

RESOLUTION NO. 5169

A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE HENRY COUNTY SHERIFF'S DEPARTMENT, GENESEO POLICE DEPARTMENT, COLONA POLICE DEPARTMENT AND THE CITY OF KEWANEE POLICE DEPARTMENT TO OPERATE A MULTI-JURISDICTIONAL GROUP KNOWN AS THE HENRY COUNTY TRAFFICKING ENFORCEMENT GROUP WITHIN THE COUNTY OF HENRY IN THE STATE OF ILLINOIS, AND DECLARING THAT THIS RESOLUTION SHALL BE IN FULL FORCE IMMEDIATELY.

WHEREAS, Henry County Sheriff's Department, Kewanee Police Department, Colona Police Department, Geneseo Police Department, are each a law enforcement agency in the State of Illinois; and

WHEREAS, the agencies hereto have a public duty and obligation to enforce the laws and protect the citizens from illegal activities; and

WHEREAS, the jurisdiction and authority of each Member is limited and such limitations are detrimental in combating crime within the geographical boundaries of the Member; and

WHEREAS, the Members recognize that criminal activities can more effectively be combated by the pooling of resources and working collaboratively to provide a more effective means of law enforcement protection; and

WHEREAS, the Members have the authority to enter into this Interagency Agreement pursuant to Article 7, Section 10 of the Constitution of the State of Illinois, the Intergovernmental Cooperation Act (5 ILCS 220/1, et seq.).

NOW THEREFORE BE IT RESOLVED, BY THE KEWANEE CITY COUNCIL, IN COUNCIL ASSEMBLED, AS FOLLOWS:

Section 1

1. GROUP. The Member Agencies shall operate a multi-jurisdictional group known as the Henry County Trafficking Enforcement Group within the County of Henry in the State of Illinois. The Henry County Trafficking Enforcement Group shall operate in accordance with the laws of the State of Illinois and with the policies established by the group member's officer department policies.

2. MEMBER AGENCY. A Member Agency is defined as an agency which designates an officer(s) to work actively with the Henry County Trafficking Enforcement Group. The Member agency head must sign the Henry County Trafficking Enforcement Group Interagency Agreement.

3. PURPOSE. The Henry County Trafficking Enforcement Group shall conduct covert and overt investigations concerning individuals and groups engaged in criminal activities

in the geographical areas serviced by member agencies, with specific emphasis on all levels of drug trafficking and human trafficking for sexual and labor exploitation. Investigations will include the development of intelligence data regarding criminal activity in the service area. The intelligence data will be assimilated and maintained with dissemination of this intelligence data to the appropriate federal, state, and local law enforcement agencies. The Henry County Trafficking Enforcement Group will also participate in training and education of area law enforcement agencies concerning new and safe investigative techniques as well as ongoing criminal activities in the area. Also, the Henry County Trafficking Enforcement Group will be available to community groups so as to inform and educate the community regarding criminal activities being conducted in the service area and make the community aware of safety concerns when necessary.

4. INDEMNIFICATION. In the event a civil proceeding is commenced against a group officer who has been assigned as member of the group, and the proceeding alleges acts or omissions occurring within the scope of group activities, the officers agency shall provide representation and indemnification to the group officer to the extent authorized and as limited by the State Employee Indemnification Act (5 ILCS 350). In the event that a group officer is injured. That member's agency and the group officers insurance is responsible for the coverage of the treatment. All officers from agencies other than the Henry County Sheriff's Department employee, will be officially deputized by the sitting Sherriff prior to performing duties outside of their respective agency jurisdiction.

5. HENRY COUNTY TRAFFICKING ENFORCEMENT GROUP ADVISORY BOARD. The Henry County Trafficking Enforcement Group Advisory Board (Board) is comprised of all Member Agency heads or their designee and shall be the governing body of the group.

- This Board may designate a prosecutor from the area serviced to also be on the Board.
- This Board shall designate officer positions. These positions are Chair, Vice-Chair, Treasurer, and Secretary. Each officer's appointment will begin at the first meeting on/after July 1st for one year. The Chair shall conduct meetings of the Board. If the Chair is absent, succession shall be first Vice-Chair, followed by Treasurer, and finally Secretary. The Treasurer shall maintain accurate financial records in accordance with the ICJIA requirements and generally accepted accounting procedures.
- A quorum will be required to call a vote. A quorum is designated as more than half of the total number of Board members. Each Board member will have one vote. Only members present during a call for vote may vote.
- The Board may award monies or other things of value for such law enforcement purposes as deemed appropriate by the Board by a majority vote. The amount and method of payment will be stated in the motion voted upon.
- This Board may enter into agreements with a nonparticipating agency for the intention of fulfilling the purpose of the Henry County Trafficking Enforcement Group. Any such agreement would be an attachment to this agreement.

6. MEMBER AGENCY RESPONSIBILITIES. Each Member Agency will provide an officer for 4-8hrs a week. A Member Agency may elect to assign additional officers and hours as funding and staffing allow. Their respective group officers are to be provided with necessary commodities, equipment, services, and training, including officer safety related items, not provided by the Henry County Trafficking Enforcement Group. Each Member Agency will determine how staffing hours are provided to the Group. The Member Agency may elect to have only officers that are on their normal work shift participate. It will be the Member Agency's responsibility to keep track of the time earned and reimburse its officer(s) how they see/deem appropriate. The Agency head will assist with this responsibility.

7. GROUP OFFICER. Each Member Agency providing an officer to the Henry County Trafficking Enforcement Group will assure their officer:

- Received appropriate law enforcement certification;
- Is a full time officer or a part-time officer with specialized training/experience in interdiction;
- Completed the Member Agency's probationary training period;
- Is not subject to any pending disciplinary action;
- Will adhere to all laws of the United States of America, State of Illinois;
- Will comply with the their departments policies and procedures;

8. SALE OF FORFEITED PROPERTY. No persons, either sworn or civilian, who are either employed or assigned to the Henry County Trafficking Enforcement Group, may purchase property - physical or real, forfeited to the Group as a result of an investigation conducted by the Henry County Trafficking Enforcement Group. Also, no employee of any Member Agency may purchase such forfeited property. Additionally, no immediate relatives - mother, father, son, daughter, brother, sister, may purchase such property. This pertains to participation in Henry County Trafficking Enforcement Group auctions, as well as any other type of sale transaction conducted by any governmental agency, which involves the sale of forfeited property which would result in the Henry County Trafficking Enforcement Group receiving all or part of the sales proceeds.

9. Distribution of Funds and/or Property. The Henry County Trafficking Enforcement Group Advisory Board shall have the power and authority to distribute Group assets and or forfeiture funds which are not required for the operation of the Group.

Henry County Trafficking Enforcement Group funds considered for distribution may include cash forfeited to Henry County Trafficking Enforcement Group agencies, cash forfeited to other law enforcement agencies and allocated to the Group. Henry County Trafficking Enforcement Group agencies share of proceeds from the sale of forfeited property and other property or assets owned by the Group.

No distribution shall be made by the Henry County Trafficking Enforcement Group Advisory Board contrary to any term, condition, or applicable statute governing the original receipt of said funds or assets by the Group. Any agency receiving funds or assets distributed by Henry County Trafficking Enforcement Group, shall agree to any original

or additional term, condition or applicable statute which governs the further use of said funds or assets by the receiving agency.

Distributions shall be at such a time and in such total amount as determined by the Henry County Trafficking Enforcement Group Advisory Board. The Group Advisory Board may authorize distribution of funds at the last Henry County Trafficking Enforcement Group Advisory Board meeting of the calendar year. Distributions shall be made in amounts to be determined by the member agency's participation in a case. If an agency not a member of the Henry County Trafficking Enforcement Group assists a group member agency. The Advisory Board may elect to include that agency in the distribution of funds.

Only those Henry County Trafficking Enforcement Group agencies considered to be Group members for distribution purposes shall be eligible for distribution. An agency shall be deemed to be a member agency eligible for distribution beginning when the agency:

- A. Signs the interagency agreement

All of the above are subject to the final approval of the Henry County Trafficking Enforcement Group Advisory Board.


10. EFFECTIVE DATE. This agreement shall commence July 1, 2019 and shall remain in effect for one year or until such time as it is renewed, altered, modified, or terminated by a two thirds majority vote. In the event that this agreement is terminated, the termination vote must be made in writing at least 30 days prior to the specified termination date.


Section 2 The City Manager, or his designee, is hereby authorized to execute this agreement amendment with the Henry County Housing Authority for the provision of policing service from the City of Kewanee.

Section 3 This Resolution shall be in full force and effect on July 1, 2019 upon its passage and approval as provided by law.

Adopted by the Council of the City of Kewanee, Illinois this 10th day of June, 2019.

ATTEST:


Deborah Johnson, Deputy Clerk


Gary Moore, Mayor



RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Gary Moore	X			
Council Member Steve Faber	X			
Council Member Mike Komnick	X			
Council Member Chris Colomer	X			
Council Member Mike Yaklich	X			