

Resolution No.: 20-50

**NONMEDICAL INDIGENT ASSISTANCE FOR BONNER COUNTY ASSISTANCE**

AT A REGULARLY SCHEDULED PUBLIC MEETING OF THE BONNER COUNTY COMMISSIONERS, STATE OF IDAHO, ON THE 21<sup>ST</sup> DAY OF July, 2020, THE FOLLOWING RESOLUTION WAS UNANIMOUSLY ADOPTED TO WIT:

**WHEREAS**, the Board of Bonner County Commissioners (hereinafter the "Board") is empowered, pursuant to Idaho Code Section 31-3401, to promulgate policies and procedures, negotiate payments to providers, and contract for non-medical services; and

**WHEREAS**, the Board has developed certain policies and procedures for the administration of Idaho Code, Title 31, Chapter 34, as permitted specifically therein, subject to amendment by further Resolution, as deemed necessary; and

**WHEREAS**; the Board adopted Resolution No. 11-79 on August 30, 2011, and now determines that corrections and changes need to be made to said Resolution No. 11-79, which amendments are reflected herein.

**BE IT HEREBY RESOLVED** that the Board hereby declares that the following policies and procedures will be utilized in the administration of Idaho Code, Title 31, Chapter 34.

**FURTHER**, this Resolution is intended to provide guidance for the application of the provisions of Title 31, Chapter 34 of the Idaho Code, and nothing contained herein shall be interpreted as a substitution for any language, restrictions, rights, privileges or requirements set forth in said Idaho Code. Refer to Idaho Code 31-3403 for definitions.

**I. RESTRICTIONS ON PROVIDING NON-MEDICAL ASSISTANCE**

In determining available resources of the applicant, the Board will not consider as an allowable expense payments to an applicant's relatives of any degree of relation, including but not limited to the applicant's in-laws.

- A. Bonner County will not make payments to an applicant's relatives of any degree or relation, including but not limited to the applicant's in-laws, for services or goods provided to the applicant or the household, or paid on behalf of the applicant.
- B. An application will be denied if the applicant voluntarily terminated his/her employment at any time thirty (30) days prior to filing an application for assistance or at any time after the application was filed. An applicant will be deemed to have voluntarily terminated his or her employment if he/she was terminated by his/her employer for failing to appear for work, for excessive absences, or for violations of the employer's policies.

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- C. If at the time of the filing an application for non-medical assistance, or thereafter, the applicant is a defendant in a pending action for unlawful detainer/eviction in the district court, Bonner County will not intervene in the action; and the Board will deny the application and request for payment of the applicant's rent or utilities.
- D. Bonner County shall only be obligated for payment of nonmedical assistance for those eligible applicants who, at the time their application is filed, currently maintain a residence within Bonner County for thirty (30) consecutive days or longer.

## **II. APPLICATION PROCESS**

- A. Any person may apply for non-medical assistance in writing, on a form approved by the Board. The applicant must sign the application and all necessary information release forms; and his/her signature must be notarized. The completed application must be filed with the Clerk of the Board through the Indigent Services Department.
- B. Except as otherwise provided in this Resolution, the Board may only approve an application for assistance after submission of a completed application, completion of an interview and investigation by the clerk, and a determination of eligibility and indigency by the Board.
- C. The Board will consider approving an application filed for assistance only when it is demonstrated that no other alternatives for the assistance exist and that Bonner County is considered as last resort to provide the assistance.
- D. All adult members of the household described in the application may be required to file a separate application listing, among other things, all available resources. Said application must be duly signed and notarized and must include a signed release of information form; and all such adult household members may be required to appear before the Clerk, provide documentation and submit to an interview.
- E. In making a determination of indigency for an application requesting assistance with payment of rent or utilities, the Board may consider the available resources and expenses of all adult members of the household, including child support or any funds being received by a minor child in the household from Social Security, or any other sources.
- F. The applicant and any adult household members must be employed or demonstrate to the satisfaction of the Board that he/she is actively seeking employment. All adult household members must maintain a current registration with the Idaho Department of Employment Job Service. This requirement may be waived if such person produces a written statement from a physician certifying that said person(s) is unable to work for medical reasons. An adult high school student who is attending classes is exempt from this requirement.
- G. The Board will not approve assistance to an individual for more than one month in a twelve-month period. Assistance granted by any Idaho county for any type of service will count toward this maximum.
- H. Bonner County will not pay for any non-medical services for any applicant or applicant's spouse, who is an undocumented illegal immigrant, where those services are not considered emergency services.

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### **III. INVESTIGATION PROCESS**

The clerk will advise the applicant at filing, of the need for any documentation in support of the application. The applicant will be responsible for presenting the required documentation to the clerk at the time designated in the interview letter or at a future date designated by the clerk. Every applicant will be required to appear before the clerk and to cooperate in an interview to determine eligibility for assistance. The clerk will make all reasonable attempts to investigate and corroborate the applicant's statement and documentation within the time allotted by Title 31, Chapter 34 of the Idaho Code.

If the applicant is unable to participate in the interview or investigation process, a representative may do so on their behalf, but only if said representative has been named as the applicant's attorney in fact through a duly executed power of attorney under Idaho law and only if said power of attorney is deemed applicable to the processing of an application under this Resolution.

Failure of the applicant(s) to comply with the application process shall result in a denial by the Board per Idaho Code 31-3404(2).

### **IV. RENTAL ASSISTANCE**

- A. Bonner County will not pay the first month of rent, hotel/motel charges, mortgage payment, security deposit, late fees, interest penalties, or recreational vehicle (RV) parking or space rent.
- B. Bonner County will not pay more than the equivalent of 1 (One) month rent.
- C. If more than one person is named on a lease agreement, and the clerk verifies that any of the named lessees no longer live in the residence, the clerk will not consider those absent lessees as a resource.
- D. If the lease application was signed by another as a co-signer on the lease, this will be considered an available resource, and an application for rent will be denied.
- E. In the event an application seeks rental assistance for past due rent, Bonner County will not pay rent in such cases, unless the clerk verifies that the landlord has agreed not to seek eviction proceedings in the event the amount paid by the county does not satisfy the full amount of rent due.
- F. Bonner County will not pay rent or housing costs where the landlord or housing agency is considered a "half-way house", "clean and sober living", or similar boarding specifically providing housing for former felons or those recovering from alcohol or substance abuse. Bonner County will not pay rent or housing costs for assisted living, rest homes, nursing homes, rehabilitation facilities, homes for wayward children or Good Samaritan homes.
- G. The Board will not approve an application for rent payments unless a dated copy of the valid written lease in question, signed by either the applicant or applicant's spouse and the landlord, is presented to the clerk in a timely manner.

- H. Handwritten leases will not be considered valid. Handwritten notations on an otherwise valid lease will not be considered part of the lease unless said notations are initialed by both the applicant and the landlord.
- I. The applicant must have received an eviction notice for a residence within Bonner County and the Landlord must sign agreement that they will not pursue eviction for at least two months after receipt of county payment.

#### **V. UTILITY ASSISTANCE**

- A. The Board may approve payment of heating oil, natural gas, electric power, propane, and wood if these are the only source of heat, and only if the utility account is in the name of the applicant or applicant's spouse, or if it is clearly demonstrated by the terms of the written lease that the tenant is required to pay for said utilities, even if the account remains in the name of the landlord.
- B. Bonner county will not pay more than the equivalent of 1 (one) month utility charges.
- C. The Board will grant utility assistance only for the applicant's current residence.
- D. Bonner County will not pay to reconnect a utility, nor pay late fees, interest, or penalties. Bonner County will not pay internet, cable TV, satellite TV, any type of maintenance, repair or replacement of a septic tank, any vehicle expenses, or for any goods or services that are not necessary living expenses.
- E. If the account is guaranteed by another as a co-signer, this will be considered an available resource; and the Board will deny such an application for utility assistance.

#### **VI. FOOD ASSISTANCE**

There exists in Bonner County food assistance through the established community Food Bank and soup kitchens, and Idaho Department of Health & Welfare Food Stamp program. Therefore the Board shall not approve an application for food assistance.

#### **VII. CLOTHING**

There exists in Bonner County free assistance for clothing through church service centers. Therefore the Board shall not approve an application for clothing.

#### **VIII. OTHER EXCLUSIONS**

- A. Bonner County will not pay for the following:
  - a. Gas vouchers
  - b. Weatherization

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- c. Transportation costs, airline, taxi or bus fares
- d. Automobile repairs, towing or impound fees
- e. Automobile insurance
- f. Garage fees
- g. Pet fees, deposits, food, bills and related.
- h. Application fees
- i. Commercial utility accounts
- j. Irrigation water
- k. Residential water
- l. Telephone or other communication equipment and fees
- m. Installment contracts or loans
- n. Charge accounts
- o. Legal fees or fines
- p. LID fees
- q. Divorce child custody, or adult protection payments, fees for fines
- r. Law enforcement matters, fines, tickets or proceedings
- s. Household furniture replacement or repair
- t. Utility access or hookups.

#### **IX. COUNTY WELFARE DIRECTOR**

The Bonner County Welfare Director is hereby authorized to, in her or his discretion in an emergency, determine the eligibility of applicants for nonmedical assistance and disburse assistance in sums not exceeding \$200 per applicant without the necessity of Board action. Any sums in excess of said amount shall be made by a majority of the Board.

#### **X. REIMBURSEMENT**

Acceptance of county assistance obligates applicant to repay county. Any person applying for Non-Medical Assistance will be required to reimburse the county, on monthly payments, the total amount paid on their behalf. The reimbursement section of the application must be signed to be considered a completed application. Reimbursement statement must be signed by the applicant, spouse, significant other and co-applicant. County will work with the applicant(s) to determine a reasonable repayment amount. County will send out monthly statements for stated reimbursement.

#### **XI. DECISION**

The decision of the Board is final if a timely appeal is not filed per Idaho Code 31-3410.

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**IT IS FURTHER RESOLVED** that this Resolution supersedes previous resolutions for Indigent nonmedical services, and that the terms of this Resolution can be revised at the discretion of the Board of County Commissioners. (95-58, 97-10 and 11-79).

**THEREFORE BE IT RESOLVED** by this Board of Bonner County Commissioners this 21<sup>ST</sup> day of July, 2020, adopt the Nonmedical Indigent Assistance Policy and be effective upon execution hereof.

APPROVED AND ADOPTED this 21<sup>ST</sup> day of July, 2020

Board of Bonner County Commissioners

By: [Signature], Chairman

By: [Signature] Commissioner

By: [Signature] Commissioner

Attest:

[Signature] Bonner County Clerk

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## Bonner County Assistance

1500 Highway 2, Suite 122 • Sandpoint, ID 83864

Item  
#2

21 2020  
July 10, 2019

### Memorandum

To: Bonner County Commissioners

From: Kevin Rothenberger, Director

Re: Amendment to resolution 11-79 Nonmedical Indigent Assistance

Policy amended to state current practice of paying only one month equivalent rent and utility assistance.

Approved by Legal: Bill Wilson

A suggested motion would be: **Mr. Chairman based on the information before us I make a motion to approve Resolution 20 - 50 replacing prior resolution 11-79 NonMedical Indigent Assistance.**

Recommendation Acceptance: ☒ yes ☐ no

  
Commissioner Jeff Connolly, Chairman

Date: 7/21/20

Don McConall