the applicant or another member of the household. If the expense of utilities is being shared with a non-applicant, the payment will be pro-rated.

C. Food Benefits

Applicants will be referred to food pantries or other sources before issuing a voucher for food. Story County would be the funder of last resort.

1. This category includes food and non-food expendable household items such as soap and paper products, household cleaning supplies, and personal grooming supplies.
2. All applicants receiving food stamps are not eligible for a food voucher. Food stamps will not be supplemented.
3. A food voucher will not be used for luxury items such as pop, candy, potato chips, etc. A food voucher may be given to an applicant for an amount of \$40.00 for a single person and an additional \$10.00 for each additional person, made out to the grocery store of the applicant's choice.
4. Client must make application for food stamps if not in receipt of food stamps.

D. Medical Benefits

1. Authorization for payment must be obtained from the Director prior to incurring medical expenses. In the case of an emergency, when it is impossible to obtain prior authorization, our office must be contacted the first working day following the emergency.
2. Payments may be made for prescriptions and also for some medical needs that require no prescription, such as insulin needles, bandages, gauze, etc. Payment for prescription or non-prescription drugs shall be limited to \$200.00 per eligible family member each month.
3. Payment may be made for dental work necessary to alleviate pain. Payment for necessary dental work may include denture repair or replacement. Dental vendor payments are limited to \$200.00 for extractions or restoration and the cost of dentures, not to exceed \$600.00 full plate or \$300.00 **½ set remove and replace with a Parshall plate**, if needed. Payment will not be made without pre-authorization from the Director or designee.
4. Payment may be made for refraction and glasses. (Limited to Title XIX frames and lenses only.) **Limited to \$150.00. (delete this limited to \$150.)**

E. Transportation Benefits

The Director or designee shall consider transportation to Veterans Administration Medical Centers, University of Iowa Hospitals and Clinics, Iowa nursing homes, Iowa Veterans Home, Marshalltown, Fort Dodge CBOC Community Base Outpatient Clinic or local hospital, providing the eligible person does not have sufficient funds to cover transportation costs.

1. The Director or designee may reimburse eligible Veterans or volunteers who drive Veterans to VA Medical Centers, University of Iowa Hospitals and Clinics, Iowa nursing homes, Iowa Veterans Home, or local hospitals at the county approved rate for mileage reimbursement per mile.
2. Transportation assistance for transients may be in the form of a voucher payment not to exceed fifteen (15) gallons of gasoline; or for a bus ticket no farther than the closest city bordering Iowa. Assistance will be limited to one time only.

F. Funeral Expenses

1. Insurance, assets, resources or family contributions must be applied toward funeral expenses and may make a person ineligible for assistance. Veteran's benefits may be denied for vendor services that have not been approved by the Director prior to services being rendered.
2. For allowable costs, please see the Burial Guidelines and contract.
3. The Director of Veteran Affairs or designee must have an itemized statement of all funeral expenses before a check will be issued to the vendor.
4. This policy shall not create a contract for vendors or be construed as a benefit to vendors.
5. The Director or designee is responsible for the interment in a suitable cemetery of the body of any veteran, (as per section 35.1 Iowa State Code), or the spouse, or child of the person; if the person has died without leaving sufficient means to defray the funeral expenses. The commission may pay the expenses in a sum not exceeding an amount established by the board of supervisors.
6. Burial expenses shall be paid by the county in which the person died. If the person is a resident of a different county at the time of death, the county of residence shall reimburse the county where the person died for the cost of burial. In either case, the board of supervisors of the respective counties shall audit and pay the account from the funds provided for funeral services in the manner as other claims are audited and paid.

G. Grave Markers

The Director will furnish a grave marker to all honorably discharged veterans buried in Story County who have 90 days or more of active military service, one day of which was during a period of war. Honorably discharged peacetime veterans must have served 90 days of active military service before 1981- or 2-years active military service after 1981. National Guard or Reserve Forces Retired with 20 years of honorable service.

VII. APPEAL

- Every applicant shall be informed of the applicant's right to appeal.
- A written appeal must be made to the Veterans Affairs Director or designee within 10 business days of the Director's or designee determination.
- The appeal hearing will be scheduled within 10 business days with Story County Commission of Veterans Affairs.
- The VA Commission shall decide on the appeal within 10 business days after the hearing in writing.
- Any person who is denied benefits after a hearing with the Story County Commission of Veterans Affairs shall be informed that they have a right to request a hearing before the Story County Board of Supervisors.

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The Story County Commission of Veterans Affairs reserves the right to amend, delete, or make revisions to the policies and guidelines contained in this manual at a future meeting.
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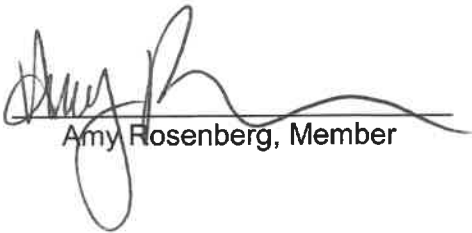
WE, AS MEMBERS OF THE STORY COUNTY COMMISSION OF VETERANS AFFAIRS, HAVE ADOPTED THE PROVISIONS AND GUIDELINES CONTAINED IN THIS VETERANS BENEFITS MANUAL AT A REGULAR MEETING HELD ON NOVEMBER 28, 2022.


Nicolas Briseno, Chairman


Luke Vance, Vice Chairman


Beth Hartmann, Secretary


Monty Woodward, Member


Amy Rosenberg, Member