

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION RATIFYING THE APPROVAL OF THE
2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT AWARD AGREEMENT

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, the Nebraska Emergency Management Agency has awarded the Sarpy County Emergency Management Department \$107,393 (no local match) for the 2009 Emergency Management Performance Grant; and

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners, that the attached 2009 Emergency Management Performance Grant award agreement is hereby approved.

DATED this 14th day of July, 2009.

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

YEAS:

NAYS:

ABSENT:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

none

none

ABSTAIN:

none

Attest:

SEAL



[Signature]
County Clerk

To: 2009 EMPG Subgrantee Applicant

From: Al Berndt, Assistant Director

Subject: 2009 Emergency Management Performance Grant (EMPG) Award
--Grant # 2009-EP-E9-0058

I am pleased to provide notice that your jurisdiction has been awarded a subgrant for FY 2008 from the U.S. Department of Homeland Security Emergency Management Performance Grant.

There are two attachments to this notice. Attachment 1 is the Award Agreement showing the dollar amount awarded and the terms and conditions of the subgrant.

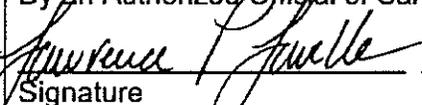
Attachment 2 lists the General Terms and Conditions of the subgrant. Please read these carefully, as they explain the procedures that must be followed.

The Award Agreement (Attachment 1) must be signed by the authorized official indicated in your application, dated and *mailed* to Phyllis Rathjen, NEMA, 1300 Military Road, Lincoln, NE 68508-1098. No financial reimbursement can be provided until the signed Award Agreement has been received by NEMA.

These funds are provided to local governments to establish and maintain individual emergency management programs while simultaneously addressing issues of national concern. Please address program questions to larry.nedrow@nebraska.gov.

Nebraska Emergency Management Agency
 FY 2009
 EMPG SUBGRANT AWARD AGREEMENT

Attachment 1

Grantee Organization	Subgrantee Organization
Name: Nebraska Emergency Management Agency (NEMA) Address: 1300 Military Road Lincoln NE 68508	Name: Sarpy County Emergency Management ✓ Address: 1210 Golden Gate Drive Papillion NE 68046
	Grant Award No.: 2009-EP-E9-0058
Awarding Agency: NEMA	CFDA No.: 97-042
Subgrantee Period of Performance: 1 June 2009 through 09-30-2010	Amount Funded this Action: \$107,393
Project Title: U.S. Department of Homeland Security, Emergency Management Performance Grant (EMPG) Subgrant	
Terms and Conditions	
<p>*Agreement Terms and Conditions are incorporated by reference to Attachment 2.</p> <p><u>By signing below the Subgrantee agrees to the Terms and Conditions shown in Attachment 2.</u></p>	
By an Authorized Official of NEMA <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  Signature <u>Al Berndt, Assistant Director</u> </div> <div style="text-align: center;">  Date </div> </div>	By an Authorized Official of Sarpy County <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  Signature <u>Lawrence Phavelle Director</u> </div> <div style="text-align: center;">  Date </div> </div>
FORM EMPG 03-09	

RECEIVED
 JUL 08 2009
 NEMA FISCAL

FY 2008 EMPG SUBGRANT AWARD

Attachment 2

Grant #: 2009-EP-E9-0058

General Terms and Special Conditions

1. The Subgrantee agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Grant Operations Financial Management Guide.
2. The Subgrantee agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19. The U.S. Audit Act requires that non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single audit conducted in accordance with OMB A-133.200 Subpart B (b) except when they elect to have a program-specific audit conducted in accordance with paragraph (c) of Section A-133. A copy of these audits must be sent to NEMA thirty (30) days upon receipt by the Subgrantee. (see OMB Circular A-133).
3. The Subgrantee understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.
4. The Subgrantee further agrees to comply with the standards put forth in OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments.
5. The Subgrantee agrees that federal funds under this award will be used to supplement, but not supplant, state or local funds for homeland security preparedness.
6. The Subgrantee agrees to comply with the requirements set forth in the "Nebraska Emergency Management Agency FY 2009 Emergency Management Performance Grant Subgrantee Program and Application Guidance".
7. The Subgrantee must comply with all federal civil rights laws, to include Title VI of the Civil Rights Act, as amended. The Subgrantee is required to take reasonable steps to ensure persons of limited English proficiency have meaningful access to language assistance services regarding the development of proposals and budgets and conducting Emergency Management Performance Grant-funded activities.
8. The Subgrantee agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
9. Prior approval by NEMA for any changes of this award will be required. Approval for changes must be requested of the Grant Administrator and will be awarded when written or email verification is sent.
10. Subgrant agreements will not be terminated except by circumstances beyond the control of either NEMA or the Subgrantee, by mutual agreement or material breach of the agreement by the Subgrant Subgrantee. Failure of the Subgrantee to comply with any terms and conditions of the grant agreement shall be deemed a material breach of the grant agreement. After failure of the Subgrantee to remedy such breach within thirty days after written notice from NEMA, NEMA shall have the right to terminate the agreement.
11. Title to equipment costing \$5,000 or more and acquired by the Subgrantee with funds provided under this award shall vest in the Subgrantee. When the equipment is no longer needed by the Subgrantee and the per unit fair market value is less than \$5,000, the Subgrantee may retain, sell, or dispose of the equipment with no further obligation to NEMA. If, on the other hand, the per unit fair market value is \$5,000 or more, then the Subgrantee must submit a written request to NEMA for disposition instructions.
12. Signature of the EMPG Subgrant Award Agreement (Form 03-09) signifies agreement to consider the Subgrantee Work Plan Requirements as the subgrantee minimum statement of work.
13. The grantee agrees to comply with the Buy American Act (41 U.S.C. 10a). Grants authorized under the Stafford Act, including EMPG, must follow the standards of the Buy American Act. This Act requires that all materials purchased be produced in the United States, unless such materials are not available, or such a purchase would not be in the public interest.

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE 68046-2895
593-4155
www.sarpy.com

ADMINISTRATOR
Mark Wayne

DEPUTY ADMINISTRATOR
Scott Bovick

FISCAL ADMIN./PURCHASING AGT.
Brian Hanson



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District 4

Rich Jansen

District 5

MEMO

To: Sarpy County Board
From: Carrie Davis-Sedlacek
Re: 2009 Emergency Management Performance Grant Award

On July 14, 2009 the County Board will be asked to ratify the approval of the 2009 Emergency Management Performance Grant award. The award was signed by Larry Lavelle on July 6, 2009 and submitted to the grantor, the Nebraska Emergency Management Agency (NEMA).

The grant awards the Sarpy County Emergency Management Department with \$107,393. The 2009 Emergency Management Performance Grant was applied for the upcoming 2009/2010 budget cycle. The EMPG grant funds are Federal Grant funds that support the Emergency Management programs at the state and local levels. This Grant is awarded to those counties and regions that comply with program requirements set forth by Nebraska Emergency Management Agency and adhere to the Nebraska Emergency Management Act. The Nebraska Emergency Management Agency allocates the EMPG funds to the county and/or regional Emergency Management Agencies for local emergency management programs based on current Emergency Management Program budget requests.

The 2009 EMPG award for Sarpy County is in the amount of \$107,393. The EMPG Grant amounts are received and placed in the County General fund to help offset the Emergency Management Program in Sarpy County.

July 10, 2009

Carrie Davis-Sedlacek
593-1565

cc: Mark Wayne
Brian Hanson
Scott Bovick
Larry Lavelle
Lynn Marshall
Deb Houghtaling