

ORDINANCE No. 2021-07-06-B

WHEREAS, The American Rescue Plan Act provides for State And Local Fiscal Recovery Funds, a definition which includes Fayette County, Illinois and authorizes \$ \$4,144,268 in total funds for Fayette County of which \$ \$2,072,134 has been received and is under deposit, and

WHEREAS, the Fayette County Board has defined a strategy for the use of American Rescue Plan Act State And Local Fiscal Recovery Funds to support continued Fayette County Sheriff's efforts of COVID mitigation in jail facilities and interactions with the public and to enhance Sheriff's Department efforts in addressing increases in drug and gun crime in Fayette County, and

WHEREAS, The United States Treasury Department was tasked with administration of the American Rescue Plan Act and issued instructions, criteria, and limitations for the use of funds provided by the American Rescue Plan Act compiled titled as U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77) henceforth U.S. TREASURY INTERIM FINAL REPORT, and

WHEREAS, page 20 of the U.S. TREASURY INTERIM FINAL REPORT states: *"Public Health and Safety Staff. Treasury recognizes that responding to the public health and negative economic impacts of the pandemic, including administering the services described above, requires a substantial commitment of State, local, and Tribal government human resources. As a result, the Fiscal Recovery Funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, to the extent that their services are devoted to mitigating or responding to the COVID-19 public health emergency. Accordingly, the Fiscal Recovery Funds may be used to support the payroll and covered benefits for the portion of the employee's time that is dedicated to responding to the COVID-19 public health emergency,"* and.

WHEREAS, the U.S. TREASURY INTERIM FINAL REPORT defines criteria as: *"For administrative convenience, the recipient may consider public health and safety employees to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated to responding to the COVID-19 public health emergency. Recipients may consider other presumptions for assessing the extent to which an employee, division, or operating unit is engaged in activities that respond to the COVID-19 public health emergency, provided that the recipient reassesses periodically and maintains records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response",* and

WHEREAS, the U.S. TREASURY INTERIM FINAL REPORT states: *"In communities where an increase in violence or increased difficulty in accessing or providing services to respond to or mitigate the effects of violence, is a result of the pandemic they may use funds to address that harm. This spending may include:*

- *Hiring law enforcement officials – even above pre-pandemic levels – or paying overtime where the funds are directly focused on advancing community policing strategies in those communities experiencing an increase in gun violence associated with the pandemic*
- *Community Violence Intervention (CVI) programs, including capacity building efforts at CVI programs like funding and training additional intervention workers*
- *Additional enforcement efforts to reduce gun violence exacerbated by the pandemic, including prosecuting gun traffickers, dealers, and other parties contributing to the supply of crime guns, as well as collaborative federal, state, and local efforts to identify and address gun trafficking channels*
- *Investing in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic*

As discussed in the Interim Final Rule, uses of CSFRF/CLFRF funds that respond to an identified harm must be related and reasonably proportional to the extent and type of harm experienced; uses that bear no relation or are grossly disproportionate to the type or extent of harm experienced would not be eligible uses., and

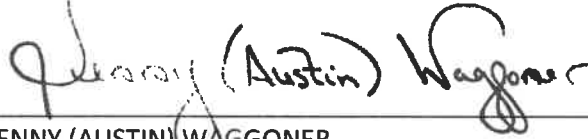
WHEREAS, the Fayette County Sheriff attests that the Sheriff's Department employees, division, or operating unit is primarily engaged in activities that respond to the COVID-19 public health emergency.

WHEREAS, the Fayette County Sheriff has provided a strategy to address a pandemic related increase in gun violence and drug crime.

NOW THEREFORE, the Fayette County Board hereby ordains the following:

1. The Fayette County Board authorizes the use of \$1,071,986 of the current balance of \$2,072,134 of American Rescue Plan Act, State And Local Fiscal Recovery funds for salaries and benefits for personnel involved in activities related to COVID-19 and addressing pandemic related increases in gun violence and drug crime, and
2. The Fayette County Treasurer and the Fayette County Clerk shall define transactions to transfer of funds from the American Rescue Plan Act, State And Local Fiscal Recovery account to the General Fund for the purpose of paying salaries and benefit expenses for the Fayette County Sheriff department, and
3. The Fayette County Treasurer shall provide monthly updates to the Fayette County Board describing the transaction and the American Rescue Plan Act, State And Local Fiscal Recovery fund balance, and
4. The Fayette County Health Department shall research and recommend sources for community drug and violence counseling and shall present a recommended funding level to be distributed from these allocated funds, and
5. The Fayette County Administrator shall compile necessary financial data and quarterly updated assessments from the Fayette County Sheriff on program effectiveness.

BE IT FURTHER ORDAINED, that Fayette County Board shall re-examine the need for salary and benefits subsidies using the American Rescue Plan Act, State And Local Fiscal Recovery funds when the authorized \$1,071,986 has been fully allocated.



JENNY (AUSTIN) WAGGONER
FAYETTE COUNTY BOARD CHAIRWOMAN

ATTEST:



JESSICA BARKER
FAYETTE COUNTY CLERK & RECORDER

(This page intentionally left blank)

AN ORDINANCE APPROVING THE TRANSFER OF FUNDS
FROM ARPA TO THE GENERAL FUND

WHEREAS, the processes related to use of the American Rescue Plan Act funds requires considerable expertise not common among the elected officials and staff of Fayette County; and,

WHEREAS, the penalties for Fayette County for use of American Rescue Plan Act funds for ineligible purposes are substantial; and,

WHEREAS, the U.S. Department of Treasury updated the Coronavirus State and Local Fiscal Recovery Funds Frequently Asked Questions on June 8, 2021, specifically addressing recipients using funds to cover the costs of consultants to assist with managing and administering the funds; and,

WHEREAS, the U.S. Department of Treasury answered in the affirmative. “Yes. Recipients may use funds for administering the CSFRF/CLFRF program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements”; and,

WHEREAS, the Fayette County Board has directed the contracted administrator, Bellwether LLC, to be responsible for processes related to American Rescue Plan Act; and,

WHEREAS, Bellwether LLC has advised the Fayette County Board that 25% of their time would be committed to this task.


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

1. The Fayette County Treasurer shall transfer the sum of twenty-one thousand (\$21,000) of the American Rescue Plan Act, State And Local Fiscal Recovery funds to the Fayette County General Fund for the purpose of making payment of regularly presented and approved claims for services provided by Bellwether LLC.
2. These funds shall be in support of previously agreed payments and do not represent an increase in administrative fees.

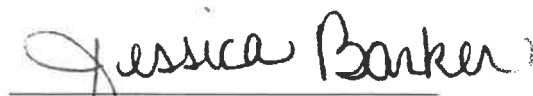
ADOPTED by the County Board of the Fayette County, Illinois on the 6 day of July, 2021, upon yea and nay vote as follows:

GLEND A BARTELS	Yea
KEITH COLE	Yea
MERRELL H. COLLINS	Yea
LARRY EMERICK	Yea
GLENN L. GURTNER	Yea
MATT HALL	Yea
JACOB HARRIS	Yea
DOUG KNEBEL	Absent
MACK PAYNE	Yea
ASHLEY TOWLER	Yea
JENNY WAGGONER	Yea
DEBRA L. WARNER	Yea
JAMES WEHRLE	Yea
JOE A. WILLS	Yea

APPROVED by the Chairwoman of the Fayette County Board, Illinois on the 6th day of July, 2021.


Jenny (Austin) Waggoner, Chairwoman
Fayette County Board, Illinois

ATTEST:


Jessica Barker
Fayette County Clerk

{SEAL}

(This page intentionally left blank)

JUN 08 2021

FAYETTE COUNTY 377 BOARD

Jessica Barker
COUNTY CLERK & RECORDER
FAYETTE COUNTY, ILLINOIS

**REQUEST FOR APPOINTMENT OR REAPPOINTMENT
FAYETTE COUNTY BOARD FOR COUNTY CARE FOR PERSONS WITH
DEVELOPMENTAL DISABILITIES
OR
"FAYETTE COUNTY 377 BOARD"**

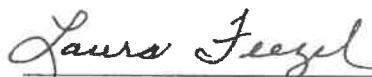
The terms of the three members of the Fayette County 377 Board will expire on June 30, 2021. Each proposed member has consented to serve a three-year term ending June 30, 2024 with the approval of the Fayette County Board. Therefore, the proposed Fayette County 377 Board consists of:

1. Debra Warner
420 N. 2nd St.
Vandalia, Illinois 62471
Member: Fayette County Board
2. Laura Feezel
370 W. Cumberland Road
Brownstown, Illinois 62418
3. Brock Brannon
812 Old Theater Drive
Vandalia, Illinois 62471

Under Section 3 of the 377 Act, the presiding officer of the County Board with the advice and consent of the County Board shall appoint a board of three (3) directors who shall administer this act.

Thank you for your consideration of this request.

Respectfully submitted:



Laura Feezel, Secretary
Fayette County 377 Board

STATE OF ILLINOIS)
) SS
COUNTY OF FAYETTE)

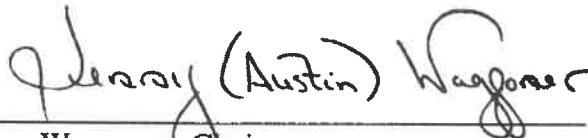
The following persons have consented to serve a three-year term on the "FAYETTE COUNTY 377 BOARD" starting July 1, 2021 and ending on June 30, 2024:

1. Debra Warner
420 N. 2nd St.
Vandalia, Illinois 62471
Member: Fayette County Board

3. Laura Feezel
370 W. Cumberland Road
Brownstown, Illinois 62418

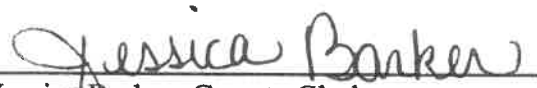
3. Brock Brannon
812 Old Theater Drive
Vandalia, Illinois 62471

Under Section 3 of the 377 Act (55 ILCS 105), the presiding officer of the County Board with the advice and consent of the County Board shall appoint a board of three (3) directors who shall administer this act.



Jenny Waggoner, Chairman
Fayette County Board

ATTEST:



Jessica Barker, County Clerk
Fayette County Board

(This page intentionally left blank)

FAYETTE COUNTY SHERIFF'S OFFICE

221 SOUTH SEVENTH STREET
VANDALIA, IL 62471

PHONE: (618) 283-2141
FAX: (618) 283-5014



CHRIS PALMER
SHERIFF

TED KOONCE
JAIL ADMINISTRATOR

To: All Members – Fayette County Board
Bellewether, LLC

From: Chris Palmer, Sheriff

Subject: Post-Covid Drug Prevention Immediate Action Plan

Date: 06/28/2021

To members of the Fayette County Board,

We all can agree that Covid and the pandemic had a long-lasting influence on most of the world. However, in looking at the statistics regarding criminal indictments for Methamphetamine (Meth) possession, Meth Delivery, Controlled Substance (CS) possession, CS delivery, Agg. Battery, Unlawful Possession of a Weapon by a Felon, Theft or Burglary, Armed Violence, and Fleeing, it is easy to see the fear of the unknown combined with being cooped up in your residence, increased unemployment, school closures/online classrooms, huge financial burdens etc, has resulted in huge negative effect on the community. The numbers show that it is plausible to assume the pandemic is at least partly to blame for an increase in several felony crimes in Fayette County.

From a law enforcement perspective regarding our increased drug, weapon, & felony crimes, here are the number of related indictments that the Fayette County Grand Jury have handed down since the onset of COVID-19:

2021	<u>Meth</u>	<u>Meth Delivery</u>	<u>Possess Controlled Substance</u>	<u>Deliver Controlled Substance</u>	<u>Aggravated Battery</u>	<u>Felon Possess Weapon</u>	<u>Theft or Burglary</u>	<u>Armed Violence</u>	<u>Fleeing</u>
June	7	3	5	3	2	5	0	1	1
May	13	3	4	0	0	3	7	1	
Apr	16	4	3	1	1	7	7	0	
Mar	9	1	4	3	4	2	1	0	1
Feb	4	2	7	0	6	2	1	0	
Jan	8	0	1	0	0	2	2	0	1
Nov	7	0	1	0	2	2	4	0	
Oct	11	0	4	0	2	0	4	2	1
Sep	10	2	6	0	6	4	11	1	
Aug	6	4	2	0	2	4	2	0	2
Jul	11	1	3	0	2	2	4	1	1
June	17	0	8	2	1	11	8	0	
Mar	<u>8</u>	<u>5</u>	<u>3</u>	<u>0</u>	<u>3</u>	<u>4</u>	<u>3</u>	<u>0</u>	<u>1</u>
	127	25	51	9	31	48	54	6	8

Your Fayette County Sheriff's Office employees have all sacrificed their own safety in order to complete the mission they are employed to do, without complaint. Deputies, Correctional Officers, and 911 Dispatchers/Matrons were on the front line, dealing with the public face to face on a daily basis throughout the pandemic – responding to emergencies, conducting investigations, and making arrests that required hands-on work. After the arrest, the Corrections staff and Matrons had to go hands-on in order to effectively complete the mission. Administrative Assistants were also tasked with risk while registering sex offenders, violent offenders, sexual predators, and other duties. The janitorial staff had the huge responsibility of sanitizing and maintaining the cleanliness of the entire courthouse and jail. The maintenance staff was constantly busy making repairs to what we all know is a very old building. And even though they all took every precaution possible to try to stay safe, there was no real way that anyone could “maintain a safe distance”. Nowhere else in this courthouse will you find this. In as much, all members of the FCSO were primarily dedicated to responding to Covid-19 public health emergencies in one way or another.

Given the above numbers and explanation of our duties during the pandemic, I am asking that the Fayette County Board consider utilization of Federal ARPA funds to immediately move forward with a temporary 12-month aggressive approach to combat the obvious increased drug and weapons use post-pandemic. Accordingly, I am requesting the following items be contemplated:

Purchase of another drug dog/K-9 (\$9000), plus the training for the handler (\$1600), hotel/housing while training (\$4200), overtime required to fill the shift while the handler is away at training (28 days x 480=\$10,000), purchase of a squad car with K-9 equipment installed (\$40,000), and kennel installation at the handlers residence (\$3000). Total ARPA funds - \$66,200 est.

Funds for two full-time investigators (post-dated from March 2020 to today) – Investigator 1, past due from Mar 2020 thru Aug 1, 2021 (\$88,345.42) + two Investigators from August 1, 2021 to July 31st, 2022 (\$143,434.58). Total ARPA funds - \$231,750 est.

Overtime expenses for the two investigators would accrue; however, once the K-9 investigator is placed on the FBI Drug Task Force full-time (hopefully August 1st), a majority of that overtime would be paid for by the FBI.

The temporary transfer of a road deputy to the second Investigator position would result in, by union contract, the interstate patrol deputy is moved to a road deputy position, which would mean the current funds coming in to the county would cease for the remainder of this fiscal year and 8 months of the next.

Estimated interstate patrol loss during this time period - \$125,000.

If you would like, I could offer the interstate detail out as overtime work. According to the contract, the first 14 days of work would have to be offered to full-time deputies. I could then offer it directly to part-time deputies in hopes that some of the interstate patrols would be worked. I would not suggest mandating interstate patrols during this temporary period, and I could not guarantee how many hours per week actually get worked.

These figures are in addition to any amounts requested in my most recent budget request submitted to you via email on 06/21/21; however, in learning that ARPA funds are available to combat increased drug use post-pandemic, it is my duty to attempt to acquire these funds in order to fight the huge drug problem that our county is facing.

Total ARPA funds requested during this temporary 12-month period --- \$297,950

STATEMENT OF MITIGATING OR RESPONDING TO COVID-19

WHEREAS, The United States Treasury Department issued instructions, criteria, and limitations for the use of funds provided by the American Rescue Plan Act compiled titled as U.S. TREASURY INTERIM FINAL RULE & GUIDANCE FOR STATE AND LOCAL FISCAL RECOVERY FUNDS (31 CFR Part 35 / RIN 1505-AC77), and

WHEREAS, page 20 of the U.S. TREASURY INTERIM FINAL REPORT states: *“Public Health and Safety Staff. Treasury recognizes that responding to the public health and negative economic impacts of the pandemic, including administering the services described above, requires a substantial commitment of State, local, and Tribal government human resources. As a result, the Fiscal Recovery Funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, to the extent that their services are devoted to mitigating or responding to the COVID-19 public health emergency. Accordingly, the Fiscal Recovery Funds may be used to support the payroll and covered benefits for the portion of the employee’s time that is dedicated to responding to the COVID-19 public health emergency,”* and,

WHEREAS, the U.S. TREASURY INTERIM FINAL REPORT defines criteria as: *“For administrative convenience, the recipient may consider public health and safety employees to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated to responding to the COVID-19 public health emergency. Recipients may consider other presumptions for assessing the extent to which an employee, division, or operating unit is engaged in activities that respond to the COVID-19 public health emergency, provided that the recipient reassesses periodically and maintains records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response”,* and

NOW THEREFORE, the Fayette County Sherriff hereby attests that the employees listed below are significantly involved in COVID mitigation defined as follows:

1. Due to proximity in a small department, all personnel within the Fayette County Sheriff’s Department are considered front line employees, and
2. Patrol Deputies actively mitigate COVID-19 throughout their shifts by proper personal use and providing PPE to members of the public they encounter, and
3. Corrections Officers / Patrol Deputies escorting prisoners, actively mitigate COVID-19 through enforcement of personal and prisoner PPE and ensuring an extended distance is maintained between prisoners and the public, and
4. All personnel are responsible to actively mitigate COVID-19 throughout their shifts by disinfecting and sanitizing spaces, surfaces, equipment, and utensils that have contact with the public, and
5. All personnel are responsible to actively mitigate COVID-19 throughout their shift by promoting social distancing and avoiding, dissuading congregations of people, and
6. Emergency Management personnel are actively preparing for response and mitigation of the current COVID-19 pandemic as well as planning, training, and preparing for future responses.

<u>EMPLOYEE NAME</u>	<u>POSITION</u>	<u>DIVISION</u>
CHRIS PALMER	SHERIFF	POLICE OPERATIONS
LARRY HALLEMAN	DEPUTY SERGEANT	POLICE OPERATIONS
JOSHUA WATTLES	DEPUTY	POLICE OPERATIONS
STEVEN COODY	DEPUTY	POLICE OPERATIONS

KLAYTON BRASEL	DEPUTY	POLICE OPERATIONS
RONNIE STEVENS	INVESTIGATOR	POLICE OPERATIONS
ROBERT FRITCHER	DEPUTY/K9 HANDLER	POLICE OPERATIONS
BROCK RICH	DEPUTY	POLICE OPERATIONS
CARSON THOMAS	DEPUTY	POLICE OPERATIONS
KYLE COOK	DEPUTY	POLICE OPERATIONS
SEAN O'LEARY	DEPUTY	POLICE OPERATIONS
TED KOONCE	JAIL ADMINISTRATOR	JAIL/CORRECTIONS
MATTHEW McCONKEY	CORRECTIONS SERGEANT	JAIL/CORRECTIONS
BRIAN KELLY	CORRECTIONS OFFICER	JAIL/CORRECTIONS
BRYAN WASHBURN	CORRECTIONS SERGEANT	JAIL/CORRECTIONS
ISAAC SMITH	CORRECTIONS OFFICER	JAIL/CORRECTIONS
MARSHAL T. STRAWN	CORRECTIONS OFFICER	JAIL/CORRECTIONS
MELISSA NAVEL	CORRECTIONS OFFICER	JAIL/CORRECTIONS
LUCAS GATHE	CORRECTIONS OFFICER	JAIL/CORRECTIONS
ZACHARY GEBKE	CORRECTIONS OFFICER	JAIL/CORRECTIONS
KAELYB WORKER	CORRECTIONS OFFICER	JAIL/CORRECTIONS
TRISTAN HUNTER	CORRECTIONS OFFICER	JAIL/CORRECTIONS

06/29/2021

Chris Palmer
 Sheriff, Fayette County, Illinois