COUNTY DEPARTMENT AGENDA REQUEST

Department:	Emergency Management Agency	Presenter(s):	Allen McCullough
Meeting Date:	Thursday, July 22, 2010	Type of Request:	Consent

Wording for the Agenda:

Approval of Emergency Management Agency's request that the County enter into the FY10 Performance Partnership Agreement and the FY10 Performance Partnership Agreement Award with the Georgia Emergency Management Agency and authorization for the Chairman to execute said agreements.

Background/History/Details:

These are annual agreements between the County and Georgia Emergency Management Agency which enable federal emergency funds to be channeled back to local communities. Fayette County has received these "grant" funds for many years. The Performance Partnership Agreement "PPA" requires a 50% local match of $32,697 which the county already is budgeting as a part of the salary for the Director of Fayette County Emergency Management, Allen McCullough.

What action are you seeking from the Board of Commissioners?

Approval of the FY 2010 Performance Partnership Agreement and Performance Agreement Award between Fayette County and the Emergency Management Agency and authorization for the Chairman to execute said documents.

If this item requires funding, please describe:

Funds are part of director's salary.

Has this issue come before the Commissioners in the past?	Yes	If so, when?	Thursday, September 24, 2009
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

GEORGIA EMERGENCY MANAGEMENT AGENCY

Homeland Security

Performance Partnership Agreement

2010

The 2010 Performance Partnership Agreement, (PPA), between the *Georgia Emergency Management Agency-Homeland Security* and the *Fayette County Government.*

In order to best ensure that state and local governments are fully prepared to help their citizens in times of emergency, the ***Fayette County*** Government, the ***Fayette County*** Emergency Management Agency, (EMA), and it's Director agree to meet the requirements specified in the Official Code of Georgia Annotated (Section 38-3-27), the Emergency Management Act of 1981, as amended and the FY09 Work Plan and those rules, regulations and guidelines dictated by the Director of the Georgia Emergency Management Agency-Homeland Security (GEMA-HS).

GEMA-HS agrees to provide required and necessary state and federal resources to local governments on a timely basis in response to major emergencies and disasters; a comprehensive training and exercise program for emergency personnel; weather warnings and other critical situational information. GEMA-HS further agrees to provide funding support to ***local qualified governments*** for appropriate administrative expenses; administer and manage federal and state assistance programs for the benefit of local governments; provide necessary and requested information, advise, recommendations and technical assistance concerning emergency management administrative, operations and planning issues and to eliminate restrictive and unnecessary administrative requirements in managing its responsibilities on behalf of local governments.

APPROVAL and REVIEW

By signing this Performance Partnership Agreement the parties agree to work cooperatively in accomplishing the objectives set forth above.

This Performance Partnership Agreement must be signed by the local EMA Director and the Chief Elected Official (CEO) of the local government and the Director of GEMA-HS. Evaluation of progress will be reviewed by the GEMA-HS Field Coordinator. *Lack of satisfactory 2010 Work Plan progress may be cause for recommendation that eligibility for federal or state assistance be withdrawn.*

H. Allen McCullough — 6/17/2010

Local EMA Director — **Date**

City/County CEO — **Date**

GEMA-HS Director — **Date**

GEMA-HS Field Coordinator — **Date**

Georgia Emergency Management Agency

Emergency Management Performance Grant CDFA 97.042

2010 Performance Partnership Agreement
Base Award Payment Request Form

Request:

Under penalty of perjury, I certify that to the best of my knowledge and belief that all requirements of the 2010 Performance Partnership Agreement with the Georgia Emergency Management Agency-Homeland Security have been satisfied. I hereby request payment of the Base Award to cover expenses for the period of July 1, 2010 through June 30, 2011.

Award Number: OEM10 -058

Payee Address:

Fayette County Emergency Management Agency

Attn: Joanna Huddleston

140 Stonewall Ave Suite 214

Fayetteville , Georgia 30214

Signature of EMA Director

Allen McCullough
Date 6-15-2010

allenm@fayettecountyga.gov
Email Address

Phone Number 770-305-5170

Recommend Approval:

Signature of Field Coordinator

Date

Approval:

Signature of Director of Field Operations

Date

Georgia Emergency Management Agency

STATEMENT OF SUBGRANT AWARD

FY10 Performance Partnership Agreement Award

FEDERAL GRANT: Emergency Management Performance Grant

FEDERAL AWARD NUMBER: 2010-EP-00-0013 [redacted]

STATUTORY AUTHORITY FOR GRANT:
This project is supported under DHS Appropriations Act of 2010 (P.L. 111-83).

GRANTEE IMPLEMENTING AGENCY:	**GEMA PROJECT ID:** OEM10-058
Fayette County Emergency Management Agency 140 Stonewall Avenue, West, Suite 214 Fayetteville, GA 30214	**START DATE:** 07/01/2010 **END DATE:** 06/30/2011
[redacted]	**AWARD DATE:** 07/01/2010

SUBGRANT FUNDING:	**FEDERAL AWARD**	**LOCAL MATCH**	**TOTAL PROJECT**
PPA Base Award	32,697.00	32,697.00	65,394.00

SPECIAL CONDITIONS:

This FY 2010 Performance Partnership Award is funded by the Department of Homeland Security Emergency Management Performance Grant (EMPG) Award and includes a minimum 50 percent (cash and/or inkind) match requirement. All expenses must be in accordance with the Office of Management and Budget Circulars A-87, A-102 and A-133 *(http://www.whitehouse.gov/omb/circulars/index-slg.aspx)*, Title 44 of the Code of Federal Regulations Chapter 13 Part 24 (Match requirements) *(http://www.gpoaccess.gov/cfr/index.html)*, the US Department of Justice 2006 Financial Management Guide *(http://www.ojp.usdoj.gov/odp/docs/Financial_Management_Guide.pdf)*, and the FY 2010 Emergency Management Performance Grant Program Guidance kit *(http://www.fema.gov/pdf/government/grant/empg/fy10_empg_guidance.pdf)*, and within the period of performance. Federal funds cannot be used to match this award.

To receive FY 2010 funding Grantee:

- must have met the terms of the 2009 Performance Partnership Agreement (PPA)
- must have shown satisfactory progress on the 2009 PPA workplan as determined by their Field Coordinator (FC)
- must have submitted all required EMPG administrative documents to GEMA
- must have completed NIMSCAST Roll-up for 2009

Payment will not be made until the FY10 PPA Request for Payment Form is approved by the GEMA Director of Field Operations.

Authorized Grantee Official

Allen McCullough

Please Print Name | Title | Signature | Date of Acceptance

Approving Authority - GEMA

Charley English, Director | Date

(PPAA-10)

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonpro-curement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such convic-tion. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not indentified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:
Allen McCullough
140 Stonewall Ave Suite 214
Fayetteville, Ga. 30214

[redacted]

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

OEM10-058

4. Typed Name and Title of Authorized Representative

Director Allen McCullough

5. Signature

6. Date

*U.S. Government Printing Office: 1996 - 405-037/40014