

WISCONSIN DISASTER FUND ADMINISTRATIVE PLAN



STATE OF WISCONSIN
DEPARTMENT OF MILITARY AFFAIRS
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WISCONSIN DISASTER FUND INTRODUCTION

The Wisconsin Disaster Fund was created by Wisconsin Act 269 and signed into law in April 2006. Wisconsin Emergency Management was designated as the agency responsible for administering the fund and subsequently developed an Administrative Rule, WEM 7, for this purpose.

The Wisconsin Disaster Fund (WDF) is a state funded reimbursement program intended to assist county, local and tribal units of government (hereafter referred to as “the applicant”) recoup costs incurred in responding to, and recovering from, natural disasters. WDF is administered within the Response and Recovery Bureau of Wisconsin Emergency Management (WEM). The state reimburses 70% of the costs, with the local government responsible for the remaining 30%. The fund does not cover losses suffered by individuals, businesses or the agricultural sector, or those covered by insurance. It also does not provide management or administrative costs for the applicants.

WDF is modeled after FEMA’s Public Assistance Program and is also guided by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §5121 et seq. as amended. It is more limited in scope as it will not cover costs associated with snow storms or provide funds for mitigation activities.

To be eligible for assistance through the WDF Program, the local unit of government must first have declared a state of emergency, according to their own policies and procedures. Then, the applicant must be able to show that federal disaster assistance is not available to them. This could be because the governor’s request for a federal declaration has been denied or because no federal assistance has been requested. No federal assistance is requested if the impact of the disaster does not meet the statewide and countywide per capita impact indicator – commonly referred to as the state or county “threshold”. This threshold amount is adjusted annually by FEMA, on or about October 1st, based on the Consumer Price Index.

The final step is to show that the recovery costs from the declared event meet or exceed the county threshold. Once all three conditions are met, the local unit of government may apply for WDF assistance:

- ☞ the local unit of government has declared a state of emergency,
- ☞ no federal assistance is available, and
- ☞ recovery costs meet or exceed the county threshold.

If any other federal, state or local funding programs are made available to the applicant, WDF may choose not to participate in that activity, or the WDF eligible amount may be decreased. For example, if the DOT Flood Damage Aids Program awards funds for the repair of a road, WDF funds may not be used for the same road. If insurance covers an expense, the cost to the applicant is decreased, as will any possible WDF reimbursement.

This handbook was prepared by WEM and contains the required administrative procedures, references and guidance that will assist you in applying for WDF reimbursement. It is important to remember that WDF is a reimbursement program and awards from WEM are based on actual costs incurred. Accurate records are essential in documenting the costs of disaster recovery and are necessary to support a claim for reimbursement. No funds will be disbursed until adequate supporting documentation has been provided to WEM. The guidance provided here is applicable to all WDF applicants and recipients.

WISCONSIN DISASTER FUND (WDF) PROCESS

1. The local unit of government declares a state of emergency.
2. The County Emergency Management (EM) Director submits a Uniform Disaster Situation Report (UDSR) to widisasterfund@wisconsin.gov within 24 hours of the disaster, making sure to check the box indicating that the County has at least one unit of government that will apply for Wisconsin Disaster Funds. Updates to the UDSR should be submitted as necessary.
3. The County EM Director should provide the Administrative Plan to the applicant (s) and provide assistance as needed to complete the application. Contact with the WDF Coordinator should be established early so that the application process will progress smoothly and in a timely manner.

If there has been damage to roads, contact should be immediately made with the DOT's Flood Damage Aids (FDA) Program. This contact is usually made through the County Highway Commissioner. WDF will not pay for repairs to roads that should have been covered by FDA.

4. The County EM Director submits the "County Application for Wisconsin Disaster Funding", indicating damage estimates and population totals which support the eligibility of each potential applicant. This can be done as soon as the information is available but it must be submitted within 30 days of the incident. It would be especially helpful to submit this form early on if dealing with a County-wide event as it would ensure that all potential applicants receive the help they may need to complete the application process.
5. Each applicant requesting WDF assistance must submit the following application packet to WEM within 60 days of the incident,:
 - ☞ "Applicant Request for State Public Assistance" – Signed by the Chief Elected Official of the local unit of government.
 - ☞ Documentation Toolkit to identify the costs being claimed – if possible, please submit an electronic version as well as a hard copy.
 - ☞ All supporting documentation.

This packet should be submitted to WEM through the County EM Director, but could come directly from the applicant if they have previously established a working relationship with the WDF Coordinator. At all times, the County EM Director should be kept apprised of the status of the applications within their county.

Paper copies of the first two forms are included in this packet; electronic versions are available in the Wisconsin Disaster Fund section of the WEM Disaster Recovery – Government website:
<http://emergencymanagement.wi.gov/recovery/government.asp>

6. The WDF Coordinator will respond within 30 days of receiving the application packet with either a request to the applicant for more documentation or a determination that a complete application has been made.

When the application is determined to be complete, eligible expenses and documentation will be reviewed and final eligible costs determined within 30 days. This step may include site visits or other means to determine eligibility and cost.

The applicant will have 45 days to respond in full to any request from the WDF Coordinator or their application may be denied.

7. The WDF Coordinator will send the County EM Director the final paperwork for signature by the Chief Elected Official of each applicant requesting reimbursement. Paperwork includes the following forms:
 - ↻ Wisconsin Disaster Fund Public Assistance Form – DMA Form 1017
 - ↻ Assurance of Construction – DMA Form 1017A
 - ↻ Project Completion Form
8. The applicant returns the signed documents directly to Wisconsin Emergency Management (WEM). Signed documents must be received by the WDF Coordinator within 30 days of the date of the cover letter or the funding may be withdrawn.
9. The WDF Coordinator requests the check(s), which is sent to the County EM Director for presentation to the applicant.
10. The applicant must keep all documentation in accordance with WEM 7.06 (3). WEM 7 is available at:
https://docs.legis.wisconsin.gov/code/admin_code/wem/7

DEFINITIONS

APPLICANT: Henceforth, in this document, “Applicant” shall refer to a county, city, village, town, federally recognized tribal government, or private non-profit organization that has applied, or intends to apply, to the Wisconsin Disaster Fund.

DAMAGE CATEGORIES OF WORK: There are three categories of work that are eligible for assistance through the WDF Program. They are Category A: Debris Removal, Category B: Emergency Protective Services and Category C: Repair of roads, bridges and associated features. Category A and B are considered Emergency Work; Category C is considered Permanent Work.

DEBRIS REMOVAL: Clearance, removal and/or disposal of trees and woody debris, building wreckage, mud, vehicles, and other disaster-related material deposited on public property. The work must be necessary to:

- ☞ eliminate an immediate threat to life, public health and safety
- ☞ eliminate immediate threats of significant damage to improved public and private property when measures are cost-effective.
- ☞ Ensure the economic recovery of the affected community to the benefit of the community-at-large.

DISASTER: A severe or prolonged, natural or human-caused occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this state or a portion of this state, or critical systems, including computer, telecommunications, or agricultural systems. Costs resulting from snow fall are not eligible for WDF reimbursement.

DONATED RESOURCES: The value of volunteer labor, donated equipment and donated materials is eligible to offset the local portion of the cost share for the recovery work. The amount of credit that can be applied to a project is capped at the non-Federal share of emergency work. Donated resources must apply to eligible emergency work and must be documented.

DUPLICATION OF BENEFITS: An applicant may not receive funding from two sources for the same item of work. This most commonly occurs with insurance settlements but can also involve federal or state grant funds and/or donations.

ELIGIBLE APPLICANTS: Local units of government including counties, cities, villages, towns, federally recognized tribal governments, and private non-profit organizations that provide services of a governmental nature are eligible to apply to WDF.

ELIGIBLE COSTS: Must be reasonable and necessary to accomplish the eligible work, compliant with federal, state, and local requirements for competitive procurement, and must be reduced by all applicable credits such as insurance proceeds and salvage values to avoid Duplication of Benefits. Eligible costs include labor, materials, equipment, rental equipment, contractor costs and the cost to replace stockpiled materials for each of the three Categories of Work. WDF may reimburse the cost of food and water for emergency workers during the first 72 hours only.

ELIGIBLE WORK: Must be work as identified in “DAMAGE CATEGORIES OF WORK”. Must be required as a direct result of the declared major disaster or emergency, must have occurred during the designated incident period and be within the designated disaster area, and must be the legal responsibility of an eligible applicant at the time of the disaster. In addition, to be eligible for reimbursement by WDF, the work should be completed prior to submission of the application, or within 60 days of the end date of the incident.

EMERGENCY PROTECTIVE MEASURES: Measures taken before, during and after a disaster to eliminate/reduce an immediate threat to life, public health or safety. It may also include measures taken to eliminate/reduce an immediate threat of significant damage to improved public and private property through cost-effective measures.

FORCE ACCOUNT: Employees who are that part of the expense account of a local unit of government resulting from the employment of a labor force needed for street maintenance, sewer/water operation, etc.

INCIDENT PERIOD: The time span during which the disaster-causing incident occurs. Only damage that occurs during the incident period, or is a direct result of the events that occurred during the incident period, is WDF eligible. In some cases, such as a series of storms and/or flooding, WEM may define the incident period after consultation with the County EM Director and the applicant.

INELIGIBLE COSTS: Include but are not limited to:

- ☞ mitigation projects
- ☞ assistance provided under mutual aid agreements
- ☞ costs associated with snow removal
- ☞ administrative/management costs

INELIGIBLE WORK: Includes but is not limited to:

- ☞ Work on private property, including property owned/operated by a homeowners’ association.
- ☞ Replacement of trees, shrubs, and other ground cover. Grass and sod are eligible only when necessary to stabilize slopes and minimize sediment runoff.
- ☞ Stump removal when less than 50% of the root ball is exposed.

PERMANENT WORK: Is required to restore a damaged facility, through repair or restoration, to its pre-disaster design, function and capacity.

PRE-DISASTER DESIGN: The size and capacity of a facility as it existed immediately prior to the disaster.

PRE-DISASTER FUNCITON: The function the facility was performing immediately prior to the disaster

PRE-DISASTER CAPACITY: The restored facility must operate at the capacity available to it immediately prior to the disaster.

PRIVATE NON-PROFIT ORGANIZATIONS: Must have an effective ruling letter from the U.S. Internal Revenue Service granting tax exemption under Section 501 (c), (d), or (e) of the Internal Revenue Code of 1954, as amended, or State certification that the organization is a non-revenue producing nonprofit entity organized or doing business under State law. For example, as a non-profit organization providing services of a governmental nature, electric cooperatives can apply for costs over and above normal operating costs incurred only during the period necessary for the restoration of power to all customers.

REASONABLE COSTS: A cost is reasonable if it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Reasonable costs can be established by historic documentation for similar work, average costs for similar work in the area, and FEMA cost codes and equipment rates.

ROADS AND BRIDGES: Repair of damage to roads, bridges, shoulders, ditches culverts, lighting and signs that was directly caused by the disaster. Good quality photographs that show the damage caused by the disaster, and prior to any work being done, should be submitted with the application. Contact with DOT's Flood Damage Aids (FDA) Program should be made promptly to determine if any of the repairs are eligible for FDA assistance. WDF will not pay for repairs to roads that should have been covered by FDA.

TEMPORARY HIRES: A person not employed by the applicant at the time of the disaster and who is hired for the sole purpose of assisting with disaster recovery and is engaged in eligible work. The exception to this are part-time employees who may be considered as Temporary Hires if the applicant can document their usual hours and that the additional hours were spent solely on eligible work necessitated by the disaster.

WDF THRESHOLD: To be eligible for WDF assistance, the applicant must meet the countywide per capita impact indicator, or threshold, of \$3.56 per capita (2014 rate and adjusted annually). To determine whether the applicant meets that threshold, the total of expenses, as reported on the Applicant Request for State Public Assistance, is divided by the applicant's population. The result must exceed the countywide per capita impact indicator.

DOCUMENTATION REQUIREMENTS

The Local Applicant Documentation Toolkit must be completed and submitted to the WDF Coordinator with all supporting documentation. All costs claimed must be listed on one of the four worksheets; Labor, Equipment, Materials and Contractors. If a cost is not listed on a worksheet, it will not be included in the claim. Along with the completed Toolkit, the following documentation must be submitted to support the claimed costs.

Labor – Costs that exceed a permanent employee’s regular work hours are eligible for reimbursement.

- Legible time cards must be submitted with a description of the work being performed and equipment used.
- Preferred proof of payment are pay stubs that document the pay rate, regular and overtime hours and copies of cancelled checks. If cancelled checks are unavailable, or costly, a copy of the bank statement showing that the relevant checks have cleared is acceptable.
- Labor costs include actual wages paid plus fringe benefits paid or credited to the employee. The value of fringe benefits paid to the employee must be documented.

For emergency work (Categories A and B), only overtime labor is eligible for permanent employees, reassigned employees, and seasonal employees used during the season of anticipated employment. Both regular and over time labor costs are eligible for non-budgeted employees (temporary hires) assigned specifically to perform emergency work.

For permanent work (Category C), both regular time and overtime are eligible for all employees.

If a part-time worker is called in for more than their regularly scheduled hours, they may be considered to be Temporary Hires. Documentation will have to be provided establishing the hours regularly worked as part-time employees prior to the event, such as contracts or work agreements. Time sheets for at least the 3 pay periods immediately prior to the event should be provided. The average of those hours would be calculated and only hours over and above that average, and documented on the time cards as “disaster recovery work”, can be considered eligible costs for WDF reimbursement.

The value of compensatory time may be eligible for WDF reimbursement if the applicant can provide a written policy which details employee eligibility and payment procedures. Standby labor costs are not eligible.

PLEASE NOTE: No elected official can benefit from his/her position within a unit of government as it is a violation of the code of ethics. As such, WDF cannot reimburse for the cost of any elected official’s labor.

Equipment – An equipment log must be submitted that includes a description of the equipment, (wheel type, horsepower, bucket capacity, Gross Vehicle Weight, etc.) and the hours it was actually being used. All hours the piece of equipment was in use are eligible for reimbursement, whether the operator was on regular or overtime work hours. Standby equipment costs are not eligible.

Employees' time cards may be used to document equipment hours only if they identify the equipment being used and additional information is provided in order to properly categorize the piece of equipment. This information will be used to find the appropriate hourly rate from the DOT Highway Maintenance Manual, Chapter 02, Section 25, Subject 50: Classified Equipment Rates.

If the DOT's schedule of rates does not include the piece of equipment in question, the most recent FEMA Schedule of Equipment Rates will be used to determine an hourly rate. These hourly rates cover all costs eligible under the Stafford Act, for ownership and operation of equipment, including depreciation, overhead, all maintenance, field repairs, fuel, lubricants, tires, OSHA equipment and other costs incidental to operations.

If the applicant does not have adequate equipment, the necessary equipment may be leased; that cost is eligible for WDF reimbursement.

Automobiles and trucks or vans transporting people, such as a police car patrolling the streets, are reimbursed on a mileage basis; accurate records need to be kept which will document mileage in and mileage out.

Material – For all materials purchased for the disaster recovery process (such as gravel, black dirt, sand, etc.), invoices showing quantities and costs must be provided, along with proof of payment in the form of cancelled checks. If material is used from municipal stockpiles, a log showing quantities used and invoices documenting the cost of the used materials must be provided. The amount reimbursed could be the original cost for materials purchased infrequently, or the replacement cost if the materials are used, and replaced, more often.

WDF will not reimburse for other purchases made by the applicant, including but not limited to, equipment, clothing for employees or volunteers, etc. After the first 72 hours, food costs for emergency workers are also ineligible.

Contractors – For all persons and/or companies hired as contractors, an invoice on company letterhead detailing date(s), hour(s), and location(s) worked must be provided. Cancelled checks should accompany each invoice as proof of payment. The process to hire contractors within 72 hours of the disaster and after a declaration of emergency has been made, may be exempt from the state bidding procedures. Any hiring done after that time frame must be done following local and/or state bidding rules. Guidance on this can be found through local or county highway departments, public works departments, or your regional DNR or DOT office.

Photographs – Very useful in documenting all damages, but Extremely helpful when dealing with damage to road systems. Since repairs to roads are frequently done quickly, it is sometimes difficult to assess the damages without photographic evidence.

Volunteers – The value of the volunteer labor may be used to offset the 30% local share. In order to qualify, there must be a sign-in sheet which documents each person's time in, time out, type of work performed and the location of that work. This would apply to true volunteer fire departments as well as residents coming in to help. The maximum value of donated, non-professional labor shall be \$12.00 per hour.



**Wisconsin Emergency Management
Department of Military Affairs**

Applicant Request for State Public Assistance

						Applicant	
						County	
						Date	
Primary Contact Name, Title		Mailing Address		Phone		E-Mail	
Type of Expense	Damage Category			Total Expenses	Documentation (Time cards, Invoices, photos, Equipment Journals. Etc.)		
	A) Debris Removal	B) Protective Services	C) Road Systems				
Labor							
Equipment							
Contractor							
Materials							
TOTALS							
Population:		Per Capita Ratio: Total Expenses/Population			Must exceed \$3.56 per capita		
<i>Include the Following Items with the Application</i>							
<input type="checkbox"/>	Applicant agreement to contribute the 30% cost share for eligible damages.						
<input type="checkbox"/>	Copy of a disaster or emergency declaration issued by the local or tribal governmental unit or the state for the incident.						
<input type="checkbox"/>	Statement Identifying Other Funds Sought for these Damages						
<input type="checkbox"/>	Contractor bid process (If applicable)						
<input type="checkbox"/>	Mitigation Statement (Identify any Mitigation or Improvements within the project, <u>ineligible</u> for WDF reimbursement)						
<i>Additional Comments</i>							

It is understood that the Local Applicant Toolkit and all supporting documentation will be submitted to the WDF Coordinator within 60 days of the date of the disaster.

Typed Name of Chief Elected Official

Signature of Chief Elected Official

Damage Description & Dimensions:

Scope of Work:

Total Labor Costs Claimed	\$ -
Total Equipment Costs Claimed	\$ -
Total Contract Work Costs Claimed	\$ -
Total Material Costs Claimed	\$ -
 Total Damages	 \$ -
 Total Possible Reimbursement	 \$ -

	Employee Type (Force Account or Temp Hire)		Dates and Hours Worked						Costs					Category A, B or C
			9/15/09						TOTAL HOURS	HOURLY RATE	BENEFIT RATE/HR	TOTAL HOURLY RATE	TOTAL COSTS	
NAME	Force Account	REG.	8.00						8.00	\$25.00	\$2.20	\$27.20	\$217.60	A
Example														
JOB TITLE		O.T.	6.00						6.00	\$40.00	\$2.20	\$42.20	\$253.20	C
City Engineer														
NAME		REG.							0.00			\$0.00	\$0.00	
JOB TITLE		O.T.							0.00			\$0.00	\$0.00	A
NAME		REG.							0.00			\$0.00	\$0.00	
JOB TITLE		O.T.							0.00			\$0.00	\$0.00	A
NAME		REG.							0.00			\$0.00	\$0.00	
JOB TITLE		O.T.							0.00			\$0.00	\$0.00	A
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NAME		REG.							0.00			\$0.00	\$0.00	
JOB TITLE		O.T.							0.00			\$0.00	\$0.00	A
NAME		REG.							0.00			\$0.00	\$0.00	
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NAME		REG.							0.00			\$0.00	\$0.00	
JOB TITLE		O.T.							0.00			\$0.00	\$0.00	A
NAME		REG.							0.00			\$0.00	\$0.00	
JOB TITLE		O.T.							0.00			\$0.00	\$0.00	A
TOTAL COST FOR LABOR												\$0.00		
TOTAL COST FOR LABOR OVERTIME												\$0.00		
TOTAL COST FOR LABOR REGULAR												\$0.00		

EQUIPMENT RATE SHOULD BE DETERMINED FROM THE MOST RECENT WISDOT EQUIPMENT RATES

Type of Equipment (Include details such as type, capacity, HP, etc.)	Operator (Include Timecards for Operator)	DATE(s) →	Dates and Hours Used							Costs			Category
			TOTAL HOURS	EQUIPMENT RATE	TOTAL COST	A,B,or C							
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00	B	
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
		Hours							0.00	\$0.00	\$0.00		
GRAND TOTALS									0.0		\$0.00		

DATES WORKED	CONTRACTOR	BILLING/INVOICE NUMBER	AMOUNT	COMMENTS - SCOPE	Category
GRAND TOTAL			\$0.00		

Contractor Invoices should provide a breakdown of Labor, Equipment and Materials Costs