

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

2008 SESSIONS

JOURNAL 57

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August 28, 2008 Session

**AUGUST 28, 2008 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL**

1/ The Board of Commissioners of the County of Allegan, State of Michigan, met in the Commissioners' Room of the County Services Building in the Township of Allegan on August 28, 2008, at 1:00 P.M. in accordance with the motion for adjournment of August 14, 2008, and rules of this Board; Chairman McNeal presiding.

The invocation was offered by District #1 Commissioner Burns.

The County Clerk led the Board in the Pledge of Allegiance to the flag.

Upon roll call the following members answered as Commissioners for the respective Districts:

DIST #1	TERRY BURNS	DIST #7	DON BLACK
DIST #2	STEVE McNEAL	DIST #8	TOM JESSUP
DIST #3	PAUL VANECK	DIST #9	FRITZ SPREITZER
DIST #4	MARK DeYOUNG	DIST #10	- EXCUSED -
DIST #5	DEAN KAPENGA	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

**COMMUNICATIONS - READ BY THE CLERK-REGISTER**

2/ The following communications were read by the Clerk-Register:

1. Notice of Public Hearing from City of Holland regarding Industrial Facilities Exemption Certificate requests.
2. Notice of Public Hearing from the Department of Environmental Quality regarding the State Revolving Fund and the Strategic Water Quality Initiatives Fund.
3. Notice of Meeting at the Douglas Elementary School regarding rebuilding Lakeshore drive.

**PUBLIC PARTICIPATION - NO COMMENTS**

3/ Chairman McNeal opened the meeting to public participation and as there were no comments, he closed the meeting to public participation.

**AGENDA - ADDITIONS**

4/ Chairman McNeal asked if there were any additions or changes to the agenda. Commissioner Thiele asked to move Action items #1 through #7 to the consent for adoption and delete item #1 under Appointments.

Moved by Commissioner Thiele, seconded by Commissioner Black to approve the changes to the meeting agenda as requested. Motion carried.

**AGENDA - ADOPTED AS AMENDED**

5/ Moved by Commissioner Jones, seconded by Commissioner Thiele to adopt the agenda as amended. Motion carried.

**INFORMATIONAL SESSION - PARKS COMMISSION**

6/ Parks Director, Kevin Ricco addressed the park-use figures and income generated during this FY-07. Figures appear to be remaining steady. He also reported the progress made on the development planned for the various parks.

He reported the website for the Recreation Commission has been updated for the Tourist Council. The photo contest, "Picture Yourself in Allegan County" has shown good interest and the council will be participating in the Pure Michigan Photo Contest which will give us increased public exposure.

**ADMINISTRATIVE REPORT**

7/ Administrator, Rob Sarro asked if there were any questions and none were asked.

**CONSENT AGENDA - ADOPTED**

8/ Chairman McNeal called for the adoption of the agenda and asked if any Commissioners, member of the press or the public would like to have any resolutions considered separately. No requests were made.

Moved by Commissioner Kapenga, seconded by Commissioner Jones to adopt the consent agenda as presented. Motion carried by roll call vote: Yeas - 10 votes. Nays - 0 votes. Absent - 1 votes. The following resolutions are adopted:

**8.1/ FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS**

**HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,**

Your committee on Finance has authorized the following claims for Aug 15, 2008. The following claims, which are chargeable against the County, were audited in accordance with Section 46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board. Said claims are listed in the 2008 Claims Report, Liber \_\_\_\_, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	189,874.04	189,874.04	0.00
Parks & Recreation Fund	2,936.39	2,936.39	0.00
G.I.S.	0	0	0.00
CENTRAL DISPATCH/E911 FUND	24,413.00	24,413.00	0.00
Friend of the Court Fund	35.63	35.63	0.00
Health Department Fund	40,252.52	40,252.52	0.00
Transportation Grant	50,252.82	50,252.82	0.00
Public Improvement Fund	676.99	676.99	0.00
Public Improvement-Jail	4,891.50	4,891.50	0.00
Register of Deeds Automation Fund	11,690.97	11,690.97	0.00
Drug Law Enforcement	125.85	125.85	0.00
Law Library Fund	1,705.75	1,705.75	0.00
Grants	2,502.90	2,502.90	0.00
Building Authority Construct - MCF	0	0	0.00
Child Care-Circuit/ Family	19,338.46	19,338.46	0.00
Veterans Trust	1,911.98	1,911.98	0.00
Delinquent Tax Revolving Fund	54,619.68	54,619.68	0.00
Tax Reversion	0	0	0.00
Drain Funds	10,739.03	10,739.03	0.00
Bear Swamp Construction	143,965.83	143,965.83	0.00
Self Insurance Fund	4,559.00	4,559.00	0.00
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>564,492.34</b>	<b>564,492.34</b>	<b>0.00</b>

Respectfully submitted, COMMITTEE OF FINANCE

**HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,**

Your committee on Finance has authorized the following claims for Aug 22, 2008. The following claims, which are chargeable against the County, were audited in accordance with Section 46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board. Said claims are listed in the 2008 Claims Report, Liber \_\_\_\_, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	116,283.38	116,283.38	0.00
Parks & Recreation Fund	2,952.88	2,952.88	0.00
G.I.S.	0	0	0.00

CENTRAL DISPATCH/E911 FUND	6,494.31	6,494.31	0.00
Friend of the Court Fund	71.25	71.25	0.00
Health Department Fund	33,625.77	33,625.77	0.00
Transportation Grant	0	0	0.00
Public Improvement Fund	7,452.74	7,452.74	0.00
Public Improvement-Jail	0	0	0.00
Register of Deeds Automation Fund	0	0	0.00
Drug Law Enforcement	0	0	0.00
Law Library Fund	751.80	751.80	
Lee Township	77.00	77.00	0.00
Social Welfare	23,237.01	23,237.01	0.00
Child Care-Circuit/ Family	36,031.50	36,031.50	0.00
Senior Milleage	32,818.52	32,818.52	0.00
Delinquent Tax Revolving Fund	58,644.72	58,644.72	0.00
Tax Reversion	0	0	0.00
Drain Funds	0	0	0.00
Bear Swamp Construction	0	0	
Self Insurance Fund	0	0	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>318,440.88</b>	<b>318,440.88</b>	<b>0.00</b>

Respectfully submitted, COMMITTEE OF FINANCE

**TRANSPORTATION--APPROVE REASSIGNMENT OF FY 2008 MDOT SERVICE DEVELOPMENT NEW TECHNOLOGY GRANT**

8.2/ **WHEREAS**, on February 22, 2007 the Board of Commissioners approved the request from the Transportation Department to approve the FY2008 Michigan Department of Transportation (MDOT) application for a Service Development New Technology (SDNT) grant in the amount of \$105,000 from the State to assist in researching transit needs and developing techniques for marketing rural transit; and

**WHEREAS**, at that time Disability Network Lakeshore provided leadership and support in designing the project, writing the Service Development New Technology proposal, and advocating for county commissioner support of the application; and

**WHEREAS**, Disability Network Lakeshore is now an eligible direct recipient of MDOT funding; and

**WHEREAS**, reassignment of Allegan County's FY2009 Service Development New Technology (SDNT) grant to Disability Network Lakeshore would result in increased efficiency in the flow of

paperwork and funding and in significant cost savings to the County.

**THEREFORE BE IT RESOLVED**, that the Allegan County Board of Commissioners hereby approves the request from the Transportation Department to reassign Allegan County's FY2009 Service Development New Technology (SDNT) grant to Disability Network Lakeshore, 426 Century Lane, Holland, Michigan, 49423, to serve as the direct recipient and administrator; and

**BE IT FURTHER RESOLVED**, that Allegan County Transportation will remain a full partner in the execution of the project; and

**BE IT FINALLY RESOLVED**, that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**HEALTH DEPARTMENT—APPROVE 2008/2009 CPBC AGREEMENT**

8.3/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the agreement between the Michigan Department of Community Health on behalf of the Allegan County Health Department, for the delivery of public health services under the Comprehensive Planning, Budgeting and Contract (CPBC) Agreement, in the amount of \$716,944, which begins October 1, 2008, through September 30, 2009; and

**BE IT FURTHER RESOLVED** that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**INFORMATION SYSTEMS--BID FOR 2008 PC REPLACEMENT PLAN PROJECTS**

8.4/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the request from the Information Services Department to award the bid for the 2008 PC replacement plan projects to Secant Technologies of 6395 Technology Ave., Suite A, Kalamazoo, MI, 49009, in an amount not to exceed Sixty Thousand Dollars (\$60,000); and

**BE IT FURTHER RESOLVED** that no further funding action is necessary as this item is fully funded in 1010.259.954.00.00 in the 2008 budget; and

**BE IT FURTHER RESOLVED** that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**EMERGENCY MANAGEMENT--ACCEPT FY2008 PERFORMANCE GRANT**

8.5/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby accepts the FY2008 Emergency Management Performance Grant (CDFA# 97.042) from the Michigan Department of State Police Emergency Management Division, in the amount of \$28,308.00, which represents 35.76915 per cent of the Emergency Program Manager's salary and fringe benefits, in addition to other management and administrative costs; and

**BE IT FURTHER RESOLVED**, that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Finance Department is authorized to establish the appropriate accounts and make the necessary budget adjustments to complete this action.

State of Michigan  
**EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)  
 AGREEMENT FOR FY 2008**  
 October 1, 2007 through September 30, 2008

**CFDA # 97.042**

This Emergency Management Performance Grant (EMPG) Agreement is hereby entered into between the Michigan Department of State Police, Emergency Management and Homeland Security Division, hereinafter called the Subgrantor, and

**ALLEGAN COUNTY EMERGENCY MANAGEMENT**

hereinafter called the Subgrantee.

**I. Purpose**

The purpose of this Grant Agreement is to provide federal Emergency Management Performance Grant (EMPG) funds to the Subgrantee for the development and maintenance of an emergency management program capable of protecting life, property, and vital infrastructure in times of disaster or emergency.

**II. Objectives**

The principal objective of this Grant Agreement is to provide financial assistance for the development and maintenance of an effective, integrated emergency management organization in the Subgrantee's political jurisdiction so that the Subgrantee can:

- A. Achieve and maintain effective operational capabilities based on the ability to recruit, develop, and retain the necessary personnel to ensure well-trained, experienced professionals and specialists for key positions.
- B. Plan, train, exercise, and evaluate capabilities to ensure adequate response to all-hazards emergencies.
- C. Support federal and state efforts to protect lives and prevent the loss of property from all hazards, reduce human suffering and enhance recovery of communities after a disaster strikes or an act of terrorism occurs, and ensure the public is served in a timely and efficient manner.
- D. Develop and maintain hazard identification and risk reduction through mitigation activities.

**III. Statutory Authority**

Funding for the Fiscal Year (FY) 2008 Emergency Management Performance Grant (EMPG) is authorized by the Consolidated Appropriations Act of 2008 (P.L. 110-161).

The Subgrantee agrees to comply with all EMPG program requirements in accordance with the Michigan Emergency Management Act, Act 390, P.A. of 1976, as amended, located at [http://www.michigan.gov/documents/mspemd-Act\\_390\\_of\\_1976\\_7125\\_7.pdf](http://www.michigan.gov/documents/mspemd-Act_390_of_1976_7125_7.pdf), the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, located at <http://www.fema.gov/about/stafact.shtm>, Emergency Management and Assistance Regulations (44 CFR), located at [http://www.access.gpo.gov/nara/cfr/waisidx\\_00/44cfrv1\\_00.html](http://www.access.gpo.gov/nara/cfr/waisidx_00/44cfrv1_00.html), Office of Management and Budget Circulars A-87, A-102 and A-133, as revised, located at <http://www.whitehouse.gov/omb/circulars/index.html>, the U.S. General Accounting Office Government Auditing Standards, located at <http://www.gao.gov/govaud/ybk01.htm>, the Emergency Management Performance Grant Guidebook, and applicable state and federal laws and regulations.



**IV. Emergency Management Performance Grant Award Amount, Requirements and Restrictions**

For FY 2008, the total EMPG award for the Subgrantee is \$28,308.00. The Subgrantor determined the Subgrantee's EMPG allocation as 35.76915% of the Subgrantee's emergency program manager's salary and fringe benefits. Because it is dependent upon the level of federal funding for the EMPG program, the award may be reduced if the level of federal funding is decreased. The subgrantee may receive less than the allocated amount if the subgrantee's cost share of wages and fringe benefits paid to the program manager are less than the total allocation. (This payment amount also includes the 3% eligible Management and Administrative (M&A) costs.) The Subgrantee's EMPG program budget, documented on the Local Budget for Emergency Management Performance Grant (form EMD-17), is incorporated into this Grant Agreement as Attachment A.

This Grant Agreement designates EMPG funds for the administration and oversight of an approved emergency management program. **The Subgrantee may utilize grant funds for the reimbursement of salary, overtime, compensatory time off, and associated fringe benefits for the program manager, and up to 3% of the allocation may be utilized for M&A costs.** No other expenditures are allowed.

Grant Agreement funds shall not be used for other purposes. The funds awarded in the Grant Agreement shall only be used to cover allowable costs that are incurred during the agreement period. Federal funds cannot exceed 50% of eligible costs of the program manager's salary and fringe benefits, including the 3% M&A costs. This award is contingent upon the Subgrantee's expenditure of at least 50% of the costs of the emergency management program, from non-federal sources. For further information on allowable local match sources and types of funds, see FEMA's codified regulations, 44 CFR. FEMA administers cost sharing requirements in accordance with 44 CFR 13.24, which is located at [http://www.access.gpo.gov/nara/cfr/waisidx\\_07/44cfrv1\\_07.html](http://www.access.gpo.gov/nara/cfr/waisidx_07/44cfrv1_07.html)

Unauthorized program expenditures include, but are not limited to, the following:

- A. Construction and renovation
- B. Hiring of Public Safety Personnel

Item B listed above may be eligible under the 3% Management and Administrative costs, although it is not eligible as a direct EMPG program expenditure

Subgrantee agrees to demonstrate that at least 40% of work accomplished is attributable to the planning activities listed below:

- A. Planning for NIMS implementation
- B. Modifying existing incident management and emergency operations plans to ensure proper alignment with the NIMS and NRF coordinating structures, processes, and protocols
- C. Developing/enhancing comprehensive emergency management plans
- D. Conducting a hazard analysis and risk assessment prior to mitigation plan development
- E. Developing/enhancing all-hazards mitigation plans
- F. Developing/enhancing catastrophic incident plans
- G. Developing/enhancing COOP/COG plans
- H. Developing/enhancing logistics and resource management plans
- I. Developing/enhancing evacuation plans, including sheltering efforts
- J. Developing/enhancing mass casualty and mass fatality plans
- K. Developing/enhancing financial and administrative procedures for use before, during, and after disaster events in support of a comprehensive emergency management program
- L. Public education and awareness
- M. Developing/enhancing a crisis communications plan
- N. Updating the State and/or Urban Area Homeland Security Strategy to address all hazards
- O. Developing/enhancing other response and recovery plans

- P. Developing/enhancing emergency management and operations plans to integrate citizen/volunteer and other non-governmental organization resources and participation
- Q. Other EMPG-related planning activities

Signature on the grant agreement acknowledges that this threshold has been met.

**V. Management and Administrative Costs (M&A Costs)**

The EMPG program has allowable M&A costs for the local unit of government. The local jurisdiction may retain and use up to 3% of their subaward from the state for local M&A purposes. **In the EMPG program, the 3% M&A costs are included in the EMPG allocation, not in addition to the allocated amount. If M&A costs are claimed, a narrative must be submitted detailing the expenses that are included in these costs.** The expenditures must be for new staff and new expenses only. Allowable M&A costs include:

- A. Hiring of full-time or part-time staff or contractors/consultants:
  - 1. to assist with the management of FY08 EMPG funds
  - 2. to assist with design, requirements, and implementation of FY08 EMPG
- B. Hiring of full-time or part-time staff or contractors/consultants and expenses related to:
  - 1. FY08 EMPG pre-application submission management activities and application requirements
  - 2. Meeting compliance with reporting/data collection requirements, including data calls
- C. Development of operating plans for information collection and processing necessary to respond to FEMA data calls
- D. Travel expenses directly related to management and administration of EMPG grant funds
- E. Meeting-related expenses directly related to management and administration of EMPG grant funds
- F. Acquisition of authorized office equipment, including personal computers, laptop computers, printers, LCD projectors, and other equipment or software which are used primarily in support of the implementation of EMPG-related activities
- G. The following are allowable only within the period of performance of the grant program:
  - 1. Recurring fees/charges associated with certain equipment, such as cell phones, faxes, etc. which are directly related to management and administration of FY 2008 EMPG grant funds
  - 2. Leasing and/or renting of space for newly hired personnel to administer programs within FY 2008 EMPG.

**VI. Supplanting**

This Grant Agreement designates EMPG funds for reimbursement of authorized costs. These funds shall not be used for other purposes. The funds awarded in the Grant Agreement shall only be used to cover allowable costs that are incurred during the Grant Agreement period. **The funds must supplement, not supplant, state or local funds.** Federal funds will only be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be carefully reviewed in the application review, in subsequent monitoring, and in the audit. The Subgrantee may be required to supply documentation certifying that they did not reduce non-federal funds because of receiving federal funds. Federal funds cannot be used to replace a reduction in non-federal funds or solve budget shortfalls in general fund programs.

**VII. Responsibilities of the Subgrantee**

The Subgrantee agrees to complete quarterly work activities identified in its Emergency Management Work Agreement (EMD-31). That report is incorporated into this Grant Agreement as Attachment B. The Subgrantee also agrees to comply with all applicable federal and state regulations, specifically including the following:

- A. Enact enabling legislation establishing the local emergency management program and ensure a copy of the local resolution or ordinance is on file with the Subgrantor.

- B. Appoint an emergency management program manager who is able to assume responsibility for the following functions, either personally or through officers:
1. Development and maintenance of programs and systems for effective coordination of community resources in all phases of emergency management: mitigation, preparedness, response and recovery.
  2. Planning and preparation for population protection, including evacuation, shelter/reception, logistics and resource management. Ensure that Executive Order #13347 entitled "Individuals with Disabilities in Emergency Preparedness" is being addressed. Further information can be found at the Disability and Emergency Preparedness Resource Center at [www.disabilitypreparedness.gov](http://www.disabilitypreparedness.gov).
  3. Planning and preparation for its appropriate role in response to natural and man-made emergencies and disasters.
  4. Exercising the emergency operations plan of the jurisdiction.
  5. Emergency management training.
  6. Response and recovery from natural and manmade hazards, homeland security related incidents, and other emergencies that may threaten the safety and well-being of citizens and communities.
  7. Promoting public awareness of hazards and encouraging family and individual preparedness.
  8. Identifying and implementing measures to mitigate the negative impact of disasters and emergencies.
  9. Assure full NIMS compliance as detailed in state guidance by the end of FY 2008. NIMS information is available at <http://www.fema.gov/emergency/nims>.
  10. Identify needs and priorities for strengthening capabilities, while simultaneously addressing issues of state and national concern as identified both in the National Priorities and the Targeted Capabilities.
- C. Provide Subgrantor with complete job description for the federally funded EMPG program manager, including non-EMPG duties.
- D. Notify the Subgrantor immediately of any changes in the EMPG funded program manager's position.
- E. Submit this signed annual EMPG agreement, including all attachments, to Subgrantor.
- F. Satisfactorily complete all work activities identified in the Emergency Management Work Agreement (EMD-31) as scheduled.
- G. Submit an updated Exercise Plan and complete annual exercise activities as specified in the Subgrantee's emergency management annual work agreement.
- H. Ensure the EMPG funded program manager completes specific training classes as required by the Annual Work Agreement for FY 2008.
- I. Have on file with the EMD District Coordinator an approved and current emergency operations plan.
- J. Account for receipts and expenditures, maintain adequate financial records, and refund expenditures disallowed by federal or state audit.
- K. Submit the appropriate forms for reimbursement of eligible expenses to the appropriate District Coordinator on a quarterly basis.
- L. Retain all financial records, supporting documents, statistical records, and all other records pertinent to the EMPG program for at least three years after the Subgrantee's final grant report, for purposes of federal or state examination and audit. EMD will review paperwork at the local jurisdiction during all audits (2006 and forward) to determine if NIMS implementation has taken place.
- M. Perform the required financial and compliance audits in accordance with the U.S. General Accountability Office, *Government Auditing Standards*, located at <http://www.gao.gov/govaud/ybk01.htm>, and OMB Circular A-133, located at <http://www.whitehouse.gov/omb/circulars/a133/a133.html>. If an audit is required, submit a copy of the annual audit report to the Budget and Financial Services Division, Michigan Department of State Police, 714 South Harrison Road, East Lansing, Michigan 48823.
- N. Comply with all items included in the Standard Assurances located at [http://www.ojp.usdoj.gov/funding/forms/std\\_assurances.pdf](http://www.ojp.usdoj.gov/funding/forms/std_assurances.pdf) and Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace

FY 2008 EMPG Agreement  
Between the State of Michigan and  
ALLEGAN COUNTY

Requirement (OJP Form 4061/6) located at <http://www.dsrt.fiu.edu/FederalForms/DOJ/DOJ-4061-6.pdf>. These documents and all applicable attachments are incorporated into this Grant Agreement as Attachment C.

- O. 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.

**VIII. Responsibilities of the Subgrantor**

The Subgrantor, in accordance with the general purposes and objectives of this Grant Agreement, will:

- A. Administer the EMPG program in accordance with the State of Michigan Administrative Plan for the EMPG program and all applicable federal and state regulations and guidelines.
- B. Reimburse the Subgrantee in accordance with this Grant Agreement in an amount not to exceed 50% of allowable expenditures up to the Subgrantee's total EMPG award based upon appropriate reports, records, and documentation submitted by the Subgrantee. Quarterly reimbursements will be determined by the amount of the program manager's salary and fringe benefits submitted, including the 3% M&A costs, listed on the quarterly billing.
- C. Provide direction, training, and technical assistance to the Subgrantee.
- D. Provide any special report forms and reporting formats to the Subgrantee for operation of the program.

**IX. Payment and Reporting Procedures**

- A. The Subgrantee agrees to prepare the Quarterly Billing Form (EMD-007) and submit it with supporting documentation, including all required authorized signatures and required reimbursement documentation to the appropriate District Coordinator no later than 20 days following the end of each quarter. The EMD-007 form must be used or the reimbursement request will not be processed.
- B. If the Subgrantee submits an incomplete or late quarterly billing report to the District Coordinator, the billing may not be processed until the following quarter.
- C. The Subgrantee agrees to prepare Emergency Management Quarterly Reports (EMD-31) and submit them to the appropriate District Coordinator no later than 20 days following the end of each quarter. Reimbursement of expenditures by the Subgrantor is contingent upon the Subgrantee's completion of scheduled work activities.
- D. If the Subgrantee fails to complete the scheduled work activities during a quarter, the Subgrantor will withhold reimbursement until either the work is completed or the Deputy State Director of Emergency Management and Homeland Security approves a delay in the completion of the activity. If scheduled work activities are not completed by the end of the fiscal year (September 30, 2008), any balance of the EMPG award may be forfeited.
- E. A Subgrantee that fails to complete the annual exercise requirement as scheduled within FY 2008 may be ineligible for EMPG funding for that quarter and all remaining quarters of FY 2008, and all subsequent quarters until the quarter when the qualifying exercise is completed.
- F. The Subgrantee is responsible for providing updated obligation and expenditure information on a regular basis through BSIR (Biannual Strategy Implementation Reports). The BSIR is due within 20 days after the end of the reporting period (July 20 with a reporting period of January 1 through June 30, and on January 20 with a reporting period of July 1 through December 31). Future awards and fund drawdowns may be withheld if these reports are delinquent. The final BSIR is due 120 days after the end date of the award period.
- G. The Subgrantee agrees to return to the Subgrantor any unobligated balance of funds held by the Subgrantee at the end of the agreement period or handle them in accordance with the instructions provided by the Subgrantor.
- H. Drawdown of Funds in Advance Subgrantees may request funds up to 120 days prior to expenditure. All of the following requirements must be met to obtain advanced funds: 1) The Subgrantee must complete a letter stating that they have a cash flow problem. 2) These funds

must be placed in an interest-bearing account that does not earn more than \$100 in interest per calendar year, and these funds are subject to the rules outlined in 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and 2 CFR Part 215. Funds cannot be advanced for more than 120 days, at which time they must be returned to MSP EMHSD. Advances cannot be outstanding for over 120 days. 3) Any interest earned over \$100 must be returned to MSP EMHSD, and EMHSD must then return it to DHHS. ***Interest earned on funds placed in an interest-bearing account must be treated as program income and reinvested into allowable activities within the respective program area in which it was earned. Subgrantees must retain detailed documentation showing which funding stream(s) interest/program income was earned and how it was reinvested.*** Please consult the applicable OMB Circular for additional guidance.

- i. Federal Funding Accountability and Transparency Act. While there are no State and Urban Area requirements in FY 2008, the Federal Funding Accountability and Transparency Act of 2006 may affect State and Urban Area reporting requirements in future years. The Act requires the Federal government to create a publicly searchable online database of Federal grant recipients by January 1, 2008 with an expansion to include sub-grantee information by January 1, 2009.

#### **X. Employment Matters**

Subgrantee shall comply with Title VI of the Civil Rights Act of 1964, as amended, the Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2101 *et seq.*, the Person's with Disabilities Civil Rights Act, 1976 PA 220, as amended, MCL 37 1101 *et seq.*, and all other federal, state and local fair employment practices and equal opportunity laws and covenants that it shall not discriminate against any employee or applicant for employment, to be employed in the performance of this Grant Agreement, with respect to his or her hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his or her race, religion, color, national origin, age, sex, height, weight, marital status, limited English proficiency (LEP), or handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. Subgrantees are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language guidance for grantees to help them comply with Title VI requirements. For additional information, please see <http://www.lep.gov>. Subgrantee agrees to include in every subcontract entered into for the performance of this Grant Agreement this covenant not to discriminate in employment. A breach of this covenant is a material breach of this Grant Agreement.

Subgrantee shall ensure that no subcontractor, manufacturer or supplier of the Subgrantee for this Program appears in the register compiled by the Michigan Department of Labor and Economic Growth, Bureau of Commercial Services, Licensing and Enforcement Divisions, pursuant to 1980 PA 278, as amended, MCL 423.321 *et seq.* (State Contracts with Certain Employers Prohibited Act). If the name of one of the above appears on this listing, you may not use them for the grant.

#### **XI. Limitation of Liability**

Subgrantor and Subgrantee to this Grant Agreement agree that each must seek its own legal representative and bear its own costs, including judgments, in any litigation that may arise from performance of this contract. It is specifically understood and agreed that neither party will indemnify the other party in such litigation

This is not to be construed as a waiver of governmental immunity

**XII. Redistribution Prohibition**

A grant awarded under this Grant Agreement shall be used by the Subgrantee and shall not be redistributed by the Subgrantee to any other entity unless specifically provided for in the Grant Agreement.

**XIII. Third Parties**

This Grant Agreement is not intended to make any person or entity not a party to this Grant Agreement a third-party beneficiary hereof or to confer on a third party any rights or obligations enforceable in their favor.

**XIV. Freedom of Information Act (FOIA)**

Sub-grantor and Sub-grantee FY04 HSGP information constitutes records subject to the Michigan Freedom of Information Act (FOIA), MCL 15.231 *et seq.* However, section 13(1)(u) and (y), MCL 15.243(1)(u) and (y) of the FOIA, permit the exemption from public disclosure of the records of a public body's "security measures, including security plans, security codes and combinations, passwords, passes, keys, and security procedures, to the extent that the records relate to the ongoing security of the public body;" and "of measures designed to protect the security or safety of persons or property, whether public or private, including, but not limited to, building, public works, and public water supply designs to the extent that those designs relate to the ongoing security measures of a public body, capabilities and plans for responding to a violation of the Michigan anti-terrorism act,...emergency response plans, risk planning documents, threat assessments, and domestic preparedness strategies, unless disclosure would not impair a public body's ability to protect the security or safety of persons or property or unless the public interest in disclosure outweighs the public interest in nondisclosure in the particular instance."

Much of the information submitted in the course of applying for funding under this program, or provided in the course of grant management activities, may be considered law enforcement-sensitive or otherwise critical to national security interests. This may include threat, risk, and needs assessment information; and discussions of demographics, transportation, public works, and industrial and public health infrastructures. Therefore, each sub-grantee agency Freedom of Information Officer will need to determine what information is to be withheld on a case-by-case basis.

**As a condition of this grant, before releasing any records, sub-grantee agrees to provide to the Department of State Police Emergency Management and Homeland Security, attention Public Information Officer, copies of all FOIA requests relating to the EMPG application or its administration.**

**XV. Agreement Period**

This Grant Agreement is in full force and effect from **October 1, 2007, through September 30, 2008**. This Grant Agreement consists of two identical sets that may be simultaneously executed, each of which shall be deemed to be an original having identical legal effect. No costs eligible under this Grant Agreement shall be incurred before October 1, 2007. This Grant Agreement may be terminated by either party by giving thirty (30) days written notice to the other party stating reasons for termination and the effective date, or upon the failure of either party to carry out the terms of the Grant Agreement. Upon any such termination, the Subgrantee agrees to return to the Subgrantor any funds not authorized for use.

**XVI. Entire Grant Agreement**

This Grant Agreement is governed by the laws of the State of Michigan and supersedes all prior agreements, documents, and representations between Subgrantor and Subgrantee, whether expressed, implied or oral. This Grant Agreement constitutes the entire agreement between the parties and may not be amended except by written instrument executed by both parties prior to the termination date set forth in Paragraph XV above. No party to this Grant Agreement may assign this Grant Agreement or any of

his/her/its rights, interest, or obligations hereunder without the prior consent of the other party. Subgrantee agrees to inform Subgrantor in writing immediately of any proposed changes of dates, budget, or services indicated in this Grant Agreement, as well as changes of address or personnel affecting this Grant Agreement. Changes in dates, budget, or services are subject to prior written approval of Subgrantor. If any provision of this Grant Agreement shall be deemed void or unenforceable, the remainder of the Grant Agreement shall remain valid

**XVII. Business Integrity Clause**

The Subgrantor may immediately cancel the grant without further liability to the Subgrantor or its employees if the Subgrantee, an officer of the Subgrantee, or an owner of a 25% or greater share of the Subgrantee is convicted of a criminal offense incident to the application for or performance of a State, public, or private grant or subcontract; or convicted of a criminal offense including but not limited to any of the following embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees, convicted under State or Federal antitrust statutes; or convicted of any other criminal offense which, in the sole discretion of the Subgrantor, reflects on the Subgrantee's business integrity

**XVIII. Official Certification**

The individual or officer signing this Grant Agreement certifies by his or her signature that he or she is authorized to sign this Grant Agreement on behalf of the responsible governing board, official, or agency. Subgrantee further certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this grant by any federal department or agency. If Subgrantee is unable to certify to any portion of this statement, Subgrantee shall attach to this Grant Agreement an explanation of the reason


**For the Chief Elected Official:**

_____	_____
Printed Name	Title
_____	_____
Signature	Date

**For the Local Emergency Program Manager:**

_____	_____
Printed Name	Title
_____	_____
Signature	Date

**For the Subgrantor:**

W. Thomas Sands, Captain	Deputy State Director of Emergency Management
_____	and Homeland Security
Printed Name	Title
	_____
Signature	Date

**SHERIFF DEPARTMENT--APPLY AND ACCEPT FY 2009 RENEWAL OF MDOC  
COMPREHENSIVE COMMUNITY CORRECTIONS GRANT**

8.6/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the Sheriff Department request to apply to renew ,and accept when awarded, the Michigan Department of Corrections, Office of Community Corrections FY 2009 funding to continue programs provided for in the Comprehensive Community Corrections Plan; and

BE IT FINALLY RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**SHERIFF DEPARTMENT--ACCEPT FY2008/2009 OHSP SECONDARY ROAD PATROL  
AND TRAFFIC ACCIDENT PREVENTION GRANT**

8.7/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the request of the Sheriff Department for the County to accept when awarded, a grant of \$148,352 from the Office of Highway Safety Planning (OHSP) to continue the funding for three Secondary Road Patrol and Accident Prevention (ACT 416) Officers for the period October 1, 2008, through September 30, 2009; and

BE IT FURTHER RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**SHERIFF DEPARTMENT/ADMINISTRATOR--APPROVE COUNTY PROVIDED LAW  
ENFORCEMENT PROJECT PLAN**

8.8/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the recommendation that for



project planning purposes the County Provided Law Enforcement Project be reprioritized from a 4 (begin within 3 years) to a 2 (begin within 1 year); and

**BE IT FURTHER RESOLVED** that the administrative fee contained within the current Law Enforcement Contracts will be suspended for 2009; and

**BE IT FINALLY RESOLVED** that the following time line is approved and that the Board will reconsider the administrative fee as well as proposed contracting models for the 2010 budget process.

<b>PHASE I</b>	<b>BOC Education/Feedback</b>
September	BOC Completes Survey
	Public Meeting: Education of Services/Corrections
October	Public Meeting: Education of Investigative Services
November	Public Meeting: Education of Uniform Services

<b>PHASE II</b>	<b>Local Unit Education/Feedback</b>
December	Local Units Update/Completes Survey
January February	Public Meetings: Education of Services, Corrections, Investigations, and Uniform Services. Gather feedback on County base level of service and contracting/funding models.
<b>PHASE III</b>	<b>Financial Analysis</b>
March	Itemize/Select all costs associated with the services.
April	Recommendation - Determine base level of service
May	Determine base level of service
<b>PHASE IV</b>	<b>Develop New Contracting Model</b>
May	County-wide public meeting with local units
June	Recommendation of new contracting model/option
July	Select new contracting model/alt option

**TRANSPORTATION-ACCEPT PROJECT AUTHORIZATION FOR FY2009 JOB ACCESS AND REVERSE COMMUTE PROGRAM FUNDING**

**8.9/ BE IT RESOLVED** that the Allegan County Board of

Commissioners hereby approves the request from the

Transportation Department to accept project authorization 2007-

0157/Z12 in the amount of \$90,200 for the FY2009 Section 5316

Job Access and Reverse Commute Program Funding; and

BE IT FURTHER RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**PERSONNEL POLICY 301-ADOPT REVISIONS**

9/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the following revised Human Resources Policy as attached, effective immediately;

- 301 - Employee Selection Policy

and,

BE IT FURTHER RESOLVED, that Human Resources will provide copies of the revised policy and post it to the website as necessary to inform all employees.

Moved by Commissioner Thiele, seconded by Commissioner Black to adopt the resolution as presented. Motion carried.

**ALLEGAN COUNTY  
EMPLOYEE HANDBOOK**

<b>Category:</b>	<b>Employment Policy</b>
<b>Number:</b>	<b>301</b>
<b>Approved:</b>	<b>February 24, 2005, supersedes prior policy Amended August 28, 2008</b>
<b>Revised:</b>	<b>August 14, 2008</b>
<b>Subject:</b>	<b>EMPLOYEE SELECTION POLICY</b>

1. **RECRUITMENT:** Recruitment will be tailored to the various classes of positions to be filled and will be directed to all appropriate sources of applicants in order to attract an adequate number of candidates for consideration. Recruiting publicity will be carried out through all appropriate media for a sufficient period to assure open opportunity for the public to apply and be considered.
  
2. **EMPLOYEE SELECTION PROCEDURE:** All Allegan County Department Heads are expected to comply with the following procedure when filling any authorized budgeted position within their respective department:
  - 2.1 The Department Head shall complete an RFA Form, located on the Intranet, requesting the position be filled and shall forward to the County Administrator for review and approval.
  - 2.2 Once approved, the Human Resources Department will work with the Department Head to design and place ads and postings. All advertising will indicate that Allegan County is an Equal Opportunity Employer/EOE.

- 2.3 All applicants will be encouraged to complete an on-line application form. If the advertising includes a deadline, only those applications/resumes received by the deadline will be considered for screening.
- 2.4 The Human Resources Department will work with the Department Head to pre-screen applications, conduct pre-employment assessments and schedule interviews.
- 2.5 Those applicants meeting the qualification criteria will generally be interviewed in a structured format using an interview team. The Human Resources Director will work with the Department Head to recommend the appropriate interview format, questions and scoring,
- 2.6 Upon completion of the interviews, the Department Head will notify Human Resources of the finalist for the position. Candidates recommended for hire will be subject to background reference checking, including criminal history, driving records, and/or credit history as deemed appropriate. Checking of references and records must be coordinated between the Department Head and the Human Resources Director. Any background investigations or LEIN checks must be at the request of the Human Resources Director to the appropriate Lieutenant in the Sheriff Department. Departments may not make direct LEIN checks or make requests direct to the Sheriff Department.
- 2.7 Once candidates successfully complete the background requirements a conditional offer of employment will be sent to the candidate by the Human Resources Department. All offers of employment will contain a start date (must be a scheduled work day), hiring wage/salary as prescribed by county policy and conditional upon the successful completion of physical/drug screening.
- 2.8 A department head may not hire members of his / her immediate family to work in his/her Department.

**3. Appointed Department Head Positions:**

- 3.1 An internal posting will be prepared to identify any qualified internal candidates.
- 3.2 All qualified candidates who meet the minimum qualifications for the position will be given an opportunity to participate in the interview process.
- 3.3 An interview team consisting of the County Administrator, Human Resources Director, and one Commission Member of the Board of Commissioners (BOC) will interview the qualified candidates.

3.3.1 The following grid will be used to determine which Board of Commissioner will represent the entire Board on the interview team.

<b>Director</b>	<b>Board Member</b>
Central Dispatch Director	911 Policy Board BOC Representative
Director of Senior Services	Commission on Aging BOC Representative
Equalization Director	Commissioner appointed by Board
Facilities Management Director	Chair of County Services Committee
Finance Director	Chair of Finance Committee
Health Officer	Chair of Health Services Committee
Human Resources Director	Chair of Human Resources Committee
Information Services Director	Commissioner appointed by Board
LIS Director	Commissioner appointed by Board
Parks Director	Parks Commission BOC Representative
Transportation Director	Commissioner appointed by Board

- 3.4 If there are no successful internal candidates, steps 3.1 and 3.2 will be repeated for an external posting.
- 3.5 The County Administrator may elect to have the candidate(s) participate in testing / assessments as deemed necessary.

**ALLEGAN COUNTY  
EMPLOYEE HANDBOOK**

- 3.6 The interview team will review the job description to determine the mandatory success factors, weight those factors based on their importance in the position, and develop relevant interview questions for each success factor. Upon reviewing the scores from the interview process, receiving advice from the interview team, and reviewing the results of the tests / assessments as applicable, the County Administrator will select the best candidate for the position.
- 3.7 The Human Resources Department will conduct the appropriate background, credit and reference verifications on the final candidate (s).
- 3.8 The Human Resources Director will provide a conditional letter of employment to the final candidate.
- 3.9 After sending out the conditional letter of employment to the final candidate, the Human Resources Director will send information to the Board of Commissioners about the candidate who will be receiving the conditional offer. This information will redact the candidate's name and personal information, including any information about their current employer that might identify who they are.
- 3.10 Upon acceptance of the conditional offer, the candidate will be scheduled for a physical and drug screen.
- 3.11 Upon acceptance of the conditional offer, the County Administrator will update the Board of Commissioners.
- 3.12 In most situations, the effective date of hire will be the first work day of the next payroll period after the County receives acceptable results of the physical and drug screen, except in circumstances in which a different date is determined to be appropriate.
- 3.13 Upon starting with the County, the newly appointed Administrative Department Head will be invited to the next scheduled Board meeting (planning or business meeting) to say a few words to the Board and meet the commissioners. This will be included as part of the new department head's orientation to the County.

**BREAK - 1:47 P.M.**

10/ Moved by Commissioner Burns, seconded by Commissioner Kapenga to recess for 10 minutes. Motion carried and the meeting was recessed at 1:47 p.m.

Upon reconvening at 2:08 p.m., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, and Jones. Absent - Commissioner Campbell.

**INTERGOVERNMENTAL MEETING - UPDATE**

11/ Rob Sarro distributed the outcome of the breakout sessions listing of topics with the ranking received for each issue. The top three issues are:

1. Facilities Master Plan Process - Does it include the jail as well as the courthouse and Sheriff's office?
2. Jail Project
3. Energy development [wind energy]

There was lengthy discussion regarding the jail location and whether or not the Township and City should have input since the Board has already adopted a site.

Rob recommended that the next step would be to contact the Township and City to solicit what information they would need to continue with the discussion and give them an opportunity to submit questions for which they need information.

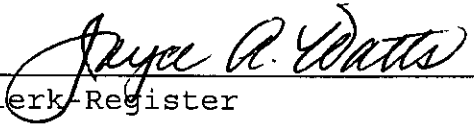
He will try to set up another meeting for September 25, 2008 at 6:00 p.m., but the Zimmerman Room will be in use on that date. Dr. Harvey will be present.

**PUBLIC PARTICIPATION - NO COMMENTS**

12/ Chairman McNeal opened the meeting to public participation and as no one appeared to provide comment, he declared the meeting closed to public participation.

ADJOURNMENT UNTIL SEPTEMBER 11, 2008 AT 1:00 P.M.

13/ Moved by Commissioner Jones, seconded by Commissioner Thiele to adjourn until September 11, 2008 at 1:00 p.m. The motion carried and the meeting was adjourned at 3:42 p.m.

  
\_\_\_\_\_  
Clerk-Register

