RESOLUTION #2020-12-08-A

WHEREAS, the Office of the State’s Attorneys Appellate Prosecutor was created to provide services to State’s Attorneys in Counties containing less than 3,000,000 inhabitants; and

WHEREAS, the powers and duties of the Office of the State’s Attorneys Appellate Prosecutor are defined and enumerated in the "State's Attorneys Appellate Prosecutor's Act", 725 ILCS 210/1 et seq., as amended; and

WHEREAS, the Illinois General Assembly appropriates monies for the ordinary and contingent expenses of the Office of the State's Attorneys Appellate Prosecutor, one-third from the State's Attorneys Appellate Prosecutor's County Fund and two-thirds from the General Revenue Fund, provided that such funding receives approval and support from the respective Counties eligible to apply; and

WHEREAS, the Office of the State's Attorneys Appellate Prosecutor shall administer the operation of the appellate offices so as to insure that all participating State's Attorneys continue to have final authority in preparation, filing, and arguing of all appellate briefs and any trial assistance; and

NOW, THEREFORE, BE IT RESOLVED that the Fayette County Board, in regular session, this 8th day of December, 2020, does hereby support the continued operation of the Office of the State's Attorneys Appellate Prosecutor, and designates the Office of the State's Attorneys Appellate Prosecutor as its Agent to administer the operation of the appellate offices and process said appellate court cases for this County.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor are hereby authorized to act as Assistant State's Attorneys on behalf of the State's Attorney of this County in the appeal of all cases when requested to do so by the State's Attorney, and with the advice and consent of the State's Attorney, prepare, file, and argue appellate briefs for those cases; and also, as may be requested by the State's Attorney, to assist in the prosecution of cases under the Illinois Controlled Substances Act, the Cannabis Control Act, the Drug Asset Forfeiture Procedure Act, and the Narcotics Profit Forfeiture Act. Such attorneys are further authorized to assist the State's Attorney in the trial and appeal of tax objections.

BE IT FURTHER RESOLVED that the Office of the State's Attorneys Appellate Prosecutor will offer Continuing Legal Education training programs to the State's Attorneys and Assistant State's Attorneys.

BE IT FURTHER RESOLVED that the attorneys employed by the Office of the State's Attorneys Appellate Prosecutor may also assist the State's Attorney of this County in the discharge of the State's Attorney's duties in the prosecution and trial of other cases, and may act as Special Prosecutor if duly appointed to do so by a court having jurisdiction.

BE IT FURTHER RESOLVED that if the Office of the State's Attorneys Appellate Prosecutor is duly appointed to act as a Special Prosecutor in this County by a court having jurisdiction, this County will provide reasonable and necessary clerical and administrative support and victim-witness coordination on an as-needed basis and will also cover all reasonable and necessary case expenses such as expert witness fees, transcripts, evidence presentation, documents, lodgings, and all other expenses directly related to the prosecution of the case.

BE IT FURTHER RESOLVED that the Fayette County Board hereby agrees to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor, commencing December 1, 2020 and ending November 30, 2021, by hereby appropriating the sum of $8,000.00 as consideration for the express purpose of providing a portion of the funds required for financing the operation of the Office of the State's Attorneys Appellate Prosecutor, and agrees to deliver the same to the Office of the State's Attorneys Appellate Prosecutor on request during the stated twelve month period.

Passed and adopted by the County Board of Fayette County, Illinois, this 8th day of December, 2020.

ATTEST: [Signature]
County Clerk

Chairman [Signature]
October 29, 2020

Honorable Joshua Morrison
Fayette County State’s Attorney
Fayette County Courthouse
221 S. 7th Street
Vandalia, Illinois 62471

COLLECTION OF COUNTY MATCHING FUNDS
December 1, 2020 - November 30, 2021

County contribution for participation in the State’s Attorneys Appellate Prosecutor’s Program.

AMOUNT DUE: $8,000.00

Make check payable to State’s Attorneys Appellate Prosecutor’s County Fund and remit to:

Gloria Mundy
Chief Fiscal Officer
State’s Attorneys Appellate Prosecutor
725 South Second Street
Springfield, Illinois 62704

For questions please contact Gloria Mundy at 217-782-1632 or gmundy@ilsaap.org.

PLEASE NOTE: A signed resolution must be returned to the Agency as soon as possible. The resolution serves as your contract with the Agency and must be kept by the Agency for auditing purposes.

PLEASE SUBMIT PAYMENT TO THE AGENCY FOR YOUR COUNTY CONTRIBUTIONS ONLY . . . do not include payment for any other billing statement such as for special prosecution charges, cannabis fines, etc.
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

BOWLING GREEN TOWNSHIP

PERMANENT PARCEL NUMBER: 03-03-21-134-004

As described in certificate(s): NONE sold November 2017

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Larry Parks, has bid $1,500.00 for the County’s interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County that the County shall receive from such bid $985.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $1,500.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $985.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

[Signature]
CLERK

[Signature]
COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-06-08-383-001

As described in certificates(s) : NONE sold November 2017

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Village of Ramsey, has bid $815.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

JESSICA BASKERV
CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-06-08-383-005

As described in certificates(s) : NONE sold November 2017

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Village of Ramsey, has bid $815.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

[Signatures]

SALE TO NEW OWNER 11-20-003
RESOLUTION
#2020-12-08-E

WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-06-08-383-007

As described in certificates(s) : NONE sold November 2012

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Village of Ramsey, has bid $815.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

CLERK

COUNTY CLERK

COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-06-08-383-011

As described in certificates(s) : NONE sold November 2017

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Village of Ramsey, has bid $815.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December , 2020

ATTEST:

[Signature]
CLERK

[Signature]
COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

RAMSEY TOWNSHIP

PERMANENT PARCEL NUMBER: 13-06-08-383-012

As described in certificates(s) : NONE sold November 2017

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Village of Ramsey, has bid $815.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

[Signature]
CLERK

COUNTY CLERK

[Signature]
COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER 11-20-006
WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

LACLEDE TOWNSHIP

PERMANENT PARCEL NUMBER: 08-21-32-433-003

As described in certificates(s) : NONE sold November 2017

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property.

WHEREAS, Farina Fire Protection District, has bid $815.00 for the County's interest, such bid having been presented to the County board at the same time it having been determined by the County board and the Agent for the County, that the County shall receive from such bid $300.00 as a return for its certificate(s) of purchase. The County Clerk shall receive $0.00 for cancellation of Certificate(s) and to reimburse the revolving account the charges advanced from this account, the auctioneer shall receive $0.00 for his services and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services. The total paid by purchaser is $815.00.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County's interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $300.00 to be paid to the Treasurer of Fayette County Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

Jessica Barker
CLERK

Elliott Fragoso
COUNTY BOARD CHAIRMAN

SALE TO NEW OWNER
RESOLUTION

#2020-12-08-I

WHEREAS, The County of Fayette, as Trustee for the Taxing Districts therein, has undertaken a program to collect delinquent taxes and to perfect titles to real property in cases in which the taxes on such real property have not been paid, pursuant to 35ILCS 200/21-90, and

WHEREAS, Pursuant to this program, the County of Fayette, as Trustee for the Taxing Districts therein, has acquired an interest in the following described real estate:

SEC 29-6N-3E BEG 1620’ N OF SE COR NW SE NW N 180’ W 660’ S 180’ E 660’ BK 1886 p 204

PERMANENT PARCEL NUMBER: 19-16-29-100-004

As described in certificate(s): NONE sold on November 20, 2017

Commonly known as: OFF N. 1925

and it appearing to the County board that it is in the best interest of the County to dispose of its interest in said property, by a reconveyance, to the owner of a former interest in said property.

WHEREAS, Billy Mason, For Steve Castleman, has paid $1,762.54 for the full amount of taxes involved and a request for reconveyance has been presented to the County board and at the same time it having been determined that the County shall receive $981.34 as a return for its Certificate(s) of Purchase. The County Clerk shall receive $99.00 for cancellation of Certificate(s) and Clerk Notice Fee, and the Recorder of Deeds shall receive $65.00 for recording. The remainder is the amount due the Agent under his contract for services.

WHEREAS, your County board recommends the adoption of the following resolution:

BE IT RESOLVED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS, that the Chairman of the Board of Fayette County, Illinois, be hereby authorized to execute a deed of conveyance of the County’s interest or authorize the cancellation of the appropriate Certificate(s) of Purchase, as the case may be, on the above described real estate for the sum of $981.34 to be paid to the Treasurer of Fayette County, Illinois, to be disbursed according to law. This resolution to be effective for sixty (60) days from this date and any transaction between the above parties not occurring within this period shall be null and void.

ADOPTED by roll call vote this 8th day of December, 2020

ATTEST:

CLERK

COUNTY BOARD CHAIRMAN

RECONVEYANCE 11-20-008
COUNTY OF FAYETTE, ILLINOIS

ORDINANCE NUMBER 2020-12-08-J

AN ORDINANCE APPROVING THE ORDER FOR TAX SALE AUTOMATION SERVICES

ADOPTED BY THE FAYETTE COUNTY BOARD OF THE COUNTY OF FAYETTE, ILLINOIS
THIS 8th DAY OF December 2020

PUBLISHED BY THE AUTHORITY OF THE COUNTY BOARD OF FAYETTE COUNTY
THIS 8th DAY OF December 2020
ORDINANCE NO. 2020-12-08-J

AN ORDINANCE APPROVING THE ORDER FOR TAX SALE AUTOMATION SERVICES

WHEREAS, Fayette County, Illinois (the "County"), has heretofore been duly organized and is now operating as a county under the provisions of the Illinois Counties Code, and all laws amendatory thereof and supplementary thereto (the "Code"); and

WHEREAS, the Treasurer of Fayette County, Michelle Hagy, has approved and is now requesting to automate tax sales and that said cost is outlined in the attached Agreement (Said Agreement is attached and incorporated herein as Exhibit A in triplicate); and,

WHEREAS, it is in the best interests of the County to approve the attached Agreement.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF FAYETTE COUNTY, ILLINOIS:

SECTION 1. INCORPORATION OF PREambles.

The County hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by the reference.

SECTION 2. APPROVAL OF RECOMMENDATION.

The County hereby approves the Order for Tax Sale Automation Services.

SECTION 3. AUTHORIZATION TO OFFICERS.

The County Board Chairman is authorized, empowered and directed to execute the Agreement in the name of the County. The County Clerk is hereby authorized empowered and directed to attest the signature of the County Board Chairman on such Agreement. Upon passage and signing of this Ordinance and the Contract, the County Clerk shall file a certified copy of such executed documents.

SECTION 4. AUTHORIZATION TO OTHERS. All Officers, Employees and Agents of the County are hereby authorized, empowered, and directed to take any and all actions necessary, appropriate or convenient to effectuate the purposes of this Ordinance and complete the execution of the Agreement.
SECTION 5. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 6. REPEALER.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

ADOPTED by the County Board of the Fayette County, Illinois on the ___ day of December, 2020 upon yea and nay vote as follows:

Ayes 11
Nays 0
Absent 3

APPROVED by the Chairman of the Fayette County Board, Illinois on the ___ day of December, 2020.

Chairperson
Fayette County Board, Illinois

ATTEST:

Jessica Barker
Fayette County Clerk
ORDER FOR TAX SALE AUTOMATION SERVICES

REAL-TIME AUCTION MANAGEMENT SYSTEM (RAMS)℠

I, Michelle Hagy, Treasurer & Ex-officio Collector of Fayette County, Illinois, request the assistance of JOSEPH E. MEYER & ASSOCIATES, INC. in the automation of the sale(s) of tax delinquent lands and/or mobile homes to be conducted by my Office commencing on January 18th at 11:00am.

I request that such automation employ the REAL-TIME AUCTION MANAGEMENT SYSTEM (RAMS)℠ developed by JOSEPH E. MEYER & ASSOCIATES, INC. for purposes of conducting and managing Illinois tax sales of real estate and mobile homes, determining successful bidders at such sales, distributing tax sale information to bidders, and reporting tax sale results to county officials, among other purposes.

In exchange for the services provided, I agree to pay to JOSEPH E. MEYER & ASSOCIATES, INC. the following amounts within 30 days after my receipt of its statement following conduct of the above tax sale(s):

- Setup Fee: $250.00
- Bidder Terminals: $50.00 each
- Sale Fee: $4.00 per item offered

Additionally, JOSEPH E. MEYER & ASSOCIATES, INC. is authorized to offer Comment Software to the registered tax buyers for this sale. Tax buyers who choose to purchase Comment Software will be charged $50.00 each for this service.

I understand that REAL-TIME AUCTION MANAGEMENT SYSTEM (RAMS)℠ and all computer hardware provided by JOSEPH E. MEYER & ASSOCIATES, INC. pursuant to this request are and shall remain the sole and exclusive property of JOSEPH E. MEYER & ASSOCIATES, INC. and that neither I nor any official or employee of Fayette County, Illinois, shall have any ownership or other right therein.

Dated December 8, 2020

Treasurer and Ex-Officio Collector

Fayette County, Illinois
ORDINANCE NUMBER 2020-12-08-K

AN ORDINANCE PROVIDING AUTHORITY AND DIRECTION TO RECOVER INMATE MEDICAL COSTS

WHEREAS, (730 ILCS 125/17) states "An arresting authority shall be responsible for any qualified medical expenses relating to the arrestee until such time as the arrestee is placed in the custody of the sheriff. However, the arresting authority shall not be so responsible if the arrest was made pursuant to a request by the sheriff"; and

WHEREAS, (730 ILCS 125/17) The Warden of the Fayette County Jail (Sheriff) shall provide for medical services for all prisoners under his charge, and keep an accurate account of the same; and

WHEREAS, (730 ILCS 125/17) states “To the extent that such person is reasonably able to pay for such care, including reimbursement from any insurance program or from other medical benefit programs available to such person, he or she shall reimburse the county or arresting authority”; and

WHEREAS, (730 ILCS 125/17) defines the authorities of the Fayette County Board to take actions as may be necessary to recover qualified inmate medical costs at the Department of Healthcare and Family Services rate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF FAYETTE, ILLINOIS, BY THIS ORDINANCE ESTABLISHING DIRECTION FOR THE FAYETTE COUNTY SHERIFF, FAYETTE COUNTY STATE’S ATTORNEY, FAYETTE COUNTY CIRCUIT CLERK AND FAYETTE COUNTY TREASURER SHALL DEFINE AND TAKE SUCH ACTIONS AS MAY BE NECESSARY TO RECOVER QUALIFIED INMATE MEDICAL COSTS:

SECTION I: Recitals.

The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance

SECTION II: Negotiation of costs of service.

(a) The Fayette County Sheriff, aided by the Fayette County State’s Attorney as may be necessary, shall engage local healthcare providers to secure negotiated rates for care using the current Medicare Reimbursement Rate as a reference point.

(b) The Fayette County Sheriff, aided by the Fayette County State’s Attorney as may be necessary, is authorized to engage, renew, or revise such agreements as may be prudent in the execution of his/her duties.

SECTION III: Third Party Collections (private insurance, Medicaid, Medicare)

(a) The Fayette County Sheriff shall seek third party reimbursement in the following instances as the law may allow:

   a. If an inmate is found to have private health insurance that information shall be provided to the healthcare provider and shall be regarded at the first payer of all qualified health care costs.
b. If an inmate has already been determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is detained, the cost of such services, to the extent such cost exceeds $500, shall be reimbursed by the Department of Healthcare and Family Services under that Code.

i. The $500 deductible shall be paid by the inmate or paid by Fayette County and shall be an incurred debt by the inmate.

c. The sheriff or his or her designee may cause an application for medical assistance under the Illinois Public Aid Code to be completed for an arrestee who is a hospital inpatient. If such arrestee is determined eligible, he or she shall receive medical assistance under the Code for hospital inpatient

SECTION IV: Notification of debt and intent to collect

(a) The Fayette County Circuit Clerk, Fayette County State's Attorney and Fayette County Sheriff shall jointly develop and execute processes to ensure adequate legal notification of a debt to the county is provided to each inmate at the appropriate juncture.

(a) A notice shall be provided to all incoming inmates that the county will seek recovery of all medical costs up to and including garnishment of wages and payments from the State of Illinois.

b. A notice of debt shall be presented to each inmate after receiving medical care in which Fayette County incurred expense.

c. A request for recovery of medical expenses shall be include in each final disposition of the inmates' case.

d. A final notice of debt and intent to collect shall be presented to each inmate upon their release.

SECTION V: Inmate Safety and Fitness for Confinement

(a) Inmate safety and fitness for confinement shall be a paramount concern for the Fayette County Sheriff. The Fayette County Board endorses the authority and decisions made by the Fayette County Sheriff to ensure arrestee / inmate safety.

(b) The Fayette County Sheriff, aided by the Fayette County State's Attorney, shall publish policy to on "Fit for Confinement"

(c) Arresting agencies shall be responsible resolution of medical concerns for arrestees and shall be responsible for all medical costs for arrestees up to the point of custody by the Fayette County jail.

SECTION VI: Process and Reporting

(a) The Fayette County Sheriff, aided by the Fayette County State's Attorney, Circuit Clerk and Treasurer shall design and implement processes for active debt collection including use of existing contracts for debt collections services already in place for Fayette County.
(b) The Fayette County Sheriff shall provide periodic reports to the Fayette County Board which include the name of debtor, amount of debt, date debt acquired, date of last action and amount recovered.

SECTION VII: Severability. The provisions and sections of this Ordinance shall be deemed separable and the invalidity of any portion of this Ordinance shall not affect the validity of the remainder.

SECTION VIII: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the County Board this 8th day of December, 2020.

AYES: 11
NAYES: 0
PRESENT: 12
ABSTAIN: 1
ABSENT: 2

Approved this 8th day of December, 2020.

[Signature]
Chairman, Fayette County Board

ATTEST

[Signature]
County Clerk, Fayette County Illinois
Sec. 17. Bedding, clothing, fuel, and medical aid; reimbursement for medical expenses. The Warden of the jail shall furnish necessary bedding, clothing, fuel, and medical services for all prisoners under his charge, and keep an accurate account of the same. When services that result in qualified medical expenses are required by any person held in custody, the county, private hospital, physician or any public agency which provides such services shall be entitled to obtain reimbursement from the county for the cost of such services. The county board of a county may adopt an ordinance or resolution providing for reimbursement for the cost of those services at the Department of Healthcare and Family Services' rates for medical assistance. To the extent that such person is reasonably able to pay for such care, including reimbursement from any insurance program or from other medical benefit programs available to such person, he or she shall reimburse the county or arresting authority. If such person has already been determined eligible for medical assistance under the Illinois Public Aid Code at the time the person is detained, the cost of such services, to the extent such cost exceeds $500, shall be reimbursed by the Department of Healthcare and Family Services under that Code. A reimbursement under any public or private program authorized by this Section shall be paid to the county or arresting authority to the same extent as would have been obtained had the services been rendered in a non-custodial environment.

The sheriff or his or her designee may cause an application for medical assistance under the Illinois Public Aid Code to be completed for an arrestee who is a hospital inpatient. If such arrestee is determined eligible, he or she shall receive medical assistance under the Code for hospital inpatient services only. An arresting authority shall be responsible for any qualified medical expenses relating to the arrestee until such time as the arrestee is placed in the custody of the sheriff. However, the arresting authority shall not be so responsible if the arrest was made pursuant to a request by the sheriff. When medical expenses are required by any person held in custody, the county shall be entitled to obtain reimbursement from the County Jail Medical Costs Fund to the extent moneys are available from the Fund. To the extent that the person is reasonably able to pay for that care, including reimbursement from any insurance program or from other medical benefit programs available to the person, he or she shall reimburse the county.

The county shall be entitled to a $10 fee for each conviction or order of supervision for a criminal violation, other than a petty offense or business offense. The fee shall be taxed as costs to be collected from the defendant, if possible, upon conviction or entry of an order of supervision. The fee shall not be considered a part of the fine for purposes of any reduction in the fine.

All such fees collected shall be deposited by the county in a fund to be established and known as the County Jail Medical Costs Fund. Moneys in the Fund shall be used solely for reimbursement to the county of costs for medical expenses and administration of the Fund.

For the purposes of this Section, "arresting authority" means a unit of local government, other than a county, which employs peace officers and whose peace officers have made the arrest of a person. For the purposes of this
Section, "qualified medical expenses" include medical and hospital services but do not include (i) expenses incurred for medical care or treatment provided to a person on account of a self-inflicted injury incurred prior to or in the course of an arrest, (ii) expenses incurred for medical care or treatment provided to a person on account of a health condition of that person which existed prior to the time of his or her arrest, or (iii) expenses for hospital inpatient services for arrestees enrolled for medical assistance under the Illinois Public Aid Code.
(Source: P.A. 95-842, eff. 8-15-08; 96-1280, eff. 7-26-10.)
ORDINANCE NUMBER 2020-12-08-L

AN ORDINANCE ENDORSING THE FAYETTE COUNTY SHERIFF POLICY ON FIT FOR CONFINEMENT

WHEREAS, The safety, health and wellbeing of detainees presented to the Fayette County Jail for confinement and those inmates already housed within the Fayette County Jail shall be a paramount concern for the Fayette County Sheriff; and

WHEREAS, All medical expenses of inmates in the custody of the Fayette County Jail shall be processed per Fayette County Ordinance or in accordance with specific contract provisions for housed inmates for other Counties, IDOC or Federal inmates; and

WHEREAS, The admittance of a detainee for confinement with discernable medical and/or psychological is counter to the detainees safety and wellbeing and may place inmates already in the custody of the Fayette County Jail at risk for illness or injury; and

WHEREAS, (730 ILCS 125/17) states “An arresting authority shall be responsible for any qualified medical expenses relating to the arrestee until such time as the arrestee is placed in the custody of the sheriff. However, the arresting authority shall not be so responsible if the arrest was made pursuant to a request by the sheriff”; and

WHEREAS, The Fayette County Sheriff under his authority by the governing Illinois statutes has prepared a Fayette County Jail Fit for Confinement Policy attached hereto and made part hereof.

NOW, THEREFORE, be it ordained by the county board of the county of Fayette, Illinois, by this ordinance an endorsement of the Fayette county jail fit for confinement policy statement signed by the Fayette county sheriff on 12/16/20.

FURTHER, the provisions of the Fayette County Jail Fit for Confinement Policy shall be regarded as Fayette County Ordinance until such time as they may be changed by rescindment or revision by the Fayette County Sheriff.

Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed by the County Board this 8th day of December, 2020.

Approved this 8th day of December, 2020.

ATTEST

Chairman, Fayette County Board

County Clerk, Fayette County Illinois
Fayette County Jail Fit for Confinement Policy

**Prologue**

The safety, health and wellbeing of detainees presented to the Fayette County Jail for confinement and those inmates already housed within the Fayette County Jail shall be a paramount concern for the Fayette County Sheriff.

In the event a detainee presents with symptoms of a condition that warrants a medical emergency or mental health that are obvious to a lay person, the detainee is deemed not Fit for Confinement and a written medical clearance is required.

Per (730 ILCS 125/17) “An arresting authority shall be responsible for any qualified medical expenses relating to the arrestee until such time as the arrestee is placed in the custody of the sheriff. However, the arresting authority shall not be so responsible if the arrest was made pursuant to a request by the sheriff”

All medical expenses of inmates in the custody of the Fayette County Jail shall be processed per Fayette County Ordinance or in accordance with specific contract provisions for housed inmates for other Counties, IDOC or Federal inmates.

**Compliance Indicators/ Procedures**

1. The intent of this facility’s Fit for Confinement policy is:
   a. To facilitate care and treatment for persons in need of urgent medical or mental health care outside the realm of services rendered inside this facility’s setting.
   b. To facilitate transport of individuals to a facility capable of diagnosing and treatment those not Fit for Confinement in this facility.

2. Examples of conditions potentially indicating a person is not Fit of Confinement including, but are not limited to, the following
   a. BAC of 0.25 or greater;
   b. Involvement in a motor vehicle accident, or the detainee was ejected from the vehicle;
   c. Possible injury during an arrest;
   d. Physical deformities from recent trauma
   e. Inability to stand, walk, speak clear and to answer simple questions;
   f. Uncontrolled bleeding;
   g. Recent onset of mental confusion or impairment;
   h. Change in level of consciousness;
   i. Complicated medical symptoms that could indicate a serious, underlying medical condition that cannot be ruled out, diagnosed, or treated in this facility.
Fayette County Jail Fit for Confinement Policy

3. When a serious medical condition is suspected or if the detainee is otherwise determined unfit for confinement prior to being booked in, the custody staff will direct the transporting officer to take the detainee to a hospital or urgent care facility for medical clearance prior to being booked in, or accepting into this facility.
   a. A written statement of medical clearance and orders for care from a practitioner in the emergency room, urgent care clinic, or specialty unit is requested prior to or upon return to this facility.
   b. Once the detainee is evaluated and medically cleared at the hospital, urgent care facility, or specialty clinic, the officer will transport the detainee back to this facility. When the detainee condition is still questionable this facility will contact on-call practitioner, or on duty supervisor for further guidance before admittance into this facility. When the on-duty supervisor is not able to be contacted, the Jail Administrator, Chief Deputy or Sheriff will be contacted in this order.
   c. When there is no question in the Correctional Officers opinion that a detainee is not Fit for Confinement the senior Officer has all authority to refused admittance of the detainee into this facility. When this does happen, the senior officer must notify the Jail Administrator why this detainee was refused into this facility.

4. Illinois General Assembly, SB2185, which is referred to as Comer’s law will be adhered to. The released of person arrested under the influence of alcohol or drugs who are under the age of 21 years of age.

Questions regarding this policy should be directed to the Fayette County Sheriff’s Department

Fayette County Sheriff