



Recommended Procedures for Establishing Restricted ECD NG911 Fund

Section 16 of S.B 2835 requires that all ECD's set aside at least 30% of the total funds received from the Emergency Communications Public Safety Trust Fund, into their NG911 Implementation Fund. Until MECA has approved the ECD's NG911 Implementation plan, the NG911 Implementation Fund is legally required to be restricted. Only after the ECD has received written approval of their NG911 plan from MECA, are they permitted to expend monies from the NG911 Implementation Fund, on approved expenditures. To ensure the restricted funds are not inadvertently expended, the ECD must adopt a policy and implement procedures to keep the Implementation Funds separate from their normal operating funds, in order to maintain compliance with State Law. MECA recommends the following procedures, to assist in this process.

Method 1(Preferred)

1. The ECD should open a savings account with the bank in which the ECD already owns an account.
2. Every month The ECD should deposit the 30% into the savings account. Access to this account should be restricted to the ECD Director.
3. Every month the ECD shall submit to MECA the bank statement for the account, showing that no funds were transferred or expended from the NG911 Implementation Fund.

Because method 1 allows for a more streamlined and efficient transfer of funds, ECD's adopting method one will be awarded an increase in their NG911 CMRS Grant score, which is used to determine which ECD's will receive additional funds from the Grant.

ECD's who consistently submit the required reports and supporting documentation in a timely manner, will also be awarded an increase in their Grant score.

Method 2

If it is not possible or practical to implement method 1, then method 2 should be used. The Implementation Fund monies must be accounted separately from the operation account. The ECD will have to keep very detailed accounting records to ensure the restricted funds are not spent. Every month, the ECD will need to identify how many incoming dollars account for the Implementation Fund. Every month, the ECD shall submit to MECA the bank statement, showing a retained balance equal to the Implementation Fund allocation. Since each month new monies will be deposited into the Implementation Fund, a cumulative total will need to be maintained. Therefore, each month, the ECD will add the incoming Implementation Fund monies to the prior balance. As before, the ECD shall submit to MECA the bank statement and accounting records showing that the total cumulative balance of the Implementation Fund has not been transferred or expended.

If restricted funds are inadvertently expended, the following month, in addition to the normal 30%, the ECD will set aside an amount equal to the misspent funds from the prior month, from the money received from the Emergency Communications Public Safety Trust Fund. If the restricted funds are spent a second time, MECA will withhold the funds until plan has been approved. ECD's must indicate their chosen method for separating their NG911 Implementation funds at the time of executing the ECD-MECA NG911 Agreement.

ELECTED METHOD

Official Representative: _____

Title: Board President

ECD: _____

- METHOD 1 (PREFERRED)
- METHOD 2

Gerald Steen

PRINTED NAME

Board President

TITLE

SIGNATURE

DATE: _____



ECD-MECA NG911 AGREEMENT

ECD NAME: _____

This Agreement is between the State of Mississippi, Mississippi Emergency Communications Authority (MECA), by and through the Mississippi Emergency Management Agency (MEMA) and the undersigned Emergency Communications District (ECD). This Agreement shall be effective on the date signed by the State and ECD. It shall apply to all funds received by the ECD pursuant to the Mississippi Emergency Communications Authority Act (the Act) and/or related federal grants. For the purposes of this agreement, these funds will be collectively referred to as "NG911 funds."

The designated representative of the ECD certifies that:

1. The representative has legal authority to apply for NG911 funds on behalf of the ECD.
2. The ECD will provide all necessary financial and managerial resources to meet the terms and conditions of receiving funds from the Emergency Communications Public Safety Trust Fund, the State NG911 Fund, and/or a related federal grant program.
3. The ECD will use the NG911 funds solely for the purpose for which these funds are provided and as established in accordance with Senate Bill 2835, 2025 (SB2835 or the Act).
4. The ECD is responsible for all costs determined to be ineligible or unreasonable by MECA.
5. The ECD will open an ECD NG911 implementation fund to hold funds, as outlined in Section 16 of the Act, to be used solely for implementing its NG911 plan.
6. The ECD will open an Operations Fund separate from its ECD NG911 implementation fund to hold funds used for operations expenses of the ECD for capital improvements, normal operations, and provision of Public Safety Answering Points (PSAPs).
7. The ECD will establish and maintain a proper accounting system to record revenues and expenditures of NG911 funds in accordance with generally accepted accounting principles and OMB Super Circulars and 2 CFR Part 200, Subpart F as applicable and/or as directed by MECA.
8. The ECD shall provide Monthly Reports with copy of bank statements for the month including both operational, and implementation accounts to the State which indicates the anticipated completion date for each project, together with any other circumstances that may affect the completion date, the scope of work, the project costs, or any other factor that may affect compliance of this Agreement.
9. The ECD shall comply with the Single Audit requirements set by 2 CFR Part 200, Subpart F. The ECD shall provide copies of every audit report issued on the entity at the time of its receipt by the entity to MECA.
10. The ECD will give MEMA access to and the right to examine all records and documents related to the use of NG911 funds while maintaining documentation related to each expenditure, including but not limited to invoices, receipts, canceled checks, bank statements, and quotes.
11. The ECD acknowledges that it is the ECD's responsibility to ensure all Federal, State, and local laws, regulations, rules, and guidelines applicable to any NG911 funds and/or grant program are adhered to. If said laws, regulations, rules, and guidelines are not adhered to, responsibility for noncompliance is the ECD's.
12. The ECD will complete all items of work within its NG911 plan established by the ECD and approved by MECA.

13. The ECD will comply with all federal and state statutes and regulations relating to nondiscrimination. Specifically, the ECD will comply with federal civil rights laws and commit to providing its programs and services without discrimination in accordance with:
 - Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin (including language).
 - Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability.
 - Title IX of the Education Amendments Act of 1972, which prohibits discrimination based on sex in education programs or activities.
 - Age Discrimination Act of 1975, which prohibits discrimination based on age.
 - U.S. Department of Homeland Security regulation 6 C.F.R. Part 19, which prohibits discrimination based on religion in social service programs.
14. The ECD further acknowledges that it is against the law to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with the above authorities.
15. When applicable, the ECD will comply with provisions of the Hatch Act limiting the political activities of public employees and 44 CFR Part 18, New Restrictions of Lobbying.
16. When applicable, the ECD will comply with regulations implementing the Drug-Free Workplace Act of 1988.
17. When applicable, the ECD will comply with provisions of the Davis-Bacon Act related to labor standards.
18. When applicable, the ECD will not enter into cost-plus-percentage-of-cost contracts.
19. The ECD will not enter into any contract with any party that is debarred or suspended from the state of Mississippi and/or federal assistance programs.
20. When applicable, the ECD will comply with all uniform administrative requirements which are set forth in 2 CFR Part 200 and the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended by Public Law 100-107, and implemented by 44 CFR Part 206.
21. The ECD understands and acknowledges that MECA has the authority to review and audit all of its financial and program reports related to the Act and NG911 funds. The ECD further understands and acknowledges that MECA may address any adverse finding within those reports by remedies, including, but not limited to, withholding transfers from the Emergency Communication Public Trust Fund.
22. The ECD shall first endeavor to settle any controversy or claim arising from or relating to this Agreement, or the breach thereof, directly with the Director of MECA, or designated representative, before exhausting any other remedies or appeals to other governing authorities.
23. MEMA, on behalf of MECA, does in no way waive its sovereign immunity by entering into this agreement with the ECD.

ECD Agent:

NAME (Print)

SIGNATURE

DATE

MEMA Executive Director:

Stephen C. McCraney
NAME (Print)

SIGNATURE

DATE

