

RESOLUTION NO. 2009-71

RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE AUTHORIZING THE ACCEPTANCE OF FFY 2010 EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT (EPCRA) GRANT AND EMERGENCY MANAGEMENT PERFORMANCE (EMPG) GRANT FROM THE STATE OF WISCONSIN DIVISION OF EMERGENCY MANAGEMENT

To the Honorable Members of the Racine County Board of Supervisors:

BE IT RESOLVED by the Racine County Board of Supervisors that the application for and acceptance of an Emergency Planning and Community Right to Know Act (EPCRA) Grant for Federal Fiscal Year (FFY) 2010 in the amount of \$32,290.00 and an Emergency Management Performance (EMPG) Grant for FFY 2010 in the estimated amount of \$89,112.00 from the State of Wisconsin Division of Emergency Management, by the Racine County Office of Emergency Management, is hereby authorized and approved.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the acceptance of the Grants require that the Racine County Board of Supervisors does hereby assure and certify to comply with the regulations, policies, guidelines and requirements stated in the Grant Assurances which are summarized in Exhibit "A," that is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that any two of the County Executive, the County Board Chairman and/or the County Clerk as well as the Chairman of the Local Emergency Planning Committee are hereby authorized to execute any contracts, agreements or other documents necessary to carry out the intent of this resolution.

Respectfully submitted,

1st Reading _____

FINANCE AND HUMAN RESOURCES COMMITTEE

2nd Reading _____

BOARD ACTION _____

Karen A. Nelson, Chairman

Adopted _____

For _____

Against _____

Absent _____

Robert N. Miller, Vice-Chairman

VOTE REQUIRED: Majority

Thomas Pringle, Secretary

Prepared by:
Corporation Counsel

Russell A. Clark

Q. A. Shakoov, II

Van H. Wanggaard

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 Pamela Zenner-Richards

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9 **INFORMATION ONLY**

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11 **WHEREAS**, on an annual basis, Racine County receives money by way of an
12 EPCRA Grant and an EMPG Grant from the State of Wisconsin Division of Emergency
13 Management.
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SUMMARY SHEET FOR ASSURANCES & CERTIFICATIONS

PART 1 - EMERGENCY MANAGEMENT PERFORMANCE GRANT for FY 10

This summary sheet includes Assurances and Certifications that must be read, signed, and submitted as a part of the EMPG application.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the identified attached assurances and certifications.

William McReynolds

County Executive

Signature of County Board Chair or County Executive

Date

The Applicant hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements, including OMB Circulars Nos. A-102 and A-87, as they relate to the application, acceptance, and use of Federal funds for all federally assisted projects to be carried out under the terms of this agreement. The Applicant also assures and certifies that:

1. It possesses the legal authority to apply for the grant and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the performance contract as outlined in this application.
2. It will give the sponsoring agency or the Comptroller General of the United States, and if appropriate, the State of Wisconsin, through any authorized representatives, access to and the right to examine all records, books, papers, or documents related to the grant, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. It will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. Sections 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972, as amended (P.L. Law 92-255) which prohibits discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcohol Prevention Treatment and Rehabilitation Act of 1970, as amended (P.L. Law 91-616) relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Section 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290-dd-3 and 290-ee-3) relating to confidentiality of alcohol and drug abuse patients records; (h) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601 et seq.) relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statutes under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statutes which may apply to the application.

4. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P. L. 93-234), which requires recipients in a special hazard flood to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
6. It will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
7. It will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and Executive Order 11514; (b) notification of violating facilities pursuant to Executive Order 11738; (c) protection of wetlands pursuant to Executive Order 11990; (d) evaluation of flood hazards in floodplains in accordance with Executive Order 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-5230); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
8. It will comply with the provisions of the Davis-Bacon Act (40 U.S.C. 276a - 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333) regarding labor standards for federally assisted construction sub-agreements.
9. It will comply with requirement of the provisions of Title II and III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interest in real property acquired for project purposes regardless of Federal participation in purchases.
10. It will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328), which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.
11. It will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
12. It shall not knowingly enter into any lower tier covered transaction with a person who is disqualified, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by FEMA entering into the transaction. The applicant further agrees by submitting this application that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," provided by the FEMA Regional Office entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (Refer to 44 CFR Part 17)
13. It will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.
14. It is compliant with requirements established for the National Incident Management System (NIMS).