

## Commissioners Guidelines

### INTRODUCTION

Congratulations on your appointment by the Pottawattamie County Board of Supervisors. You now have an opportunity to assist your fellow Veteran and or surviving spouses, make the most of it. Pottawattamie County Veterans are one of our counties most valuable assets. No one has done more for this county than our county Veterans. Pottawattamie County and Iowa has been on the forefront of every War, Conflict, and Skirmish that this Nation has encountered. In order to show its appreciation for the sacrifices that the Veteran/Dependents have made, in 1874 the State of Iowa established a Veteran Assistance Program. In 1927, the Veteran Assistance Program was renamed the Iowa Bonus Board. Through the efforts of the Bonus Board, the Iowa State Association of County Commission of Veteran Affairs was organized in 1937. The sole purpose of this association is to see that Veterans should not be in want by insuring that adequate aid is provided for the Veteran/Dependent in times of need. You are now a part of this rich heritage as a member of the Pottawattamie County Commission of Veteran Affairs. Again, welcome and thank you.

### CONFIDENTIALITY

**Confidentiality and a Veteran's or surviving spouse right to privacy is a high priority to Pottawattamie County Veterans Affairs Department. Information obtained from or about the Veteran and or surviving spouse will be kept in strict confidence. Commissioners are not allowed to review any Federal Case files. The Commissioners responsibilities are confined to County Government functions.**

### ESTABLISHING THE COMMISSION

**Chapter 35B of the Code of Iowa** created the Commission. **Chapter 35B** gives Iowa's individual County Boards of Supervisors the authority to establish a County Commission of Veteran Affairs. Once Commissioners are appointed, the State Code states the following:

**Senate File 2134: Section 35B.6 subsection 1a, Code 2007** has been amended. This section of the code states that once the Commission is established by the Supervisors, the Commission shall employ an Executive Director or Administrator and shall have the power to employ administrative or clerical assistants. Their salaries shall be fixed by the Supervisors.

The Director must have the same qualifications as the Commissioners (**Section 35B.3**). If an Administrator is employed in lieu of a Director, the Administrator does not have to meet the same requirements (**Section 35B.3**).

**Chapter 35B.6** further states, "An administrator may hold another position within the county or other government entity while serving as an administrator only if such position does not adversely affect the administrator's duties under this chapter".

The Director or Administrator must complete a certification training provided by the State Department of Veteran Affairs (35A.5). Failure to comply and maintain certification shall be cause for removal from office.

A county's population determines office hours:

1. A Commission with a county population of 30,000 or less must be open for a minimum of 20 hours per week.
2. A Commission with a county population of more than 30,000, but less than 60,000 must be open for a minimum of 30 hours per week.
3. A Commission with a county population of 60,000 or more must be open for a minimum of 40 hours per week.

Exceptions to the 40 hour a week are when a staff member is on vacation and the other is sick or for an outreach program or during times when it is required that the staff attend training.

### **RESPONSIBILITIES OF THE COMMISSION**

There will be times when it is required for the commission to attend more than one meeting per month. The commission meets monthly with the County VA Director/Administrator and staff and IF necessary quarterly with the Board of Supervisors in October, January, April and July. Meetings are open to the public and the agenda is posted 24 hours in advance. Meetings are held in the Veteran Affairs Multipurpose room.

Monthly meeting are a time when the Director/Administrator and staff report on the office operation and a time when County assistance requests are reviewed and voted on by the Commissioners. Commissioners report on any activities they were part of during the last month. Agenda items need to be sent to the Commission chair five calendar day's prior to the meeting and the office staff will send out the agenda by 24 hours prior to the meeting. Meetings are held on the second Thursday of the month at 9:00 am unless the Commissioners approve a change of a different day due to scheduling issues. The commission reviews expenditures, sets budget, formulate and implement new ideas, review County Assistance requests, update policy, interview clients on appeal, sign applications to the Iowa Veteran's Home, receive input from local county Veterans, Veteran Service organizations (American Legion/VFW/DAV/), and the public or any other matter pertinent to their local Veterans or Commission.

From time to time the Department has outreach events for county veterans. The commissioners should be part of these events as a good visual and name recognition for county veterans to get to know their appointed commissioners. Each year around Veterans Day a local parade is held within Council Bluffs participation through a local Service Organization or the Department is great exposure for the office. Notification of events will be posted on the Pottawattamie County Veterans Affairs Facebook

The Commission is responsible for the execution of **Chapter 35B, Code of Iowa**. The Commission is responsible for the formulation of the POTTAWATTAMIE County VA Department manual and to review the proposed budget in November each year.

**Note:** The Commission can make an exception to the policy by majority vote.

## **Open Meetings Law**

**Iowa Code: Chapter 21.2** definitions state that a board, council, commission or other governing body expressly created by the statutes of this state or by executive order must comply with the open meetings law. A board, commission, or other governing body must provide a minimum of 24 hours' notice; hold an "open session", record the time, date, members present, votes taken, and enough information to indicate the vote of each member present at the "open session". These minutes shall be public record.

## **Commission Meetings**

1. Will be conducted with an awareness of Robert's Rules
2. Will start at the pre-scheduled time
3. Will be conducted in a professional manner
4. Will follow the agenda
5. Will allow each Commissioner to be involved in discussions and decision making
6. Will encourage each Commissioner to be on a Commission committee
7. Will end each meeting by giving each Commissioner the opportunity to address any issue they deem important.

## **Commission Self-Assessment**

The Commission is responsible for having an annual self-assessment of the Commission each January. This self-assessment will aid the Commission in determining if the Commission is fulfilling its obligation under **Chapter 35B, Code of Iowa**. The assessment will also help individual members come face to face with his/her role as a Commissioner.

## **Commissioners Training**

The state of Iowa is required to provide training to County Commissioners once a year. This training is provided in the fall designated by the Iowa Department of Veteran Affairs. The cost of this training is to be paid or reimbursed to the Commissioners who attend from the Department Budget Commission line item.

## **Executive Director or Administrator Evaluation**

The Commission is responsible for establishing an evaluation process setting the standards by which the Executive Director or Administrator is evaluated. This process will aid the Commission in determining program progress and the Executive Director or Administrator salary recommendation.

## **Acknowledgement**

Commissioners must always remember that the Commission is a team and should function as a team. All matters that concern the Commission shall be placed on the Commission's monthly agenda for full disclosure and discussion before any action is taken. An individual Commissioner cannot make a Commission decision or represent the Commission unless such representation is voted on and approved at an open meeting by a quorum of the Commission.

It is also important to remember that the Commission is a semi-autonomous body. This means that the Commission does not stand alone in all of its operation. The Supervisors provide for the budget, housing the staff of the Department, physical maintenance of all equipment, telephone service, personnel office, health insurance, life insurance and payroll.

### **COMMISSION ADMINISTRATIVE COMPONENT**

Confidentiality and a Veteran's right to privacy is a high priority to the staff of the County Commission of Veteran Affairs. Information obtained from or about the Veteran will be kept in strict confidence.

The Director or Administrator is responsible for the day-to-day operation of the County Commission of Veteran Affairs. **Senate file 2134 section 35B.6** specifically states the following:

#### **The duties of the executive director, administrator, and employees shall include all of the following:**

1. Inform members of the armed forces, veterans, and their dependents of all federal, state, and local laws enacted for their benefit.
2. Assist all residents of the state who served in the armed forces of the United States and their relatives, beneficiaries, and dependents in receiving from the United States and this State any and all compensation, pensions, hospitalization, insurance, education, employment pay and gratuities, loan guarantees, or any other aid or benefit to which they may be entitled under any law". **(S.F. 2134 section 35B.6)**

The Director/Administrator, who is Nationally Certified, is responsible for the day-to-day operation of the County Commission of Veteran Affairs. The Director has a number of duties which include but are not limited to, giving direction to the staff, which includes an office coordinator. The Director is also responsible for attending meetings on matters pertaining to the Veteran and/or Commission, interacting with the public, media, local, State and Federal legislators, monitoring the Commission budget, making policy recommendations, hearing appeals, keeping the Commission informed about the effectiveness of their policies, and also social and economic trends affecting the Veteran.

**The Director/Administrator is also responsible for the administration of Service Work and Emergency Assistance requests, which are the two programs of the administrative component of the Commission:**

## SERVICE WORK

The first program is Service Work. Service work is the filing of any and all Federal forms for the Veteran/Dependent to obtain Federal, State or County benefits. Some examples of the benefits available are:

1. Compensation benefits
2. Non-service connected pension
3. Widow's benefits
4. Enrolment in VA Health Care
5. Dependency and Indemnity Compensation (DIC)
6. Vocational rehabilitation
7. Nursing home benefits

**90% of the office staff's time is spent assisting Veteran's with service work. Service Work is a priority of the office staff. Millions of dollars are received by Veterans/Dependents in Pottawattamie County each year. This money greatly enhances County and State commerce. Once a Veteran/Dependent starts receiving compensation/pension or vocational rehabilitation benefits, it helps to stabilize the Commission's budget.**

Some of the State Programs to administer are but not limited to :

Assisting with applications: Iowa Veterans Home  
Iowa Veterans Trust Fund  
Iowa State Veteran's Cemetery  
Iowa Drivers License Veterans designation  
Iowa Veteran's Home

The Iowa Veteran's Home was founded in 1887 and is currently the third largest state-owned facility for Veterans in the nation. Any honorably discharged Veteran and his spouse who demonstrates either medical or financial need, and meets entry requirements may apply for admission. The Iowa Veteran's Home is located on a 150 acre campus in Marshalltown, Iowa. The Home provides professional care for a Veteran and his spouse in a friendly environment with a caring staff. The staff of the County Veteran Affairs Commission will assist the Veteran and his spouse in making application.

### Iowa Veteran's Trust Fund

The State of Iowa has established a Veteran's Trust Fund to further assist Veterans defined under **Iowa Code section 35.1** as residents of Iowa who served the armed forces of the United States, completing a minimum of 90 days of active duty or who are discharged for injury before 90 days. The staff of the County Veteran Affairs Commission is responsible for assisting Veterans in filing for Trust Fund assistance. The State Commission of Veteran Affairs sets the criteria and application for assistance through this program.

## Iowa State Veteran's Cemetery

The staff of the County Commission of Veteran Affairs informs Veterans/Dependents and acts as a referral agency in assisting Veterans/Dependents in applying for admittance to the Iowa State Veteran's Cemetery.

The Iowa Veteran's Cemetery operational standards are set by the United States Department of Veteran's Affairs (USDVA). Eligibility is determined as follows:

1. Discharged from "active duty" under conditions other than dishonorably, or
2. Died while on "active duty", or
3. Served at least 20 years in the National Guard or Reserves and qualified for military retirement pay (or would have qualified except death occurred before age 60). Reserve component personnel qualify if they otherwise served in a Presidential call up during their reserve component of military service. Active duty for training of reserve component personnel does not qualify as active service.
4. Iowa residency is not required for burial in the Iowa Veteran's Cemetery.
5. Veterans can pre-register for burial determination.
6. Funeral directors are required to submit an Application of Interment (submitted at the time of need).

## COUNTY Emergency ASSISTANCE

The second program of the administrative component is emergency assistance to honorably discharged veterans or dependents. Assistance includes, but is not limited to, the following:

1. Rent/Mortgage
2. Utilities
3. Food
4. Burial assistance
5. Medication

**Application for assistance must be completed by the Department and reviewed by the Commission at the monthly meeting. It is also the intention of the County Commission of Veteran Affairs to examine any need that a Veteran considers an emergency.**

## APPEALS

When a Veteran / surviving spouse disagrees with a decision made by the Pottawattamie County Commission of Veterans Affairs they have 10 days to provide a written appeal to the Director of the Pottawattamie County Veterans Affairs Commission. The Commission chair will call a meeting with the other two commissioners after they have had time to read over the case file. The commission's decision is final.

## **COUNTY POLICIES**

The Commission shall review all county policies enacted by the Board of Supervisors to determine their affect on the operation of the Commission under **Chapter 35B, Code of Iowa**.

### **HEALTH INSURANCE PORTABILITY ACCOUNTABILITY ACT (HIPAA)**

POTTAWATTAMIE County is committed to HIPAA compliance. Each county department, board or commission must adhere to all of POTTAWATTAMIE County policies and procedures. Policies and procedures must be reviewed annually to ensure that all general requirements of HIPAA are met. Specifically:

1. “Ensure the confidentiality, integrity and the availability of all electronic protected health information (EPHI) the county creates, receives, maintains or transmits.
2. Protect against any reasonably anticipated threats or hazards to the security or integrity or such information.
3. Protect against any reasonably anticipated uses or disclosures of such information that are not permitted or required.
4. Ensure compliance with the security standards identified in the HIPAA regulations”.
5. POTTAWATTAMIE County Veterans Affair staff is not allowed to talk about veteran’s issues with anyone without permission from the veteran.