

The Board met in due form with the following members present: Frances DuPey, Roosevelt Allen, Jr., and Gerry Scheub. They passed the following orders, to wit:

There was a moment of silent prayer; the Pledge was given and the Emergency Exit Announcement made.

A courtesy copy of the agenda and notice of this meeting was faxed by Brenda Koselke to the Times in Munster and Crown Point, the Post Tribune in Merrillville and Crown Point, WJOB Radio Station, the Star, WLTH Radio Station, Comcast Cable, the Calumet Press, Portage Journal News, Pilcher Publishing and the Gary Law, Channel 21 media on the 21<sup>st</sup> day of March, 2011 at about 1:30 p.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 21<sup>st</sup> day of March, 2011 at about 1:30 p.m.

Order #1 Agenda #5A

In the Matter of Public Record of Certificate of Service of Meeting Notice to those who have made such written request.

Scheub made a motion, seconded by DuPey, to approve and make a matter of public record the Certificate of Service of Meeting Notice to those who have made such written request. Motion carried.

Order #2 Agenda #6

In the Matter of Ordinance Establishing the Distribution of Money from Lake County Commissioners Certificate Tax Sales and any other ordinances enacted by the Lake County Council at its special meeting held March 30, 2011.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 133A, Ordinance Establishing the Distribution of Monies from the Lake County Commissioners Tax Certificate Sales, adopted by the L C Council. Motion carried.

Order #3 Agenda #6

In the Matter of Ordinance Establishing A Fee for Services Provided by the Lake County Sheriff's Marine Unit.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 133B, Ordinance Establishing A Fee for Services Provided by the Lake County Sheriff's Marine Unit, adopted by the L C Council. Motion carried.

Order #4 Agenda #6

In the Matter of Ordinance – Amendment to the Lake County Vehicle Towing Ordinance, Ordinance No. 1206E.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 1206E-1, Amendment to the Lake County Vehicle Towing Ordinance No. 1206E, adopted by the L C Council. Motion carried.

Order #5 Agenda #6

In the Matter of Ordinance Establishing Law Enforcement Property and Release Fees.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 1333C, Ordinance Establishing Law Enforcement Property and Release Fees, adopted by the L C Council. Motion carried.

Order #6 Agenda #6

In the Matter of Ordinance Establishing Reimbursement for Lawful Detention in the Lake County Jail.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 1333D, Ordinance Establishing Reimbursement for Lawful Detention in the Lake County Jail, adopted by the L C Council. Motion carried.

Order #7 Agenda #6

In the Matter of Ordinance Establishing Rules and Fines for Operation of a Watercraft on Bodies of Water Patrolled by the Lake County Sheriff's Marine Unit.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 1333E, Ordinance Establishing Rules and Fines for Operation of a Watercraft on Bodies of Water Patrolled by the Lake County Sheriff's Marine Unit, adopted by the L C Council. Motion carried.

Order #8 Agenda #6

In the Matter of Ordinance Establishing Lake County Fairgrounds Fee Schedule.

Scheub made a motion, seconded by DuPey, to approve Ordinance No. 1333F, Ordinance Establishing Lake County Fairgrounds Fee Schedule, adopted by the L C Council. Motion carried.  
(Orders #2--Order #8 Agenda #6 cont'd)

Orders #2--Order #8 Agenda #6 cont'd

**ORDINANCE NO. 1333A**

**ORDINANCE ESTABLISHING THE DISTRIBUTION OF MONIES FROM THE  
LAKE COUNTY COMMISSIONERS TAX CERTIFICATE SALES**

**WHEREAS,** pursuant to I.C. 36-2-3.5-3 the Lake County Council is the fiscal and legislative body of Lake County, Indiana; and, pursuant to I.C. 36-2-3.5-5(b)(3) shall adopt all ordinances for the Government of the County; and

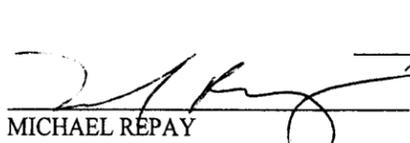
**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

1. That the County of Lake incurs expense in administering and processing documents related to Lake County Commissioner tax certificate sales.
2. That the certificate sales require the commitment of support year round with a concentration of effort just prior to, during, and just subsequent to the sales.
3. That four non-reverting funds for Lake County Commissioner certificate sales known as the Auditor's Incentive Fund, the Treasurer's Incentive Fund, the Lake County Board of Commissioner's Incentive Fund and Recorder's Incentive Fund have been established.
4. That the Commissioners' Tax Sale Fund No. 385 for the purpose of receiving deposits of monies from Commissioner tax certificate sales has been established.
5. That the advertising, legal, and professional service costs associated with the Commissioners tax certificate sales shall be paid for out of the gross revenues and the net revenue from the sale in each calendar year shall be computed.
6. That Forty (40%) Percent of the net revenue from the Commissioners tax certificate sales shall be deposited annually into Fund No. 385 up to a maximum of One Million (\$1,000,000.00) Dollars.
7. That any and all funds over the One Million (\$1,000,000.00) Dollars which are not annually deposited into Fund No. 385 shall be distributed to the appropriate units of government where the respective tax certificate properties were located.
8. That from the monies annually deposited in the Commissioners' Tax Sale Fund No. 385, the following maximums shall be transferred each calendar year to the indicated fund:
  - a. Up to \$236,000.00 to the Auditor's Incentive Fund.
  - b. Up to \$240,000.00 to the Treasurer's Incentive Fund.
  - c. Up to \$100,000.00 to the Recorder's Incentive Fund.
  - d. Up to \$100,000.00 to the Commissioners' Incentive Fund.
9. That after the transfers to the respective funds of the monies as required by paragraph 8, the Lake County Council shall appropriate the following sums of money to the indicated funds:
  - a. Up to \$236,000.00 to the Auditor's Incentive Fund.

Orders #2--Order #8 Agenda #6 cont'd

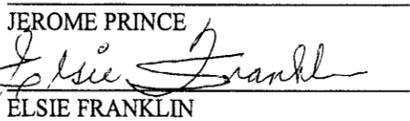
- b. Up to \$240,000.00 to the Treasurer's Incentive Fund.
  - c. Up to \$100,000.00 to the Recorder's Incentive Fund.
  - d. Up to \$100,000.00 to the Commissioners' Incentive Fund.
10. That the balance of the monies in Commissioners' Tax Sale Fund No. 385 at any time after the annual transfer of the initial \$676,000.00 shall not be transferred or used for any purpose other than by action of the Lake County Council through transfer and/or appropriation.
  11. That Ordinance No. 1264E is hereby repealed. That sections of Ordinance Nos. 1113B, 1113B-1, 1113B-2, and 1113B-3, that are in conflict with this Ordinance are hereby repealed.

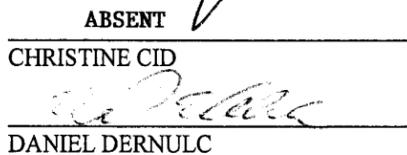
SO ORDAINED THIS 30th DAY OF March, 2011.

  
 MICHAEL REPAY

  
 TED BILSKI, President

  
 RICK NIEMEIER

JEROME PRINCE  
  
 ELSIE FRANKLIN

ABSENT  
 CHRISTINE CID  
  
 DANIEL DERNULC

Members of the Lake County Council

ATTESTED BY:  
  
 PEGGY KATONA, LAKE COUNTY AUDITOR

APPROVED THIS 30th DAY OF March, 2011

  
 COMMISSIONER ALLEN, JR.

  
 COMMISSIONER SCHEUB

  
 COMMISSIONER DUPEY

ATTESTED BY:  
  
 PEGGY KATONA, LAKE COUNTY AUDITOR

Orders #2--Order #8 Agenda #6 cont'd

**ORDINANCE NO. 1333B****ORDINANCE ESTABLISHING A FEE FOR SERVICES PROVIDED BY  
THE LAKE COUNTY SHERIFF'S MARINE UNIT**

**WHEREAS,** the Lake County Sheriff's Marine Unit is requested on occasion to provide various services to watercrafts within the County of Lake; and

**WHEREAS,** the Lake County Council now desires to create an ordinance establishing a fee for the services provided by the Lake County Sheriff Marine Unit.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

1. The term "watercraft" shall include all motorized and non-motorized water vessels and all personal watercrafts.
2. This Ordinance encompasses all bodies of water within the boundaries of the County of Lake including but not limited to Lake Michigan, the East Chicago Marina, the Hammond Marina, Wolfe Lake, the Calumet River, and any other body of navigable water on which the Lake County Sheriff's Marine Unit operates.
3. A "public nuisance" is defined as every watercraft which has been abandoned, is disabled or allowed to sink in within a body of water within the County of Lake is hereby to be a nuisance and the master, owner, or person in charge or control of any such watercraft shall immediately abate such nuisance.
4. Every watercraft which has been abandoned, is disabled or allowed to sink within a body of water within the County of Lake is hereby declared to be a nuisance.
5. The master, owner, or person in charge or control of any such watercraft shall immediately abate such nuisance upon notice from the Lake County Sheriff Marine Unit.
6. The owner or master of any abandoned, disabled or sunk vessel shall pay to the County of Lake the following fees for services to the vessel by the Lake County Sheriff's Marine Unit:
 

Extinguishing fire on board	\$225.00
Towing (Less than 1 mile)	\$250.00
Towing (More than 1 mile)	\$375.00
Pumping water from watercraft at Marina	\$350.00
Degrounding of watercraft	\$15.00 per foot
Other emergency services	\$150.00 per hour
Fuel (5 gallons)	\$35.00
7. At the time of the service by the Lake County Sheriff's Marine Unit, the owner or person in charge of the watercraft shall receive a bill from the officer in charge. A duplicate copy of the bill will be filed by the Lake County Sheriff's Marine Unit with the Sheriff's Department in Crown Point, Indiana.
8. The owner or person in charge of the watercraft is personally responsible for paying the fee for services. The bill may be paid by sending a certified check or money order in

Orders #2--Order #8 Agenda #6 cont'd

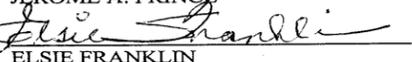
within ten (10) days of the date of service to the Lake County Sheriff, 2293 North Main Street, Crown Point, Indiana or by delivering the payment in person to the Sheriff's Department at the same address within ten (10) days.

SO ORDAINED THIS 30th DAY OF March, 2011.

  
MICHAEL REPAY

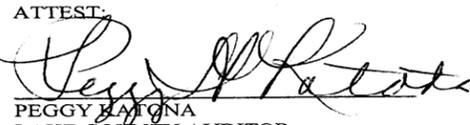
  
TED BILSKI, President

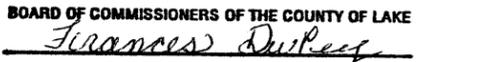
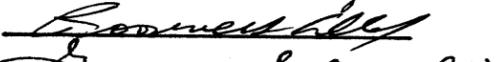
  
RICK NIEMEYER

JEROME A. PRINCE  
  
ELSIE FRANKLIN

**ABSENT**  
CHRISTINE CID  
  
DANIEL E. DERNULC

Members of the Lake County Council

ATTEST:  
  
PEGGY MATTONA  
LAKE COUNTY AUDITOR

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
  
  
  
APPROVED THIS 30th DAY OF March 20 11

APPROVED ( ) VETOED ( ) BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE ON THIS 30th DAY OF March, 2011.

 ROOSEVELT ALLEN  
 GERRY SCHEUB  
 FRANCES DUPEY

ATTEST:  
  
PEGGY MATTONA, LAKE COUNTY AUDITOR

Orders #2--Order #8 Agenda #6 cont'd

**ORDINANCE NO. 1206E-1**

**AMENDMENT TO THE LAKE COUNTY VEHICLE TOWING ORDINANCE, ORDINANCE NO. 1206E**

**WHEREAS,** on August 8, 2000, the Lake County Council adopted the Lake County Vehicle Towing Ordinance, Ordinance No. 1206E; and

**WHEREAS,** the Lake County Council desires to amend said Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Vehicle Towing Ordinance, Ordinance No. 1206E, shall be amended as follows:

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*Francis DePree*

*Boonwell Old*

*[Signature]*  
APPROVED THIS 30th DAY OF March 2011

DELETE:

D. County Towing Fee.

1. In addition to towing fees, the County shall receive a \$20.00 per tow fee which shall be paid at the time the vehicle owner receives the vehicle from storage, or the vehicle is otherwise disposed.

INSERT:

D. County Towing Fee.

1. In addition to towing fees, the County shall receive a \$75.00 per tow fee which shall be paid at the time the vehicle owner receives the vehicle from storage, or the vehicle is otherwise disposed.

SO ORDAINED THIS 30th DAY OF March, 2011.

*TFB*  
TED F. BILSKI, President

ABSENT  
CHRISTINE CID

*[Signature]*  
DANIEL E. DERNLJC

*[Signature]*  
RICK NIEMEYER

*[Signature]*  
MICHAEL C. REPAY  
*[Signature]*  
ELSIE FRANKLIN

*[Signature]*  
JEROME A. PRINCE

Members of Lake County Council

Orders #2--Order #8 Agenda #6 cont'd

ORDINANCE NO. 1333C**ORDINANCE ESTABLISHING LAW ENFORCEMENT  
PROPERTY AND RELEASE FEES**

- WHEREAS,** IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon all local units the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power; and
- WHEREAS,** IC 36-1-3-8(6) further provides that a unit does not have power to impose a service charge or user fee greater than that reasonably related to reasonable and just rates and charges for services; and
- WHEREAS,** The Lake County Sheriff's Department from time to time performs certain services, unrelated to the course of a lawful arrest or criminal processing, including but not limited to services such as immigration processing fingerprinting, elective protective fingerprinting of minor children for parents or employment processing fingerprinting, as well as limited background checks; and
- WHEREAS,** The Lake County Sheriff's Department from time to time performs certain services related to the course of a lawful arrest or criminal processing, particularly related to bondable offenses, but for which added time and paperwork ensue and some convenience is provided in permitting avoidance of incarceration at the County Jail; and
- WHEREAS,** The Lake County Sheriff's Department has advised the legislative body that a change of the several service charges, established in part to recover costs occasioned by the municipality in the performance of these services, with such charges to be receipted and paid to the municipal treasurer, would be desirable in the administration of the municipality and of benefit to the public; and
- WHEREAS,** The Lake County Council believes that such fees either being changed or established for the first time, all established in part to recover costs occasioned by the municipality in the performance of these services, would be necessary or desirable in the administration of the municipality and of benefit to the public;

**NOW, THEREFORE, LET IT BE ORDAINED BY THE LAKE COUNTY COUNCIL AS FOLLOWS:**

**I. LAW ENFORCEMENT PROCESSING and RELEASE FEE**

- A. In order to support the added administration and additional paperwork, as well as the convenience provided associated with processing the receipt of cash or surety bonds connected with a charge or offense for which the posting of a bond in lieu of incarceration is a lawful option, there is hereby authorized and established a special user fee to be known as the *Law Enforcement Processing and Release Fee*.
- B. *The Law Enforcement Processing and Release Fee* hereinafter identified may be collected by the Lake County Sheriff's Department in each instance of providing additional processing and release services for persons charged with an offense for which the posting of a bond in lieu of incarceration is a lawful option. The fee shall be charged at the same time the bond is collected, except as provided in subdivision (C).
- C. *The Law Enforcement Processing and Release Fee* shall not be charged or collected in the following instances:
- a. Incidents involving a charge of driving while suspended as an infraction;

Orders #2--Order #8 Agenda #6 cont'd

- b. Incidents involving any charge or arrest in which the party arrested or charged is transported to the hospital immediately following the charge(s) or arrest.

**II. SCHEDULE OF CHARGES AND FEES**

The service charges as set forth and contained in the following Schedule of Charges are hereby deemed to be reasonable and just rates and charges reasonably related to the administration of the services covered, and said Schedule is hereby authorized and approved:

**SCHEDULE OF CHARGES**

Except as may be otherwise provided, the users of services administered and provided will be charged a standard service charge based upon the list herein provided.

**SERVICE CHARGES:**

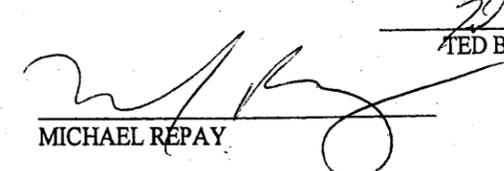
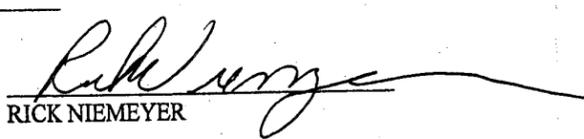
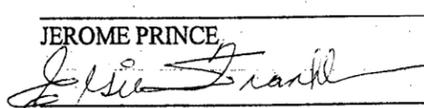
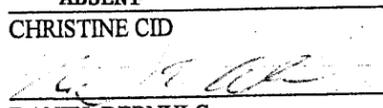
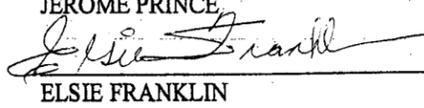
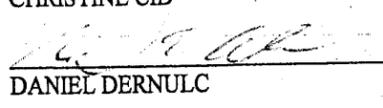
Law Enforcement Processing and Release Fee \$25.00

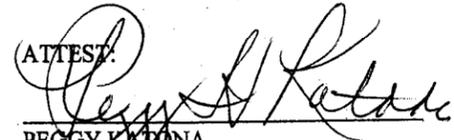
- A. All charges and amounts remitted to the Lake County Sheriff's Department pursuant to this subchapter shall be deposited and credited to the Lake County general fund upon its receipt.
- B. The Lake County Sheriff's Department shall not charge or collect any fee or amount for a service performed by the Lake County Sheriff's Department that is not authorized or not deposited with the municipality according to the terms herein provided.

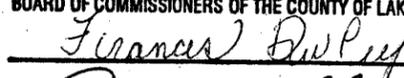
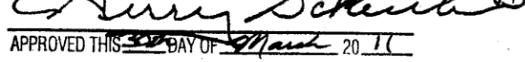
SECTION 2. That should a court find any provision of this ordinance unlawful or unenforceable, those provisions not so found shall continue to be in full force and effect.

SO ORDAINED THIS 30th DAY OF March, 2011.

LAKE COUNTY COUNCIL

 MICHAEL REPAY	 TED BILSKI, President	 RICK NIEMEIER
 JEROME PRINCE	ABSENT	 CHRISTINE CID
 ELSIE FRANKLIN		 DANIEL DERNULC

ATTEST:  
  
PEGGY KAVANA  
LAKE COUNTY AUDITOR

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
  
  
  
APPROVED THIS 30 DAY OF March 20 11

Orders #2--Order #8 Agenda #6 cont'd

**ORDINANCE NO. 1333D**

**ORDINANCE ESTABLISHING REIMBURSEMENT FOR  
LAWFUL DETENTION IN THE LAKE COUNTY JAIL**

**WHEREAS,** IC 36-2-13-15 permits the Lake County Council as the legislative body to implement a policy whereby prisoners after sentencing to the Lake County Jail would pay for the daily costs of their incarceration; and

**WHEREAS,** IC 35-38-1-5 provides that when a court sentences a person to a term of imprisonment, the court shall include the total cost of incarceration in the sentencing order.

**NOW, THEREFORE, LET IT BE ORDAINED BY THE LAKE COUNTY COUNCIL AS FOLLOWS:**

1. That the Lake County Council hereby elects by ordinance to implement a procedure whereby a person incarcerated in the Lake County Jail after sentencing shall reimburse the county for the maximum amount of the total cost of their incarceration after sentencing;
2. That the Lake County Council as the fiscal body fixes this per diem at \$30.00 per day because in accordance with a cost of service analysis performed on 2009 budgeted expenditures the total cost of incarceration per day in the Lake County Jail including overhead is \$61.80 per prisoner and the total cost per day without overhead is \$38.10 per prisoner;
3. That the Lake County Council has determined that the total budgeted cost per day in the Lake County Jail and the total cost including indirect overhead cost exceeds \$30.00 per day per prisoner;
4. That in accordance with IC 36-2-13-15(d) a prisoner shall reimburse the county for the sum of \$30.00 per day multiplied by each full or partial day that a person is lawfully detained in the Lake County Jail for more than six (6) hours after sentencing;
5. That a person detained in the Lake County Jail after sentencing is personally liable for the payment of this daily fee of \$30.00;
6. That the Lake County Sheriff shall collect the amounts due from any prisoner sentenced to the Lake County Jail in accordance with the Judicial Sentencing Order;
7. That the court that sentences a person to a term of imprisonment in the Lake County Jail shall include the total cost of incarceration in the sentencing order;
8. That to facilitate the determination, the sentencing court shall make the following findings:
  - a. That the person sentenced to the Lake County Jail is being sentenced for a felony or misdemeanor;
  - b. That the sentence of lawful detention in the Lake County Jail must be for a period of more than 72 hours;
  - c. That the person sentenced to the Lake County Jail is a member of a family that makes more than 150% of the Federal Income Poverty Level;

Orders #2--Order #8 Agenda #6 cont'd

- d. That the person being sentenced is not being detained as a child subject to the jurisdiction of the juvenile court.
- 9. That the courts who are mandated to utilize this ordinance shall periodically apprise themselves of the current Federal Income Poverty Level;
- 10. That the most recent Federal Poverty Guidelines last updated April 5, 2010 relating to size of family unit to 150% of the poverty guidelines are listed below:

SIZE OF FAMILY UNIT	150% OF POVERTY
1	\$ 16,245
2	21,855
3	27,465
4	33,075
5	38,685
6	44,295
7	49,905
8	55,515
9	61,125

- 11. That as the Federal Government modifies the Federal Poverty Guidelines, the courts will apply any such modification to determine whether an inmate is to be assessed and pay the \$30 per day fee.
- 12. For purposes of defining the term family the definition utilized for Temporary Assistance for Needy Families by the Indiana Family and Social Services Administration shall be used.
- 13. That a family as defined by the Indiana Family and Social Services Administration for Temporary Assistance for Needy Families is a group of people related by blood living as one economic unit at the same address as the person who is being sentenced to the Lake County Jail.
- 14. That the Lake County Prosecutor in any plea agreement shall include a statement indicating whether the inmate is to pay the \$30 per day fee levied by this ordinance.
- 15. That in cases where there is a plea agreement submitted and a presentence report ordered by the court, the presentenced report shall contain an analysis of whether the defendant to be incarcerated in the Lake County Jail should pay the \$30 per day fee.
- 16. That where a defendant is given credit for time served and is ordered to pay the \$20 per day fee, the amount due from the defendant for incarceration in the Lake County Jail shall include the days for which the inmate was given credit for time served.
- 17. That the monies collected from the payments by the prisoners sentenced shall be deposited in a special fund established by the Lake County Council.
- 18. That Ordinance No. 1322A is hereby rescinded.

SO ORDAINED THIS 30th DAY OF March, 2011.

LAKE COUNTY COUNCIL

  
 MICHAEL REPAY

  
 JEROME PRINCE

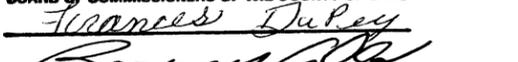
  
 ELSIE FRANKLIN

  
 TED BILSKI, President

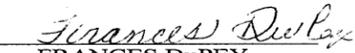
  
 RICK NIEMEIER

ABSENT  
 CHRISTINE CID  
  
 DANIEL DERNULC

ATTEST:  
  
 PEGGY KATONA  
 LAKE COUNTY AUDITOR

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
  
  
 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

APPROVED (  ) VETOED ( ) BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE ON THIS 30th DAY OF March, 2011.

ROOSEVELT ALLEN      GERRY SCHEUB        
 FRANCES DUPEY

ATTEST:  
  
 PEGGY KATONA, LAKE COUNTY AUDITOR

Orders #2--Order #8 Agenda #6 cont'd

ORDINANCE NO. 1333E

**ORDINANCE ESTABLISHING RULES AND FINES FOR  
OPERATION OF A WATERCRAFT ON BODIES OF  
WATER PATROLLED BY THE  
LAKE COUNTY SHERIFF'S MARINE UNIT**

- WHEREAS,** the Lake County Sheriff has a Marine Unit which operates in Lake Michigan and other bodies of water within the County of Lake; and
- WHEREAS,** the Public Health and Safety require regulations to control the operation of watercrafts on bodies of water patrolled by the Lake County Sheriff's Marine Unit; and
- WHEREAS,** the Lake County Council now desires to create an Ordinance and Fine for the reckless operation of a watercraft on bodies of water patrolled by the Lake County Sheriff's Marine Unit.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

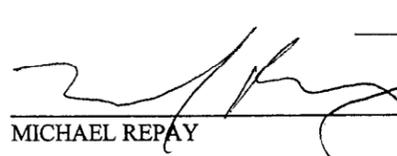
1. For purposes of this Ordinance, the term "watercraft" shall include all motorized and non-motorized water vessels and all personal watercrafts.
2. This Ordinance encompasses all bodies of water within the boundaries of the County of Lake including but not limited to Lake Michigan, the East Chicago Marina, the Hammond Marina, Wolf Lake, and the Calumet River.
3. No person shall operate, authorize or knowingly permit the operation of a watercraft upon the waters of Lake Michigan or upon any waterway within the County of Lake:
  - (a) in such a manner as to disturb or destroy the peace and quiet of others; or
  - (b) within any area which has been marked by buoys or other distinguishing devices as a restricted area, except in case of emergency or for the purpose of entering or leaving any harbor or launching ramp; or
  - ~~(c) within 150 feet of the shoreline of any public park or within 300 feet of any bathing beach, except in case of emergency or for the purpose of entering or leaving a pier, slip launching or docking area; or~~
  - (d) by a person under the age of 16 years unless properly supervised by an adult or as permitted by state law; or
  - (e) without yielding the right-of-way to any swimmer; or
  - (f) without complying with all applicable state and federal safety equipment requirements, including the requirements regarding personal flotation devices; or
  - (g) in violation of posted restrictions on wake or speed; or
  - (h) unless each occupant of a watercraft used for recreational purposes is wearing an approved personal flotation device as defined in the Boat Registration and Safety Act,

Orders #2--Order #8 Agenda #6 cont'd

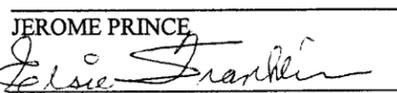
codified at 625 ILCS 45/1-1 et seq., as amended. Provided, however, that this requirement shall not apply to persons who are (1) below deck, or (2) in a totally enclosed cabin space. Provided, further, that this requirement shall not apply to the occupants of (i) any commercial passenger watercraft, (ii) any watercraft used for recreational purposes that is being operated on private property, (iii) any watercraft used for recreational purposes that is docked, or (iv) any watercraft used for recreational purposes that is 21 feet or more in length. For purposes of this subsection (j), the term "watercraft used for recreational purposes" means any vessel, sailboat, recreational boat, personal watercraft or specialty prop-craft as defined in the Boat Registration and Safety Act, as amended.

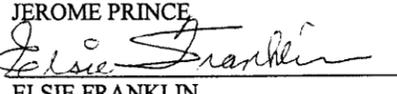
- 4. No person shall operate a watercraft upon the public waterways of the County of Lake with careless disregard for or indifferent lack of attention to surrounding conditions and circumstances, and/or resulting in to damages to property or in bodily injury to any person.
- 5. Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than \$25.00 and not more than \$500.00 for each offense

SO ORDAINED THIS 30th DAY OF March, 2011.

  
 MICHAEL REPAY

  
 TED BILSKI, President

  
 JEROME PRINCE

  
 ELSIE FRANKLIN

  
 RICK NIEMEIER

ABSENT

CHRISTINE CID

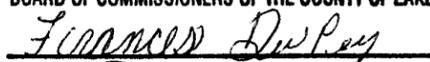
  
 DANIEL DERNULC

Members of the Lake County Council

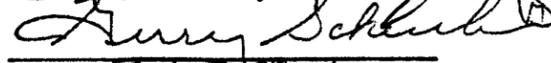
ATTEST:

  
 PEGGY KATONA  
 LAKE COUNTY AUDITOR

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

  
 Frances Dwyer

  
 Frances Dwyer

  
 Harry Schuch

APPROVED THIS 30th DAY OF March 2011

Orders #2--Order #8 Agenda #6 cont'd

ORDINANCE NO. 1333F

ORDINANCE ESTABLISHING LAKE COUNTY FAIRGROUNDS FEE SCHEDULE

WHEREAS, I.C. 36-2-3.5-3 provides that the Lake County Council is the fiscal and legislative body for Lake County, Indiana; and

WHEREAS, I.C. 36-2-3.5-5 provides that the Lake County Council shall pass all ordinances, orders, resolutions and motions for the government of the County in the manner prescribed by I.C. 36-2-4, et. seq.; and

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That there is hereby established a fee schedule for use of the facilities of the LCFG;
2. That for purposes of this fee schedule, the following definitions shall apply:
  - A. Type 1 is an Indiana Not for Profit Corporation created by action of the Indiana Secretary of State or a Non-Indiana Not for Profit Corporation that has been registered with the Indiana Secretary of State. This existence of this type of organization can be verified by checking the Office of the Indiana Secretary of State on the internet at [www.in.gov/sos/](http://www.in.gov/sos/);
  - B. Type 2 is an organization exempt from Federal Income Tax under 501(c) whose existence can be checked by verification of its designation through the Internal Revenue Service and who has the type of designation on Appendix A, Exempt Organization Reference Chart, which is attached hereto;
  - C. Type 3 is the City of Crown Point, or any of its affiliated government agencies, Lake County Agricultural Society, South Lake County Agricultural Historical Society and the LCFG/SO Covered Bridge Harvest Fest, because these units provide reciprocal services to the Lake County Fairgrounds;
  - D. Type 4 is a organization that is a county level government body that is funded by and through the Lake County Council that controls the budget of this body;
  - E. Type 5 is any person, corporation, partnership, organization, association or any other affiliation that does meet the requirements of Type 1, Type 2, Type 3 or Type 4;
- F. A Lake County resident is a Type 1, Type 2 or Type 4 entity that has an office in Lake County, resides in Lake County, has a service area that encompasses Lake County, or owns real or personal property located within Lake County. This requirement can be verified through either an Indiana Operator's License, Voter Registration card or Lake County tax records;
- G. A Non-Lake County resident is a Type 1, Type 2 or Type 4 entity whose location is Lake County can not be verified through an Indiana Operator's License, Voter Registration card or Lake County tax records;
3. That Type 3 and Type 4 shall be permitted to utilize the Lake County Fair Grounds at no fee;
4. That the following daily fee and set-up rates shall be paid per day for the use of the facilities at the Lake County Fair Grounds:

<u>Facility</u>	<u>Type 1 &amp; Type 2</u>	<u>Type 5</u>
<b>4H Building:</b>		
Daily Use:		
Resident:	\$250.00	\$375.00
Non-resident:	\$350.00	\$475.00
Set-Up:		
Resident:	\$75.00	\$115.00
Non-resident:	\$105.00	\$160.00
<b>Industrial Building:</b>		
Daily Use:		
Resident:	\$350.00	\$450.00
Non-resident:	\$420.00	\$640.00
Set-Up:		
Resident:	\$100.00	\$150.00
Non-resident:	\$140.00	\$225.00
<b>Annex Building:</b>		
Daily Use:		
Resident:	\$150.00	\$200.00
Non-resident:	\$180.00	\$250.00
Set-Up:		
Resident:	\$50.00	\$65.00
Non-resident:	\$60.00	\$90.00

Orders #2--Order #8 Agenda #6 cont'd

<u>Facility</u>	<u>Type 1 &amp; Type 2</u>	<u>Type 5</u>
<b>Fine Arts Building:</b>		
Daily Use:		
Resident:	\$200.00	\$275.00
Non-resident:	\$250.00	\$375.00
Set-Up:		
Resident:	\$55.00	\$85.00
Non-resident:	\$85.00	\$125.00
<b>Shelters #1-6:</b>		
Daily Use:		
Resident:	\$100.00	\$100.00
Non-resident:	\$100.00	\$100.00
<b>Gazebo / Cov. Bridge Wedding Area:</b>		
Daily Use- ALL:	\$100.00	\$100.00
<b>Arena:</b>		
Daily Use:		
Resident:	\$300.00	\$500.00
Non-Resident:	\$450.00	\$650.00
Set-Up:		
Resident:	\$100.00	\$150.00
Non-Resident:	\$150.00	\$200.00
<b>Grandstand:</b>		
Daily Use:		
Resident:	\$500.00	\$750.00
Non-resident:	\$650.00	\$850.00
Set-Up:		
Resident:	\$100.00	\$150.00
Non-resident:	\$100.00	\$150.00
<b>*North Half of Grounds w/Shelters:</b>		
Daily Use:		
Resident:	\$1200.00	\$1500.00
Non-Resident:	\$1300.00	\$1800.00
Set-Up:		
Resident:	\$200.00	\$400.00
Non-Resident:	\$300.00	\$500.00

<b>*South Half of Grounds:</b>		
Daily Use:		
Resident:	\$1000.00	\$1500.00
Non-Resident:	\$1300.00	\$1800.00
Set-Up:		
Resident:	\$200.00	\$400.00
Non-Resident:	\$300.00	\$500.00

**\*ANY ADDITIONAL BLDG. WILL BE THEIR INDIVIDUAL RENTAL RATE.**

**ALL USERS ARE REQUIRED TO RETURN BUILDINGS TO: MOVED IN CONDITION. FAIRGROUNDS WILL PERFORM CLEAN-UP SERVICES AT A NEGOTIATED RATE, IF, DESIRED BY LESSEE.**

5. That the following rates for additional amenities which must be approved separately by the Fair Ground Superintendent are hereby established:

<u>Amenity</u>	<u>Fee Per Day</u>
Stage (size)	\$100.00-\$150.00
4H Sound System	\$50.00
Industrial Building PA System	\$50.00
Portable 100 amp electrical service	\$50.00
*Self-Contained (Primitive) Camping (no electric)	\$15.00
*Self-Contained (Primitive) Camping (with electric)	\$25.00
Round Tables	\$10.00 (per table)
Electric (per hook-up)	\$5.00

\*Only allowed with certain events and collected by lessee.

Arrangements for special electrical hookups must be made through the Superintendents office for a qualified Electrician any costs to be paid by lessee.

Events charging admission shall pay an additional fee within 30 days of said event.  
DOOR Fee: \$.50 per person- GATE Fee: \$1.00 per person

LATE FEES: 10% of rental fee incurred IF payment in full is not 30 days before event, unless event scheduled within last 30 days.

6. That all fees shall be deposited in accordance with State law with the appropriate Lake County office.

Orders #2--Order #8 Agenda #6 cont'd

7. This Ordinance hereby rescinds and repeals Ordinance No. 1320C.

SO ORDAINED THIS 30<sup>th</sup> DAY OF March, 2011.

T.F. BILSKI  
TED F. BILSKI, President

ABSENT

CHRISTINE CID

Daniel E. DERNULC  
DANIEL E. DERNULC

Rick Niemeyer  
RICK NIEMEYER

Michael C. Repay  
MICHAEL C. REPAY

Elsie Franklin  
ELSIE FRANKLIN

Jerome A. Prince  
JEROME A. PRINCE

Members of Lake County Council

ALL OF WHICH IS APPROVED THIS 30<sup>th</sup> DAY OF March, 2011.

Gerald Scheub  
GERALD SCHEUB

Roosevelt Allen, Jr.  
ROOSEVELT ALLEN, JR.

Frances DuPey  
FRANCES DUPEY

Members of the Lake County Board of Commissioners

ALL OF WHICH IS APPROVED THIS 30<sup>th</sup> DAY OF March, 2011.

Peggy Katona  
PEGGY KATONA  
Lake County Auditor

\*SEE FILE FOR APPENDIX A,B

There being no further business before the Board at this time, Scheub made a motion, seconded by DuPey, to adjourn.

The next Board of Commissioners Meeting will be held on Wednesday, April 20, 2011 at 10:00 A.M.

The following officials were Present:  
Attorney John Dull  
Brenda Koselke

Roosevelt Allen Jr., President  
ROOSEVELT ALLEN Jr., PRESIDENT

Frances DuPey, Commissioner  
FRANCES DUPEY, COMMISSIONER

Gerry Scheub, Commissioner  
GERRY SCHEUB, COMMISSIONER

ATTEST:

Peggy Holinga Katona, Lake County Auditor  
PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR

