

ORDINANCE NO. VII-3

AN ORDINANCE ESTABLISHING A GENERAL ASSISTANCE PROGRAM IN CHICKASAW COUNTY, IOWA

BE IT ENACTED by the Board of Supervisors of Chickasaw County, Iowa:

SECTION 1. POLICY FOR GENERAL ASSISTANCE

1. Iowa Code Chapter 252 imposes duties upon the counties of Iowa regarding County General Assistance (also referred to as General Relief). The Code directs the Board of Supervisors to provide assistance to poor persons lawfully in Chickasaw County, enables the Board of Supervisors to provide for the assistance of needy persons, and requires the establishment of general rules as deemed necessary to properly discharge the responsibility of the Board of Supervisors.
2. Pursuant to Iowa Code Chapter 252, the Board of Supervisors hereby establishes a General Assistance Program for the benefit of poor and needy persons residing in Chickasaw County. General Assistance is a short-term emergency assistance program that is understood to be the “last resort” form of assistance, as applicants are expected to apply for and accept assistance from all other resources prior to receiving General Assistance. Financial limitations on personal income, personal resources, and property ownership and other eligibility requirements for the General Assistance Program as well as the amounts and duration of General Assistance, unless specifically set out in the following sections, shall be established by the Board of Supervisors by separate Resolution. The Director shall manage the General Assistance Program.

SECTION 2. CATEGORIES OF GENERAL ASSISTANCE

There shall be two categories of General Assistance in Chickasaw County, including:

1. Assistance for poor persons; and
2. Emergency Assistance for needy persons.

SECTION 3. DEFINITION OF TERMS

As used in this Ordinance, the following terms are defined as such:

1. “Poor Person” is a person who has no property, exempt or otherwise, and is unable because of physical or mental disability, to earn a living by labor. Iowa Code § 252.1.

2. "Needy Person" is a person with limited means, but not a poor person as defined herein, that meets eligibility requirements set out herein for aid. Iowa Code § 252.1.
3. "Disability" shall mean the existence of an impairment or illness, either mental or physical, which has a demonstrable effect upon the applicant's ability to perform work tasks. The incapacity, when not evident to the Director, may be supported by medical statements supplied by a health care provider. Any person not disabled may still be considered a Needy Person.
4. "General Assistance" means a county payment or payments made on behalf of an eligible person or household for food/personal hygiene, clothing, rent, utilities, medical supplies and services, medical appointment transportation, and burial expenses.
5. "Net Worth" includes income or monies from any source, bank deposit accounts, stocks, bonds, real estate, cash value of life insurance policies, jewelry, and the value of all other real and personal property.
 Exempt: household furniture and personal possessions, tools and equipment used for home and family maintenance or support, burial lots and funeral trust funds, household vehicles with total value less than \$3,000, and a homestead value not to exceed \$40,000.
6. "Household" means those who dwell under the same roof; a social unit comprised of those living together in the same dwelling with verification of residence in said dwelling.
7. "Liquid Assets" means cash or any other item of net worth of the household that can be readily converted to cash within seven days.
8. "Awaiting Approval and Receipt" means a poor person who has applied for assistance under any state or federal law, who has pursued that application with due diligence, and who has not had the application denied. This does not include an appeal of the denial of benefits. It does include a person who has had an application denied.
9. "Director" means the General Relief Director of the Northeast Iowa Community Action Corporation, who serves as the manager of the General Assistance Program as designated by the Board of Supervisors, and his/her staff. Iowa Code § 252.26.

SECTION 4. ELIGIBILITY FOR GENERAL ASSISTANCE

To be eligible for General Assistance, an applicant must meet the eligibility requirements and not exceed the financial limitations set forth in Resolution No. 05-31-22-35.

SECTION 5. LEVEL OF BENEFITS

The types of and maximum level of benefits to be provided for each item of General Assistance for each person or that person's household shall be consistent with those set forth in Resolution No. 05-31-22-35.

SECTION 6. APPLICATION FOR GENERAL ASSISTANCE

Initial contact may be made by telephone, online, or office visit to the Chickasaw County Family Services Office at Northeast Iowa Community Action Corporation in New Hampton during regular business hours Monday–Friday. A completed and signed General Assistance Application must be submitted along with any requested supporting documentation. If an applicant cannot come to the office, the Director may mail a General Assistance Application to the applicant. If the applicant appears to be eligible for assistance from any other source, they will be provided a referral to that source. Failure or refusal to make an application to other sources of assistance may be grounds for denial of General Assistance.

An individual who knowingly provides false information to the Director when submitting a General Assistance Application or who fails to disclose the nature, value, and location of property or other information will be denied General Assistance. The Director shall suspend General Assistance benefits for any such individual for a period of no less than 30 days and no more than 360 days. The length of suspension shall be based upon the nature of the false information included in the General Assistance Application. In the event General Assistance benefits have been paid prior to the discovery of the false or omitted information, payment of further benefits will be immediately suspended and the individual shall repay all benefits he/she had received within 30 days. The Director will notify the individual of any action taken under the terms of this paragraph and advise the individual of the right to appeal the decision.

SECTION 7. DETERMINATION OF ELIGIBILITY

1. The Director shall make an initial determination of the eligibility and needs of the applicant within five working days upon receipt of the General Assistance Application and all requested supporting documentation. Upon the determination, the applicant shall be notified of their eligibility status.
2. If the initial eligibility determination cannot be made within five working days, the applicant shall immediately be informed by telephone or mail stating the reasons why such a determination cannot be made.
3. If an applicant has been previously found to be eligible and their situation has remained the same, they may not need to submit a new application during a 12-month span. However, supporting documentation for current need must be provided by the applicant.
4. If an emergency need is present, the Director may provide verbal authorization to a vendor to furnish an amount of General Assistance for the benefit of the applicant. The applicant subsequently must provide any documentation of eligibility and determination that is requested. Failure to provide requested information shall cause

current General Assistance to be discontinued and future General Assistance to be denied.

5. If an applicant is not eligible for General Assistance, the General Assistance Application will be reviewed by the Director and a letter explaining ineligibility will be sent to the applicant.

SECTION 8. REIMBURSEMENT

Chickasaw County may seek reimbursement for General Assistance provided to a poor person from those persons or entities obligated for their support. Iowa Code § 252.13.

SECTION 9. APPEAL PROCESS

Applicants shall be informed of their right to appeal their eligibility for General Assistance or the amount of General Assistance. The applicant shall be informed of the process to file an appeal and their right to represent themselves or obtain a representative of their choice.

1. An applicant wishing to appeal may file with the Director a written request for review of the General Assistance Application. The appeal must be filed within ten days of the notice of decision and include the applicant's name, current address, telephone number, and reasons for the appeal. The Director shall review the General Assistance Application and issue a subsequent Director's decision within five business days of the receipt of the written request for review. If the applicant provides a valid mailing address, the decision will be mailed to the applicant. Otherwise, the decision shall be held for at least one week at the office of the Director for pick up by the applicant.
2. An applicant wishing to appeal the Director's decision may file a written request for review within ten days of this decision. The appeal shall be forwarded by the Director to the Board of Supervisors and placed on the agenda for the next regularly scheduled meeting. If the applicant provides a valid mailing address or telephone number, the applicant shall be informed by the Director either by telephone or mail of the date and time of the hearing before the Board of Supervisors. Otherwise, the date and time of the hearing shall be available to the applicant at the office of the Director.
3. The Board of Supervisors shall hear the applicant's appeal at the time scheduled unless a continuance is requested by the applicant (said requested continuance may be granted at the discretion of the Chairperson of the Board of Supervisors). The applicant shall be permitted to present evidence in support of the appeal including testifying, offering documentary evidence, and cross examination of other witnesses. Technical rules of evidence shall not apply. The Board of Supervisors may set a reasonable length of time for presentations by the parties. The Board of Supervisors may question the applicant, and the Director shall present the reasons for the Director's determination. The hearing shall be recorded. The hearing before the Board of Supervisors will be closed in accordance with the Iowa Code §§ 21.5(1)(a), 217.30, and 252.25. Information about the applicant which is disclosed during the hearing shall remain confidential. Applicant's

failure to attend the meeting at which the applicant's appeal is heard by the Board of Supervisors may result in dismissal of the applicant's appeal.

4. The findings by the Board of Supervisors shall be based solely upon evidence presented at the hearing. The Board of Supervisors shall issue its decision in writing, as promptly as possible, but within five business days of the hearing date. If the applicant provides a valid mailing address, the decision will be mailed to the applicant. Otherwise, the decision shall be held for at least one week at the office of the Director for pick up by the applicant.

SECTION 10. ACTION BY THE BOARD OF SUPERVISORS

The Board of Supervisors may review the actions of the Director in allowing or disallowing General Assistance benefits and may approve or disapprove of such actions consistent with the provisions of this Ordinance.

SECTION 11. APPLICABILITY AND EFFECTIVE DATE

This Ordinance shall become effective immediately upon final passage, approval, and publication. Any other Ordinances and Resolutions or parts thereof in conflict with this Ordinance hereby are repealed.

PASSED AND ADOPTED by the Chickasaw County, Iowa, Board of Supervisors on May 31, 2022.



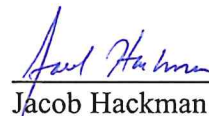
Matthew Kuhn, Chair




Tim Zoll, Vice Chair



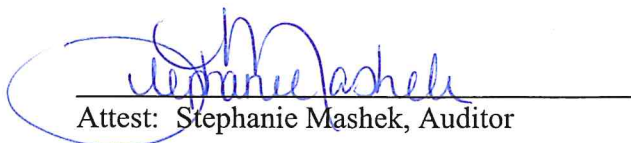
Jason Byrne



Jacob Hackman



Steven Breitbach



Attest: Stephanie Mashek, Auditor