

RESOLUTION 28-1

WHEREAS, the Central Illinois Enforcement Group (CIEG) has operated as a multi-jurisdictional drug task force enforcing the laws associated with the Controlled Substances Act and the Cannabis Control Act since 1986 and is governed by a policy board which meets quarterly; and

WHEREAS, CIEG coordinates the intelligence sharing as well as prosecution with state, local, and federal agencies throughout the area of the CIEG's responsibility which includes Cass County, Christian County, Logan County, Mason County, Menard County, Morgan County and Sangamon County, and

WHEREAS, the County of Sangamon on behalf of the Sangamon County Sheriff's Office (SCSO) has agreed to act as a fiduciary on behalf of the Central Illinois Enforcement Group, and

WHEREAS, the attached Fiduciary Agreement outlines the fiduciary requirements for both the County and CIEG for receiving, maintaining, and expending funds awarded to CIEG through the Department of Justice (Justice) and Department of the Treasury (Treasury) Equitable Sharing Programs (Program),

NOW, THEREFORE BE IT RESOLVED, by the members of the Sangamon County Board, in session on this 14th day of May 2019, that the Fiduciary Agreement be accepted by Sangamon County and authorization be given to the Sheriff for final signature.

Respectfully submitted,

Jail Committee

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FILED

MAY 07 2019

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Sangamon County Clerk

5/7/19

RECEIVED
2660

MAY 2 2019

Andy Goleman
SANGAMON COUNTY AUDITOR

Fiduciary Agreement

The County of Sangamon (County) on behalf of the Sangamon County Sheriff's Office (SCSO) has agreed to act as a fiduciary on behalf of the Central Illinois Enforcement Group (CIEG). This agreement outlines the fiduciary requirements for both the County and CIEG for receiving, maintaining, and expending funds awarded to CIEG through the Department of Justice (Justice) and Department of the Treasury (Treasury) Equitable Sharing Programs (Program):

Participation

- SCSO must be a compliant Program participant and must be a member of the CIEG.
- The County and SCSO understand that no federal agency personnel, if involved, may have command or control over or direct the use of Program funds. County and SCSO may receive Program funds as a result of its participation in CIEG as well as funds awarded based on its assistance in other investigations.

Maintenance of funds

- The County and SCSO acting as the fiduciary on behalf of the CIEG must ensure separate account or account code is maintained solely for Justice and solely for Treasury funds. The County will earmark or use sub-account codes to track CIEG's funds within the SCSO's Justice and Treasury accounts.
- All SCSO awarded funds, regardless of whether awarded on behalf of CIEG participation or other investigations, are maintained in each respective Justice or Treasury account.
- The County and CIEG will ensure that Program funds are not commingled with funds from any other source, including other federal funds, state forfeiture, OCDETF reimbursements, or general funds.
- The County will submit an Equitable Sharing Agreement and Certification (ESAC) form through the eShare Portal within 60 days of the end of the jurisdiction's fiscal year. The SCSO's will report SCSO expenditures, including ones made in support of CIEG.

Expenditures

- All expenditures in support of CIEG and SCSO must be approved by the agency head or designee and must be in accordance with the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies (Guide)* and any subsequent updates, as well as all jurisdiction purchasing policies.
- All expenditures of federally shared funds will follow the jurisdiction's procurement policies.

Compliance and audits

- All expenditures in support of CIEG and SCSO must be reported on the jurisdiction's Schedule of Expenditures for Federal Awards (SEFA) under Catalog of Federal Domestic Assistance (CFDA) number 16.922 for Justice and 21.016 for Treasury for inclusion in the jurisdiction's Single Audit.
- Transfers of Program funds to other member agencies is prohibited. A waiver from the Justice Money Laundering and Asset Recovery Section (MLARS) or Treasury Executive Office for Asset Forfeiture (TEOAF) must be obtained if a transfer be needed. Any authorized transfer of funds is subject to subrecipient monitoring requirements, pursuant to the OMB *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) 2 C.F.R. Part 200§ 200.330-332.
- All accounting practices and internal controls must be in accordance with the *Guide* and Uniform Guidance, 2 C.F.R. § 200.303.

Dissolution

- In the event the SCSO or the CIEG find it necessary to terminate this agreement, all CIEG earmarked funds shall remain with the SCSO unless a waiver is obtained from MLARS or TEOAF to transfer all funds to either a new fiduciary agency or transfer the funds to the CIEG member agencies. All transferred funds will be subject to sub-recipient monitoring.
- In the event CIEG disbands, all funds awarded to SCSO shall remain with SCSO unless an agreement to transfer remaining CIEG earmarked funds to the member agencies is made between all participants. A waiver must be obtained from MLARS or TEOAF to transfer any funds and all transferred funds will be subject to sub-recipient monitoring.

By signing below, the County and SCSO acknowledge that each party understands this agreement and will comply with all policies set forth in the *Guide* and the Uniform Guidance.

I agree to comply with all policies and requirements set forth in the *Guide* and in the above agreement. I understand that violations of this policy may result in temporary or permanent suspension from the Program.

SIGNATURE TITLE AGENCY DATE

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