

ORDINANCE NO. 08-01

An ordinance of Pike County, Missouri to establish a County Law Enforcement Restitution Fund.

Whereas, it is the intention of the County commission to take advantage of Section 50.565 of the Revised Statutes of Missouri and to create a County Law Enforcement Restitution Fund.

Now therefore, effective this date, the County commission establishes a County Law Enforcement Restitution Fund.

The Circuit and Associate Circuit courts in Pike County may order the assessment of a designated amount of restitution, not to exceed \$300.00 per charged offense, to a County Law Enforcement Restitution Fund. The Court may not assess payments for speeding, careless and imprudent driving, any charge of violation of a traffic control signal or sign, or any charge, which is a class C misdemeanor or an infraction.

Any moneys paid to the fund shall be under the supervision of a Board of Trustees consisting of two citizens of the County appointed by the Presiding Commissioner, two citizens of the County appointed by the Sheriff, and one citizen of the County appointed by the Coroner. The citizens so appointed, shall not be current or former elected officials, current or former employees of either the sheriff's office, the Prosecuting Attorney's office, office of the County Commissioners, or the County Treasurer's office. No person who has been convicted of a felony shall be eligible to serve on the board of trustees. This will be a non-partisan board.

Members of the Board of Trustees shall serve a term of three years. In establishing the Board of Trustees, the first appointment shall be as follows:

- One trustee appointed by the Presiding Commissioner for a one-year term,
- One trustee appointed by the Presiding Commissioner for a two-year term,
- One trustee appointed by the Sheriff for a two-year term,
- One trustee appointed by the Sheriff for a three-year term,
- One trustee appointed by the Coroner for a one-year term.

Thereafter, the respective office holder shall appoint a trustee for a term of three years. The board shall meet as often as necessary to transact any business at such locations and in such a manner as they deem appropriate. In the event the Sheriff or Prosecuting Attorney needs to have an expenditure approved prior to a prescribed meeting of the Board of Trustees, the Sheriff or Prosecuting Attorney may poll the Board of Trustees for approval. This may be done by telephone, fax, or by internet electronic mail. The Board of Trustees shall keep record of all meetings and transactions/expenditures. Officers of the board will be elected by the board on a yearly basis and consist of a chairperson, secretary and treasurer.

Money from this fund shall be expended upon approval of a majority of the members of the Board of Trustees and only for the purposes provided for this Section.

Money from the County Law Enforcement Fund shall only be expended for the following purposes:

1. Narcotics investigation, prevention, and intervention;
2. Purchase of law enforcement related equipment and supplies for the sheriff's office;
3. Matching funds for federal or state law enforcement grants;
4. Funding for the reporting of all state and federal crime statistics or information; and

5. Any County law enforcement related expense, including those of the prosecuting attorney, approved by the Board of Trustees for the County Law Enforcement Restitution Fund that is reasonably related to investigation, charging, preparation, trial, and disposition of criminal cases before the Courts of the State of Missouri.

The County commission may not reduce any law enforcement agency's budget as a result of funds the agency receives from this fund. The restitution fund is to be used only as a supplement to the law enforcement agency's funding received from other county, state or federal funds.

The County Law Enforcement Restitution Fund shall be audited, as are all other county funds, but shall not be subject to the submission of an annual budget, and the balance in said fund shall carry over from year to year.

All funds paid into the County Law Enforcement Restitution Fund shall be collected by the Pike County Circuit Court and transferred to the Pike County Treasurer to be kept in a separate account as the County Treasurer deems appropriate until paid out at the direction of the Board of Trustees.

Passed and approved this 11 day of FEB, 2008.

ATTEST:

Bob Hilgert
County Clerk

Dan Miller
Dan Miller, Presiding Commissioner

Roy Sisson, Jr.
Roy Sisson, Jr., Western District Commissioner

Curt Mitchell
Curt Mitchell, Eastern District Commissioner