

**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

**RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN THE GRANT AWARD AND SUB-GRANT SPECIAL
CONDITIONS FOR THE 2011 VICTIMS OF CRIME ACT GRANT (VOCA)**

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, a Crime Commission Grant was submitted for the Sarpy County Victim Witness Unit; and,

WHEREAS, the Crime Commission approved the grant; and,

WHEREAS, the Crime Commission requires Sarpy County to sign the grant award and sub-grant special conditions;
and,

WHEREAS, Sarpy County is committed to and supports the grant award for the Sarpy County Victim Witness Unit;
and,

NOW, THEREFORE, BE IT RESOLVED, By the Sarpy County Board of Commissioners that the Chairman is hereby authorized to sign the grant award and sub-grant special conditions for the 2011 Victims of Crime Act grant (VOCA).

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 20th day of September, 2011.

Tom Richard

Sarpy County Board Chairman



Debra J. Houghtaling
Sarpy County Clerk

Sarpy County Board of Commissioners

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PAPILLION, NE 68046-2895
593-4155

www.sarpy.com

ADMINISTRATOR Mark Wayne

DEPUTY ADMINISTRATOR Scott Bovick

FISCAL ADMIN./PURCHASING AGT. Brian Hanson



COMMISSIONERS

Rusty Hike District 1
Jim Thompson District 2
Tom Richards District 3
Jim Nekuda District 4
Jim Warren District 5

MEMO

To: Sarpy County Board

From: Lisa A. Haire

Re: 2011 Victims of Crime Act (VOCA) Grant Award

On September 20, 2011, the County Board will be asked to authorize the Chairman to sign the grant award and sub-grant special conditions for the 2011 VOCA grant. This is a continuation grant that will allow the Sarpy County Victim Witness Unit to continue providing services to victims of crime in Sarpy County.

The project period is July 1, 2011 to June 30, 2012. The grant awards \$ \$124,149 for personnel salaries. \$89,057 will fund partial salaries of four (4) crime victim advocates and \$35,092 will fund the benefits for those advocates.

The County is required to provide a 20% match of the total program cost. The match amount is \$31,037 which will be the remaining portion of two (2) of the advocates' salaries.

Do not hesitate to contact Jean Brazda if you have comments or questions.

September 16, 2011

Lisa A. Haire

593-1565

lhaire@sarpy.com

cc: Mark Wayne
Brian Hanson
Scott Bovick
Jean Brazda
Deb Houghtaling

**Nebraska Commission
on Law Enforcement
and Criminal Justice**

Grant Award

Subgrantee Sarpy County VA	Grant Number 11-Va-0202	Date of Award July 22, 2011	CFDA # 16.575
Project Title Sarpy County VA	Grant Amount Federal \$124,149 <hr/> Match \$ 31,037 <hr/> Total \$155,186 <hr/>		

Approved Budget For Project

CATEGORY	FEDERAL SHARE	MATCH SHARE	TOTAL PROJECT COST
Personnel	\$124,149.00	\$31,037.00	\$155,186.00
Consultants/Contracts			
Travel			
Supplies/Operating/Expenses			
Construction/Equipment Rental			
Equipment			
Other			
Total Amount	\$124,149.00	\$31,037.00	\$155,186.00
% Contribution	80%	20%	100%

This award is subject to the General and Fiscal Conditions established by the Nebraska Commission on Law Enforcement and Criminal Justice and to the special conditions enclosed with this award is indicated below.

The grant period will be from July 1, 2011 to June 30, 2012 except as authorized by the Commission. To be a valid grant, this Grant Award must be signed and returned to the Commission within 30 days of receipt. Subgrantees will retain the Pink copy.

The subgrantee hereby attests and affirms that the required cash match will be designated, appropriated, and expanded for the project within the duration of the Grant period.

This award is subject to special conditions (enclosed).

Michael E. Behm
Signature of Executive Director or Representative

Michael E. Behm, Executive Director
Typed Name and Title
8/31/11
Date

Jean Brazda 9/9/11
Signature of Project Director

Jean Brazda, Executive Director
Typed Name and Title
Date

Tom Richards
Signature of Authorized Official
(Mayor, County Board Chairman, Chair of non-profit Board etc.)

Tom Richards, Chairman
Typed Name and Title
9/20/2011
Date

Brian Hanson
Signature of Financial Officer
(County Treasurer, City Clerk, etc.)

Brian Hanson, Fiscal Admin. 9-16-11
Typed Name and Title
Date

Subgrant Special Conditions

Distribution:

Original to Commission
One copy to Subgrantee

Subgrantee: Sarpy County VA	Subgrant Number: 11-Va-0202
Subgrant Title: Sarpy County VA	

This contract is subject to the standard conditions agreed to in the original application and the signed Certified Assurances. In addition, the subgrantee must comply with the Office of Justice Programs "Financial and Administrative Guide for Grants" (OJP M 7100.1C), Federal Program Guidelines, and the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission) Guidelines and the following special conditions:

5. The Commission shall have access to all project related materials for the purposes of audit and examinations. All records shall be retained for five (5) years from the date of the final fiscal report, unless an audit is in progress or the findings of a completed audit have not been resolved satisfactorily. Further, the subgrantee authorizes representatives of the Office for Victims of Crime and/or the Office of the Chief Financial Officer access to and the right to examine all records, books, papers or documents related to this grant.
2. Audits - All audits will comply with the Single Audit Act of 1984, as amended. Audits for private non-profit agencies shall comply with Circular A-133.

Agencies and organizations receiving federal funds from various sources totaling \$500,000 or more during the subgrantee's Fiscal Year are required to have an annual audit. Total costs of the audit must be prorated among funding sources. Agencies and organizations receiving federal funds from various sources totaling less than \$500,000 during their Fiscal Year are not required to have an annual audit. However, a complete agency audit complying with the Single Audit Act of 1984, as amended, is highly recommended once every three years for private non-profit agencies receiving funding from the Crime Commission.

ONE copy of the audit that includes a Letter of Findings are required to be submitted to the Crime Commission, if they are not part of the audit.

6. Accounting Procedures – Awarded applicants shall implement and maintain an accounting system which accurately reflects income received, expenditures, and documentation of expenditures. Each source of income must be accounted for separately and a clear audit trail for each source of funding must be maintained. Matching funds need not be applied at the exact time or in the required proportion to the obligation of Federal funds. However, the full match share must be obligated by the end of the project period. Accounting records are to be available for monitors and audits.

If at any time an impropriety is found in the accounting or use of any funds received by the subgrantee, the Crime Commission must be notified immediately and informed about how the agency will address the problem.

All subgrantee's receiving payments from the Crime Commission are required to receive payments via the Automated Clearing House (ACH) payment. New subgrantee's must complete paperwork to sign up for ACH payment and can find the form at <http://www.hhs.state.ne.us/forms/EFT.pdf> This must be completed before funds can be received.

4. Acceptance of Grant Award and Special Conditions
 - e) **Grant Award** must be accepted; signed by the subgrantee's authorized official, the director of the project, and the fiscal officer; and, returned to the Crime Commission within thirty (30) days from the date of the letter.
 - f) **Special Conditions** must be accepted; signed by the subgrantee's authorized official, director of the project, and the fiscal officer, and returned to the Crime Commission within thirty (30) days from the date of the letter.
5. Reporting Requirements
 - g) **Grant Activity Summary Reports** including any statistical reports are required **quarterly**. Reports are due by the 15th of the month following the end of each quarter during the grant period.

- h) **Cash Report/Cash Requests** are required **quarterly** even if no grant funds received or expenses are incurred. Reports are due by the 15th of the month following the end of each quarter during the grant period as well as the final "Cash Report" reflecting the total grant expenditures at the end of the grant period. Final cash report must be submitted within forty-five (45) days from the end date of the grant.
 - i) **Regardless of the start date of the grant project**, quarterly reports are due for normal quarters as listed below
 - Jan. – March July – Sept.
 - April – June Oct. - Dec.
6. Use of Federal Grant Funds
- o) Federal grant funds will not be used to supplant State, local or any other funds that would otherwise be available. The agency's budget cannot decrease as a result of grant dollars. If an existing employee is assigned to this project and their salary is paid with grant funds, his or her position must be backfilled. The agency's personnel cannot decrease as a result of this grant project.
 - p) No State/Federal grant funds shall be used for costs existing prior to or after the grant period.
 - q) No indirect costs shall be allowed. Indirect cost is defined as payment for grant management services, accounting services, grant securing services, or any other costs of an organization that are not readily assignable to a particular project.
 - r) Federal and matching funds are to be used for the purpose stated in the approved grant application. Any changes must be approved by the Crime Commission prior to the change taking place.
 - s) Federal funds cannot be used for lobbying. If matching funds are used for lobbying, a disclosure report shall be submitted to the Crime Commission.
 - t) No other Federal funds shall be used to meet the match requirement.
 - u) Crime Commission funding cannot be placed in interest bearing accounts.
7. The Subgrantee must insure any required match is met and that match is documented before the end of the project period. Match, both cash or in-kind, must be documented in the agency's accounting system.
8. The subgrantee agrees that as determined by the grant administrator that the project director and/or fiscal officer or a designated representative will attend the Grant Management Training sponsored by the Crime Commission. At least one Board member of a Private Non-profit agency receiving grant funds from the Crime Commission may also be asked to attend Grant Management Training.
9. Any publicity of this project will include an acknowledgement of funding by the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission). A copy of such publicity shall be sent to the Crime Commission. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal or State money, all grantees receiving funds shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal or State money, and (2) the dollar amount of Federal or State funds for the project or program.
10. The subgrantee agrees that any publication (written, visual or audio, excluding press releases, newsletters and issue analysis) issued by the subgrantee describing programs or projects funded in whole or in part with Federal or State funds, shall contain the following statement: "This project was supported by Grant # . . . (grant number awarded by the Crime Commission). Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Commission." Two copies of any such publication are to be submitted to the Crime Commission.
11. The Subgrantee assures it and all it's contractors will comply with all applicable nondiscrimination requirements as set forth by federal and state laws. No person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or be denied employment in connection with any activities receiving funds under the Act on the basis of race, color, religion, age, sex, national origin, or handicap.

In the event a federal or state court or administrative agency makes a finding of discrimination after a due process hearing, the recipient of funds will forward a copy of the finding to the Office of Civil Rights Compliance of the Office of Justice Programs in Washington, D.C. Additionally, a copy of the findings are to also be sent to the Crime Commission. If required, the subgrantee will formulate an Equal Employment Opportunity Program (EEO) in accordance with 28 CFR 42.301 et. seq.

SUBGRANT SPECIAL CONDITIONS – Page 3

Grantees whose projects, personnel, or subgrantees become involved in any litigation, whether civil or criminal, shall immediately notify the Crime Commission and forward a copy of any demand notices, lawsuits, or indictments to the Commission.

The subrecipient acknowledges that failure to submit an acceptable EEOP (if subrecipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the subrecipient is in compliance.

12. The subgrantee must comply with the Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d. Subgrantees receiving Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For information on the civil right responsibilities, see <http://www.lep.gov>.
13. If at any time during the grant period the subgrantee is barred from doing business with the Federal Government, the Crime Commission shall be notified by the subgrantee in writing within 30 days.
14. All agencies who are participants in the awarded project shall establish and maintain a drug-free work place policy.
15. The subrecipient will maintain time records that comply with the Office of Management and Budget (OMB) A-87 Circular to clearly document the hourly activity of each grant funded or match funded position to show the actual percentage of time charged to the funding source. Records will be maintained by the subgrantee to document any differences between budgeted and actual federal and match personnel grant costs. Timesheets for grant funded positions should include the signature of the employee and their supervisor. Volunteer positions used as match are to be documented and, to the extent feasible, supported by the same method used for employees. Refer to the following website for further details on OMB circulars, <http://www.whitehouse.gov/omb/circulars/>.
16. Private Non-profit Agency Board Responsibilities - Two (2) board members of private non-profit agencies awarded funds shall review, on a quarterly basis, all expenditures for the agency. This review shall include, but is not limited to, checks written for the period, deposits, assurance of a balanced checkbook, review of the entries in the agency's ledgers, and review of the income received from funding agencies and donations.
17. The subrecipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. Potential fraud, waste, abuse or misconduct should be reported. In addition, the subgrantee must notify the Nebraska Crime Commission. For more information on how to submit a claim go to www.usdoj.gov/org;
18. The subrecipient agrees to comply with any modifications or additional requirements that may be imposed by law and future OJP (including government-wide and Crime Commission) guidance and clarifications.
19. The subrecipient agrees that they have a DUNS number and are registered with the Central Contractor Registration (CCR) database and agrees to obtain active registration with the Central Contractor Registration (CCR) database, and to notify the program office in writing of its registration.
20. The subrecipient must comply with the applicable provisions of VOCA, the Program Guidelines, and the requirements of the OJP Financial Guide, effective edition, which includes maintaining appropriate programmatic and financial records that fully disclose the amount and disposition of VOCA funds received.
21. The subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or agreement to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of the Crime Commission.
22. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the subgrantee is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
23. Subrecipients funded for \$25,000 or more and, in certain circumstances, agree to comply with applicable requirements to report the names and total compensation of the five most highly compensated executives of the subrecipient. Such data will be submitted to the Federal Funding Accountability and Transparency Act of 2006 (FFATA), Subaward Reporting System (FSRS). The details of the Crime Commission obligations, which derive from the FFATA, are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award Condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

24. All grant contingencies must be met within thirty (30) days of the date of the letter as required for the award as stated on the Summary Comment Sheet. Grant funds will not be released until all contingencies are addressed.

Use of VOCA Grant Funds

- VOCA funds **are to be used** to provide direct services to individual crime victims and at no cost to the victim.
- VOCA guidelines define a victim as a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime. The primary purpose of VOCA grant funds is to support the provision of services to victims. Services are those efforts that respond to the emotional and physical needs of crime victims; assist primary and secondary victims of crime to stabilize their lives after a victimization; assist victims to understand and participate in the criminal justice system; and, provide victims of crime with a measure of safety and security.
- VOCA grant funds **cannot be used** for any of the following:
 - ✓ Capital expenditures;
 - ✓ Community education;
 - ✓ Crime prevention activities;
 - ✓ Development of protocols, interagency agreements and other working agreements;
 - ✓ Fund-raising activities;
 - ✓ Indirect organizational costs;
 - ✓ Individual membership dues;
 - ✓ Land acquisition;
 - ✓ Legislative and administrative duties of staff;
 - ✓ Lobbying and administrative advocacy;
 - ✓ Needs assessments, surveys, evaluations or studies;
 - ✓ Perpetrator rehabilitation and counseling or any other activities involving or relating to perpetrators;
 - ✓ Professional services of doctors and lawyers;
 - ✓ Purchasing or leasing vehicles;
 - ✓ Reimbursement to crime victims for expenses incurred as a result of a crime, including property loss;
 - ✓ Relocation expenses for the victim.

Volunteers are to be utilized by the subgrantee throughout the duration of the project. Volunteer services must be documented, and to the extent feasible, by the same methods used by the subgrantee for its paid employees.

At no time shall a victim's name, address, phone number or other identifying information be divulged to another individual or agency unless they are part of the criminal justice or health and human services system unless the victim has given prior voluntary written consent for such release of information.

Office of Justice Program Financial Guidelines and VOCA Guidelines must be followed for the purchase and property management of computers and/or equipment, including the disposal of computers and/or equipment purchased with VOCA funds. Computers purchased with federal VOCA grant funds must be compatible with the case management program and be able to electronically submit statistics to the Crime Commission. Minimum specifications, as determined by the Crime Commission, are required for any computer purchased with VOCA funds.

The subgrantee shall cooperate, coordinate and have the active participation and support of law enforcement and criminal justice agencies within the jurisdiction of the assisting agency and will cooperate and coordinate with any coordinated response efforts.

Subgrantee must provide services to victims of federal crimes on the same basis as victims of state/local crimes.

Subgrantee is required to help victims apply for Crime Victims' Reparations (CVR) benefits, i.e., identifying and notifying crime victims of the availability of compensation, assisting victim with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. Victim is responsible for mailing CVR claims to the Crime Commission but subgrantee may provide the envelope and stamp.

Subgrantee is required to provide information to victims about Victim Information and Notification Everyday (VINE), assist victims in registering with the VINE system and promote public awareness about VINE.

Subgrantee is required to participate in the victims' assistance case management system when it is operational and provide electronic submission of statistics to the Crime Commission via the software or link determined by the Crime Commission.

Victim Witness Programs - Use of Federal VOCA Funds

- VOCA funds **are to be used** to provide direct services to individual crime victims and at no cost to the victim.
- VOCA guidelines define a victim as a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime. The primary purpose of VOCA grant funds is to support the provision of

services to victims. Services are those efforts that respond to the emotional and physical needs of crime victims; assist primary and secondary victims of crime to stabilize their lives after a victimization; assist victims to understand and participate in the criminal justice system; and, provide victims of crime with a measure of safety and security.

- The purpose of a victim witness program is to advocate for victims and provide timely assistance to individual victims of crime. Advocacy should begin within 72 hours or the next business day after the incident for all serious crimes (homicide, sexual assault, assaults) and most crimes against the elderly. Victim Witness Units located in County Attorney offices are to have a process in place to receive law enforcement incident reports for victims of serious crimes and crimes against the elderly so that advocacy can begin within 72 hours or sooner.
- VOCA funds are **not** for the purpose of providing services to businesses **unless** an individual or individuals within the business is a victim of a crime.
- Policies and procedures are required that include when and how victim contact will be made and when and how follow up contact will be made.
- VOCA funds **cannot be used** for any of the following:
 - ✓ Any activity or expense that is the responsibility of the prosecutor or the law enforcement agency and including any activities directed at prosecuting an offender and/or improving the criminal justice system=s effectiveness and efficiency; gathering evidence; witness management and notification (VOCA funds may **only** be used to notify witnesses who are also a victim of the crime); expert testimony at trials; victim witness protection costs and subsequent lodging and meal expenses;
 - ✓ Capital expenditures;
 - ✓ Community education;
 - ✓ Crime prevention activities;
 - ✓ Development of protocols, interagency agreements and other working agreements;
 - ✓ Fund-raising activities;
 - ✓ Indirect organizational costs;
 - ✓ Individual membership dues;
 - ✓ Land acquisition;
 - ✓ Legislative and administrative duties of staff;
 - ✓ Lobbying and administrative advocacy;
 - ✓ Needs assessments, surveys, evaluations or studies;
 - ✓ Perpetrator rehabilitation and counseling or any other activities involving or relating to perpetrators;
 - ✓ Professional services of doctors and lawyers;
 - ✓ Purchasing or leasing vehicles;
 - ✓ Reimbursement to crime victims for expenses incurred as a result of a crime, including property loss; and
 - ✓ Relocation expenses for the victim.
- VOCA funding will be in jeopardy if all victims of serious crimes and most crimes against the elderly are not provided advocacy services in a timely manner and if funds are used for any activities or expenses that are the responsibility of the prosecutor or law enforcement agency.

Volunteers are to be utilized by the subgrantee throughout the duration of the project. Volunteer services must be documented, and to the extent feasible, by the same methods used by the subgrantee for its paid employees.

At no time shall a victim's name, address, phone number or other identifying information be divulged to another individual or agency unless they are part of the criminal justice or health and human services system unless the victim has given prior voluntary written consent for such release of information.

Office of Justice Program Financial Guidelines and VOCA Guidelines must be followed for the purchase and property management of computers and/or equipment, including the disposal of computers and/or equipment purchased with VOCA funds. Computers purchased with federal VOCA grant funds must be compatible with the case management program and be able to electronically submit statistics to the Crime Commission. Minimum specifications, as determined by the Crime Commission, are required for any computer purchased with VOCA funds.

The subgrantee shall cooperate, coordinate and have the active participation and support of law enforcement and criminal justice agencies within the jurisdiction of the assisting agency and will cooperate and coordinate with any coordinated response efforts.

Subgrantee must provide services to victims of federal crimes on the same basis as victims of state/local crimes.

Subgrantee is required to help victims apply for Crime Victims' Reparations (CVR) benefits, i.e., identifying and notifying crime victims of the availability of compensation, assisting victim with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. Victim is responsible for mailing CVR claims to the Crime Commission but subgrantee may provide the envelope and stamp.

Subgrantee is required to provide information to victims about Victim Information and Notification Everyday (VINE), assist victims in registering with the VINE system and promote public awareness about VINE.

SUBGRANT SPECIAL CONDITIONS - Page 6

Subgrantee is required to participate in the victims' assistance case management system when it is operational and provide electronic submission of statistics to the Crime Commission via the software or link determined by the Crime Commission.

I have read the above Special Conditions and understand they are part of the binding Grant Award. I acknowledge failure to satisfactorily meet all conditions of the grant and/or submit required documents may result in suspension or termination of the grant award.

Signature of Authorized Official Tom Rickard Date 9/20/2011
(Mayor, Chair of County Board or City Council, Board Chair of Private Non-profit Agency)

NOTE: The Director of the Agency is NOT considered the Authorized Official for the signing of these Special Conditions.

Title Chairman Sarpy County Board

Signature of Agency Director Joan Brazda Date 9-9-11

Title Joan Brazda, Executive Director

Signature of Project Director Joan Brazda Date 9-9-11

Title _____

Signature of Fiscal Officer Brian Hanson Date 9-14-11

Title Fiscal administrator