

201-2023

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI

} ca.

May Session of the April Adjourned

Term. 29

County of Boone

In the County Commission of said county, on the 2nd day of May 20 23

the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does hereby approve the Final Plans, items A, B, C and receive and accept the plats, items D, E, F, G, as listed in the attached consent agenda (Attachment A), and authorize the Clerk to insert the associated staff reports into the minutes of this meeting.

Attachment:

- A. Request by Carl and Sandra Freiling to approve a Final Development Plan on 30 acres in the (pending) Planned Agriculture (A-1P) zoning district located at 17300 S Burnett School Rd, Ashland.
- B. Request by William and Lisa Nichols, Jose Hernandez-Sanchez, and Megan N. Hernandez to approve a Final Development Plan on 31.63 acres in the (pending) Planned Agriculture (A-1P) zoning district located at 13331 & 13575 S Crump Lane, Ashland.
- C. Request by Joseph and Kelly Eagle to approve a Final Development Plan on 4.70 acres in the Planned Agriculture-Residential (A-RP) zoning district located at 6910 S High Point Ln, Columbia.
- D. Freiling Estates. A-1P (pending). S29-T46N-R11W. Carl and Sandra Freiling, owners. Kevin Schweikert, surveyor.
- E. Nichols Plat 1. A-1P (pending). S3-T46N-R12W. William P. and Lisa K. Nichols, owners. Kevin Schweikert, surveyor.
- F. Elizabeth Ann Subdivision. Agriculture (A-2). S1-T50N-R13W. Jonathan D Wadlow & Elizabeth Wadlow, owners. Steven Proctor, surveyor.
- G. Heartland Hills Plat 1. S4-T51N-R13W. Agriculture (A-2). Keystone Commercial Construction Inc, owner. Kevin Schweikert, surveyor.

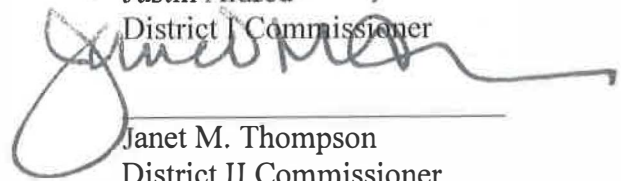
Done this 2<sup>nd</sup> day of May 2023.

ATTEST:

  
 Brianna L. Lennon  
 Clerk of the County Commission

  
 Kip Kendrick  
 Presiding Commissioner

  
 Justin Aldred  
 District Commissioner

  
 Janet M. Thompson  
 District II Commissioner

**Staff Report for County Commission**  
**RE: P&Z Agenda Items**  
**May 2, 2023**

**1. Consent Agenda – Final Plans and Plats**

The Planning and Zoning Commission reviewed the items on the consent agenda at its April 20, 2023 meeting and approved all items by consent.

A. *Freiling Final Plan*. A-1P. 30 acres at 17300 S. Burnett School Road.

The property is near the southern end of Barnett School Road, approximately 4 ½ miles east of Ashland. It is adjacent to Cedar Creek to the east, which serves as the boundary between Boone & Callaway Counties. The parent parcel is 73 acres in size, and zoned Agriculture (A-1). All the surrounding property is zoned as follows:

- north A-1 & Callaway County
- south A-1 & Callaway County
- east Callaway County
- west A-1

This is all original 1973 zoning. There are currently two houses, two garages, and two barns on the property. The approved A-1P Review Plan is designed to create one lot smaller than 10 acres and two tracts at 10 acres or larger. The smaller lot is proposed at 5 acres and holds one house, one garage, and one barn. The 10-acre tract holds the other house, garage, and barn. The 15-acre tract is currently vacant. The Planned Agriculture (A-1P) rezoning allows for the use of a density requirement rather than a minimum lot size requirement to control the intensity of development. The property being rezoned is 30 acres in size. That allows for 1 unit per 10 acres. That is proposed here with the one lot (5 acres) and two tracts (10 & 15 acres). The 1 unit per 10-acre density available to the A-1P is met in this proposal.

The property scored **-5** points on the rating system.

The Rezoning and Review plan was approved under County Commission Order 154-2023.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan
- The Final Plan conforms to the approved Review Plan
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan

Staff review of the final plan shows that it meets the criteria for approval and recommended approval by the Planning and Zoning Commission.

*B. Nichols A-1P Final Plan.* 31.63 acres at 13331 and 13575 S. Crump Lane.

The property is on the west side of Crump Ln. approximately 1800 ft north of the Ashland city limits at the intersection of Clellie Harmon Rd and Crump Ln. The property is 31.63-acres in size and zoned Agriculture (A-1) as is all the surrounding property. A review plan and rezoning request proposing a Planned Agriculture (A-1P) plan including two modified administrative survey lots and one platted lot of less than ten-acre was recommended for approval in March and approved under County Commission Order 156-2023.

The property scored 55 points on the rating system.

The applicant has submitted a final plan for the proposal. This final plan locks in the previously approved rezoning and allows the property to be re-configured and developed in a manner consistent with the approved review plan.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan
- The Final Plan conforms to the approved Review Plan
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan

There were no conditions placed upon the approval.

Staff review of the final plan shows that it meets the criteria for approval and recommended approval by the Planning and Zoning Commission.

*C. Eagle A-RP Revised Final Plan.* 4.7 acres at 6910 S. High Point Lane.

The property is located off S High Point Lane and W Route K. The property is 4.7 acres. An existing home is present on the property. The property is zoned Planned Agriculture-Residential (A-RP). The property was rezoned in 2022 from Agriculture (A-2) to A-RP under County Commission order #603-2022. The property is surrounded by the following zoning:

- A-2 to the south.
- Planned Two Family Residential (R-DP) New Town Subdivision to the east.
- Planned Single Family Residential (R-SP) Old Plank Village to the north across W Route K.

- Columbia zoning R-1 to the west across from S High Point Lane.

The proposal seeks to revise the previously approved Eagle A-RP Final Plan. The revised plan adds a 40' by 60' accessory structure to be located between the existing home and the proposed home.

The Boone County Master Plan designates this area as suitable for residential land uses. The initial rezoning and revised review plan were approved under County Commission order #154-2023. The proposal scored 70 points on the point rating system.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan, identifies three criteria for approval:

- All the required information is accurately portrayed on the Plan.
- The Final Plan conforms to the approved Review Plan.
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan.

One condition was placed under County Commission order #154-2023:

1. Wayfinding signage shall be installed and maintained near the driveway entrance with High Point Lane and the interior of the development, near the proposed accessory structure, indicating the location of the various structures on the property. The signage must be of a type and location approved by the Director of Resource Management.

The applicant has shown two locations for wayfinding signage, one near the driveway entrance near High Point Lane and another interior to the property near the accessory structure. A proposed wayfinding sign is shown on the final plan. All wayfinding signage used will be approved by the Director of Resource Management.

Staff review of the final plan shows that it meets the criteria for approval and recommended approval by the Planning and Zoning Commission.

D. *Freiling Estates*. A-1P. S29-T46N-R11W. Carl and Sandra Freiling, owners. Kevin Schweikert, surveyor.

The property is located near the southern end of Barnett School Road, approximately 4 ½ miles to the east of Ashland. It is adjacent to Cedar Creek to the east, which serves as the boundary between Boone & Callaway Counties. The parent parcel is 73 acres in size, and zoned Planned Agriculture 1(A-1P). All the surrounding property is zoned as follows:

- North A-1 & Callaway County
- South A-1 & Callaway County
- East Callaway County
- West A-1.

This proposal creates a 5-acre lot as shown on the A-1P (planned Agriculture) review and final plans. This proposed lot has a house, garage and barn present on the property.

This lot has direct access on to Barnett School Road, a publicly dedicated, publicly maintained right of way. However, all of Barnett School Road in this area is in federally regulated floodplain. Any new access points or changes to existing points of access will require a floodplain development permit and elevation certificate as part of their permitting process. The applicant has submitted a request to waive the traffic study requirement.

The property is in Consolidated Public Water Supply District #1; however, the District has no facilities in the area and is not able to provide water service. The property is in the Callaway Electric Cooperative service area, and it is in the Southern Boone County Fire Protection District.

Wastewater service is provided by an existing on-site system. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored -5 points on the rating system.

Staff recommended approval of the plat and granting of waivers.

*E. Nichols Plat*. A-1P. S3-T46N-R12W. William P. and Lisa K. Nichols, owners. Kevin Schweikert, surveyor.

The property is located on the west side of Crump Ln. approximately 1800 ft north of the Ashland city limits which is also the intersection of Clellie Harmon Rd and Crump Ln. The property is 7.39-acres in size and zoned Planned Agriculture 1 (A-1P). All of the surrounding property is zoned Agriculture 1 (A-1) with the exception of the two adjoining properties that are also part of this same planned development. The property being platted is a portion of Tract 2 of the administrative survey created in June of 2019. This property is also included in the review plan approved earlier this month under Commission Order 156-2023. The Final Plan that will finalize the zoning is on the agenda tonight.

The site contains a one single-family dwelling, wastewater lagoon and some accessory structures. The property is located inside the Southern Boone School District and the Southern Boone County Fire Protection District. The Master Plan describes this area as being suitable for agricultural and rural residential land use.

This plat will create a single 6.83-acre lot. An accompanying administrative survey where the other two tracts in the development will incorporate the remnant of the original tract from which this lot is created has been provided. This change in lot size is possible because a planned zoning substitutes a density requirement for the minimum lot size. Under the existing A-1 the 31.63-acres of the area within the development plan allows, at most, three lots of 10-acres or larger resulting in three dwelling units, one on each lot. Under the A-1P the 31.63-acres is still limited

to the maximum of three dwelling units, but the property line of proposed lot 2A can mostly follow a creek that forms a more natural boundary for the lot. The resulting lot 2A is not a full ten acres. But, because the density of the overall request is still only three total dwelling units on 31.63 acres the proposal complies with the density of the underlying A-1 zoning.

The property is within the CPWSD #1 service area for water. Boone Electric provides electric service for the area. The Southern Boone County Fire Protection District provides fire protection for the area. The nearest station, Station 17, is about 1.5 miles away.

An onsite wastewater lagoon serves the home on the lot. Both the wastewater lagoon and home are under permits issued from Resource Management. The tract has direct access to Crump Ln, a county-maintained roadway. The applicants have requested waivers from the required Cost-Benefit analysis for provision of Central Sewer and from the need for a traffic study. Staff concurs with both requests.

The property scored 55 points on the rating system.

Staff recommended approval of the plat and granting of waivers.

*F. Elizabeth Ann Subdivision. A-2. S1-T50N-R13W. Jonathan D Wadlow & Elizabeth Wadlow, owners. Steven Proctor, surveyor.*

The property is located off Old Highway 63. The proposed subdivision seeks to combine two previous survey tracts into a single 1.41-acre minor subdivision lot. A single-family dwelling is present on the southern portion of the property. The property is zoned Agriculture (A-2) and is surrounded by A-2 zoning. All zoning appears to be original 1973 zoning.

The property has road frontage along Old Highway 63, a publicly dedicated publicly maintained roadway. An existing driveway for the home crosses the neighboring property to provide access to Old Highway 63. The plat notes that a prescriptive easement may be present since the existing driveway has been present since the house was built. The applicant has not submitted a waiver to the traffic study requirement. However, the proposed plat has an existing home and no further residential development can occur on the property. Waiving the traffic study requirement is appropriate for this proposal.

The property is located within Public Water Supply District #10. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection. The nearest station, Station 7, is over five miles away.

The house is currently served by a wastewater lagoon located on an adjoining property. The plat shows that an intended location for a new onsite wastewater lagoon that should meet required setbacks for both State of Missouri and Boone County onsite wastewater regulations. The applicant has not submitted a waiver to the sewer cost benefit analysis. Central sewer is not available in this area, and with the existing home being served by an onsite wastewater system a waiver of the sewer cost benefit analysis is appropriate for this proposal.

The Boone County Board of Adjustment granted two variances under case #2023-002. The first variance granted relief from Appendix B.3.1 and Appendix B.3.2 of the Subdivision Regulations to allow for a platted lot to propose the use of an onsite wastewater system on a lot less than 2.5 acres. The second variance granted relief from Section 5.A.3 and Section 11.A to create a lot less than 2.5 acres in an A-2 zoning district.

The property scored 33 points on the rating system.

Staff recommended approval of the plat and granting of waivers

G. *Heartland Hills Plat 1*. Agriculture (A-2). S4-T51N-R13W. Keystone Commercial Construction Inc, owner. Kevin Schweikert, surveyor.

The subject property is located on the north side of State Route F to the northwest of the intersection of McCauley Road and Route F, approximately 5 miles to the west of Sturgeon and 1/3 of a mile to the south of the Boone County border with Randolph County. The subject property is 13 acres in size and zoned Agriculture 2(A-2). The surrounding zoning is as follows:

- North – A-2
- South – A-2
- East – A-2
- West – A-2.

The property is vacant. This tract was created by the administrative survey recorded in book 5733, page 94. This plat divides the 13-acre administrative survey tract into a 6-acre lot and a 7-acre lot.

The subject property has direct frontage on and access to State Route F, a publicly dedicated, publicly maintained right of way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is in Public Water Service District #10. There is no water service to this property. Any domestic water requirements will be met by private wells. Boone Electric Cooperative can provide electrical service to this property, although this tract is the only portion of the original 176-acre parent property that will not require significant improvements for delivery of electrical service. The property is in the Boone County Fire Protection District, with the station in Sturgeon being closest for service.

On-site wastewater is proposed for the two lots on this plat. A wastewater cost-benefit analysis was conducted as part of the review of the administrative survey in book 5733, page 94 and it determined that central wastewater treatment for the proposal, even including the additional building site created by this plat was not warranted.

There is regulatory stream buffer along the northwestern side of lot 2. There is a 100' gas pipeline easement in the northern portion of lot 1.

The property scored 19 points on the rating system.

Staff recommended approval of the plat and granting the requested waiver.



# CERTIFIED COPY OF ORDER

STATE OF MISSOURI

} ca.

May Session of the April Adjourned

Term. 20

County of Boone

In the County Commission of said county, on the 2nd day of May 20 23

the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does hereby approve an Agreement with 22nd Century Technologies, Inc., for Temporary Employment Services – Clerical and Laborer Personnel Services.

The terms of the Agreement are set out in the attached Contract and the Presiding Commissioner is authorized to sign the same.

Done this 2<sup>nd</sup> day of May 2023.

ATTEST:

*Brianna L. Lennon*  
Brianna L. Lennon  
Clerk of the County Commission

*Kip Kendrick*  
Kip Kendrick  
Presiding Commissioner

*Justin Aldred*  
Justin Aldred  
District I Commissioner

*Janet M. Thompson*  
Janet M. Thompson  
District II Commissioner

# Boone County Purchasing

Amy Gerskin  
Buyer



613 E. Ash Street, Room 111  
Columbia, MO 65201  
Phone: (573) 886-4393  
Fax: (573) 886-4390

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## MEMORANDUM

TO: Boone County Commission  
FROM: Amy Gerskin  
DATE: April 19, 2023  
RE: Cooperative Contract: State of Missouri Contract #CS21108001 –  
Temporary Employment Services – Temporary Employment Services –  
Clerical and Laborer Personnel Services

Human Resources requests permission to utilize the State of Missouri's cooperative contract *CS21108001 – Temporary Employment Services – Temporary Employment Services – Clerical and Laborer Personnel Services* with 22<sup>nd</sup> Century Technologies Inc. This is term and supply contract C000627.

cc: Sharry Charest, HR  
Contract File

**PURCHASE AGREEMENT FOR  
TEMPORARY EMPLOYMENT SERVICES  
CLERICAL AND LABORER PERSONNEL SERVICES**

**THIS AGREEMENT, C000627**, dated the 2<sup>nd</sup> day of May 2023 is made between Boone County, Missouri, a political subdivision of the State of Missouri through the Boone County Commission, herein "County" and **22<sup>nd</sup> Century Technologies, Inc.**, herein "Vendor."

**IN CONSIDERATION** of the parties' performance of the respective obligations contained herein, the parties agree as follows:

1. **Contract Documents** - This agreement shall consist of this Purchase Agreement for a Term and Supply contract for **Temporary Employee Services - Clerical, and Laborer Personnel Services** in compliance with all bid specifications, any addendum issued for the State of Missouri Contract **CS211080001**, Work Authorization Certification, Boone County Insurance Requirements, and Boone County Standard Terms and Conditions. All such documents shall constitute the contract documents that are incorporated herein by reference. Service or product data, specification, and literature submitted with bid response may be permanently maintained in the County Purchasing Office and/or the State of Missouri bid file for this bid if not attached. In the event of a conflict between any of the foregoing documents, this Purchase Agreement, Boone County Insurance Requirements, Boone County Standard Terms and Conditions, and the State of Missouri Contract **CS211080001** shall prevail and control over the vendor's bid response.

2. **Purchase** - The County agrees to purchase from the Vendor and the Vendor agrees to supply the County with Temporary Employee Services on an as-needed basis.

3. **Contract Duration** - This agreement shall commence on the **date of the award, and extend through June 30, 2024**, subject to the provisions for termination specified below. Contract subject to renewal for **Three (3) additional one-year periods**. Pricing is firm through the end of the final renewal period.

4. **Billing and Payment** - All billing shall be invoiced to the respective ordering Boone County Office / Department and billings may only include the prices listed in the vendor's bid response. No additional fees for paperwork processing, labor, or taxes shall be included as additional charges in excess of the charges in the Vendor's bid response to the specifications. The County agrees to pay all monthly statements within thirty days of receipt. In the event of a billing dispute, the County reserves the right to withhold payment on the disputed amount; in the event, the billing dispute is resolved in favor of the Vendor, the County agrees to pay interest at a rate of 9% per annum on disputed amounts withheld commencing from the last date that payment was due.

5. **Binding Effect** - This agreement shall be binding upon the parties hereto and their successors and assigns for so long as this agreement remains in full force and effect.

6. **Termination** - This agreement may be terminated by the County upon thirty days advance written notice for any of the following reasons or under any of the following circumstances:

- a. County may terminate this agreement due to material breach of any term or condition of this agreement, or
- b. County may terminate this agreement if in the opinion of the Boone County Commission if delivery of products is delayed or products delivered are not in conformity with bidding specifications or variances authorized by County, or
- c. If appropriations are not made available and budgeted for any calendar year.
- d. Or other just cause so deemed by the County.

**IN WITNESS WHEREOF** the parties through their duly authorized representatives have executed this agreement on the day and year first written above.

**22<sup>ND</sup> CENTURY TECHNOLOGIES, INC.**

**BOONE COUNTY, MISSOURI**  
by: Boone County Commission

DocuSigned by:  
Isha Sharma  
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by \_\_\_\_\_  
Contracts Manager  
title \_\_\_\_\_

DocuSigned by:  
Kip Kendrick  
57400BED98434D4...

\_\_\_\_\_ Kip Kendrick, Presiding Commissioner

**APPROVED AS TO FORM:**

**ATTEST:**

DocuSigned by:  
G. J. [Signature]  
7D71DEAEB9D74DD...

\_\_\_\_\_ County Counselor

DocuSigned by:  
Brianna L. Lennon  
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\_\_\_\_\_ Brianna L. Lennon, County Clerk

In accordance with RSMo 50.660, I hereby certify that a sufficient unencumbered appropriation balance exists and is available to satisfy the obligation(s) arising from this contract. (Note: Certification of this contract is not required if the terms of this contract do not create a measurable county obligation at this time.)

DocuSigned by:  
Kyle Pierson by HR  
No Encumbrance Required  
EB91DB24AAAC45D...

4/20/2023

County-Wide Term & Supply

Signature

Date

Appropriation Account

203 -2023

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

May Session of the April Adjourned

Term. 203

In the County Commission of said county, on the 2nd day of May 20 23


the following, among other proceedings, were had, viz:


Now on this day, the County Commission of the County of Boone does hereby approve the attached Detainee Housing Agreement Contract between Boone County and Montgomery County.


The terms of the Agreement are set out in the attached. The Presiding Commissioner is authorized to sign said Agreement.

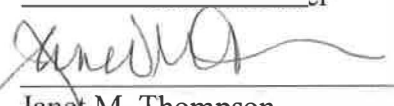
Done this 2<sup>nd</sup> day of May 2023.

ATTEST:

  
Brianna L. Lennon  
Clerk of the County Commission

  
Kip Kendrick  
Presiding Commissioner

  
Justin Aldred  
er

  
Janet M. Thompson  
District II Commissioner

## **BOONE COUNTY AND MONTGOMERY COUNTY DETAINEE HOUSING AGREEMENT CONTRACT**

THIS AGREEMENT is entered into by and between Boone County, Missouri, a political subdivision of the State of Missouri, by and through its Sheriff's Office herein "BCSO" and Montgomery County, Missouri, a political subdivision of the State of Missouri, by and through its Sheriff's Department, herein "MCSD".

**NOW, THEREFORE**, in consideration of the mutual covenants, promises, and representations in this agreement the parties agree as follows:

1. **PURPOSE:** The purpose of this agreement is to formalize an intergovernmental cooperative agreement pursuant to RSMo Sec. 70.220 regarding MCSD providing and maintaining available bed space capacity for detainees transferred from BCSO.
2. **MAINTENANCE OF INMATE/DETAINEE CAPACITY:** MCSD shall maintain space available for thirty detainees (25-male detainees and 5-female detainees) to be transferred from BCSO. Any additional beds requested by BCSO that are approved at MCSD's discretion, beyond the base of thirty (30) bed space will be billed at the same rate of the guaranteed bed capacity of \$45.00 per day.
3. **PAYMENT:** This is a fixed daily rate agreement, not a cost reimbursable agreement, with respect to the detainee day rate. The detainee day rate is \$45.00 for the guaranteed bed capacity of thirty (30) beds (25 male/5 female), to be billed daily, with an invoice submitted on a monthly basis, calculated on the 10<sup>th</sup> day of each month listing the inmates housed, the number of days each inmate was housed, and the housing cost for each inmate that was housed the previous month. Any additional beds requested by BCSO that are provided at MCSD's discretion beyond the base thirty (30) bed level will be billed at the additional daily rate of \$45.00/day. Payments shall be made by BCSO within thirty (30) days of presentation of an invoice by MCSD. **See attached Exhibit A.**
4. **TERM OF CONTRACT:** This agreement shall become effective upon the date of final signature by both Sheriff's and will remain in effect for one year, renewing automatically the first (1<sup>st</sup>) of March, each new year unless terminated in writing by either party upon thirty (30) days written notice to the other party.
5. **SERVICE PROVIDER RIGHT OF REFUSAL:** MCSD retains the right to refuse acceptance, or request removal, of any detainee exhibiting violent or disruptive behavior, or for any detainee found to have a medical condition that requires medical care beyond the scope of MCSD's medical vendor. In the case of a detainee already in custody, MCSD shall notify BCSO and request such removal of the detainee from the facility. MCSD shall allow BCSO reasonable time to make alternative arrangements for the detainee.

**6. COVERED SERVICES:**

- a. **Inmate Transportation:** Montgomery County has a Transport Team that is currently assigned to Court Services. Should Boone County need an Inmate(s) transported, Montgomery County will make every attempt to respond to pick up or drop off as Court Service Staff become available. This service is only available Monday-Friday, 8am-4pm at no initial cost.
- If a second transport is requested within the same day, BCSO will be charged for that transport at the rate of \$25.00/hr. plus .575 cents per mile.
  - If any transport is requested after 4pm, Monday-Friday, BCSO will be charged for that transport at the rate of \$25.00/hr. plus .575 cents per mile.
  - If a transport is requested on a weekend, BCSO will be charged for that transport at the rate of \$25.00/hr. plus .575 cents per mile.
- b. **Inmate Court:** The Montgomery County Jail has a video court system which may be utilized by the Boone County Circuit Court for those Boone County Detainees held in MCSD. There is no charge for this service. MCSD would request at least a two-hour notice to ensure staffing and the video court area is prepared for the court service. Additionally, any outside agency such as probation and parole, children's division etc. will be authorized to see any Boone County detainee as needed. The appropriate agency will need to ensure their professional agency identification is available upon request.
- c. **Inmate Medical / Sick Call:** The Montgomery County Jail is contracted with an outside vendor identified as Advanced Correctional Healthcare Service. The Montgomery County Jail has a Licensed Practical Nurse (LPN) on site Monday through Friday 7:30am-3:30pm as well as a part time nurse three (3) evenings a week with the facility doctor on site one morning per week (currently Wednesdays). Additionally, we have a nurse on call after hours as well.

**The Montgomery County Jail agrees to the following:**

- No charge for Inmate Sick Call Request submitted by the inmate
- No charge for prescription medications, prescribed by our facility doctor, that are kept in stock at the facility.
- No charge for over-the-counter medications that are kept on stock at the facility
- The Boone County Jail will be charged for emergency prescriptions that have to be obtained from the local pharmacy. Emergency prescriptions are those prescriptions that the jail has to obtain when the inmate first arrives at our facility and we are not able to order from or immediately receive from the contracted pharmacy.

**NOTE: Any medications BCSO sends with their inmate will be refilled as needed for the inmate. We would ask that enough medications are sent to allow our medical staff enough time to place the refill order without breaks in medication dosage. Example: an inmate received on Friday has enough medications for seven (7) consecutive days.**

Should BCSO want to exclusively provide prescription meds through their healthcare vendor we can make arrangements for medication retrieval if need be from the BCSO. Arrangements are negotiable for the benefit of the inmate and both MCSD and BCSO.

- d. **Inmate Medical Transport to Hospital:** Most medical needs are addressed at the jail. In the case of an emergency or medically directed, the inmate will be transported to the hospital (*NOTE: All attempts will be made by the jail to transport to the University Hospital in Columbia in order to accommodate Boone County Detention Staff.*) In the event an inmate has to be transported off site to the hospital the BCSO designate and/or on duty Shift Supervisor will be notified and advised of the circumstances. The Montgomery County Jail agrees to the following:
- The Montgomery County jail will transport the inmate to the hospital, as long as it is medically safe, at no cost to BCSO.
  - The Montgomery County Jail will provide security for the first three (3) hour time period which will start upon BCSO being notified. At the end of the three (3) hour time period, the BCSO designate may elect to send an officer/deputy to relieve MCSD and provide security and eventual transport the detainee back to the jail upon discharge or request MCSD to continue the security detail. If BCSO requests the MCSD to continue with the security detail BCSO will be charged \$25.00 per hour for the remaining time of the security detail, ending upon arrival back to the MCSD facility.
- e. **Inmate Mental Health Services:** MCSD works with the Mexico Arthur Center Community Health, Laura Heitmann, LCSW for all mental health needs for MCSD inmates. Those BCSO detainees that request or are found in need of mental health services will be referred to LCSW, Laura Heitmann for an in-house appointment and recommended treatment at no additional cost to BCSO. LCSW Laura Heitmann comes to the jail after a referral is made or depending on situations may utilize Webex technology services for her meetings with the detainees.



7. **AUTHORITY:** The individuals signing this agreement below certify that they have obtained the appropriate authority to execute this agreement on behalf of the respective parties

**IN WITNESS WHEREOF** The parties through their duly authorized representatives have executed this agreement effective as of the date of signature of the last party and execute the same.

Executed by Boone County this 2<sup>nd</sup> day of May, 2023

Executed by Montgomery County this \_\_\_\_\_ day of \_\_\_\_\_, 2023

**BOONE COUNTY**

By:

  
Kip Kendrick, Presiding Commissioner

**MONTGOMERY COUNTY**

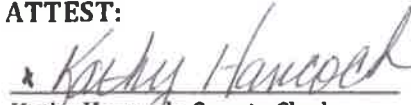
By:

 *Presiding Commissioner*  
Ryan D. Poston, Presiding Commissioner

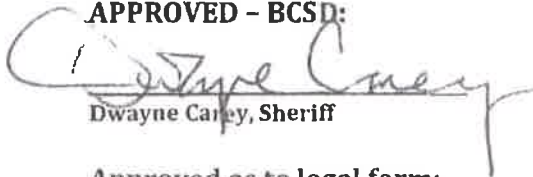
**ATTEST:**

  
Brianna L. Lennon, County Clerk

**ATTEST:**

  
Kathy Hancock, County Clerk

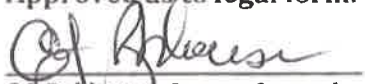
**APPROVED - BCSD:**

  
Dwayne Carey, Sheriff

**APPROVED - MCSD:**

  
Craig S. Allison, Sheriff

Approved as to legal form:

  
C.J. Dykhouse, County Counselor

**AUDITOR CERTIFICATION**

I hereby certify that this contract is within  
The purpose of the appropriation to which it  
Is to be charged and there exists as sufficient  
Unencumbered appropriation balance.

  
Kyle Rieman, Auditor

4/25/23  
Date:

**BILLING CALENDAR EXHIBIT A**  
Detainee Billed Day Rate is \$45.00 each day

January -31 days:	\$41,850.00
February-28 days:	\$37,800.00
March-31 days:	\$41,850.00
April-30 days:	\$40,500.00
May-31 days:	\$41,850.00
June-30 days:	\$40,500.00
July-31 days:	\$41,850.00
August-31 days:	\$41,850.00
September-30 days:	\$40,500.00
October-31 days:	\$41,850.00
November-30 days:	\$40,500.00
December-31 days:	\$41,850.00

204-2023

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ca.

May Session of the April Adjourned

Term. 203

In the County Commission of said county, on the 2nd day of May 20 23


the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does hereby approve and accept the attached 2022 State Homeland Security Program sub-awards.


Terms of the Sub-awards are stipulated in the attached Sub-award Agreements. It is further ordered the Presiding Commissioner is hereby authorized to sign said Sub-award Agreements.

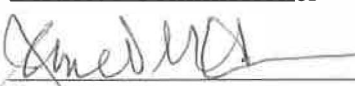
Done this 2<sup>nd</sup> day of May 2023.

ATTEST:

  
Brianna L. Lennon  
Clerk of the County Commission

  
Kip Kendrick  
Presiding Commissioner

  
Justin Aldred  
District I Commissioner

  
Janet M. Thompson  
District II Commissioner



# Mid-MO Regional Planning Commission

BOONE | CALLAWAY | COLE | COOPER | HOWARD | MONITEAU  
PO Box 140 Ashland MO 65010

## SUBAWARD AGREEMENT

DATE 04-23-2023	
FEDERAL IDENTIFICATION NUMBER EMW-2022-SS-00094	OHS CONTROL NUMBER 06-04

SUBRECIPIENT N Boone County EMA		UEI NUMBER GKUHNLX9MJJ3	
ADDRESS 2145 County Dr			
CITY Columbia		STATE MO	ZIP CODE 65202
TOTAL AMOUNT OF THE FEDERAL AWARD \$1100.00		AMOUNT OF FEDERAL FUNDS OBLIGATED BY THIS ACTION \$1100.00	
TOTAL AMOUNT OF FEDERAL FUNDS OBLIGATED TO THE SUBRECIPIENT \$1100.00		TOTAL APPROVED COST SHARING OR MATCHING \$0.00	
PROJECT PERIOD FROM 09/01/2022	PROJECT PERIOD TO 08/31/2024	FEDERAL AWARD DATE 09/01/2022	
PROJECT TITLE Boone County EMA Generator Load testing		FUNDED BY FY 2022 Homeland Security Grant Program	
FEDERAL AWARING AGENCY Department of Homeland Security	PASS THROUGH ENTITY Mid-Missouri Regional Planning Commission	IS THIS AWARD R&D YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	INDIRECT COST RATE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> AMOUNT
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 97.067		METHOD OF PAYMENT (Reimbursement -- Advanced) Reimbursement	

### CONTACT INFORMATION

(AGENCY) GRANT SPECIALIST		SUBRECIPIENT PROJECT DIRECTOR	
NAME David Bock		NAME Della Luster	
E-MAIL ADDRESS <a href="mailto:Davidbock@midmorpc.org">Davidbock@midmorpc.org</a>		ADDRESS (If different from above)	
TELEPHONE (573) 657-9779		CITY, STATE AND ZIP CODE	
PROGRAM MANAGER Joni McCarter		TELEPHONE 573-554-7907	E-MAIL ADDRESS dluster@boonecountymmo.org

SUMMARY DESCRIPTION OF PROJECT  
Annual load testing of large towable power electrical generators is necessary to ensure operations when needed for backup power supply, operational emergency communications. We have two generators, an 80 kva and a 75 kva.

### AWARDING AGENCY APPROVAL

### SUBRECIPIENT AUTHORIZED OFFICIAL

TYPED NAME AND TITLE OF (RPC/COG) OFFICIAL David Bock, Executive Director		TYPED NAME & TITLE OF SUBRECIPIENT AUTHORIZED OFFICIAL Kip Kendrick, Presiding Commissioner	
SIGNATURE OF APPROVING (RPC/COG) OFFICIAL 	DATE 5-15-23	SIGNATURE OF SUBRECIPIENT AUTHORIZED OFFICIAL 	DATE 5/3/23

**THIS SUBAWARD IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS SUBAWARD AGREEMENT THE SUBRECIPIENT IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.**

GRANT PROGRAM FY 2022 State Homeland Security Program	SUBRECIPIENT Boone Co EMA
AWARD NUMBER EMW-2022-SS-00094-06-04	DATE April 23, 2023
<b>SUBAWARD AGREEMENT</b>	
<b>ARTICLES OF AGREEMENT</b>	

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Article XXXIX	Universal Identifier and System of Award Management
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AUTHORIZED OFFICIAL INITIALS



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**Article I – Summary Description of Award**

The purpose of the FY 2022 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community.

**Article II – DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

**Article III – Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency.

II. DHS/OHS financial assistance subrecipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2 Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002.

III. By accepting this agreement the subrecipient and its executives, as defined in 2 C.F.R. section 170.315, certify that the subrecipient’s policies are in accordance with OMB’s guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

**Article IV – General Acknowledgements and Assurances**

All subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities and staff.

AUTHORIZED OFFICIAL INITIALS 
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GRANT PROGRAM FY 2022 State Homeland Security Program	SUBRECIPIENT Boone Co EMA
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1. Subrecipients must cooperate with any compliance reviews or compliance investigations conducted by DHS/OHS.
2. Subrecipients must give DHS/OHS access to, and the right to examine and copy records, accounts and other documents and sources of information related to the award and permit access to facilities or personnel.
3. Subrecipients must submit timely, complete and accurate reports to the appropriate DHS/OHS officials and maintain appropriate backup documentation to support the reports.
4. Subrecipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identified steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [civilrightsevaluation@hq.dhs.gov](mailto:civilrightsevaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

**Article V – Acknowledgement of Federal Funding from DHS**

Subrecipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

**Article VI – Activities Conducted Abroad**

Subrecipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

**Article VII – Age Discrimination Act of 1975**

Subrecipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

AUTHORIZED OFFICIAL INITIALS 
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GRANT PROGRAM FY 2022 State Homeland Security Program	SUBRECIPIENT Boone Co EMA
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## SUBAWARD AGREEMENT

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#### **Article VIII – Americans with Disabilities Act of 1990**

Subrecipients must comply with the requirements of Titles I, II and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended 42 U.S.C. sections 12101-12213), which prohibits subrecipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

#### **Article IX – Best Practices for Collection and Use of Personally Identifiable Information (PII)**

Subrecipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Subrecipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

#### **Article X – Civil Rights Act of 1964 – Title VI**

Subrecipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

#### **Article XI – Civil Rights Act of 1968**

Subrecipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits subrecipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) - be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

#### **Article XII – Copyright**

Subrecipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

#### **Article XIII – Debarment and Suspension**

Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180, as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs and activities.

AUTHORIZED OFFICIAL INITIALS





GRANT PROGRAM FY 2022 State Homeland Security Program	SUBRECIPIENT Boone Co EMA
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**Article XIV – Drug-Free Workplace Regulations**

Subrecipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the subrecipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

**Article XV – Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude subrecipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

**Article XVI – Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX**

Subrecipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

**Article XVII – Energy Policy and Conservation Act**

Subrecipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

**Article XVIII – False Claims Act and Program Fraud Civil Remedies**

Subrecipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

**Article XIX – Federal Debt Status**

All subrecipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

**Article XX– Federal Leadership on Reducing Text Messaging while Driving**

Subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the federal government.

AUTHORIZED OFFICIAL INITIALS  


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**Article XXI – Fly America Act of 1974**

Subrecipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

**Article XXII – Hotel and Motel Fire Safety Act of 1990**

Subrecipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

**Article XXIII – John S. McCain National Defense Authorization Act of Fiscal Year 2019**

Subrecipients, their contractors, and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. sections 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors, and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

**Article XXIV – Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Subrecipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://jwww.lep.gov>.

**Article XXV– Lobbying Prohibitions**

Subrecipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the subrecipient to pay any person to influence, or attempt 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 any federal action related to the federal award or contract, including any extension, continuation, renewal, amendment, or modification.

**Article XXVI – National Environmental Policy Act**

Subrecipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 43 U.S.C. section 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require subrecipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can

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## SUBAWARD AGREEMENT

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exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### **Article XXVII – Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Subrecipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

#### **Article XXVIII – Non-Supplanting Requirement**

Subrecipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### **Article XXIX – Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All subrecipients must comply with any such requirements set forth in the program NOFO.

#### **Article XXX – Patents and Intellectual Property Rights**

Subrecipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq., unless otherwise provided by law. Subrecipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

#### **Article XXXI – Procurement of Recovered Materials**

Subrecipients must comply with section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

#### **Article XXXII – Rehabilitation Act of 1973**

Subrecipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

#### **Article XXXIII – Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of the subrecipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part

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GRANT PROGRAM FY 2022 State Homeland Security Program	SUBRECIPIENT Boone Co EMA
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200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

**Article XXXIV – Reporting Subawards and Executive Compensation**

Subrecipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F. R. Part 170, Appendix A, the full text of which is incorporated here by the reference in the award terms and conditions.

**Article XXXV – Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America’s Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desk, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

**Waivers**

When necessary, subrecipients may apply for, and the agency may grant, a waiver from these requirements.

AUTHORIZED OFFICIAL INITIALS 
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GRANT PROGRAM FY 2022 State Homeland Security Program	SUBRECIPIENT Boone Co EMA
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a. When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

1. Applying the domestic content procurement preference would be inconsistent with public interest;
2. The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
3. The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office. There may be instances where an award qualifies, in whole, or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure. For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see Programs and Definitions: Build America, Buy America Act.

**Article XXXVI – SAFECOM**

Subrecipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

**Article XXXVII – Terrorist Financing**

Subrecipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Subrecipients are legally responsible to ensure compliance with the Order and laws.

**Article XXXVIII – Trafficking Victims Protection Act of 2000 (TVPA)**

Subrecipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000, (TVPA) (codified as amended by 22 U.S.C. section 7104). The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

**Article XXXIX – Universal Identifier and System of Award Management**

Subrecipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

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**Article XL– USA PATRIOT Act of 2001**

Subrecipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

**Article XLI – Use of DHS Seal, Logo and Flags**

Subrecipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**Article XLII – Whistleblower Protection Act**

Subrecipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. section 2409, 41 U.S.C. 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

**Article XLIII – Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding required subrecipient to comply with all federal, state, and local laws.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and executive orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the OHS/Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

**Article XLIV – Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award, state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

**Article XLV – Office of Homeland Security, Specific**

By accepting this award, the subrecipient agrees:

1. To participate in the development and submission of their Threat and Hazard Identification and Risk Assessment (THIRA).

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2. To utilize standard resource management concepts, such as typing inventorying, organizing and tracking resources that facilitate the identification, dispatch, deployment and recovery of their resources.
3. To coordinate with their stakeholders to examine how they integrate preparedness activities across disciplines, agencies, and levels of government.
4. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost, which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$1,000. Expenditures for equipment shall be in accordance with the approved budget. The subrecipient shall use and manage equipment in accordance with its procedures as long as the equipment is used for its intended purposes. When original or replacement equipment acquired under this award by the subrecipient is no longer needed for the original project or program or for other activities currently or previously supported by OHS, you must request instructions from OHS to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313 and the OHS Administrative Guide.
5. Expenditures for supplies and operating expenses shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the contract was approved.
6. For Contractual Services the following general requirements will be followed when subcontracting for work or services contained in this grant award:
  - a. All consultant and contractual services shall be supported by written contracts stating the services to be performed, rate of compensation and length of time over which the services will be provided, which shall not exceed the length of the grant period.
  - b. As described in the OHS Administrative Guide for Homeland Security Grants, a copy of any contractual agreement made as a result of this award must be forwarded to OHS for review or be readily available for review prior to execution of the contract.
7. OHS reserves the right to terminate any contract entered into as a result of this grant award at its sole discretion and without penalty or recourse by giving a thirty (30) day written notice to the subrecipient of the effective date of termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the subrecipient under the contract shall, at the option of the OHS, become property of the State of Missouri. The subrecipient shall be entitled to receive just and equitable compensation for that work completed prior to the effective date of termination.
8. It is understood and agreed upon that in the event funds from state and/or federal sources are not appropriated and continued at an aggregate level sufficient to cover the contract costs, or in the event of a change in federal or state laws relevant to these costs, the

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obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice.

9. To follow the grant program guidelines as stated in the OHS Administrative Guide for Homeland Security Grants, as well as the Information Bulletins released by OHS to provide important updates, clarifications and policy statements related to homeland security grant programs.
10. To follow requirements of the DHS Grant Programs Directorate Information Bulletins.
11. In the event OHS determines that changes are necessary to the award document after an award has been made, including changes to period of performance or Articles of Agreement, the subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate subrecipient acceptance of the changes to the award.
12. Prior written approval from OHS is required prior to making any change to the OHS approved budget for this award.
13. To submit Grant Status Reports to OHS by the due dates of July 10 and January 10 throughout the grant period, which must include the status updates of the milestones achieved. Final Status Reports are due to OHS within 45 days after the end of the project period.
14. All items that meet the OHS definition of equipment that are purchased with Homeland Security Grant Funds must be tagged "Purchased with U.S. Department of Homeland Security Funds."
15. If the subrecipient is a pass-through entity, copies of signed subaward agreements are due to the OHS prior to the start of any project.
16. Projects that involve changes to the natural or built environment require the completion and approval of an Environmental Historic Preservation Screening Form (EHP) prior to initiating any work on the project. Changes to the project after the approval of the EHP requires OHS review and approval. Changes to the project may require the submission and approval of an updated EHP Screening Form. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; Nation Flood Insurance Program regulation; and, any other applicable laws and Executive Orders.
17. The purchase of any generator requires prior approval from the OHS, documentation must clearly depict the full scope of the project and prove the equipment is a deployable resource.
18. Purchases from a single feasible source must have prior approval from the OHS.

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19. Subrecipient is required to complete the 2022 Nationwide Cybersecurity Review (NCSR), enabling agencies to benchmark and measure progress of improving their cybersecurity posture. The Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent for each recipient and subrecipient should complete the NCSR. If there is no CIO or CISO, the most senior cybersecurity professional should complete the assessment. The NCSR is available at no cost to the user and takes approximately 2-3 hours to complete. The 2021 NCSR will be open October 1, 2022 and must be completed by each subrecipient no later than December 31, 2022.
  
20. Subrecipients that contract with and utilize WebEOC Emergency Management Software – Juvare, must fully fuse and maintain an active connection with Missouri’s State Emergency Management Agency (SEMA). This setup will allow for a more efficient resource response to Missouri communities during an emergency incident as well as allow emergency personnel to monitor events that may impact their community during an extended event. Fusion of other WebEOC accounts in Missouri will also assist in streamlining resource requests by reducing redundant entry in a local WebEOC account and then once again in the Missouri WebEOC account should the request not be able to be filled locally. Redundant data entry during an emergency can lead to time loss, data entry errors and omission of important details. This required setup will also allow SEMA Emergency Service Function (ESF) partners to monitor the use of resources throughout the state for Mutual aid needs.
  
21. Agencies purchasing license plate reader (LPR) equipment and technology with grant funds administered by the Missouri Department of Public Safety, must adhere to the following requirements:
  - a. LPR vendors chosen by an agency must have an MOU on file with the MSHP Central Vendor File as developed and prescribed by the Missouri Department of Public Safety pursuant to 11 CSR 30-17.
  - b. Prior to purchasing LPR services, the agency should verify the vendor’s MOU status with the MSHP CJIS Division by emailing mshphelpdesk@mshp.dps.mo.gov.
  - c. Share LPR data through the MoDEX process with statewide sharing platforms (i.e., MULES).
  - d. Enable LPR data sharing with other Missouri Law Enforcement agencies and enforcement support entities within the selected vendor’s software. Examples include, but are not limited to fusion centers, drug task forces, special investigations units, etc.
  - e. Connect to the Missouri State Highway Patrol’s Automated License Plate Reader (ALPR) File Transfer Protocol Access Program. This program provides the information necessary to provide a NCIC and/or MULES hit when used in conjunction with a License Plate Reader (LPR) device. An MOU must be on file with the Access Integrity Unit (AIU) for the vendor and the law enforcement agency and a registration process must be completed.
  - f. Agency shall have a license plate reader policy and operation guideline prior to the implementation of LPRs. Reimbursements will not be made on the project until the policy has been provided to the Missouri Department of Public Safety.
  - g. If LPR will be installed on Missouri Department of Transportation right-of-way(s) agency must request installation through the Missouri Department of Public Safety. Once

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approved, agency must adhere to the Missouri Department of Transportation's guidelines regarding installation of LPR's on Missouri Department of Transportation right-of-way(s).

**Article XLVI – Agency Specific Special Conditions**

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# Mid-MO Regional Planning Commission

BOONE | CALLAWAY | COLE | COOPER | HOWARD | MONITEAU  
PO Box 140 Ashland MO 65010

## SUBAWARD AGREEMENT

DATE 04-23-2023	
FEDERAL IDENTIFICATION NUMBER EMW-2022-SS-00094	OHS CONTROL NUMBER 06-05
UEI NUMBER GKUHNLX9MJJ3	

SUBRECIPIENT N Boone County EMA			
ADDRESS 2145 County Dr			
CITY Columbia	STATE MO	ZIP CODE 65202	
TOTAL AMOUNT OF THE FEDERAL AWARD \$4800.00		AMOUNT OF FEDERAL FUNDS OBLIGATED BY THIS ACTION \$4800.00	
TOTAL AMOUNT OF FEDERAL FUNDS OBLIGATED TO THE SUBRECIPIENT \$4800.00		TOTAL APPROVED COST SHARING OR MATCHING \$0.00	
PROJECT PERIOD FROM 09/01/2022	PROJECT PERIOD TO 08/31/2024	FEDERAL AWARD DATE 09/01/2022	
PROJECT TITLE Boone County EMA IST Satellite/internet/phone service		FUNDED BY FY 2022 Homeland Security Grant Program	
FEDERAL AWARDDING AGENCY Department of Homeland Security	PASS THROUGH ENTITY Mid-Missouri Regional Planning Commission	IS THIS AWARD R&D YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	INDIRECT COST RATE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> AMOUNT
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 97.067		METHOD OF PAYMENT (Reimbursement -- Advanced) Reimbursement	

### CONTACT INFORMATION

(AGENCY) GRANT SPECIALIST	SUBRECIPIENT PROJECT DIRECTOR	
NAME David Bock	NAME Della Luster	
E-MAIL ADDRESS <a href="mailto:Davidbock@midmorpc.org">Davidbock@midmorpc.org</a>	ADDRESS (If different from above)	
TELEPHONE (573) 657-9779	CITY, STATE AND ZIP CODE	
PROGRAM MANAGER Joni McCarter	TELEPHONE 573-554-7907	E-MAIL ADDRESS dluster@boonecountymmo.org

SUMMARY DESCRIPTION OF PROJECT  Sustain and strengthen the resiliency of operations communications and ensures redundancy for enhanced public safety by providing satellite internet/phone service to the 1ST trailer.
--

### AWARDING AGENCY APPROVAL

### SUBRECIPIENT AUTHORIZED OFFICIAL

TYPED NAME AND TITLE OF (RPC/COG) OFFICIAL David Bock, Executive Director		TYPED NAME & TITLE OF SUBRECIPIENT AUTHORIZED OFFICIAL Kip Kendrick, Presiding Commissioner	
SIGNATURE OF APPROVING (RPC/COG) OFFICIAL 	DATE 5-15-23	SIGNATURE OF SUBRECIPIENT AUTHORIZED OFFICIAL 	DATE 5/3/23

**THIS SUBAWARD IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS SUBAWARD AGREEMENT THE SUBRECIPIENT IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.**

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**Article I – Summary Description of Award**

The purpose of the FY 2022 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community.

**Article II – DHS Standard Terms and Conditions Generally**

The Fiscal Year (FY) 2022 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2022. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations.

All legislation and digital resources are referenced with no digital links. The FY 2022 DHS Standard Terms and Conditions will be housed on dhs.gov at [www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions](http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions).

**Article III – Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

I. DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency.

II. DHS/OHS financial assistance subrecipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2 Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002.

III. By accepting this agreement the subrecipient and its executives, as defined in 2 C.F.R. section 170.315, certify that the subrecipient’s policies are in accordance with OMB’s guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

**Article IV – General Acknowledgements and Assurances**

All subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities and staff.

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1. Subrecipients must cooperate with any compliance reviews or compliance investigations conducted by DHS/OHS.
2. Subrecipients must give DHS/OHS access to, and the right to examine and copy records, accounts and other documents and sources of information related to the award and permit access to facilities or personnel.
3. Subrecipients must submit timely, complete and accurate reports to the appropriate DHS/OHS officials and maintain appropriate backup documentation to support the reports.
4. Subrecipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients (as defined in 2 C.F.R. Part 200 and including recipients acting as pass-through entities) of federal financial assistance from DHS or one of its awarding component agencies must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award for the first award under which this term applies. Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. After the initial submission, recipients are required to complete the tool once every two (2) years if they have an active award, not every time an award is made. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identified steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to [civilrightsevaluation@hq.dhs.gov](mailto:civilrightsevaluation@hq.dhs.gov) prior to expiration of the 30-day deadline.

**Article V – Acknowledgement of Federal Funding from DHS**

Subrecipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

**Article VI – Activities Conducted Abroad**

Subrecipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

**Article VII – Age Discrimination Act of 1975**

Subrecipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

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**Article VIII – Americans with Disabilities Act of 1990**

Subrecipients must comply with the requirements of Titles, I, II and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended 42 U.S.C. sections 12101-12213), which prohibits subrecipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

**Article IX – Best Practices for Collection and Use of Personally Identifiable Information (PII)**

Subrecipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Subrecipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

**Article X – Civil Rights Act of 1964 – Title VI**

Subrecipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

**Article XI – Civil Rights Act of 1968**

Subrecipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits subrecipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) - be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

**Article XII – Copyright**

Subrecipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U. S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

**Article XIII – Debarment and Suspension**

Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180, as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs and activities.

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**Article XIV – Drug-Free Workplace Regulations**

Subrecipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the subrecipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101-8106).

**Article XV – Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude subrecipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

**Article XVI – Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX**

Subrecipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

**Article XVII – Energy Policy and Conservation Act**

Subrecipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94-163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

**Article XVIII – False Claims Act and Program Fraud Civil Remedies**

Subrecipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

**Article XIX – Federal Debt Status**

All subrecipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

**Article XX– Federal Leadership on Reducing Text Messaging while Driving**

Subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the federal government.

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**Article XXI – Fly America Act of 1974**

Subrecipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

**Article XXII – Hotel and Motel Fire Safety Act of 1990**

Subrecipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

**Article XXIII – John S. McCain National Defense Authorization Act of Fiscal Year 2019**

Subrecipients, their contractors, and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. sections 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS recipients, subrecipients, and their contractors, and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

**Article XXIV – Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Subrecipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://jwww.lep.gov>.

**Article XXV– Lobbying Prohibitions**

Subrecipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the subrecipient to pay any person to influence, or attempt 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 any federal action related to the federal award or contract, including any extension, continuation, renewal, amendment, or modification.

**Article XXVI – National Environmental Policy Act**

Subrecipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 43 U.S.C. section 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require subrecipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can

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exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

**Article XXVII – Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Subrecipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

**Article XXVIII – Non-Supplanting Requirement**

Subrecipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

**Article XXIX – Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All subrecipients must comply with any such requirements set forth in the program NOFO.

**Article XXX – Patents and Intellectual Property Rights**

Subrecipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq., unless otherwise provided by law. Subrecipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

**Article XXXI – Procurement of Recovered Materials**

Subrecipients must comply with section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

**Article XXXII – Rehabilitation Act of 1973**

Subrecipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

**Article XXXIII – Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of the subrecipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part

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200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

**Article XXXIV – Reporting Subawards and Executive Compensation**

Subrecipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F. R. Part 170, Appendix A, the full text of which is incorporated here by the reference in the award terms and conditions.

**Article XXXV – Required Use of American Iron, Steel, Manufactured Products, and Construction Materials**

Subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act Sections 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America’s Workers. See also Office of Management and Budget (OMB), Memorandum M-22-11, Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

Subrecipients of federal financial assistance programs for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desk, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

**Waivers**

When necessary, subrecipients may apply for, and the agency may grant, a waiver from these requirements.

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a. When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:

1. Applying the domestic content procurement preference would be inconsistent with public interest;
2. The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
3. The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office. There may be instances where an award qualifies, in whole, or in part, for an existing waiver described. For awards by the Federal Emergency Management Agency (FEMA), existing waivers are available and the waiver process is described at "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure. For awards by other DHS components, please contact the applicable DHS FAO.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see Programs and Definitions: Build America, Buy America Act.

**Article XXXVI – SAFECOM**

Subrecipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

**Article XXXVII – Terrorist Financing**

Subrecipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Subrecipients are legally responsible to ensure compliance with the Order and laws.

**Article XXXVIII – Trafficking Victims Protection Act of 2000 (TVPA)**

Subrecipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000, (TVPA) (codified as amended by 22 U.S.C. section 7104). The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

**Article XXXIX – Universal Identifier and System of Award Management**

Subrecipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

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**Article XL– USA PATRIOT Act of 2001**

Subrecipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

**Article XLI – Use of DHS Seal, Logo and Flags**

Subrecipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**Article XLII – Whistleblower Protection Act**

Subrecipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. section 2409, 41 U.S.C. 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

**Article XLIII – Environmental Planning and Historic Preservation (EHP) Review**

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding required subrecipient to comply with all federal, state, and local laws.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and executive orders. To access the FEMA EHP screening form and instructions, go to the DHS/FEMA website. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the OHS/Grant Programs Directorate (GPD) along with all other pertinent project information. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

**Article XLIV – Disposition of Equipment Acquired Under the Federal Award**

For purposes of original or replacement equipment acquired under this award, state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

**Article XLV – Office of Homeland Security, Specific**

By accepting this award, the subrecipient agrees:

1. To participate in the development and submission of their Threat and Hazard Identification and Risk Assessment (THIRA).

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2. To utilize standard resource management concepts, such as typing inventorying, organizing and tracking resources that facilitate the identification, dispatch, deployment and recovery of their resources.
3. To coordinate with their stakeholders to examine how they integrate preparedness activities across disciplines, agencies, and levels of government.
4. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost, which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$1,000. Expenditures for equipment shall be in accordance with the approved budget. The subrecipient shall use and manage equipment in accordance with its procedures as long as the equipment is used for its intended purposes. When original or replacement equipment acquired under this award by the subrecipient is no longer needed for the original project or program or for other activities currently or previously supported by OHS, you must request instructions from OHS to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313 and the OHS Administrative Guide.
5. Expenditures for supplies and operating expenses shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the contract was approved.
6. For Contractual Services the following general requirements will be followed when subcontracting for work or services contained in this grant award:
  - a. All consultant and contractual services shall be supported by written contracts stating the services to be performed, rate of compensation and length of time over which the services will be provided, which shall not exceed the length of the grant period.
  - b. As described in the OHS Administrative Guide for Homeland Security Grants, a copy of any contractual agreement made as a result of this award must be forwarded to OHS for review or be readily available for review prior to execution of the contract.
7. OHS reserves the right to terminate any contract entered into as a result of this grant award at its sole discretion and without penalty or recourse by giving a thirty (30) day written notice to the subrecipient of the effective date of termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the subrecipient under the contract shall, at the option of the OHS, become property of the State of Missouri. The subrecipient shall be entitled to receive just and equitable compensation for that work completed prior to the effective date of termination.
8. It is understood and agreed upon that in the event funds from state and/or federal sources are not appropriated and continued at an aggregate level sufficient to cover the contract costs, or in the event of a change in federal or state laws relevant to these costs, the

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obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice.

9. To follow the grant program guidelines as stated in the OHS Administrative Guide for Homeland Security Grants, as well as the Information Bulletins released by OHS to provide important updates, clarifications and policy statements related to homeland security grant programs.
10. To follow requirements of the DHS Grant Programs Directorate Information Bulletins.
11. In the event OHS determines that changes are necessary to the award document after an award has been made, including changes to period of performance or Articles of Agreement, the subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate subrecipient acceptance of the changes to the award.
12. Prior written approval from OHS is required prior to making any change to the OHS approved budget for this award.
13. To submit Grant Status Reports to OHS by the due dates of July 10 and January 10 throughout the grant period, which must include the status updates of the milestones achieved. Final Status Reports are due to OHS within 45 days after the end of the project period.
14. All items that meet the OHS definition of equipment that are purchased with Homeland Security Grant Funds must be tagged "Purchased with U.S. Department of Homeland Security Funds."
15. If the subrecipient is a pass-through entity, copies of signed subaward agreements are due to the OHS prior to the start of any project.
16. Projects that involve changes to the natural or built environment require the completion and approval of an Environmental Historic Preservation Screening Form (EHP) prior to initiating any work on the project. Changes to the project after the approval of the EHP requires OHS review and approval. Changes to the project may require the submission and approval of an updated EHP Screening Form. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; Nation Flood Insurance Program regulation; and, any other applicable laws and Executive Orders.
17. The purchase of any generator requires prior approval from the OHS, documentation must clearly depict the full scope of the project and prove the equipment is a deployable resource.
18. Purchases from a single feasible source must have prior approval from the OHS.

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19. Subrecipient is required to complete the 2022 Nationwide Cybersecurity Review (NCSR), enabling agencies to benchmark and measure progress of improving their cybersecurity posture. The Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent for each recipient and subrecipient should complete the NCSR. If there is no CIO or CISO, the most senior cybersecurity professional should complete the assessment. The NCSR is available at no cost to the user and takes approximately 2-3 hours to complete. The 2021 NCSR will be open October 1, 2022 and must be completed by each subrecipient no later than December 31, 2022.
  
20. Subrecipients that contract with and utilize WebEOC Emergency Management Software – Juvare, must fully fuse and maintain an active connection with Missouri’s State Emergency Management Agency (SEMA). This setup will allow for a more efficient resource response to Missouri communities during an emergency incident as well as allow emergency personnel to monitor events that may impact their community during an extended event. Fusion of other WebEOC accounts in Missouri will also assist in streamlining resource requests by reducing redundant entry in a local WebEOC account and then once again in the Missouri WebEOC account should the request not be able to be filled locally. Redundant data entry during an emergency can lead to time loss, data entry errors and omission of important details. This required setup will also allow SEMA Emergency Service Function (ESF) partners to monitor the use of resources throughout the state for Mutual aid needs.
  
21. Agencies purchasing license plate reader (LPR) equipment and technology with grant funds administered by the Missouri Department of Public Safety, must adhere to the following requirements:
  - a. LPR vendors chosen by an agency must have an MOU on file with the MSHP Central Vendor File as developed and prescribed by the Missouri Department of Public Safety pursuant to 11 CSR 30-17.
  - b. Prior to purchasing LPR services, the agency should verify the vendor’s MOU status with the MSHP CJIS Division by emailing mshphelpdesk@mshp.dps.mo.gov.
  - c. Share LPR data through the MoDEx process with statewide sharing platforms (i.e., MULES).
  - d. Enable LPR data sharing with other Missouri Law Enforcement agencies and enforcement support entities within the selected vendor’s software. Examples include, but are not limited to fusion centers, drug task forces, special investigations units, etc.
  - e. Connect to the Missouri State Highway Patrol’s Automated License Plate Reader (ALPR) File Transfer Protocol Access Program. This program provides the information necessary to provide a NCIC and/or MULES hit when used in conjunction with a License Plate Reader (LPR) device. An MOU must be on file with the Access Integrity Unit (AIU) for the vendor and the law enforcement agency and a registration process must be completed.
  - f. Agency shall have a license plate reader policy and operation guideline prior to the implementation of LPRs. Reimbursements will not be made on the project until the policy has been provided to the Missouri Department of Public Safety.
  - g. If LPR will be installed on Missouri Department of Transportation right-of-way(s) agency must request installation through the Missouri Department of Public Safety. Once

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approved, agency must adhere to the Missouri Department of Transportation's guidelines regarding installation of LPR's on Missouri Department of Transportation right-of-way(s).

**Article XLVI – Agency Specific Special Conditions**

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