IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRINIA
#1 COURT SQUARE, SUITE 203
PARKERSBURG WV 26101

IN RE: MINUTES OF MEETING HELD
THURSDAY, SEPTEMBER 1, 2011

PRESENT: DAVID BLAIR COUCH, PRESIDENT
WAYNE DUNN, COMMISSIONER
STEPHEN GAINER, COMMISSIONER

At 9:30 A.M., the County Commission of Wood County met in regular session. They signed purchase orders, invoices, orders and other correspondence.

**AGENDA AND DISCUSSION ITEMS**

At 9:45 A.M., Sheriff Jeff Sandy awarded John Reed, Wood County Solid Waste Authority Director, with a Drug Enforcement Agency award for his work regarding the drug take-back program.

At 9:50 A.M., Attorney Blaine Myers met with the County Commission to advise them on the possibility of the County using a vendor preference for local bidders. Following discussion, it was requested that Attorney Myers craft an ordinance for a 2.5% Wood County vendor preference.

At 10:18 A.M., Jeff Williams, Director of the Wood County Day Report Center and Toni Tiano, Grant Consultant, met with the County Commission to request execution of an application for a pre-trial coordinator. (Order M/1637)

At 10:23 A.M., the County Commission met with Sheriff Sandy who made several requests.

At 10:50 A.M., the County Commission met with Amy File to discuss the Alliance for a Healthier Generation Program. The County Commission donated $500.00. (Order M/1636)

**ORDERS APPROVED AND ATTACHED TO THESE MINUTES**

M/1626, M/1627, M/1628, M/1629, M/1630, M/1631, M/1632, M/1633, M/1634, M/1636 and M/1637

Having no further scheduled appointments or business to attend to, the County Commission adjourned.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

To listen to this meeting, please refer to DVD labeled September 1, 2011.

Wood County Commission Meeting
Held September 1, 2011

**Please Print**

| | |
|---|---|
| 1. | Jeff Sandy |
| 2. | BLAINE MYERS |
| 3. | Toni Tiano |
| 4. | Jeff Williams |
| 5. | |
| 6. | |
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# Wood County Commission

9/01/2011
1 Court Square, Suite 203
Parkersburg, WV 26101

| | | |
|---|---|---|
| **9:30 AM** | APPROVE AND SIGN MINUTES, ORDERS, PURCHASE ORDERS, INVOICES, NEW ROAD NAMES AND ANY OTHER ADMINISTRATIVE DUTIES | MARTY SEUFER, COUNTY ADMINISTRATOR |
| **9:45 AM** | DISCUSS VENDOR PREFERENCE | C. BLAINE MYERS |
| **10:30 AM** | HEALTHIER GENERATION | AMY FILE |
| **11:00 AM** | DISCUSS OFFICE SPACE | MIKE ST.CLAIR |

Special notes:

1. Vacancies on Boards and Commissions
2. Building Enforcement Properties
3. Contribution Requests
4. County Facilities
5. Discuss Change Orders for Justice Center
6. Sheriff's Dept airport staffing
7. Lifestyle Returns (Wellness Committee Program)

9/1/11
69/527

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $7,601.04 OF WHICH $829.24 REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-410-HV

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of seven thousand six hundred one dollar and four cents ($7,601.04) of which eight hundred twenty-nine dollars and twenty-four cents ($829.24) represents reimbursement to Wood County for expenses incurred during the month of July, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-410-HV. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 489 and bearing the date of July 7, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1626

9/1/11
69/528

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $7,601.04 OF WHICH $2,022.53 REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-410

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of seven thousand six hundred one dollar and four cents ($7,601.04) of which two thousand twenty-two dollars and fifty-three cents ($2,022.53) represents reimbursement to Wood County for expenses incurred during the month of June, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-410 Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 490 and bearing the date of July 7, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1627

9/1/11
69/528

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $7,601.04 OF WHICH $437.27 REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of seven thousand six hundred one dollar and four cents ($7,601.04) of which four hundred thirty-seven dollars and twenty-seven ($437.27) represents reimbursement to Wood County for expenses incurred during the month of June, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 491 and bearing the date of July 11, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1628

9/1/11
69/525

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $7,601.04 OF WHICH $4,312.00 REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-406

**O R D E R**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of seven thousand six hundred one dollar and four cents ($7,601.04) of which four thousand three hundred twelve dollars and zero cents ($4,312.00) represents reimbursement to Wood County for expenses incurred during the month of April, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-406. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 488 and bearing the date of July 17, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1629

9/1/11
69/528

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $17,479.24 OF WHICH $9,428.73 REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-402

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of seventeen thousand four hundred seventy-nine dollars and twenty-four cents ($17,479.24) of which nine thousand four hundred twenty-eight dollars and seventy-three ($4428.73) represents reimbursement to Wood County for expenses incurred during the month of June, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-402. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 493 and bearing the date of July 11, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1630

9/1/11
69/529

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $17,479.24 OF WHICH $8,050.51 REPRESENTS REIMBURSEMENT IN REGARD TO THE GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT NUMBER F11-HS-03-154

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of seventeen thousand four hundred seventy-nine dollars and twenty-four cents ($17,479.24) of which eight thousand fifty dollars and fifty-one ($8,050.51) represents reimbursement to Wood County for expenses incurred during the month of June, 2011, in regard to the Governor's Highway Safety Program Grant Number F11-HS-03-154. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 488 and bearing the date of July 7, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1631

9/1/11
69/529

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WEST VIRGINIA IN THE AMOUNT OF $255,381.08 WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE CLAYWOOD PARK PSD-RISER RIDGE WATER EXTENSION SMALL CITIES BLOCK GRANT #08SCBG0058.

## ORDER

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of two hundred fifty-five thousand three hundred eighty-one dollars and eight cents ($255,381.08) which represents reimbursement to Wood County for Drawdown Number Seven (7) in regard to the Claywood Park Public Service District – Riser Ridge Water Extension Small Cities Block Grant Number 08SCBG0058. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 69, at Page 514 and bearing the date of August 11, 2011 at which time David Blair Couch, in his official capacity as President, and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Drawdown #7.

Documentation pertaining to the above mentioned Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1632

9/1/11
69/529

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $10,382.15 OF WHICH $8,214.81 REPRESENTS REIMBURSEMENT IN REGARD TO THE WEST VIRGINIA DIVISION OF CRIMINAL JUSTICE SERVICES JUSTICE ASSISTANCE GRANT NUMBER 09-RAJ-89.

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of ten thousand three hundred eighty-two dollars and fifteen cents ($10,382.15) of which eight thousand two hundred fourteen dollars and eighty-one cents ($8,214.81) represents reimbursement to Wood County for expenses incurred during the month of June, 2011 , in regard to the West Virginia Division of Criminal Justice Services Victims of Crime Advocate Grant Number 09-RAJ-89. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 492 and bearing the date of July 11, 2011 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the WVDCJS Victims of Crime Advocate Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen E. Gainer, Commissioner

M/1633

9/1/11
69/529

SEPEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF $10,382.15 OF WHICH $2,167.34 REPRESENTS REIMBURSEMENT IN REGARD TO THE STRATEGIC PREVENTION FRAMEWORK STATE INCENTIVE GRANT NUMBER 09-VAWR-11.

**ORDER**

On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of ten thousand three hundred eighty-two dollars and fifteen cents ($10,382.15) of which two thousand one hundred sixty-seven dollars and thirty-four cents ($2,167.34) represents reimbursement to Wood County for expenses incurred during the month of June, 2011, in regard to the Strategic Prevention Framework State Incentive Grant Number 09-VAWR-11. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 69, at Page 495, bearing the date of July 14, 2011, at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Prevention Framework State Incentive Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1634

9/1/11
69/530

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY EXECUTE A RESOLUTION THAT AUTHORIZED DAVID BLAIR COUCH, AS PRESIDENT, TO EXECUTE ALL DOCUMENTS IN REGARD TO THE COMMUNITY PARTICIPATION PROGRAM FOR THE MINERAL WELLS VFD

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by Wayne Dunn, seconded by Stephen Gainer, and made unanimous by David Blair Couch, did hereby EXECUTE a RESOLUTION hat hereby AUTHORIZES David Blair Couch, in his official capacity as President and on behalf of the County Commission, to EXECUTE all necessary documents in regard to the Governor's Community Partnership Grant Program application for the Mineral Wells Volunteer Fire Department (09LEDA0800N) in the amount of twenty-seven thousand four hundred sixty dollars and zero cents ($27,460.00).

Pertinent documentation pertaining to the aforementioned Governor's Community Partnership Grant Program is in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1635

9/1/11
69/530

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

# RESOLUTION

**WHEREAS,** The State of West Virginia is sponsoring the Governor's Community Partnership Grant Program; and

**WHEREAS,** the Governor's Community Partnership Grant Program is designed to provide assistance to Counties and Municipalities in West Virginia to address economic development projects; and

**WHEREAS,** the County Commission of Wood County is an eligible applicant; and

**WHEREAS**, the Wood County Commission possesses certain economic development needs which would qualify it for participation in the Governor's Community Partnership Grant Program; and,

**NOW THEREFORE, BE IT RESOLVED,** that David Blair Couch, in his official capacity as President, is authorized to execute all necessary documents in regard to the Governor's Community Partnership Program application for the following project:

**MINERAL WELLS VFD (09LEDA0800N) - $27,460.00**

**RESOLVED** this 1st day of **September, 2011**.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

Certified to be a true copy of a Resolution adopted at a regular meeting of the County Commission of Wood County held on September 1, 2011.

Jamie Six, County Clerk

9/1/11
69/530

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE A DONATION OF $500.00 FOR THE ALLIANCE FOR A HEALTHIER GENERATION

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Stephen Gainer, did hereby APPROVE a donation of five hundred dollars and zero cents ($500.00) in funding to the Alliance For A Healthier Generation.

Said expenditure will be paid out of the Wood County General Fund lottery line item.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen E. Gainer, Commissioner

M/1636

9/1/11
69/530

SEPTEMBER 1, 2011

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE DAVID BLAIR COUCH, AS PRESIDENT, TO EXECUTE AN APPLICATION FOR THE WOOD COUNTY DAY REPORT CENTER FOR A PRE-TRIAL RELEASE PROGRAM.

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Stephen Gainer, did hereby AUTHORIZE David Blair Couch, in his official capacity as President and on behalf of the County Commission, to EXECUTE an application for a West Virginia Division of Criminal Justice Services Grant for a Pre-Trial Release Program grant. Said application is in the amount of sixty thousand dollars and zero centers ($60,000.00).

A copy of said Application is attached to this Order and should be made a part thereof.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

David Blair Couch, President

Wayne Dunn, Commissioner

Stephen Gainer, Commissioner

M/1637

9/1/11
69/538

# FY 2012 Pre Trial Release: Community Corrections Grant Program Application Forms

| Pre Trial Release: Community Corrections<br>Grant Program Application | General Administrative Information<br>Page 1 |
|---|---|

| | | |
|---|---|---|
| *Applicant Agency:* | WOOD COUNTY COMMISSION | Type of Agency: |
| Address: | #1 COURT SQUARE<br>PARKERSBURG, WV<br>26101 | ☐ State<br>☒ County |
| | | Type of Application: |
| Phone: | 304-424-1976 | ☒ For State Funds |
| Fax Number: | 304-424-0194 | ☐ No State Funds |

| | | | |
|---|---|---|---|
| *Project Director:* | TONI TIANO | *Fiscal Officer:* | Jamie Six |
| PD Title: | WOOD COUNTY GRANT COORDINATOR | FO Title: | Wood County Clerk |
| Address: | #1 COURT SQUARE<br>SUITE 203<br>PARKERSBURG, WV<br>26101 | Address: | One Court Square<br>Parkersburg<br>WV 26101 |
| Phone: | 304-428-7760<br>304-481-6409 | Phone: | 304-424-1850 |
| Fax: | 304-485-2925 | Fax: | 304-424-0194 |
| Email: | tianoknopp@suddenlink.net | Email: | jamiesix@woodcountywv.com |

**State Funds Requested:** $60,000.00 **Amount Awarded:**
**Local Funds Utilized:** $0 *(for DJCS use only)*
**Project Period:** October 1, 2011 – September 30, 2012

**Number of years previously funded:** 0 **Estimated Number to be Served:** 100
**Geographic Area(s) Served:** WOOD,WIRT, ROANE COUNTIES
**Total Population:** 108,000
**Project Title:** WOOD COUNTY DRC PRE-TRIAL RELEASE OFFICER

**Project Description:** The Wood/Wirt County DRC Pre-Trial Release Coordinator would function as a liaison to work with the Prosecutor's offices in Wood & Wirt County to identify potential candidates for pre-trial release.

*Certification: To the best of my knowledge, the information contained in this application is true and correct. The submission thereof has been duly authorized by the governing body and the applicant will comply with the attached special conditions and assurances, if funding is provided.*

| | |
|---|---|
| Authorized Official: DAVID BLAIR COUCH | AO Title: PRESIDENT/WOOD COUNTY COMMISSION |

| Pre Trial Release: Community Corrections<br>Grant Program Application | Budget Detail<br>Page 3 |
|---|---|

| | |
|---|---|
| Address: #1 COURT SQUARE<br>PARKERSBURG, WV<br>26101 | Phone: 304-424-1976<br>Fax: 304-424-0194<br><br>E-Mail:<br>seufer@woodcountywv.com |
| Signature: | Date: |

| Pre Trial Release: Community Corrections Grant Program Application | Budget Summary Page 2 |
|---|---|

| Applicant: | WOOD COUNTY COMMISSION | FEIN Number: | 556000417 |
|---|---|---|---|

| Budget Category | WV Community Corrections Requested Funds (A) | Local (Match) Funds (B) | Total Budget (A + B) |
|---|---|---|---|
| | | | |
| Personnel/Contractual | $42,548.00 | $0.00 | $42,548.00 |
| Travel/Training | $16,452.00 | $0.00 | $16,452.00 |
| Equipment | $1,000.00 | $0.00 | $1,000.00 |
| Other | | | |
| | | | |
| Totals | $60,000.00 | $0.00 | $60,000.00 |

***All funds must be rounded to the nearest whole dollar amount***

Funding Strategy

| Funding Source(s) | Amount | Status |
|---|---|---|
| | | |
| WV COMMUNITY CORRECTIONS GRANT | $60,000.00 | A |
| CLIENT FEES | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| Total | $60,000.00 | |

Funding Source - Separately list each source of funds that will be used in the program.

Amount - Enter the amount received or anticipated for each

Status - Indicate the status of each funding source as follows:

P – Projected grant, loan or donation

A – Application submitted and under review

| Pre Trial Release: Community Corrections<br>Grant Program Application | Budget Detail<br>Page 3 |
|---|---|

C – Funds Committed

R – Funds received, appropriated or on hand

| Detailed Project Cost by Budget Category | Requested Community Corrections Funds | Local Funds Utilized | Grant Funds Approved |
|---|---|---|---|
| | | | |
| **Personnel / Contractual:**<br>ONE FULL-TIME PRE-TRIAL RELEASE COORDINATOR/ WOOD + WIRT COUNTIES<br>Includes benefits of retirement, FICA, Workers Comp, and Health Insurance | $42,548.00 | $0.00 | (DJCS Use Only) |
| **Travel / Training:**<br>ONE USED SMALL SUV<br>FUEL FOR VEHICLE | $16,452.00 | $0.00 | |
| **Equipment ($1,000/unit):**<br>ONE LAP TOP COMPUTER | $1,000.00 | $0.00 | |
| **Other:** | | | |
| | | | |
| Total Requested WVCC Funds | **$60,000.00** | | |
| Total Local Matching Funds | | **$0.00** | |
| Total Funds APPROVED for Project | | | (For DJCS Only) |

| Pre Trial Release: Community Corrections<br>Grant Program Application | Budget Justification<br>Page 4 |
|---|---|

Provide specific information that explains each proposed expense for the project. State clearly and in concise detail the breakdown and justification of need for each item requested for funding in the Budget Detail pages. Attach additional pages if necessary.

PERSONNEL/CONTRACTUAL
$30,000.00= One Year's Salary for one full-time Employee to function as the Pre-Trial Release Coordinator
$4,200.00= One Year's Retirement paid into State Retirement (figured at 14% for coming year)
$2,295.00 = One Year's Social Security cost ( figured at 7.65% for coming year)
$636.00= One Year's Workman Compensation cost ( figured at 2.12% for coming year)
$5,417.00= One Year's health benefits cost
$42,548.00= One Year's Total Salary and benefits for one employee
The above amount of funding will allow us to hire one properly qualified person to handle the assessments and case management for an ongoing case load of approxiamtely 40 clients in Wood and Wirt Counties. In addition, it is anticipated that since many residents of Roane County are arrested and charged with crimes in Wirt County, some additional clients from Wirt County could be assessed by this employee and released back to Roane County where they would receive supervision and services at the Roane County facility.
TRAVEL/TRAINING
$15,000.00= To purchase one used small SUV to be utilized by the Pre-Trial Release Coordinator for trips to the North Centeral Regional Jail for assessments and for the Coordinator to use for home visits and transport of pre-release clients.
$1,452.00= To pay for gas and maintanence of the above listed vehicle
The above expense is considered necessary since the Coordinator will be required to drive to the Regional Jail on a regular basis to interview potential candidates for pre-release, and will have to provide regular case management of those clients released, which will include home visits and possible transport for services and meetings. By purchasing this vehicle, it will save a lot pf money over the next several years that the DRC would have to pay in mileage for an employee's use of his/her personal vehicle.
OTHER
$1,000.00= To purchase One Lap Top Computer w/ Wireless Capability and Softwear for use by the Coordinator
This expense is necessary since so much of the Coordinator's job will involve travel and work in the field. Much of his/her paperwork will have to be done while working at the Regional Jail and elsewhere.

Total expenditure= $60,000.00

Please provide information that describes the proposed project. State clearly and in concise detail the purpose and direction of the project, including all components (Problem Statement, Program Description, Project Assessment, Strategic Plan for Pre Trial Committee, and Plan of Sustainability). All components must be addressed in the order listed above. Attach additional pages if necessary and label additional pages as 5a, 5b, 5c, etc.

Problem Statement: One of the on-going problems faced by Wood and Wirt County, as well as all other counties in West Virginia is the growing number of inmates housed in the Regional Jail system while awaiting trial, many of whom are only being incarcerted because they cannot afford their bail or bond. Many of these inmates pose no real risk to the community, have no history of violence, and are charged with minor crimes. This means that many persons are incarcarated who might not need to be incarcarated at an added monthly cost to county government.

Program Description: The Wood County DRC Pre-Release Coordinator program is invisioned as a means by which a person would be hired and work for the Wood County Day Report Center as the designated Pre-Release Officer for both Wood and Wirt Counties. This person would act as liasson with both the Wood and Wirt County Prosecutor's office to aid in identifying and assessing possible candidates for pre-Release and then providing supervision for those persons and arranging for appropriate other services, while those persons are awaiting trial. It is invisioned that the use of this Coordinator in Wirt County for assessments and recommendations for release to the Wirt County Prosecutor would also have an impact on Roane County incarcaration rates because many residents of Roane County are arrested and charged with crimes in Wirt County and are awaiting trial on those charges. Anyone identified as a candidate for pre-release from Roane County would then receive supervision and services at our center in Roane County.This program is designed to target only those pre-trial inmates who meet the following criteria:

1) Do not have the means to pay for their bail or bond.
2) Are not violent felony offenders.
3) Are not sex offenders.
4) Do not have a history of serious violent behavior.
5) Are not considered high flight risks.
6) Do not have a diagnosis of serious mental illness.

Project Assessment: The project's success would be assessed by the oversight committee based on a regular report made to them by the Coordinator that includes the number of inmates released under the supervision of the Coordinator and the DRC during each month, the numbers of days that each released offender remains in the community instead of being in jail during that month and subsequent months, and the overall monthly savings to the Counties. The numbers of the inmates who fail to meet the conditions of their pre-release and are reincarcerated would also be reported. These numbers would be kept as

part of the required paperwork for this program for review by the County Commissions of each County and State as needed. During the second year of the program this information will presented to each County Commission which is impacted by this program. This presentation will be made by the Coordinator and the DRC Regional Director and will focus on the concrete amount of money being saved by each county on its monthly jail bill by the existence of this program. A plan will then be presented to them underwhich they would help fund the continuation of the program beyond the second year by utilizing funds drawn from their savings in their regional jail bill. By providing them with monthly figures, it is invisioned that accurate projections could be made of future savings. At this time, it is invisioned that they would be asked to put an amount equal to $10.00 to $15.00 per inmate per day towards the maintanence of this program. This would still save them $33.80 to $35.80 per day per inmate from themonthly bills of those inmates who would otherwise be incarcerated. This would be the plan of sustainability. This plan has already been discussed with the Wood County Commission. They see the benefit of having this program as long as they see an overall savings on their jail bill.

Strategic Plan for Pre-Trial Committee: It is envisioned that this program would be designed to not only target those who are being incarcarated due to not being able to make bail or bond and also to aid the prosecutor, courts, and the DRC in identifying persons who would meet the other above listed criteria, but also in providing early assessments for offenders who may be considered good candidates for post-trial sentencing to the DRC for services and supervision. This program will attempt to provide assessments and services for 100 offenders in the first year and 150 offenders in the second year. The program will overseen by by a pre-trial oversight team made of a persons from the prosecutor, the DRC, Home Confinement, Magistrate Court, and possibly Circuit Court. This team will meet with the Coordinator initially on a weekly basis to review progress, then possibly on a monthly basis as progress is seen. This committee would make ongoing recommendations for how this program could be improved and work with the Coordinator to initiate changes as needed.The Coordinator will be responsible for meeting at least weekly, and possibly more often as needed during the work week with the Prosecutor assigned to the team. The Prosecutor will review the files of all persons incarcerated during the past weekend, and then during the week and then meet with the Coordinator and arrive at an agreed upon list of candidates for the Coordinator to go and assess at the Regional Jail. Upon completion of a full assessment, the Coordinator will then present recommendations to the Prosecutor regarding those inmates considered to meet the criteria for per-trial release. The Prosecutor and the Coordinator will the meet with the inmate and the inmate's attorney and work out the details for release. A motion will then be prepared and presented to the judge or court having jurisdiction of the case, and ideally, the inmate will then be released into the supervision of the Coordinator and the DRC. The Coordinator will be responsible

for presenting to the Prosecutor a Plan for Supervsion for each inmate for which a release recommendation is made. The inmate will then be required to agree to the release supervision plan with the understanding of all parties involved that if the conditions are not met, a recommendation may be made that the inmate be reincarcerated and be exluded from pre-release. The Coordinator will also be responsible for tracking the numbers of inmates released, the number of days they remain out of the regional jail while awaiting trial, and the amount of savings to the counties monthly regional jail bill. Since these are inmates who are being released soley due to being on pre-release supervision and who would otherwise not be able to meet their bail requirments, these numbers should be concrete and easy to calculate.

It is invisioned that in the first year the Coordinator will work soley in the Northern Regional and concentrate on inmates confined there from Wood and Wirt ( including Roane County residents incarcerated from Wirt County. In the Second year the DRC will recommend the hiring of another Coordinator to work in Roane and Jackson County and cover the Central Regional Jail and the Southern Regional Jail.
Plan of Sustainability: Based on the savings we expect to be able to show for the regional jail bills in Wood and Wirt, the Regional Director of the Mid-Ohio Valley DRC would approach the Commissions in Jackson and Roane Counties before the grant deadline for the next fiscal year's State grant and ask them to increase their funding for the DRCs in those counties as part of their local cash match. This increase in funding would help pay for another full-time Coordinator and we would then be able to track their numbers the same way and show them a significant savings in the following year. The success of this program during te coming year would also be utilized by the Regional Director for the Mid-Ohio Valley DRC to ask the Wirt County Commission to enter into a formal contract to pay the DRC for services to those clients served in Wirt County, with the understanding that their funding would go towards helping to pay for the continuation of the program and would also be listed as part of our local cash match for our next fiscal year State grant. During the second year of this program the same presenation regarding numbers of clients served and money saved would also be made to the Wood County Commission. The recommendation made to all Commissions would be that they set aside $10.00 to $15.00 per inmate per day to help fund this program's continuation. The total amount could be arrived at by looking at the figures of numbers and savings from the first year of the program. Even at this amount, one inmate on pre-release for a total of 365 days at $10.00 a day would come to $3,650.00. If 100 inmates are impacted by this, the cost could be $365,000.00, but would ultimately save $1,416,200.00. Evene at a cost of $5.00 per day per head, the program should be funded and still provide a considerable savings.

Goal - Broad statement about what the program intends to accomplish. This statement should state the long-term desired impact of the program, set scope or foundation, state long-range target or purpose, identify target population, and state the condition to be changed.

Objective - A specific statement of the desired short-term, immediate outcome of the program which will show accomplishment of the goal. Each objective must be **S.M.A.R.T.** (**S**pecific, **M**easurable, **A**ttainable, **R**esults oriented and **T**ime bound).

Outcome Measure - The data or tool used to measure achievement of the objective. How will data be collected, analyzed, and results shared.

Activities - What will be done and who will accomplish it. **You must have at least one (1) activity per objective.**

Timeline - When will the activity begin and end. **You must have a timeline for each activity.**

| Goal Number: | 1 | **To hire a Pre-Trial Coordinator to identify potential pre-trial release offenders from Wood and Wirt Counties who are in the Regional Jail.** |
|---|---|---|

Objective Number: 1 — To provide assessments to offenders in the Regional Jail which will release at least 100 offenders from Wood and Wirt Counties who require less than institutional custody during the grant period.

Outcome Measure: One hundred offenders will be released from institutional custody.

| Activities to meet objective: | Timeline for each activity: |
|---|---|
| 1. Meetings will be held with the Pre-Trial Committee to determine potential candidates for release. | 1. On-Going |
| 2. The Pre-Trial Coordinator would meet with each potential candidate to perform an assessment and obtain other appropriate information. | 2. On-Going |
| 3. Results of the assessment and other information will be provided to the Prosecuting Attorney who will determine if release is appropriate. | 3. On-Going |
| 4. Necessary documentation will be prepared for release of offenders. | 4. On-Going |

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Objective Number: 2 — The 100 offenders released from the Regional Jail will have an individualized sentencing alternative plan developed for

each of them.

Outcome Measure: The newly released offenders will adhere to the alternative sentencing plan and not have to be returned to the Regional Jail.

| Activities to meet objective: | Timeline for each activity: |
| --- | --- |
| 1. The Pre-Trial Coordinator will work with Day Report Center staff to develop an individualized alternative sentencing plan for each offender based upon their assesment and other information. | 1. On-Going |
| 2. The Pre-Trial Coordinator will oversee each offender to ensure they are following their alternative sentencing plan and to intervene if there are any problems. | 2. On-Going |
| 3. The Pre-Trial Coordinator will maintain records on the services the released offenders received. | 3. On-Going |
| 4. | 4. |

| Goal Number: | 2 | **The Wood County Commission and the Wirt County Commission will incur savings on their Regional Jail bills as a result of the Pre-Trial Coordinator.** |
|---|---|---|

Objective Number: 1

During the grant period it is estimated that both the Wood County Commission and the Wirt County Commission will save at least an estimated 10 percent on their Regional Jail bill.

Outcome Measure:

Both Wood and Wirt County Commissions will compare their Regional Jail bills from those expenses in the previous year to determine the amount of funds saved.

| Activities to meet objective: | Timeline for each activity: |
|---|---|
| 1. Copies of the old Regional Jail bills will be obtained along with copies of the new monthly Regional Jail invoices. | 1. Monthly |
| 2. Each new monthly invoice will be compared to the month it corresponds to in the previous year as well as the previous month's invoice. | 2. Monthly |
| 3. | 3. |
| 4. | 4. |

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Objective Number: _____

Outcome Measure:

| Activities to meet objective: | Timeline for each activity: |
|---|---|
| 1. | 1. |
| 2. | 2. |
| 3. | 3. |
| 4. | 4. |

| Goal Number: | _____ |
|---|---|

Objective Number: _____

Outcome Measure:

**Provide a membership list of the Pre Trial Committee, including name, title, agency affiliation, mailing address, telephone number, fax number, and email address.**

1) Jeff Williams:Regional Director/ Mid-Ohio valley DRC
   916 Market Street,
   Parkersburg, WV 26101
   304-422-8570
   fax: 304-422-8570
2) Steve Stephens: Wood County Holding Center and Home Confinement Director
   300 Second Street
   Parkersburg, WV 26101
   304-424-1945
   fax: 304-424-1799
3) Magistrate Robin Waters: Wood County Magistrate Court
   208 Avery Street
   Parkersburg, WV 26101
   304-422-0831
   fax: 304-422-7871
4) Kirsten Lefebure: Wood County Assistant Prosecutor
   317 Market Street
   Parkersburg, WV 26101
   304-424-1776
   fax: 304-424-1785
5) An as yet unnamed staff person from the staff of Wood County Chief Judge J.D. Beane
   3rd floor of the Wood County Judicial Annex
   Parkersburg, WV 26101
   304-424-1756

Other members will be added as this project expands. At this time there will be a designated person at some point from the Wirt County Prosecutor, and at least one other representative from the Judiciary. Additionally, there will be another member named from the Defense Attorney pool.

**Provide a brief statement outlining the program agency's procedures for hiring employees who are funded under this grant. Include with this application a job description and qualifications for the position(s) proposed under the grant. If position(s) are currently filled, then include a resume for each position filled.**

Our agency always posts notice of new job listing in all local papers and on the web site for the Wood County Commission. Our hiring is done in compliance with all current federal and state hiring guidelines.

Job Description: Pre-Trial Coordinator (Officer)

Hours: 40 hours work week

Salary: Based on education and experience

Definition of work: This person liasses with the County Prosecutor and reviews the Regional Jail list of inmates for those who are potential candidates for pre-trial release, and the monthly jail bills for counties in which he/she works. This person then performs appropriate background checks of candidates for per-release and interviews and assesses these persons at the Regional Jail. This person then provides the information gathered to the Prosecutor and members of thre Pre-Trial release Committee for their review to determine the appropriateness for pre-trial release. This person may also work to help facilitate the release of those inmates who are approved for pre-release. This person then will take part in supervision as needed and work with the DRC and other agencies to endure other services are provided as needed to those on pre-trial release.This person will also mainatin statistical data regarding the program and it's participants.

Essential Job Functions: Interviews defendants booked in the Regional Jail, with the exception of those booked on a sentence, those with judicial or other holds on them, and sentenced prisoners from a correctional facility with an order to secure to the Regional Jail.
Obtains information regarding the defendant's true name and aliases, social security number, home address, mailing address, prior resindences, overall residence stability, age, DOB, sex, race, offenses currently charged with, date of arrest, out of county arrests, current employment status and stability, family status and stability, educational background, ties to the community, marital status and stability, financial status including ownership of property, military service, prior and current criminal history, prior and current mental health status, physical health status, alcohol and drug use, abuse and/or involvement in treatment and references.
Verfies all information obtained from the defendant via telephone confirmation or office visit.
Compiles packet of above information and any other pertinent information for Prosecutor and Pre-Trail Release Committee review.
prepares and completes applicable and required forms, reports, and memorandums,

Performs related duties as required by the Agency and/or Committee.
Knowledge, Skills and Abilities:
Knowledge of penal rules and regulations and jail procedures.
Knowledge of laws and procedures relating to maintanence of confidential records.
Knowledge of skillful interviewing techniques.
Ability ro become familiar with Criminal Justice Agencies and applicable community resources.
Ability to mainatin an effective working relationship with court and law enforcement personnel and officials and other employees in the general public.
Word processing (typing) required.

Minimum Qualifications: Appropriate four year degree from an accredited university or college, and at least two years work experience in a related field.

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All correspondence to DJCS, which is required and/or occurs as a result or action of any of the following Special Conditions and Assurances, or as a result of the administration of any DJCS grant program, should be mailed to the following address:

West Virginia Division of Justice & Community Services
1204 Kanawha Boulevard, East
Charleston, West Virginia 25301

**LAWS OF WEST VIRGINIA:**

This grant application/contract shall be governed in all respects by the laws of the State of West Virginia. State procedures and practices will apply to all funds disbursed by DJCS, regardless of the original funding source. This grant is on a **"REIMBURSEMENT ONLY"** mechanism.

**LEGAL AUTHORITY:**

The applicant hereby certifies it has the legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directly authorizes the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

**RELATIONSHIP:**

The relationship of the grantee to DJCS shall be that of an independent contractor, not that of a joint enterprise. The grantee shall have no authority to bind DJCS for any obligation or expense without the express prior written approval from DJCS.

**COMMENCEMENT WITHIN 60 DAYS:**

This project must be operational within 60 days of the project starting date, as specified in the grant contract agreement. If the project is not operational within 60 days of the specified project starting date, the grantee must report by letter to DJCS, the steps taken to initiate the project, the reasons for delay, and the expected starting date.

**OPERATIONAL WITHIN 90 DAYS:**

If the project is not operational within 90 days of the specified project starting date, the grantee must submit a second statement to DJCS explaining the delay in implementation. Upon receipt of the 90-day letter, DJCS may cancel the project and redistribute the funds to other project areas and/or eligible applicants.

**WRITTEN APPROVAL OF CHANGES:**

The grantee must obtain prior written approval from DJCS for all project changes (programmatic, fiscal or otherwise).

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## CIVIL RIGHTS COMPLIANCE:

Grantee will comply with all federal civil rights laws, including Title VI of the Civil Rights Act of 1964, as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, grantees will take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities.

## PRESS RELEASE:

Pursuant to the Stevens Amendment, any release of information pertaining to this grant must include the following information:

1. grant amount;
2. State involvement (name of state entity responsible for administering the grant); and,
3. Federal involvement if applicable (name of federal entity responsible for administering the grant).

## LOBBYING:

Grantee will comply with any and all lobbying provisions and/or restrictions as outlined in OMB circular A-122, and/or relevant State laws.

## ACCESS TO RECORDS:

DJCS, through any authorized representative, shall have access to and the right to examine all records, books, papers, or documents related to the grant and to relevant books and records of contractors.

## CONFLICT OF INTEREST:

No public official or employee of the grantee agency, who performs any duties under the project, may participate in an administrative decision with respect to the project if such a decision can reasonably be expected to result in any benefit or remuneration to that individual or that individual's immediate family.

## POLITICAL ACTIVITY:

The Hatch Act restricts the political activity of executive branch employees of the federal government, District of Columbia government and some state and local employees who work in connection with federally funded programs. In 1993, Congress passed legislation that significantly amended the Hatch Act as it applies to federal and D.C. employees (5 U.S.C. §§ 7321-7326). (These amendments did not change the provisions that apply to state and local employees. 5 U.S.C. §§ 1501- 1508.)

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## RELEASE OF INFORMATION:

All records, papers and other documents kept by recipients of grant funds are required to be made available to DJCS. These records and other documents submitted to DJCS and its grantees, including plans and application for funds, reports, etc., may be subsequently required to be made available to entities under Federal Freedom of Information Act, 5. U.S.C. §552, or Chapter 29B, Article 1 (West Virginia Freedom of Information) of the West Virginia Code.

DJCS recognizes that some information submitted in the course of applying for funding under this program, or provided in the course of its grant management activities, may be considered law enforcement, personnel or juvenile sensitive or otherwise important to national or state security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. While this information under state control is subject to requests made pursuant to the Chapter 29B, Article 1 of the West Virginia Code, all determinations concerning the release of information of this nature are made on a case-by-case basis by DJCS, and may fall within one or more of the available exemptions under the Act.

Grantees must consult applicable state and local laws and regulations regarding the release or transmittal of information to any entity which may be considered sensitive in nature. Applicants may also consult DJCS regarding concerns or questions about the release of potentially sensitive information under state and local laws.

## NATIONAL AND STATE EVALUATION EFFORTS:

The grantee agrees to cooperate with any national and/or state evaluation efforts directly or indirectly related to this program as requested.

## OBLIGATION OF PROJECT FUNDS:

Funds may not, without prior written approval from DJCS, be obligated prior to the effective start date or subsequent to the termination date of the project period. Obligations outstanding as of the project termination date shall be liquidated within thirty (30) days.

## USE OF FUNDS:

Funds awarded through DJCS may be expended ONLY for the purposes and activities specifically covered by the grantee's approved project description and budget. By attaching their signature, the grantee recognizes that **any** deviations from the original grant budget are unallowable.

## ALLOWABLE AND UNALLOWABLE COSTS:

Allowable and unallowable costs incurred under this grant shall be determined in accordance with General Accounting Office principles and standards.

## PEER REVIEW SUB GRANTEE EVALUATION PROCESS:

The applicant agrees to discharge if necessary - at the request of DJCS - knowledgeable, competent personnel (preferably a Project Director) to participate in a contemplated "peer review" process/advisory council. The purpose of this process would be to assist DJCS in making grant funding recommendations and furthered policy development regarding individual grant programs throughout the State. This would be no more than 2-3 days per annum.

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## NON-SUPPLANTING:

Grant funds must be used to supplement existing funds for program activities and may not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from state grants, recoupment of monies provided under this grant, and civil and/or criminal penalties. The grantee hereby certifies that funds made available under this grant will not be used to supplant other funding sources.

## MATCHING CONTRIBUTION:

The grantee will have available, and will expend as needed, adequate resources to defray that portion of the total costs as set forth in this application as "match" and as approved by the West Virginia Division of Justice & Community Services. The applicant assures that the matching funds required to pay the grant portion of the cost of each program and project, for which funds are made available, shall be in addition to funds that would otherwise be made available for the proposed project by the recipients of grant funds and shall be provided on a project-by-project basis. Matching contributions are subject to the same expenditure guidelines established by the West Virginia Division of Justice & Community Services for this program. All grantees must maintain records that clearly show the source, the amount and the timing of all matching contributions. Please be reminded that match is not "required"; however, if it is committed and indicated on the budget pages of this application, then this special condition is affected.

## PROJECT INCOME:

All income earned by the grantee as a result of the conduct of this project, must be accounted for and included in the total budget. Project income is subject to the same expenditure guidelines established by DJCS as are established for granted funds. All grantees must maintain records that clearly show the source, the amount and the timing of all project income. There is no waiver provision for the project income requirement.

## CONSULTANT FEES:

Approval of this grant does not indicate an approval of consultant rates in excess of $450 per day. Specific and detailed justification must be submitted to, and approved by DJCS prior to obligation or expenditure of such funds.

## SUSPENSION OF FUNDING:

DJCS may suspend, in whole or in part, terminate, or impose other sanctions on any grantee funds for the following reasons:

- Failure to adhere to the requirements, standard conditions, or special conditions and assurances of this program;
- Failure to submit reports;
- Filing a false certification in this application or in another report or document; or,
- Other cause shown.

## SANCTIONS FOR NONCOMPLIANCE:

In the event of the grantee's noncompliance with the terms, conditions, covenants, rules, or regulations of this grant, DJCS shall impose such contract sanctions, as it may deem appropriate, including but not limited to:

- Withholding of payments to the grantee until the grantee complies;
- Cancellation, termination or suspension of the contract, in whole or in part; or,
- Refrain from extending any further assistance to the grantee until satisfactory assurance of future compliance has been received.

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## SUBMISSION/RELEASE OF PUBLICATIONS/PRESS RELEASES

The grantee shall submit one copy of all reports and proposed publications resulting from this agreement to DJCS twenty (20) days prior to public release. Any publications (written, visual, sound, or otherwise), whether published at the grantee's or government's expense, shall contain the following statements:

"This document [product] was prepared under a grant from the West Virginia Division of Justice & Community Services (or simply "DJCS"). Points of view or opinions expressed in this document [product] are those of the authors and do not necessarily represent the official position or policies of the State of West Virginia or the Division of Justice & Community Services."

"This project supported by Grant No._____awarded by the West Virginia Division of Justice & Community Services and the U.S. Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also included the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position of policies of the United State Department of Justice."

## PROPERTY ACCOUNTABILITY:

The grantee shall establish and administer a system to control, protect, preserve, use, maintain, and properly dispose of any property or equipment furnished it, or made available through a grant by DJCS. This obligation continues as long as the property is retained by the grantee, notwithstanding the expiration of this agreement. Prior to sale, trade in or disposal of property, disposition instructions will be obtained from DJCS. Grantee assures inventory checks will be performed annually or pursuant to guidance promulgated in the Administrative Manual for this program (if applicable), with copies provided to DJCS. Property must be used for the intended grant purposes, if not being used in accordance with terms of the grant property will revert back to DJCS.

## CRIMINAL PENALTIES:

Whoever embezzles or endeavors to embezzle, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of grant or contractor or other form of assistance pursuant to this title, whether received directly or indirectly from the administration; or whether receives, conceals, or retains such funds, assets, or property to his use or gain, knowing such funds, assets, or property to have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to the Act shall be subject to prosecution under the provisions of Section 1011 of Title 18, United States Code. Any law enforcement and criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to the Act, whether received directly or indirectly from the administration, shall be subject to the provisions of Section 871 of Title 18, United States Code.

## REPORTS:

Each grantee shall submit such reports as DJCS shall deem reasonably necessary to the execution of monitoring, stewardship and evaluation of programmatic and fiscal responsibilities.

## PURCHASING:

When making purchases relevant to the grant, the grantee will abide by applicable State and local laws, which address purchasing procedures by a state or local unit of government or other agency.

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## 1. COLLABORATION W/OTHER FED. AND STATE GRANTS:

Where warranted, this initiative/grantee shall make every effort to support or assist other federally funded or State grant programs in any manner, including but not limited to, providing personnel, supplies, equipment and any other resources deemed necessary by DJCS.

## 1. INFORMATION SYSTEMS:

With respect to programs related to criminal justice information systems, the grantee agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of integrity and accuracy of data collection. The grantee further agrees:

a. That all computer programs (software produced under this grant) will be made available to DJCS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.

b. To provide a complete copy of the computer programs and documentation, upon requests, to DJCS. The documentation will include, but not be limited to, system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.

c. That whenever possible all application programs will be written in standardized programming languages (i.e. Cobol, Fortran, C, C++, XML, etc.) or will adhere to Open Database Connectivity format for use on general operating systems that can be utilized on at least three different manufacturers of computer hardware with similar size and configuration capabilities.

d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Criminal Justice Systems Clearinghouse (916/392-2550) should be contacted to determine availability of software prior to any development effort.

## 2. INCIDENT BASED REPORTING COMPLIANCY:

Grant applicants (cities & county commissions) will not be considered for funding if the applicant is not current with submitting Incident Based Reporting (IBR) information to the West Virginia State Police (if applicable). Grantees must remain current with submitting IBR information to the West Virginia State Police or grant funding will be withheld until such time as that grantee becomes IBR compliant.

## 3. TIME EXTENSIONS:

In general, time extensions for this program will not be granted. Unexpended grant funds remaining at the close of the grant period shall be deobligated.

## 4. USE OF GRANT FUNDS TO ENACT LAWS, POLICIES, ETC.:

Grantee understands and agrees that it cannot use any grant funds, either directly or indirectly in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government.

## 5. LIMITED ENGLISH PROFICIENCY:

Grantee must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency. For more information on the civil rights responsibilities that grantees have in providing language services to limited English proficiency individuals, please see the website www.lep.gov.

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## COMPUTER EQUIPMENT:

Grantees purchasing computer equipment (hardware, software, or peripherals) with grant funds are required to adhere to the established bidding procedures for their respective units of government or agency. To ensure reputable vendors are obtained, grantees may consider utilizing the current applicable State computer contract. The following are **minimum** hardware requirements, as well as software requirements, established by DJCS for this grant program, which must be recognized when purchasing computer equipment, in whole or in part, utilizing grant funds:

Minimum Hardware Requirements:

- Intel Pentium III 733 MHz Processor; 133MHz front side bus
- 512K L2 Cache
- 128 MB SDRAM 100 MHz expandable to at least 384 MB
- 10 Gig. EIDE Ultra ATA 7200RPM Hard Drive
- 3.5" 1.44 MB Floppy Diskette Drive
- 48X Max Internal CD-ROM drive or 8X DVD-ROM drive
- 3 PCI, 1 16-bit ISA slot, 1 PCI/ISA (shared), 1 AGP slot
- ATI 8 MB AGP 2X Rage Pro Video Card
- 1 Parallel, 2 Serial, 2 USB
- 101/104-Key Keyboard (PS/2)
- PS/2 Port Compatible Mouse

Recommended Hardware Components:

- Mid-tower case
- 16-Bit 3D Sound Blaster Compatible w/ 64 voice wavetable and speakers (may be integrated)
- 3Com 10/100 PCI Ethernet Network Card
- APC UPS Backup power protection (adequate size to handle power load)
- Iomega Internal Zip Disk Drive

Software Requirements:

Whenever possible, software should operate within open industry standards. For example, Windows 2000 Operating System, Microsoft Office 2000 Professional, etc.

Warranty Requirements:
3 Year on-site warranty

## PUBLIC SAFETY AND JUSTICE INFORMATION SHARING:

Grantees must support public safety and justice information sharing. The grantee is required to use the Global Justice Data Model specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas (extensions, constraint, proxy) generated as a result of this grant to the component registry as specified in the guidelines. This information is available at www.it.ojp.gov/gjxdm.

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## PROGRAM ACCOUNTABILITY – FEDERAL AUDIT REQUIREMENTS:

I.) Federal Office of Management and Budget (OMB) Circular A-133 sets forth standards for obtaining consistency and uniformity for the audit of states, local government, and non-profit organizations expending **Federal** awards. If applicable, this grant shall adhere to the audit requirements set forth in OMB Circular A-133 at the time of award.

As of 10/1/04, the requirements set forth by OMB Circular A-133 are as follows: Non-Federal entities that expend $500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year. Non-Federal entities that expend less than $500,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office.

II.) OMB Circular A-110 sets forth standards for obtaining consistency and uniformity for the audit of institutions of higher education, hospitals, and other non-profit organizations expending Federal awards. This grant shall adhere to the audit requirements set forth in OMB Circular A-110.

As if 10/1/04, the requirements set forth by OMB Circular A-110 are as follows: Recipients and sub recipients that are institutions of higher education or other non-profit organizations (including hospitals) shall be subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507) and revised OMB Circular A-133.

III.) If an audit must be conducted pursuant to OMB Circular A-133 and A-110, a copy of the audit shall be submitted to DCJS as well as to the Federal clearinghouse.

As of 10/1/04, the Federal clearing house is as follows:

Federal Audit Clearinghouse
Bureau of the Census
1201 E. 10th Street
Jeffersonville, IN 47132

## PROGRAM ACCOUNTABILITY – STATE AUDIT REQUIREMENTS:

I.) Sub grantee assures that it has read, understands, and is in full compliance with all requirements as set forth in §12-4-14., Code of West Virginia, or as amended, and is not currently debarred from receiving state grant funds as a result of non-compliance with §12-4-14. Sub grantee further understands that if it is currently debarred or is not in compliance with §12-4-14., it is ineligible to receive funding from the West Virginia Division of Justice Community Services.

## CONFIDENTIALITY OF RESEARCH INFORMATION:

Pursuant to Section 229 of the Act, research information identifiable to an individual, which was obtained through a project funded wholly or in part with United States Department of Justice program funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).

## LEASE AGREEMENTS:

Grantee agrees to provide DJCS with a description of proposals to use grant funds to enter into lease arrangements with private entities for the purpose of fulfilling the goals and objectives of this project.

| WEST VIRGINIA DIVISION OF JUSTICE & COMMUNITY SERVICES | STANDARD CONDITIONS AND ASSURANCES |
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EQUAL EMPLOYMENT OPPORTUNITY PLAN:

Each grantee certifies, that it has executed and has on file, an Equal Employment Opportunity Plan which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulations, no Equal Employment Opportunity Plan is required. All EEOP findings should be reported to Office for Civil Rights, Office of Justice Programs, US Department of Justice, 810 7th Street, N.W., Washington, D.C. 20531

VETERANS PREFERENCE:

This program includes a provision that grantees utilizing funds to hire additional personnel, to the extent possible, give suitable preference in employment to military veterans. DJCS defines "suitable preference" as the requirement that a grantee agency have in place a mechanism ensuring that veterans are given consideration in the hiring process.

IMMIGRATION AND NATURALIZATION VERIFICATION:

The grantee agrees to complete and keep on file, as appropriate, applicable Immigration and Naturalization Service Employment Eligibility Verification Forms. These forms are to be used by recipients of state funds to verify that employees are eligible to work in the United States.

PURCHASE OF AMERICAN-MADE EQUIPMENT/PRODUCTS:

It is the sense of DJCS that to the greatest extent practicable, all equipment and products purchased with state funds made available under this grant should be American-made.

PERSONNEL TRAINING:

For projects involving payment of personnel or overtime pay, DJCS reserves the right to require training as a condition of the grant before or at any time during the project period.

ACCOUNTING REQUIREMENTS:

Grantee agrees to record all project funds and costs following generally accepted accounting procedures. A unique account number or cost recording must separate all project costs from the grantee's other or general expenditures. Adequate documentation for all project costs and income must be maintained. Adequate documentation of financial and supporting material, must be retained and be available for audit purposes.

OFFICE OF JUSTICE PROGRAMS (OJP) FINANCIAL GUIDE:

Grantee agrees to comply with the financial and administrative requirements as set forth in the current edition of the OJP Financial Guide.

TRANSFER OF FUNDS PROHIBITION:

The grantee is expressly prohibited from transferring funds between any DJCS programs.

MARKING OF EQUIPMENT:

Grantee will ensure that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the West Virginia Division of Justice & Community Services."

| WEST VIRGINIA DIVISION OF JUSTICE & COMMUNITY SERVICES | STANDARD CONDITIONS AND ASSURANCES |
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## PATENTS AND/OR COPYRIGHTS AND RIGHTS IN DATA:

Grantee acknowledges that DJCS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for State or Federal government purposes: (1) the copyright in any work developed under an award or sub award; and, (2) any rights of copyright to which a recipient or sub recipient purchases ownership, in whole or in part, with State or Federal support.

Grantee agrees to consult with DJCS re the allocation of any patent rights that arise from, or are purchased with, this funding.

## CENTRAL CONTRACTOR REGISTRATION:

Grantee agrees to register with the Central Contractor Registration (CCR), www.ccr.gov and provide documentation to DJCS within 30 days of award notification that they have done so.

## DATA UNIVERSAL NUMBERING SYSTEM:

Grantee agrees to acquire a Data Universal Numbering System (DUNS) number, www.dnb.com and provide documentation to DJCS within 30 days of award notification that they have done so.

## JUVENILE JUSTICE & DELINQUENCY PREVENTION ACT:

Grantee agrees to comply with the four core protections under the Juvenile Justice & Delinquency Prevention (JJDP) Act of 1974, reauthorized 2002.

- Deinstitutionalization of status offenders (DSO).
- Separation of juveniles from adults in institutions (separation).
- Removal of juveniles from adult jails and lockups (jail removal).
- Reduction of disproportionate minority contact (DMC), where it exists.

This includes, but is not limited to, completing the annual the WV Certification of Non-Secure Facilities and submitting to DJCS, if applicable, and submitting a monthly Secure Holding Log, if applicable.

## BIDDING PROCEDURES:

Funds for renovation, expansion or construction awarded to grantees or subgrantees, which require the letting of any single contract amounting to $100,000 or more to a private company or individual shall require: a bid guarantee equivalent to 5% (five percent) of the bid price; the bid guarantee must consist of a firm commitment such as a bid bond, certified check, or negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified after forms are presented to the successful bidder; a performance bond on the part of the 100% (one hundred percent) of the contract price ("Performance bond" means a bond executed in connection with a contract to ensure payments required by all persons supplying labor and materials in the execution of the work provided for in the contract.); a payment bond on the part of the contractor for 100% (one hundred percent) of the contract price. ("Payment bond" is one executed in connection with a contract to ensure payment as required by law, of all persons supplying labor or materials in the execution of the work provided for in the contract.) Recipient/subgrantee is expected to follow the competitive bid process in the award of contracts involving Federal grant funds.

| WEST VIRGINIA<br>DIVISION OF JUSTICE & COMMUNITY SERVICES | STANDARD CONDITIONS AND ASSURANCES |
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## COMPLIANCE WITH FEDERAL PROCEDURES:

The applicant assures that it will comply with the provisions of 28 Code of Federal Regulation (CFR) applicable to grants and cooperative agreements, including:

a. Part 11, Applicability of Office of Management and Budget Circulars.
b. Part 18, Administrative Review Procedures.
c. Part 20, Criminal Justice Information Systems.
d. Part 22, Confidentiality of Identifiable Research and Statistical Information.
e. Part 23, Criminal Intelligence Systems Operating Policies.
f. Part 30, Intergovernmental Review of Department of Justice Programs and Activities
g. Part 42, Nondiscrimination Equal Employment Opportunity Policies and Procedures

## ADDITIONAL REGULATIONS AND PROCEDURES:

In addition, all grantees must comply with the following applicable federal regulations and/or the United States Department of Justice, Office of Justice Programs - M 7100.1D manual, OMB Circulars No. A-21, A-110, A-122, A-128, A-87, E.O. 12372, Uniform Administrative Requirements for Grants and Cooperative Agreements 28 CFR, Part 66, Common Rule, and all other applicable Federal regulations, policies, acts and guidelines.

a. National Environmental Policy Act of 1969 (NEPA).
b. National Historic Preservation Act of 1966.
c. Flood Disaster Protection Act of 1973.
d. Clean Air Act and Federal Water Pollution Control Act Amendments of 1972.
e. Control Act Amendments of 1972.
f. Safe Drinking Water Act.
g. Endangered Species Act of 1973.
h. Wild and Scenic Rivers Act.
i. Fish and Wildlife Coordination Act.
j. Historical and Archaeological Data Preservation.
k. Coastal Zone Management Act of 1979.
l. Animal Welfare Act of 1970.
m. Impoundment Control Act of 1974.
n. Uniform Relation Assistance and Real Property Acquisitions Policies Act of 1970.
o. Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended
p. Death in Custody Act of 2000.

| WEST VIRGINIA VISION OF JUSTICE & COMMUNITY SERVICES<br>West Virginia Community Corrections Grant Program | SPECIAL CONDITIONS AND ASSURANCES |
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**Public Availability of information:**

The sub grantee agrees to comply with the terms and condition of pertinent federal and state freedom of information acts, and to require its contractors to comply with these requirements

**CONSULTANTS / CONTRACTS:**

No contract or agreement may be entered into by the sub grantee for the execution of project activities or provision of service that is not incorporated in the approved grant, and without prior written approval of DJCS. Grant approval by DJCS does not constitute consultant/contract approval.

**REPORTING OF IRREGULARITIES:**

Sub grantees are responsible for reporting promptly to DJCS the nature and circumstances surrounding any fiscal irregularities discovered. Failure to report known irregularities may result in suspension of the grant or other remedial action.

**VEHICLE PROCUREMENT:**

Applicants purchasing vehicles with West Virginia Community Corrections funds are required to adhere to the established bidding procedures for their respective units of government. To ensure reputable vendors are obtained, applicants may consider utilizing the current applicable state contract.

**COMMUNICATION EQUIPMENT:**

All portable communication equipment purchased utilizing West Virginia Community Corrections funds must be compatible with programmable hand-held units, available through purchase via state contract.

**ADDITIONAL SPECIAL CONDITIONS AND ASSURANCES:**

The Community Corrections Subcommittee may add additional special conditions and assurances after a submitted proposal application has been reviewed by the Subcommittee. Program approval and funding approval may be contingent on the applicant agreeing to comply with the additional special conditions and assurances.

**COMMUNITY CORRECTIONS DATABASE:**

The applicant shall agree to utilize the Division of Justice and Community Services database to input all relevant information, maintain required documentation, and develop special reports to be used by the individual program as well as by the Division of Justice and Community Services.

**LEVEL OF SERVICE/CASE MANAGEMENT INVENTORY**

The LS/CMI assessment instrument is required by the WV Community Corrections Subcommittee for use by all community corrections programs funded by the West Virginia Community Corrections grant program funds.

| WEST VIRGINIA DIVISION OF JUSTICE & COMMUNITY SERVICES<br><br>West Virginia Community Corrections Grant Program | SPECIAL CONDITIONS AND ASSURANCES |
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**5. Quarterly Meetings:**

The applicant shall agree to have in attendance the Project Director and/or Program Director at quarterly meetings. These meetings will be located throughout the State. Each Community Corrections program will host a quarterly meeting; with a listing of the host sites being published by DJCS with each new funding cycle. When hosting a meeting it is the responsibility of the Program Director to make all necessary contacts, set the agenda, and facilitate the meetings.

ertify that I have read all the standard and special conditions and assurances of this grant program d agree to comply with these requirements.

Authorized Official Signature (Original)

# Equal Employment Opportunity Plan Certification

Check only one certification that applies to the subgrantee during the project period outlined in the application.

___Certification "A" - No EEOP Required

This entity falls under one or more of the following categories (Check all that apply).

___ is an educational, medical or non-profit institution or an Indian Tribe
___ has less than 50 employees
___ was awarded through this subgrant from DJCS less than $25,000

X Certification "B" – Subgrantee Must Maintain EEOP On File

This entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this subgrant from DJCS, more than $25,000, but less than $500,000. Also, this entity has not been awarded more than $1 million cumulatively from all programs administered by the U.S. Department of Justice over an 18-month period that includes this subgrant period. **An EEOP has been developed and signed into effect and disseminated to all employees, and it is on file for review or audit by officials of the Division of Justice and Community Services or the Office for Civil Rights, Office of Justice Programs.**

___Certification "C" – Subgrantee Must Submit EEOP To Office for Civil Rights

This entity, as a for-profit entity or a state or local government having 50 or more employees, was awarded, through this subgrant from DJCS, more than $500,000, or has been awarded more than $1 million cumulatively from all program administered by the U.S. Department of Justice over an 18 month period that includes this subgrant period. **Therefore, the funded entity will submit, within 45 days of the award, an EEOP or an EEOP Short Form (attached), that will include a section specifically analyzing the subgrantee to the following address:**

Office for Civil Rights
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

As the Authorized Official for the above subgrantee, I certify, by my signature below, that I have read and am fully cognizant of our duties and responsibilities under this assurance and certification.

Typed Name: David Blair Couch Title: President Date: 8/31/11

Authorized Official's Signature: [signature]

# Assurance/Certification of Compliance With Regulations

## Office for Civil Rights, Office of Justice Programs
## U.S. Department of Justice Funds

For Subgrants Awarded Through the WV Division of Justice and Community Services (DJCS)

Federal Grant Program Name: Community Corrections - Pre Trial Release Program

Subgrantee Name: Wood County Commission

Authorized Official's Name: David Blair Couch

Subgrant Number: _____

## Assurance

As authorized official, I assure and certify, by my signature below, that I have read and am fully cognizant of our duties and responsibilities under this assurance and certification.

This entity will comply with the following statutes and regulations as mandated by law:

> Section 3789d(c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Title VI of the Civil Rights Act of 1964, as amended, and Department of Justice Regulation 28 C.F.R. Part 42, Subparts C, D, E; Section 504 of the Rehabilitation Act of 1973, as amended, and Department of Justice Regulation 28 C.F.R. Part 42, Subpart G; Title II of the Americans With Disabilities Act and Department of Justice Regulation 28 C.F.R. Part 35; Title IX of the Education Amendments of 1972 and Department of Justice Regulation 28 C.F.R. Part 54; and The Age Discrimination Act of 1975.

This entity will send all adverse findings of discrimination within the last three years to the Office for Civil Rights to the following address:

Office for Civil Rights
Office of Justice Programs
810 7th Street, NW
Washington, DC 20531

U.S. Department of Justice
Office of Justice Programs
Office of the Comptroller

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

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

## 1. LOBBYING

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

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

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

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

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

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

A. The applicant certifies that it and its principals:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

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

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

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

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

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

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

_____

_____

_____

Check ___ if there are workplaces on file that are not identified here.

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

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

**DRUG-FREE WORKPLACE**
**(GRANTEES WHO ARE INDIVIDUALS)**

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

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

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice

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

1. Grantee Name and Address:

Wood County Commission, One Court Square, Parkersburg, WV 26101

2. Application Number and/or Project Name

Community Corrections Grant Program
Pre Trial Release

3. Grantee IRS/Vendor Number

556 000 417

4. Typed Name and Title of Authorized Representative

David Blair Couch, President, Wood County Commission

5. Signature

6. Date

9/1/11



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

9/1/11

69/530

STATE OF WEST VIRGINIA

COUNTY OF WOOD } TO –WIT:

I, Doug Miser, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of Temporary Special Investigator – Wood County Prosecuting Attorney in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.

Doug Miser

Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 1st day of September, 2011.

County Commission of Wood County

9/1/11
69/53

STATE OF WEST VIRGINIA

COUNTY OF WOOD } TO –WIT:

I, Mark Rhodes, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of the County Clerk as an Administrative Assistant in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.

Mark Rhodes

Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 1st day of September 2011.

County Commission of Wood County

9/1/11
69/531

STATE OF WEST VIRGINIA

COUNTY OF WOOD } TO –WIT:

I, THOMAS BLONDIN, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of West Virginia, and that I will faithfully and impartially discharge the duties of the office of Wood County Clerk's Office – Election Extra Help in and for Wood County, West Virginia, to the best of my skill and judgment, during my continuance in the same; SO HELP ME GOD.

x TWBlondin

Subscribed and sworn to, before County Commission of Wood County, West Virginia, this 1st day of September, 2011.

County Commission of Wood County