

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA
RESOLUTION APPROVING ADDENDUM #1 TO COOPERATIVE AGREEMENT
FOR CHILD SUPPORT ENFORCEMENT SERVICES

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2007), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Sarpy County may be able to use incentive payments available through the American Recovery and Reinvestment Act (ARRA) for a portion of the County's matching funds required for federal reimbursement, and an agreement has been proposed between the County of Sarpy, Nebraska, the Nebraska Department of Health and Human Services, and the County Attorney of Sarpy County Nebraska to enable the County to obtain the ARRA incentive payments.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT Addendum #1 to the Cooperative Agreement for Child Support Enforcement, a copy of which is attached hereto, is hereby approved, and the Chairman and the Clerk are hereby authorized to sign said agreement and such other documents as may be necessary under the terms of said agreement.

DATED this 9th day of June, 2009.

Moved by Rich Jansen, seconded by Rusty Hoke, that the above Resolution be adopted. Carried.

YEAS:	NAYS:	ABSENT:
<u>[Signature]</u>	<u>none</u>	<u>none</u>
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	ABSTAIN:
<u>[Signature]</u>	_____	<u>none</u>
<u>[Signature]</u>	_____	_____

Renee Lammann
County Clerk Asst Chief



Approved as to form:
[Signature]
Deputy County Attorney

Addendum #1
For Cooperative Reimbursement Agreement
For Child Support Services

1. The American Recovery and Reinvestment Act (ARRA) allows County Child Support offices to use incentive payments as part of their county match when obtaining federal reimbursement for child support related activities. The use of these funds must be transparent in order to allow the monitoring of payments. In order to achieve transparency, the Department must be able to readily identify the use of incentive funds used by the County against federal matching money. In order to account for the ARRA stimulus funds the counties are asked to show how they spent the Federal match on the incentive funds attributed to your quarterly allowable IV-D expenditures. In order to provide accountability counties are required to complete a Federal Incentive Match Form - (attached)
2. The use of the incentive payments and any federal matching money are for services outlined in Section C., Scope of Services, of the current Cooperative Reimbursement Agreement. Child support services are eligible for reimbursement as outlined in Section G., Reimbursement of County Expenses, and section H., County Incentive Payments, of that same agreement. Attached is an example of how DRA and ARRA affect incentive funds.
3. Counties must follow Title 45 – Public Welfare Section III, Section 305.35 (attached).
4. All county IV-D reimbursement documents are subject to audit by state or federal staff as outlined in Section F., Records, of the current Cooperative Reimbursement Agreement for Child Support Services.

This change became effective October 1, 2008 and will remain in place until September 30, 2010. All other terms and conditions of said Agreement not herein amended shall remain in full force and effect.

Executed by the parties or their authorized representatives:

STATE OF NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

BY: Todd L. Reckling Dated this 15 day of MAY, 2009
Todd L. Reckling, Director
Children and Family Services

COUNTY: Sarpy

BY: Jon Jones Dated this 9th day of June, 2009
County Board Chair

BY: L. Smith Date this 19th day of June, 2009
County/Authorized Attorney

County Federal Incentive Match Expenditure(s) Form

The American Recovery and Reinvestment Act of 2009 (ARRA) temporarily changes the child support authorization language to allow States, political subdivisions or localities to use Federal incentive payments provided to States, political subdivisions or localities in accordance with Section 458 of the Act as their State share of expenditures eligible for Federal match. This change is effective October 1, 2008 through September 30, 2010.

The ARRA Act includes clear expectations that States and other recipients of ARRA stimulus funds will be held accountable for how funds are expended and what benefits are derived from the use of these funds. Nebraska Child Support Enforcement is asking the counties receiving Federal match on Federal incentive funds to provide transparency and account for how these federally matched incentive funds were spent in the County IV-D Program so these expenditures will be available for review by the public.

In order to account for the ARRA stimulus funds the counties are asked to show how they spent the Federal match on the incentive funds attributed to your quarterly allowable IV-D expenditures. Below you will find a "Total Federal Incentive Match" figure. You will need to provide a breakdown of how your office spent this portion of your quarterly reimbursable IV-D expenditures. The "Quarter Ending Date" for which funds are being federally reimbursed under ARRA is also being provided.

This form must be completed and returned to Stephanie Lofton in Child Support Enforcement Finance at:
P.O. Box 94728
Lincoln, NE 68509

Phone: (402) 471-1400

Return completed form to Stephanie by: _____

Quarter Ending Date: _____

Total Federal Incentive Match	\$ _____
Salaries	\$ _____
Benefits	\$ _____
Supplies	\$ _____
Equipment	\$ _____
Travel	\$ _____
Other (Please Specify)	\$ _____
Total	\$ _____

Signature _____

Date Submitted _____

County _____

[Code of Federal Regulations]
[Title 45, Volume 2]
[Revised as of October 1, 2004]
From the U.S. Government Printing Office via GPO Access
[CITE: 45CFR305.35]

[Page 278-279]

TITLE 45--PUBLIC WELFARE

CHAPTER III--OFFICE OF CHILD SUPPORT ENFORCEMENT (CHILD SUPPORT

PART 305 PROGRAM PERFORMANCE MEASURES, STANDARDS, FINANCIAL INCENTIVES, AND PENALTIES--Table of Contents

§ 305.35 Reinvestment.

(a) A State must expend the full amount of incentive payments received under this part to supplement, and not supplant, other funds used by the State to carry out IV-D program activities or funds for other activities approved by the Secretary which may contribute to improving the effectiveness or efficiency of the State's IV-D program, including cost-effective contracts with local agencies, whether or not the expenditures for the activity are eligible for reimbursement under this part.

(b) In those States in which incentive payments are passed through to political subdivisions or localities, such payments must be used in accordance with this section.

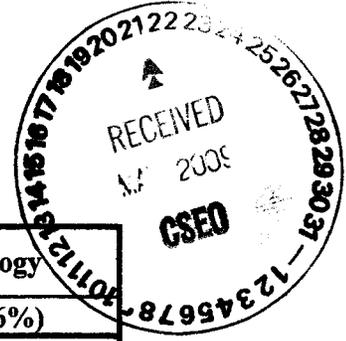
(c) State IV-D expenditures may not be reduced as a result of the receipt and reinvestment of incentive payments.

(d) A base amount will be determined by subtracting the amount of incentive funds received and reinvested in the State IV-D program for fiscal year 1998 from the total amount expended by the State in the IV-D program during the same period. Alternatively, States have an option of using the average amount of the previous three fiscal years (1996, 1997, and 1998) as a base amount. This base amount of State spending must be maintained in future years. Incentive payments under this part must be used in addition to, and not in lieu of, the base amount.

(e) Requests for approval of expending incentives on activities not currently eligible for funding under the IV-D program, but which would benefit the IV-D program, must be submitted in accordance with instructions issued by the Commissioner of the Office of Child Support Enforcement.

Incentive payments received must be used to increase or add to, and not replace or substitute, other funds used by the political subdivisions to carry out IV-D program activities. Political Subdivisions IV-D expenditures may not be reduced as a result of the receipt and reinvestment of incentive payments.

**Nebraska Child Support Enforcement
Use of County Incentive Payments Under DRA & ARRA**



	Deficit Reduction Act of 2005 (DRA) Funding Methodology	
	County Share of Expense (34%)	Federal Match (66%)
Quarterly County IV-D Expenses	\$5,000	
Expenses Paid from County Incentive Payments	\$1,000	0*
Expenses Eligible for FFP	\$4,000	
County/Federal Share of FFP Eligible Expenses (Non Incentive Dollars)	\$1,360	\$2,640
Total County/Federal Share of Expenses	\$2,360	\$2,640

Under the Deficit Reduction Act of 2005 (DRA) the Federal match on incentive payments was eliminated. Section 7309 prohibits child support programs from claiming federal matching funds for reimbursable activities paid for with performance incentive funds. This provision took effect on October 1, 2007.

* No match on Incentive Dollars under DRA. No requirement for transparency reporting.

	American Recovery and Reinvestment Act of 2009 (ARRA) Funding Methodology	
	County Share (34%)	Federal Share (66%)
Quarterly County IV-D Expenses	\$5,000	
Expenses Eligible for FFP	\$5,000	
County/Federal Share of FFP Eligible Expenses (Non Incentive Dollars)	\$1,700	\$3,300
Expenses Paid from County Incentive Payments	\$1,000	\$1,941
Total County/Federal Share of Expenses	\$1,700	\$3,300

American Recovery and Reinvestment Act of 2009 (ARRA) temporarily changes the child support authorization language to allow States/Countries to use Federal incentive payments provided to States/Countries in accordance with Section 458 of the Act as their State/County share of expenditures eligible for Federal match. This change is effective October 1, 2008 through September 30, 2010.

Note: Shaded Area - Federal Match on Incentive Dollars under ARRA. Transparency reporting of Federal match on Incentive Dollars required.

Deb Houghtaling

Sarpy County Clerk

1210 Golden Gate Drive, Suite 1118
Papillion, Nebraska 68046-2895

Phone: (402) 593-2105
Fax: (402) 593-4360

Fred Uhe
Chief Deputy

June 23, 2009

Todd Reckling, Director
DHHS Children and Family Services
BF 513 NE State Offices 3rd Floor
Lincoln, NE 68509

RE: Agreement for Cooperative Reimbursement for Child Support Services

Action by the Sarpy County Board of Commissioners, at the meeting of June 9, 2009, is as follows:

10. Resolution: Approve Addendum #1 to Cooperative Reimbursement agreement for Child Support Enforcement Services. (2009-135) Bill McKenzie
MOTION: Jansen moved, seconded by Hike, to approve the Consent Agenda items as amended with the removal of Agenda item #9. Ayes: Hike, Jones, Richards, Thomas & Jansen. Nays: None.

Enclosed is a fully executed agreement which has been signed by the Chairman and Attorney as authorized by the above stated action.

Sincerely,



Debra J. Houghtaling
Sarpy County Clerk

Enclosure
cv