

CHAPTER 11
VETERAN AFFAIRS PROGRAM

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11.01 PURPOSE. It is the position of the County that provision of assistance to needy veterans and their dependents is a matter of public benefit as well as a statutory duty of the County, and to that end, veteran benefits, as defined herein, shall be administered to needy veterans and their families, as identified by Veteran Benefits Manual guidelines, promptly, humanely, and equitably, in order to assure those veterans and their dependents decent, healthful living situations. Together, this chapter and the Sac County Veteran Benefits Manual fulfill the duties imposed upon the County by Chapter 35B of the Code of Iowa.

11.02 DEFINITION. For purposes of this chapter, the following terms are defined:

1. “Commission” means the Sac County Commission on Veteran Affairs.
2. “Director” means the Veteran Affairs Director hired by the Commission, subject to the approval of the Board of Supervisors, to administer the County’s veteran affairs program.
3. “Family” means the person applying for veteran benefits, that person’s spouse, children under 18 years of age, older children who are dependent on the applicant due to school attendance or incapacity, and anyone else domiciled with the applicant according to guidelines used by the State Department of Revenue in collecting income tax.
4. “Needy” means a lack of resources to maintain self or family in a decent, healthful situation.
5. “Vendor payment” means a County Auditor’s warrant to the supplier of goods or services.
6. “Veteran assistance” means County payment made on behalf of needy veterans for rent, utilities, food, medical services, burial, and miscellaneous expenses.

11.03 ELIGIBILITY FOR VETERAN’S BENEFITS. Eligibility for veteran benefits shall be determined on the basis of need, as established and verified by the Director, according to the guidelines set out in Sections II and III of the Veteran Benefits Manual, and shall be determined without regard to race, creed, religion, national origin, sex, or age.

11.04 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.

11.05 APPLICATION FOR VETERAN BENEFITS. Application for veteran benefits shall be made to the Director on forms supplied by the Director. The Director shall give written notification to the applicant of the decision to grant or deny the application within five working days after receipt of the completed application. Such notice shall include the factual basis for the Director’s decision, a statement of the right to appeal, and a recital of appeal procedures.

11.06 REVIEW BY THE COMMISSION. The Commission may review the determination of eligibility made by the Director. If the Commission questions any allowance of veteran benefits allowed by the

Director, it shall take no action concerning such allowance until it conducts a hearing. Notice of the hearing shall be given to the applicant in the same manner as if the applicant had taken the appeal. This hearing shall proceed in the same manner as an appeal by the applicant from the Director's determination.

11.07 APPEAL.

1. Every applicant, whether granted relief or not, shall be informed in the Director's written decision of the applicant's right to appeal from such decision to the Commission on Veteran Affairs. The applicant shall be informed:
 - A. Of the method by which an appeal may be taken; and
 - B. That they may represent themselves, or may be represented by counsel at applicant's expense.
2. The written appeal or communication shall be made to the Director within 10 days after the Director's determination, shall provide applicant's current address and telephone number, and shall state the reasons for the appeal. Any written appeal or communication to the Director by or on behalf of an applicant requesting appeal of the Director's determination shall be received by the Director and put immediately upon the Commission's agenda in accordance with Chapter 21 of the Code of Iowa, for the next regular Commission meeting, provided that such appeal shall not be heard sooner than five working days after appeal is taken. The applicant shall be informed immediately, by telephone and by ordinary mail, of the date and time of hearing before the Commission. Applicant and applicant's attorney, upon written authorization from applicant, shall be granted access by the Director to applicant's case file upon request.

11.08 APPEAL HEARINGS.

1. The Commission on Veteran Affairs shall hear applicant's appeal at the time scheduled in the agenda unless continuance is requested by applicant and granted by the Commission. Applicant shall be permitted to present any evidence desired in support of the appeal by personal testimony, by having other witnesses testify, by offering documentary evidence and by reasonable cross examination of other witnesses, if present. The technical rules of evidence shall not apply. The Commission may set reasonable times for the present action of the parties at any appeal. The applicant's file shall be admitted into evidence. The Commission may question the applicant, and the Director shall present the Commission with the reasons for the determination. The appeal shall be tape recorded. The hearing before the Commission shall not be an open meeting under Chapter 21 of the Code of Iowa, since the confidential files of the applicant will be in evidence. When the Commission deliberates on the appeal, no persons other than Commission members shall be present. The Commission's deliberations shall not be tape recorded.
2. The Commission shall make a decision on the appeal within 10 working days after the hearing. The Commission's findings of fact and decision shall be based only on the evidence submitted during the hearing. Immediately after making its decision, the Commission shall mail to applicant at their last known address, by ordinary mail, its decision in writing. The decision shall state the reasons for the action and shall also state that an appeal may be taken to District Court from the Commission's determination, and shall state the method by which such appeal may be taken.
3. Any appeal from the Commission's decision to the District Court shall be allowed within the time and by the manner and procedures established under the Iowa Administrative Procedures Act, Chapter 17A of the Code of Iowa.