

3.7.2023

ORDINANCE NO. 2023-009

AN ORDINANCE CREATING A NEW FUND FOR GRANT FUNDED OVERTIME FOR THE
DELAWARE COUNTY JAG SHERIFF'S DEPARTMENT

ORIGINAL

WHEREAS, the Delaware County Sheriff's Department receives funds from its operations, general fund revenue of the county and other sources;

WHEREAS, the Delaware County Sheriff's Department has made application to the Justice Department of the United States for increased enforcement and for overtime funding as providing assistance to the Delaware County Sheriff's Department;

WHEREAS, the grant has been approved and is split with the City of Muncie from the Department of Justice of the United States and the County's share of the Grant shall be paid by the City to the County. ;

WHEREAS, it is necessary to establish a new fund in the Auditor's Office into which the proceeds will be deposited;

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF
DELAWARE COUNTY, INDIANA THAT:

1. The Delaware County Auditor shall establish a fund entitled Delaware County Sheriff's Department O-BJA-2022-171368 JAG Grant and said Auditor has issued a budget fund number of 8188 with respect to these funds.
2. Such funds are non-reverting and the expenditure of said funds shall not require appropriation by Delaware County Council.

Dated this 7 day of March, 2023

Shannon Henry

James King

Sherry Riffin

Delaware County Commissioners

ATTEST:

Edward Carroll,
Delaware County Auditor

3-7-2023

Exhibit B

ORIGINAL

DELAWARE COUNTY REQUEST FOR GRANT APPLICATION

(This form must be completed and approved by the County
Commissioners prior to applying for any grant.)

COUNTY DEPARTMENT: Delaware County Sheriff's Office

COUNTY DEPARTMENT HEAD: Sheriff Tony Skinner

GRANT TITLE: 2023 JAG

GRANT AGENCY: US Department of Justice

AGENCY CONTACT PHONE # 765 747-7885 Ext. 467

AGENCY CONTACT NAME: Anthony Johnson

Check all that apply:

FEDERAL GRANT: CFDA #: 16.738

☒ Pass-Through
☐ Direct

STATE GRANT:

☐ Pass-Through
☐ Direct

LOCAL GRANT:

☐ Pass-Through
☐ Direct

GRANT TYPE:

☐ REIMBURSABLE (County spends and is reimbursed—requires a budget)
☐ PASS THROUGH (County receives funds which are passed on to another entity)
☒ ADVANCE (County receives funds in advance—requires a budget)

GRANT PERIOD DATES:

STARTING: 10/02/22

ENDING: 9/30/25

GRANT YEAR (e.g., 2019, FY2020, etc.): 2022

AMOUNT REQUESTED: _____

COUNTY MATCH?

☐ YES AMOUNT OF MATCH: _____
☒ NO

PURPOSE AND EXPLANATION OF GRANT (continue on additional pages as necessary):

Enhanced patrol programs

Department Head Signature: Tony Skinner

Printed or Typed Name: Sheriff Tony Skinner

Date: 1-31-2023

HAVING BEEN PRESENTED AND CONSIDERED AT A DULY CALLED PUBLIC MEETING OF THE DELAWARE COUNTY, INDIANA BOARD OF COMMISSIONERS, THIS REQUEST FOR GRANT APPLICATION IS HEREBY APPROVED AS OF THIS, THE 7 DAY OF March, 2023

Commissioner

Commissioner

Commissioner

ATTEST:

Ed Call
Auditor, Delaware County, Indiana

MEMORANDA OF UNDERSTANDING

FUNDING OPPORTUNITY # O-BJA-2022-171368

THE STATE OF INDIANA

COUNTY OF DELAWARE

INTERLOCAL AGREEMENT BETWEEN THE CITY OF MUNCIE INDIANA AND COUNTY OF DELAWARE INDIANA

2022 Edward Byrne Memorial Justice Assistance Grant (JAG) PROGRAM AWARD

This Agreement is made and entered into this second day of August, 2022, by and between The COUNTY of Delaware, acting by and through its governing body, the Commissioners Court, hereinafter referred to as COUNTY, and the CITY of Muncie, acting by and through its governing body, the City council, hereinafter referred to as CITY, both of Delaware County, State of Indiana, witnesseth:

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEAREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions and this agreement: and

WHEAREAS, the CITY agrees to provide the COUNTY \$ 16,686.90 of the total JAG award of \$ 37,082.00 for the 2022 Enhanced Patrols Program

WEEAREAS, the CITY agrees to provide the COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, THE COUNTY AND CITY AGREE AS FOLLOWS:

Section 1

CITY agrees to pay the COUNTY \$ 16,686.90 of the total JAG award of \$37,082.00

Section 2

COUNTY agrees to use \$ 16,686.90 for the 2022 Enhanced Patrols Program

Section 3

Each part to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 4

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 5

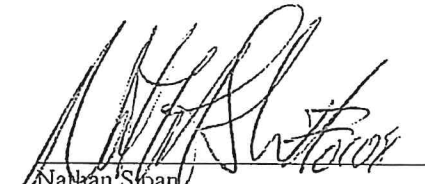
By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 6

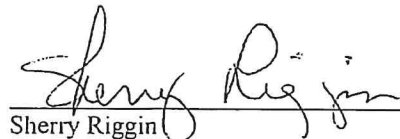
The representative as the legal fiscal agent as follows:
Chief of Police, Nathan Sloan

CITY OF Muncie, Indiana

COUNTY OF Delaware, Indiana



Nathan Sloan
Chief of Police



Sherry Riggins
President of Delaware County Commissioners

✓ **Award Letter**

September 23, 2022

Dear TRUDY SWAIN,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by MUNCIE, CITY OF for an award under the funding opportunity entitled 2022 BJA FY 22 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation. The approved award amount is \$37,082.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the

Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in

office, household, recreational, or education environments; and

e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <https://www.bja.gov/Funding/nepa.html>.

NEPA Coordinator

First Name

Middle Name

Last Name

Orbin

—

Terry

- › **Award Information**
- › **Project Information**
- › **Financial Information**
- › **Award Conditions**
- › **Award Acceptance**

office, household, recreational, or education environments; and

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NEPA Coordinator

First Name

Middle Name

Last Name

Orbin

Terry

✓ Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name

MUNCIE, CITY OF

UEI

UUMQW6XWCUE1

Street 1

300 N HIGH ST

Street 2

City

MUNCIE

State/U.S. Territory

Indiana

Zip/Postal Code

47305

Country

United States

County/Parish

Province

 **Award Details****Federal Award Date**

9/23/22

Award Type

Initial

Award Number

15PBJA-22-GG-02567-JAGX

Supplement Number

00

Federal Award Amount

\$37,082.00

Funding Instrument Type

Grant

Assistance Listing Number Assistance Listings Program Title

16.738

Edward Byrne Memorial Justice Assistance Grant Program

Statutory Authority

Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10101-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151 - 10158); see also 28 U.S.C. 530C(a)

☐ I have read and understand the information presented in this section of the Federal Award Instrument.

- > **Project Information**
- > **Financial Information**
- > **Award Conditions**
- > **Award Acceptance**

Check Number: 254088

Invoice Date 12/07/2022	Invoice No. 12072022	P.O. No.	Invoice Description POLICE	Invoice Amount 16,686.90
Vendor No. 75015	Vendor Name DELAWARE COUNTY SHERIFF	Check No. 254088	Check Date 12/16/2022	Check Amount \$16,686.90

REMOVE DOCUMENT ALONG THIS PERFORATION

THIS DOCUMENT IS PRINTED IN TWO COLORS. DO NOT ACCEPT UNLESS BLUE AND BURGUNDY ARE PRESENT.



City of Muncie, IN
300 North High Street
Muncie, Indiana 47305

VOID AFTER
90 DAYS

Vendor Number 75015
Check Date 12/16/2022
Check Number 254088
71-65749

PAY Sixteen Thousand Six Hundred Eighty-Six and 90/100 Dollars

\$16,686.90

TO THE DELAWARE COUNTY SHERIFF
ORDER OF ATTN: TONY JOHNSON
3100 S. TILLOTSON AVE. - SUITE 150
MUNCIE, IN 47302

First Merchant
Bank, NA
200 E. Jackson Ave
Muncie, Indiana 47305

[Signature]
Controller

⑈ 254088 ⑈ ⑆ 074900657 ⑆ 00001121 ⑈