

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in regular session at this time, for the purpose of considering additional appropriations, a written notice was sent to each member of the Council, and proper advertisement made, and all other acts performed in accordance with the laws governing such matters.

And now in obedience to such call, come Will A. Smith, Jr., President, Donald Potrebic, Ron Tabaczynski, Elsie Franklin, Christine Cid, Thomas O'Donnell, and Larry Blanchard, County Councilpersons, together with Ray Szarmach, County Council Attorney.

In the Matter of Minutes of the Lake County Council – March 15, 2005.

Franklin made a motion, seconded by Cid to approve. All voted "Yes". Motion carried 7-0.

ORDINANCE NO 1262

Section 1. Be It Ordained by the County Council of Lake County, IN., that for the expenses of the County Government and its institutions, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein appropriated, and shall be held to include all expenditures authorized to be made during the year unless otherwise expressly stipulated and provided by law.

	Appropriation Requested	Appropriated
General Fund 001		
<u>Jail</u> 3100		
43120 Medical & Hospital Service	\$300,000.00	Defer to 5-10-05
<u>Commissioners</u> 2900		
PERF(Reduction)	-\$ 80,325.00	No Action Taken
<u>Weights & Measures</u> 3800		
41130 Technicians	\$ 20,250.00	No Action Taken
41160 Office & Clerical	\$ 18,000.00	No Action Taken
41240 Group Insurance	\$ 15,600.00	No Action Taken
41396 Perf Supplement	\$ 945.00	No Action Taken
42110 Office Supplies	\$ 2,500.00	No Action Taken
42210 Petroleum Products	\$ 2,000.00	No Action Taken
42230 Clothing	\$ 1,200.00	No Action Taken
42310 Equipment Repair Parts	\$ 4,000.00	No Action Taken
43231 Travel – Registration	\$ 1,355.00	No Action Taken
43232 Travel – Meals	\$ 1,750.00	No Action Taken
43233 Travel – Lodging	\$ 2,500.00	No Action Taken
43234 Travel – Trans Other	\$ 1,650.00	No Action Taken
43235 Travel – Mileage	\$ 500.00	No Action Taken
43310 Printing	\$ 2,000.00	No Action Taken
43620 Equipment Repair	\$ 4,000.00	No Action Taken
43630 Maint & Serv Contr	\$ 500.00	No Action Taken
43720 Laundry & Cleaning	\$ 800.00	No Action Taken
43730 Property Rental	\$ 100.00	No Action Taken
43910 Dues & Subscriptions	\$ 700.00	No Action Taken
Gambling Adm Tax 196		
<u>Weights & Measures</u> 2800		
44410 Furniture & Fixtures	\$ 857.00	No Action Taken
44440 Motor Vehicles	\$ 22,902.00	No Action Taken
44490 Other Equipment	\$ 34,886.00	No Action Taken
<u>Jail</u> 3100		
43120 Medical & Hospital Service	\$300,000.00	Defer to 5-10-05
SAPS FUND 143		
<u>County Court Division II</u> 4040		
Create New Line Item		
43190 Other Professional Service	\$ 3,000.00	\$ 3,000.00
Sheriff Grant Fund 239		
<u>Sheriff</u> 0500		
44490 Other Equipment	\$296,843.00	\$296,843.00

	Appropriation Requested	Appropriated
Sheriff Grant Fund 239		
<u>Sheriff</u> 0500		
42410 Other Supplies	\$ 1,000.00	\$ 1,000.00
43630 Maint & Service	\$ 69,000.00	\$ 69,000.00
Homeland Security Grant Fund 249		
<u>Emergency Management</u> 3500		
44490 Other Equipment	\$ 34,483.00	\$ 34,483.00
<u>Emergency Management</u> 3500		
44490 Other Equipment	\$ 46,014.22	\$ 46,014.22
Weights & Measures User Fee Fund 255		
<u>Weights & Measures</u> 3800		
41100 Overtime	\$ 1.00	\$ 1.00
41130 Technicians	\$ 33,595.00	\$ 14,300.00
41160 Office & Clerical	\$ 22,695.00	\$ 15,700.00
41220 FICA	\$ 6,146.00	\$ 2,300.00
41230 PERF	\$ 6,025.00	\$ 2,250.00
41240 Group Insurance	\$ 15,600.00	\$ 13,600.00
41390 Supplemental Pay	\$ 24,054.00	No Action Taken
41396 Perf Supplement	\$ 945.00	No Action Taken
42110 Office Supplies	\$ 2,500.00	\$ 2,500.00
42210 Petroleum Products	\$ 2,000.00	\$ 2,000.00
42230 Clothing	\$ 1,200.00	\$ 1,200.00
42310 Equipment Repair Parts	\$ 4,000.00	\$ 4,000.00
43231 Travel – Registration	\$ 1,355.00	\$ 1,355.00
43232 Travel – Meals	\$ 1,750.00	\$ 1,750.00
43233 Travel – Lodging	\$ 2,500.00	\$ 2,500.00
43234 Travel – Trans/Other	\$ 1,650.00	\$ 1,650.00
43235 Travel – Mileage	\$ 500.00	\$ 500.00
43310 Printing	\$ 2,000.00	\$ 2,000.00
43620 Equipment Repairs	\$ 4,000.00	\$ 4,000.00
43630 Maint. & Svc Contr	\$ 500.00	\$ 500.00
43720 Laundry & Cleaning	\$ 800.00	\$ 800.00
43730 Property Rental	\$ 100.00	\$ 100.00
43910 Dues & Subscriptions	\$ 700.00	\$ 700.00
44410 Furniture & Fixtures	857.00	\$ 857.00
44440 Motor Vehicles	\$ 22,902.00	\$ 22,902.00
44490 Other Equipment	\$34,886.00	\$ 34,886.00
Sales Disclosure Fund 710		
Assessor 0900	\$ 7,000.00	No Action Taken

TRANSFERS

I, the proper legal officer of Lake County Council, Lake County, IN., hereby certify to the Auditor of Lake County, that the Lake County Council, approved the following transfers:

	Requested	Approved
<u>Commissioners</u> 2900		
Create New Line Items		
From: Fund 514-41245 Ancillary Self Ins Ded	\$ 5.00	
To: Fund 514-43231 Travel – Reg	\$ 1.00	\$ 1.00
Fund 514-43232 Travel – Meals	\$ 1.00	\$ 1.00
Fund 514-43233 Travel – Lodging	\$ 1.00	\$ 1.00
Fund 514-43234 Travel – Trans	\$ 1.00	\$ 1.00
Fund 514-43235 Travel – Mileage	\$ 1.00	\$ 1.00
 <u>Sheriff</u> 0500		
Create New Line Item		
From: 001-43235 Travel – Mileage	\$20,000.00	
To: 001-44490 Other Equipment	\$ 20,000.00	No Action Taken
 <u>Coroner</u> 0700		
From: 001-42390 Other Repair & Maint Suppl	\$ 3,907.09	
To: 001-44420 Office Machines	\$ 3,907.09	No Action Taken

	Requested	Approved
<u>L.S. Court Div III 4050</u>		
From: 001-43170 Per Diem Petit Jurors	\$ 500.00	
To: 001-44410 Furniture & Fixtures	\$ 500.00	\$ 500.00
 <u>Surveyors 0600</u>		
From: 001-41160 Office & Clerical	\$ 4,100.00	
To: 001-41190 Part-Time	\$ 4,100.00	\$ 4,100.00
 <u>Sheriff 0500</u>		
(Create New Line Item)		
From: 001-43235 Travel – Mileage	\$ 6,000.00	
To: 001-44490 Other Equipment	\$ 6,000.00	Defer to 5-10-05
 <u>Public Defender 4002</u>		
Criminal Court Public Defender Fund 405		
From: 405-43190 Other Professional Service	\$ 20,000.00	
To: 405-42130 Law Books	\$ 20,000.00	\$ 20,000.00
 <u>Public Defender 4002</u>		
From: 001-43190 Other Professional Service	\$ 50,000.00	
To: 001-41120 Professionals	\$ 50,000.00	\$ 50,000.00
 <u>Election & Registration 2100</u>		
From: 001-41380 Seasonal	\$ 100.00	
To: 001-41196 Election Day Workers	\$ 100.00	\$ 100.00
 <u>Sheriff 0500</u>		
From: 196-43610 Building & Structure	\$ 20,000.00	
To: 196-44490 Other Equipment	\$ 20,000.00	\$ 20,000.00

And that such transfer does not necessitate expenditure of more money than was set out in detail in the budget as finally approved by the State Board of Tax Commissioners.

This transfer was made at a regular public meeting according to proper ordinance, a copy of which is attached to this certificate.

Dated this 12th day of April, 2005.

Will A. Smith, Jr.,
President, Lake County Council

Adopted this 12th day of April, 2005

NAY

AYE
Will A. Smith, Jr.
Donald Potrebic
Ron Tabaczynski
Elsie Franklin
Thomas O'Donnell
Christine Cid
Larry Blanchard

Members of the Lake County Council

Additional

	Made motion	seconded	
<u>General fund 001</u>			
Jail(\$300,000)	Franklin	O'Donnell	All voted "Yes" to defer to 5-10-05. Motion carried 7-0.
Commissioners(-\$80,325)	No Action Taken		
Weights & Measures(\$80,350)	No Action Taken		
<u>Gambling Adm Tax Fund 196</u>			
Weights & Measures(\$58,645)	No Action Taken		
Jail(\$300,000)	Franklin	O'Donnell	All voted "Yes" to defer. Motion to defer carried 7-0.

Saps Fund 143

County Court Div II(\$3,000)	Franklin	Blanchard	All voted "Yes" to approve and create new line item. Motion carried 7-0.
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Sheriff Grant Fund 239

Sheriff(\$296,843)	Cid	Franklin	All voted "Yes" . Motion carried 7-0.
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Sheriff(\$70,000)	Cid	Franklin	All voted "Yes". Motion carried 7-0.
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Homeland Security Grant Fund 249

Emergency Mngmt(\$46,014.22) Q#049264	Blanchard	Tabaczynski	All voted "Yes". Motion carried 7-0.
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Emergency Mngmt(\$34,483) Q#049265	Blanchard	Tabaczynski	All voted "Yes". Motion carried 7-0.
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Weights & Measures User Fee Fund 255

Weights & Measures(\$132,351) (See Footnote)	Franklin	Blanchard	All voted "Yes" to create new line items and approve the appropriation. Motion carried 7-0.
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Sales Disclosure Fund 710

Assessor(\$7,000)	No Action Taken		
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Footnotes

Re: Weights & Measures – Franklin made a motion to approve and create new line item for overtime, and putting \$1.00 in that line item, and approve Furniture & Fixtures @ \$857.00, Motor Vehicle @ \$22,902, Other Equipment @ \$34,886, Office Supplies @ \$2,500, Petroleum @\$2,000, Clothing @ 1,200, Equipment Repair Parts @ \$4,000, Travel – Registration @ \$1,355, Travel – Meals @ 1,750, Travel – Lodging @ \$2,500, Travel- Trans/Other @ \$1,650, Travel – Mileage @ \$1,659, Printing @ \$2,000, Equipment Repairs @ \$4,000, Maintenance & Svc Contract @\$500, Laundry & Cleaning@ 800, Property Rental @ \$100, and Dues & Subscriptions @ \$700, for a total of \$132,351 and take "No Action" on the Supplemental Pay and the PERF Supplement. Blanchard seconded the motion. All voted "Yes". Motion carried 7-0.

Transfers

	Made motion	seconded	
Commissioners(\$5.00)	Blanchard	O'Donnell	All voted "Yes" to create New line items and approve. Motion carried 7-0.
Sheriff(\$20,000)(General Fund) – No Action			
Coroner(\$3,907.09) See Footnote	Potrebic	Cid	All voted "Yes" to create New line item, but to take "No Action" on the transfer. Motion carried 7-0.
L.C Court Div III(\$500)	Franklin	Cid	All voted "Yes", except Blanchard, "No". O'Donnell, "Absent". Motion carried 5-yes, 1-no, 1-absent.
Surveyor(\$4,100)	O'Donnell	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Sheriff(\$6,000)	Cid	Potrebic	All voted "Yes" to defer To 5-10-05. Motion carried 7-0.
Public Defender(\$20,000) (Fund 405)	Potrebic	Blanchard	All voted "Yes" , except O'Donnell, "absent". Motion carried 6-yes, 1-absent.
Public Defender(\$50,000)	Potrebic	Blanchard	All voted "Yes", except Franklin & O'Donnell, "absent". Motion carried 5-yes, 2-absent.
Election & Registration(\$100)	Franklin	Cid	All voted "Yes". Motion carried 7-0.
Sheriff(\$20,000) (See Footnotes)	Cid	Blanchard	All voted "Yes". Motion carried 7-0.

Footnotes

Re: Coroner – Potrebic made a motion, seconded by Cid to create the new line item of 44420 – Office Machines and take “No Action” on the transfer. All voted “Yes”. Motion carried 7-0.

Re: Sheriff – Cid made a motion, seconded by Franklin to create the new line item in Gambling Admission Tax Fund 196 – 44490 – Other Equipment.

O’Donnell asked if they create a new line item in Fund 196, how are they going to get money into it?

Dennis Heaps said they have the money there already, that they are going to transfer next month. All voted “Yes” to create the new line item. Motion carried 7-0.

Cid made a motion, seconded by Blanchard to add transfer from Fund 196 on the agenda from the 300 series to the 400 series. The transfer would be from 43610 – Building & Structure, To 44490 – Other Equipment @ \$20,000. All voted “Yes” to put this on the agenda. Motion carried 7-0.

Cid made a motion, seconded by to approve the transfer from 43610 to 44490 in the amount of \$20,000. Franklin seconded the motion. All voted “Yes”. Motion carried 7-0.

In the Matter of Revised 144 for Parks & Recreation and Weights & Measures, Fund 001, Weights & Measures, Fund 255

Re: Parks & Registration - Tabaczynski made a motion, seconded by O’Donnell to defer to 5-10-05. All voted “Yes”. Motion to defer carried 7-0.

Re: Weights & Measures – Franklin made a motion, seconded by Blanchard to approve in the general fund, 001. Franklin explained that she would like to eliminate the position of Administrative Assistant in the general fund, and create the position of Secretary to replace the old position, at the same salary(title change). All voted “Yes”. Motion carried 7-0.

<u>Revised 144 – 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16402 Administrative Asst	\$21,740	-0-	-\$21,740

Re: Weights & Measures – Franklin made a motion, seconded by Tabaczynski to approve the creation of the position of Secretary in the general fund. All voted “Yes”, except Blanchard, “No”. Motion carried 6-yes, 1-no.

<u>Revised 144 – 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16670-001 Secretary	-0-	\$21,740	\$21,740

Re: Weights & Measures Fund 255 – Franklin made a motion, seconded by Blanchard to approve the Technician in the User Fee Fund 255 at the salary of \$21,853.

O’Donnell asked what happens if the user fund can’t support these appropriations?

Dante said that they’ve made this understanding and arrangement with every fund that we have, that the fund ceases to exist if there is not enough money to support the appropriation. The Department head must accept that, and must reduce their budget by that amount. If the fund can’t support it, it won’t be there. O’Donnell said, as long as it doesn’t migrate over to the general fund, that was his concern.

All voted “Yes”. Motion carried 7-0.

<u>Revised 144 – Fund 255</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
13457-001 Technician	-0-	\$21,853	\$21,853

Re: Weights & Measures Fund 255 – Franklin made a motion, seconded by Blanchard to create the position of Administrative Asst @ \$24,000, in the User Fee Fund 255. All voted “Yes”. Motion carried 7-0.

<u>Revised 144 – Fund 255</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16402-001 Administrative Asst.	-0-	\$24,000	\$24,000

In the Matter of Create New Line Items Fund 167 – Surveyor’s Corner Perpetuation Fund – 43420 – Insurance, and 44440 – Motor Vehicles.

O’Donnell made a motion, seconded by Franklin to defer to 5-10-05. All voted “Yes”. Motion to defer carried 7-0.

In the Matter of Create New Line Item Fund 194 – Clerk’s Record Perpetuation Fund

Franklin made a motion, seconded by O'Donnell to defer to 5-10-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Create New Line Items - Health Department – Anti-Bioterrorism Fund 253 – 42250 – Health Care & Lab Supplies, and 43630 – Maintenance & Service Contracts.

Franklin made a motion, seconded by O'Donnell to approve creating the new line items. All voted "Yes". Motion carried 7-0.

In the Matter of Citizen Appointment – County Property Tax Assessment Board of Appeals.

Blanchard nominated Vern Vierk for a one year term, second year term to the County PTBOA board. Blanchard made a motion, seconded by O'Donnell to close the nominations. All voted "Yes". Motion to approve Vern Vierk to the County Property Tax Assessment Board of Appeals carried 7-0.

In the Matter of Citizen Appointment – Whiting Library Board.

Cid made a motion, then said actually this motion is to correct dates of appointment. She said when they made the last appointment, it should have only been until April, 2005, but the motion was made for a four year term, so this motion is for the appointment to begin 5-1-05, to 4-30-09. Cid said that her nominee is Michael Mazur.

O'Donnell made a motion, seconded by Blanchard to close the nominations. All voted "Yes" to approve Michael Mazur. Motion carried 7-0.

In the Matter of Citizen Nominations – Economic Development Commission – Lake Station.

Potrebic nominated Roger Coots.

Potrebic made a motion, seconded by O'Donnell to close the nominations.

All voted "Yes". Motion to approve Roger Coots to the Lake Station Economic Development Commission carried 7-0.

In the Matter of Public Hearing – Lake County Public Library Capital Projects Plan 2006/2007/2008.

Blanchard asked the Chairman to open up the Public Hearing for consideration of the Capital Projects for the Lake County Public Library.

Smith opened up the matter to the public.

Attorney Szarmach said they have the public hearing today for public comments, and then there is the Resolution approving it.

Wayne Wietbrook was concerned about the scope of this capital project. He asked for information on it.

Mr. Lawrence Acheff, Director of the Lake County Public Library said the Capital Projects Fund is that fund that sets aside money for the maintenance, and periodic upgrade of the Library' mainframe computer system, construction and repair of the buildings, and the purchase of major equipment. He said the Lake County Public Library provides computer services to the Lowell Public Library, and they are undergoing a major upgrade of the computer system right now.

Smith asked if there was anyone in the audience who was for, or against this project.

Smith closed the public portion.

SEE RESOLUTION NO. 05-45.

In the Matter of Resolution Authorizing the transfer of an appropriate amount of funds between Gambling Admission Tax Fund 196 and 2% Circuit Break Debt Fund 325.

Dante said that he is waiting for the schedule to come from the State; therefore, we are holding the checks for the 16 Cities and Towns.

Franklin made a motion, seconded by Cid to defer to 5-10-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Permitting Lake County Coroner to pay a 2004 invoice with 2005 funds.

Franklin made a motion to allow the Coroner to pay 2004 bills with 2005 funds. Cid seconded the motion.

Blanchard asked if this was attached to the request on the agenda in which we just created the line item, and didn't fund it. He said he doesn't know what the plans are for funding this line item to pay this bill and wondered if they just might want to hold off on this resolution until such time as this issue is resolved.

Cid made a motion, seconded by Potrebic to defer to 5-10-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Approving Lake County Government inclusion in Government Efficiency Study.

Tabaczynski made a motion, seconded by Franklin to defer to 5-10-05. All voted "Yes" to defer except Smith, "absent". Motion to defer carried 6-yes, 1-absent.

In the Matter of Resolution Honoring Adam Molon – Andean High School – Indiana State Champion Brain Bee Competition.

Smith made a motion, seconded by Potrebic to approve. All voted "Yes". Motion carried 7-0. Potrebic read the plaque and presented it to Adam Molon.

RESOLUTION NO. 05-42

**RESOLUTION HONORING ADAM MOLON,
THE BRAIN BEE CHAMPION**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all academic matters throughout the State and Nation; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in academic contests in this State, the Nation and the World; and

WHEREAS, Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in academic contests demands; and

WHEREAS, Adam Molon, of Andean High School won the Brain Bee competition hosted by Indiana University Northwest and will represent Northwest Indiana at the International Brain Bee competition at the University of Maryland.

NOW, THEREFORE, LET'IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to ADAM MOLON for winning the Brain Bee competition hosted by Indiana University Northwest; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to ADAM MOLON.

DULY ADOPTED by the Lake County Council, this 12th day of April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Honoring Munster High School Speech Team – Indiana State Champions Forensics Association Class 2A.

O'Donnell made a motion, seconded by Tabaczynski to approve. All voted "Yes". Motion carried 7-0.

O'Donnell presented a plaque to the Coach, on behalf of the team.

Tabaczynski read the names, to be entered into the record, of the Coach, as well as the team, and presented certificates to each of them. He read the following names:

Helen Engstrom, Coach, Donald Fortner, Coach, Jennifer Bulla, Coach, Eileen Thorp, Coach, Michael Gordon, Coach, James Thorp, Coach.

The team consist of:

Saba Ahmed, Chetan Chaubal, Elena Faloon, Manini Gupta, Lyndsay Langbehn, Zach Perlinski, Erica Ranade, Pat Thomas, Joel Barnes, Emily Clark, Russell Gonzalez, Mike Hughes, Emily Lyness, Austin Piech, Joel Schneider, Molly White, Jordan Barnes, Jessica Conger, Scott Goodwin, Amanda Kilibarda, Shobha Pai, Anna Rak, Phil Shapiro, Michelle Becka, Kim Dooley, Genevieve Grdina, Stefanie Krasic, David Pavkovich, Tom Ramus, and Samantha Skrobot.

RESOLUTION NO. 05-43

**RESOLUTION HONORING THE
MUNSTER HIGH SCHOOL SPEECH TEAM**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all academic matters throughout the State and Country; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in academic contests in this State, the Nation and the World; and

WHEREAS, Lake County is justly proud of its sons and daughters who have so willingly taken upon themselves the hardships and disciplines, both mental and physical, which successful participation in academic contests demand; and

WHEREAS, the Speech Team of Munster High School won first place in the Indiana High School Forensic Association's 2A State Finals.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council,

and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the students and teachers of the Munster High School Speech Team for their capture of first place at the Indiana High School Forensic Association Class 2A State Speech Tournament.

SO RESOLVED THIS 12th DAY OF APPIL, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Honoring Megan Cherry, Balance Beam State Champion.

Potrebic made a motion, seconded by Blanchard to approve. All voted "Yes". Motion carried 7-0. Potrebic read the plaque, and presented it to Megan Cherry.

RESOLUTION NO. 05-44

**RESOLUTION HONORING MEGAN CHERRY,
BALANCE BEAM STATE CHAMPION**

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, MEGAN CHERRY, of Hobart High School captured first place in the Balance Beam Competition at the Indiana State Gymnastics Meet.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to MEGAN CHERRY for capturing first place in the Balance Beam Competition at the Indiana State Gymnastics Meet; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to MEGAN CHERRY.

DULY ADOPTED by the Lake County Council this 12th day of April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Approving Lake County Public Library Capital Projects Plan 2006/2007/2008.

Potrebic made a motion, seconded by Blanchard to approve. All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 05-45

**RESOLUTION APPROVING THE LAKE COUNTY
PUBLIC LIBRARY CAPITAL PROJECTS PLAN FOR 2006, 2007, AND 2008**

WHEREAS, on March 15, 2005, the Lake County Public Library adopted a Library Capital Projects Plan for 2006, 2007 and 2008 as provided for in I. C. 20-14-13; and

WHEREAS, on April 12, 2005, the Lake County Council, the fiscal body for the Lake County Public Library, pursuant to I. C. 20-14-13-6 held a public hearing for said plan; and

WHEREAS, the Lake County Council now desires to approve the Capital Projects Plan for 2006, 2007 and 2008 of the Lake County Public Library as submitted.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council being the appropriate fiscal body for the Lake County Public Library Board as designated by I.C. 20-14-13-6 has held a public hearing with respect to the Capital Projects Plan for 2006, 2007 and 2008 and does hereby approve by the Plan as received by the Lake County Council.

SO RESOLVED this 12th day of April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Health Dept to pay 2004 Claims with 2005 funds.

Franklin made a motion, seconded by Cid to approve. All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 05-46

**RESOLUTION PERMITTING THE HEALTH
DEPARTMENT TO PAY
OUTSTANDING 2004 INVOICES/DEBTS FROM THE 2005 BUDGET**

WHEREAS, the Health Department is currently operating in the 2005 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2004, have not been paid:

<u>105-5130-43235</u>	<u>Travel-Mileage</u>
113980/Paul Garrett	\$ 312.89
632987/Kirk Day	475.50
2442/George O'Donnell	58.32

WHEREAS, the Lake County Council desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2004 expenses shall be paid from the Health Department's 2005 Budget:

<u>105-5130-43235</u>	<u>Travel-Mileage</u>
113980/Paul Garrett	\$ 312.89
632987/Kirk Day	475.50
2442/George O'Donnell	58.32

SO RESOLVED THIS 12th day of April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Permitting Lake County Sheriff to pay a 2004 debt with 2005 funds.

Cid made a motion, seconded by Franklin to approve and amend to Fund 196 . All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 05-47

**RESOLUTION PERMITTING LAKE COUNTY SHERIFF TO PAY
OUTSTANDING 2004 INVOICES/DEBTS FROM THE 2005 BUDGET**

WHEREAS, the Sheriff's Department of Lake County, is currently operating in the 2005 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2004 have not been paid:

0500- 196-44490 - Other Equipment	
Lincoln Office	\$ 3,389.92
Lincoln Office	3,474.52
Lincoln Office	10,795.00
	\$17,659.44

WHEREAS, the Sheriff's Department desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

1. That the Lake County Sheriff's Department, shall pay from its 2005 Budget the following invoices/debts incurred in the calendar year 2004 as follows:

0500-:196-44490 - Other Equipment	
Lincoln Office	\$ 3,389.92
Lincoln Office	3,474.52
Lincoln Office	10,795.00
	\$17,659.44

SO RESOLVED THIS 12th day of April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Auditor to pay 2004 invoices with 2005 funds.

Tabaczynski made a motion, seconded by O'Donnell to approve. All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 05-48

**RESOLUTION PERMITTING THE LAKE COUNTY
AUDITOR TO PAY
OUTSTANDING 2004 INVOICES/DEBTS FROM THE 2005 BUDGET**

WHEREAS, the Lake County Auditor's Office is currently operating in the 2005 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2004, have not been paid:

001-0200-43190 Other Professional Services
Northwest Indiana Center for Data Analysis \$ 225.00

001-0200-43310 Printing
Bureau of Motor Vehicles/State of Indiana \$ 90.00

WHEREAS, the Lake County Council desires to transfer funds and pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

- 1 . That the following 2004 expenses shall be paid from the Lake County Auditor's 2005 Budget:

001-0200-43190 Other Professional Services
Northwest Indiana Center for Data Analysis \$ 225.00

001-0200-43310 Printing
Bureau of Motor Vehicles/State of Indiana \$ 90.00

SO RESOLVED THIS 12th day of April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Permitting Public Defender to pay 2004 invoices with 2005 funds.

Potrebic made a motion, seconded by Franklin to approve. All voted "Yes". Motion carried 7-0.

**RESOLUTION NO. 05-49
RESOLUTION PERMITTING THE OFFICE OF
THE PUBLIC DEFENDER TO PAY
OUTSTANDING 2004 INVOICES/DEBTS FROM THE 2005 BUDGET**

WHEREAS, the Office of the Public Defender, is currently operating in the 2005 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2004 have not been paid:

General Fund 001-Dept. 4002/Line Item #43190 Other Professional Service

Richard W. Maroc \$ 2,580.00
P. Jeffrey Schlesinger 1,497.30
Jessie A. Cook 6,391.31
\$10,468.61

WHEREAS, the Lake County Council desires to transfer funds and pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2004 expenses shall be paid from the Office of the Public Defender's 2005 Budget:

General Fund 001-Dept. 4002/Line Item #43190 Other Professional Service

Richard W. Maroc \$ 2,580.00
P. Jeffrey Schlesinger 1,497.30
Jessie A. Cook 6,391.31
\$10,468.61

SO RESOLVED THIS 12TH DAY OF APRIL, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL

LARRY BLANCHARD
CHRISTINE CID

ELSIE FRANKLIN

DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Permitting Election & Registration to pay 2003 and 2004 invoices with 2005.

Franklin made a motion, seconded by Cid to approve. All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 05-50

**RESOLUTION PERMITTING THE LAKE COUNTY
BOARD OF ELECTIONS AND REGISTRATION TO PAY
OUTSTANDING 2003 AND 2004 INVOICES/DEBTS FROM THE 2005 BUDGET**

WHEREAS, the Lake County Board of Elections and Registration, is currently operating in the 2005 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget years of 2003 and 2004, have not been paid:

2003 Invoice	
001-2100-42410	Other Supplies
Marshall II Enterprises	\$ 190.00
2004 Invoices	
001-2100-42410	Other Supplies
Sam's Club	\$ 36.53
001-2100-41196	Election Day Workers
Norman G. Westforth	\$ 100.00

WHEREAS, the Lake County Council desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2003 and 2004 expenses shall pay be paid from the Lake County Board of Elections and Registration's 2005 Budget:

2003 Invoice	
001-2100-42410	Other Supplies
Marshall 11 Enterprises	\$ 190.00
2004 Invoices	
001-2100-42410	Other Supplies
Sam's Club	\$ 36.53
001-2100-41196	Election Day Workers
Norman G. Westforth	\$ 100.00

SO RESOLVED THIS 12TH DAY OF April, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Supporting a Referendum Prior to the Adoption of any Local Option Income Tax.

Smith said that this is a resolution to support a referendum by the voters of Lake County prior to the adoptions of any local option income tax in Lake County. Smith said that in the resolution and the resolve on it, is that they would be asking the State Legislators to include in House Bill 1120, language that would

address itself to allowing the citizens of Lake County to have some input in terms of their feelings for any adoptions of a local optional taxes.

Tabaczynski made a motion, seconded by O'Donnell to approve.

Tabaczynski said that he thinks that what we are trying to do here is to make a point . He said in this case, property tax relief is coming in the form of local option income tax, but if you look at House Bill 1120, it is a complicated piece of legislation, it could have the effect of doing a number of things that people in this county have thought was being done for a long time. He said, what started our Court case on the reassessment was a perception that one end of the County was paying the taxes for another end of the county. He said, while that's true to some extent it certainly wasn't true to the great extent that many thought it was. He said it ended up with shifts from one class of taxpayer to another, but the way this bill is currently structured, you would see the effect of one part of the County having an effect on the taxes of another part of the County, not only, and possibly who's paying it, but who's driving the rates up. He said, right now, the way this is structured, there really is no reward for people living in the boundaries of a tax unit that is being fiscally responsible, if they live next to, or in the same County with the tax unit who isn't being fiscally responsible. He also said that there are going to be a lot of questions about the local option income tax.

This is a major public policy shift, probably even more so in Lake County not having a local option income tax, but since it's being sold to people as property tax relief, Tabaczynski said he thinks it is important that they understand and said, he believes that we are going to share this resolution with the Towns, Cities, Townships, Parks, and Schools, because we are definitely all in this together. Tabaczynski said he doesn't believe the legislature would even give them,(the Council), the decision to adopt the income tax, it creates a super tax counsel, and unless there's an important and critical dialogue started with people in every taxing unit, people are going to be confronted with this without really understanding what the impact is going to be. He said he doesn't know if we harbor any illusions that the legislature is going to give us a referendum, but Tabaczynski said, he thinks we are definitely making a point here, that it is something that needs to be talked about in all the tax units.

Franklin said she thinks at this time, the citizens of Lake County need to understand what is being proposed, as far as their taxes are concerned, so that they will understand that we, sitting here in Lake County, are not making these decisions for them, or saying to them that we don't care, and that's the picture out there, as far as Council people are concerned. She said we need to let the citizens know that we did not start any of this because some people are saying "The County Council imposed the taxes on us". Franklin said, that's not the truth and we need to have some input, and let them have some say as to what is going to affect them, and let them decide as to whether or not, this is something they want, and then we can take it back to our legislators, instead of them bringing it to us and saying, "okay, this is it, this is the way it has to be done". They do need to have some input.

O'Donnell said, there was a time, when people in his district could actually approach him, and he is speaking about people who made a couple of hundred thousand dollars or more a year, who would have been willing to have a local option income tax, if the double whammy of, even if they knew industry wouldn't pay it, that it was just going to be a personal tax, an income tax. He said he doesn't know if their feelings are going to be the same now, when now they've had industry wiping off so much of their obligation, and putting it on the citizens, and now saying okay, in addition to that pay a local option income tax. O'Donnell said he thinks it's a great idea, let the people decide if they want to do that or not.

Potrebic wanted to add that things have escalated in the last four to five years, there basically has been no communication, no contact with any of the County personnel, elected officials, and now we have a nightmare ahead of us. Potrebic said, he supports this.

Wayne Weitbrook said, we have faced all types of taxes, we've talked about income tax. We, and St. Joe are the only two Counties that do not have a local option income tax. He said we have various forms CAGIT, COIT, etc. He questioned, what do you want to do with this tax money? Do you want to apply it to property tax? Do you want to want to apply it for economic development? Do you want to apply it for any other sources? He said it can go a lot of different ways, and this is what we have to do, what you, as a County Council, what the representatives of the various Mayors. He said, if you open this up to the voters, what do you think their attitude is going to be? We don't want another income tax. We don't want another tax. They are just going to vote it down right now, but if you give them an option, what are we doing with this tax to help you in your present situation? He said with the legislature now pointing it towards, if we want anything additional, whether it's for schools, for County Government, whatever we want, it's going to have to come out of something that we enact ourselves, and that's got to be it, an income tax, or have we talked sales tax? That's another option too.

Smith said that citizens of our communities have not been given an opportunity for input, since 1902. The flawed reassessment issues that was put on our citizens in Lake County without any input, the Authur Andersen situation, and those things were put on us, we had to pay the tab, meaning all Lake County property tax payers, \$25.5 million dollars. Smith said just so happens, this Council and Commissioners prudently used our Casino monies to offset that cost on the property tax payers, flawed reassessment issues, we had no input. He said, what we are asking with this resolution to our legislators is, to at least allow citizens input, prior to putting something on, in the midst of financial uncertainty that we all face.

He said, what we are asking for, is an opportunity for educational update, and some input from our citizens, and some directions that we can take. He said, that's all this resolution is doing.

He said the County Council, and the County Commissioners have not been a party to this. All we do is read the paper, and take what's in the paper. He said, no one has asked them, but yet, we are asked to make the hard decisions on the funding of these initiatives. He said, without them, in Smith' opinion, being in the equation, the citizens must have an opportunity, and that's what this resolution is doing.

All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 05-51

RESOLUTION SUPPORTING A REFERENDUM BY THE VOTERS OF LAKE COUNTY PRIOR TO THE ADOPTION OF ANY LOCAL OPTION INCOME TAX

WHEREAS, the General Assembly is considering H.B. 1120 which provides for the adoption of a Local Option Income Tax to replace real estate taxes currently supporting the operation of town, city, township and county government, as well as parks and schools throughout Lake County; and

WHEREAS, the Lake County Council supports a local referendum by the voters of Lake County to determine whether or not they are in favor of a local option income tax to replace real estate taxes to support the operation of the various governments within Lake County.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council supports a referendum by the voters of Lake County, prior to the adoption of a local option income tax as provided for in H.B. 1120, to determine whether or not they are in favor of the tax to replace real estate taxes to support the operation of the various governments within Lake County.

SO RESOLVED THIS 12TH DAY OF APRIL, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Ordinance Creating County Storm Water Management.

O'Donnell made a motion, seconded by Franklin to defer to 5-10-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Amending Ord 1077C – Lake County Personnel Policy – Smoking.

Potrebic made a motion, seconded by O'Donnell to approve on First Reading to make it no smoking in any County-owned building. All voted "Yes", except Franklin and Smith, "abstain". Motion to approve on First Reading carried 5-yes, 2-abstentions.

In the Matter of Ordinance Authorizing the collection of a credit card service charge for payment of Lake County Real Estate Taxes.

Tabaczynski said that he is only going to be asking for First Reading today because there is some questions, and discussions that need to take place before the final adoption of this ordinance. He said we are getting ready to institute the collection of taxes using credit card, over the internet. There are some fees that sometimes apply, and there is a need to make sure we keep tax dollars separate from any fees that are collected.

Mark Pearman, from Data said they were hoping to have the ability to collect taxes for the first installment, this cycle, but they had to forestall that because of some technical issues, hopefully we will have that ready to go for the second installment, but it's very important that when we collect taxes, that tax money itself stays strictly separate from any fees, so that's what we have to do here. He said they are going to have the collection of taxes owed, there is going to be fees tied to it, depending on what credit card you're using at the particular time, and those have to be strictly split, set aside and put in separate accounts at the bank level, so that's what we are addressing in this ordinance.

O'Donnell asked, what the percentage is that they are putting in there now?

Mark said, at this point, they are not putting any percentage in, that's what they have to decide between now, and the final adoption of this, if we are going to have a percentage in there, so between now, and May, they will be talking about this in the Data Board. He said that what he would like to do is, in the ordinance, under the Therefore, in Section 2, it says "the fees collected shall be placed in the general fund". Mark said that really should say "Web Maintenance Fund". The taxes will go in the general fund, but the fees will go in the Web Maintenance Fund.

Tabaczynski asked that they amend it and made a motion, seconded by O'Donnell to approve on First Reading, with the amendment. All voted "Yes". Motion to approve on First Reading carried 7-0.

In the Matter of Ordinance Creating State Mortgage Fund for Lake County Recorder.

Cid made a motion, seconded by Franklin to approve on First Reading. All voted "Yes". Motion to approve on First Reading carried 7-0.

Cid made a motion, seconded by O'Donnell to Suspend Rules. All voted "Yes". Motion to Suspend Rules carried 7-0.

Cid made a motion, seconded by O'Donnell to approve on Second Reading. All voted "Yes". Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1262A

**ORDINANCE CREATING THE
STATE MORTGAGE FUND
FOR THE DEPOSIT OF RECORDING
FEES TO BE DISTRIBUTED TO THE AUDITOR OF THE STATE OF INDIANA**

WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-5(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and

WHEREAS, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or resolution transfer money from one fund to another; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, the Lake County Recorder collects a fee of \$3.00 for each mortgage recorded, \$.50 is placed in the Recorder's Perpetual Fund, Fund No. 179 and the remaining \$2.50 shall be placed in the State Mortgage Fund, to be distributed to the State Auditor on or before June 20 and December 20th of each year pursuant to I.C. 24-9-9-3; and

WHEREAS, the Lake County Council desires to create a State Mortgage Fund for the deposit of recording fees of \$2.50 per mortgage and distributed to the State Auditor on or before June 20 and December 20th of each year.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the State Mortgage Fund, a non-reverting fund, is established for the deposit of \$2.50 in recording fees collected at the time of a mortgage is recorded with the Lake County Recorder. Said funds shall be distributed to the State Auditor on or before June 20 and December 20th of each year.

SO ORDAINED THIS 12TH DAY OF APRIL, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Amending Ord 1164A – Data Processing Agency Request for Approval.

Tabaczynski said that during the budget deliberations, they passes an ordinance that require that the Data Board, and Data Processing look at any proposed purchase of computer equipment to ensure that it was compatible, and that it met the specifications that the County is trying to adopt for the entire County. He said that ordinance was approved, and since then have identified that there is a need to add to that computer consulting services, and professional services related to computer purchase, so what the amendment to this ordinance does, would be to add those items to the actual purchase of, or the need for review, just as we review the purchase hardware, it would require Data to basically sign off on consulting contracts. He said what they are doing is not another layer of budget approval, it's simply to make sure that what departments might be securing on their own, are to be compatible with everything the County is doing, and to make sure that possibly not doing things that Data is already doing.

Mark said there is a need to tighten up the process, for the most part, it works well, the way it's set up, and at other times, there are things that seem to slip through the cracks. He said they are trying to "tighten things up to make sure those types of issues don't surface again.

Tabaczynski made a motion, seconded by Potrebic to approve on First Reading.

Franklin said that she serves on this committee, and she was unaware, until today about this, and she hasn't had any dialogue or discussion with Mr. Pearman or Tabaczynski, but she knows that this is something they did do, and she thinks that they are correct in trying to tighten this up because she sees entirely too many contracts, and when you look at the different costs of the different maintenance contracts that they have, she thinks that when you purchase that, and go through your department, they will have a better handle on, and cut down on the cost of all of the different service contracts.

Dante asked Mark if there is a relationship between these fees and the \$65,000 dollars?

Mark said no, that \$65,000 dollars was given from the L.C. Assessor, from the Sales Disclosure Fund, to the Sales Disclosure fund that Data Processing had created. He said, they offered, during the development of the Web site, the property max system, he volunteered to use that money for that development, and that's what was done several months ago. That's where that \$65,000 dollars came from. He said the fees are specifically put into this Web Maintenance for maintenance of the web site. He said the intent here was, to maintain these sites, both from a software standpoint, a hardware standpoint, and an infrastructure standpoint, these things grow and they need updates, particular our hardware. He said the intention is to not have to come to the County Council and ask for general fund money to buy certain things. He said we could draw from this web fund to pay for those types of things, but there again, the money in there is at the discretion of the County how they want to use that.

Mark said the Sales Disclosure Fund is a self perpetuating fund, and currently it looks like there hasn't been any money put back in that fund, and the sale of houses hasn't stopped in Lake County, so Mark questioned, why isn't money coming from somewhere back into that fund?

Mark said he looked at it this morning, and it's in the red, and the only thing that's been taken out of that fund, since November is that \$65,000 dollars, and a few purchases of some, a printer for Marty Wheeler, there has been no money coming back into that fund, something is wrong, something is not getting completed. That money should be coming from whoever collects that Sales Disclosure and sends it to somebody, they take their part out, and send Lake County theirs to put that Sales Disclosure Fund, and there's no money coming into that fund.

Mark said he spoke with the County Assessor, the Auditor, and the Treasurer, and they are going to try to identify when was the last time that funds were actually put in the thing, and where it might be in the pipeline.

Dante said it might be in the general fund.

Mark said when they took \$65,000 dollars out of that fund, there was over \$100,000 dollars in that fund.

Dante said that when that fund dries out, then everyone stops. Will they try to get into another fund? That needs to be discouraged.

All voted "Yes". Motion to approve on First Reading carried 7-0.

Tabaczynski made a motion, seconded by O'Donnell to Suspend Rules. All voted "Yes". Motion to Suspend Rules carried 7-0.

Tabaczynski made a motion, seconded by O'Donnell to approve on Second Reading. All voted "Yes". Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1164A-4

ORDINANCE AMENDING THE LAKE COUNTY DATA

PROCESSING AGENCY ORDINANCE ORDINANCE NO. 1164A

WHEREAS, on February 11, 1997, the Lake County Council adopted the Lake County Data Processing Ordinance, Ordinance No. 1164A (Lake County Code Sec. 31-090); and

WHEREAS, the Lake County Council desires to amend said Ordinance to provide for a procedure for departments, agencies or individuals who are requesting funding or contract approval to be reviewed by the Data Board (Lake County Code Sec. 31.094).

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That Lake County Data Processing Agency Ordinance, Ordinance No. 1164A be amended as follows:

INSERT (NEW):

Sec. VII. POWERS AND DUTIES OF THE BOARD (Lake County Code Sec. 31.094)

C. , FUNDING/CONTRACT REQUEST PROCEDURE

1. All departments, agencies or individuals are required to submit any funding requests or contracts to the Data Board for review and recommendation prior to action by the Data Board, Lake County Commissioners or Lake County Council.
2. All funding requests or contracts shall:
 - a. Be reduced to writing and provided to the Data Board, Lake County Commissioners or Lake County Council in a timely fashion;
 - b. Include information how the request or proposals advances the goals set by the Lake County Data Board Ordinance;
 - c. Include information how the requesting party is in compliance with the Lake County Government Computer Usage Policy .
3. It shall be the responsibility of the department, agency or individual seeking approval by the Lake County Council or Lake County Commissioners of any such request or contract, including the approval of claims for expenditures within the budget of that submission a copy of the written recommendation of the Data Board.

SO ORDAINED THIS 12th DAY OF APRIL, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Plan Commission Ordinances # 2080, 2084, 2085, 2086, 2087, 2088, and 2089.

Potrebic made a motion, seconded by Blanchard to approve Plan Commission Ordinance, "with conditions". All voted "Yes". Motion carried 7-0.
There were no remonstrances.

**ORDINANCE #2080
OF THE COUNTY OF LAKE**

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a **ZONE CHANGE** (Lake County Plan Commission recommended denial 01/04/05).

BE IT ORDAINED by the County Council of Lake County, Indiana as follows:

ZONE CHANGE from B-2 (Rural Business) Zone to B-3 (General Business) Zone owned by SCOTT WALSTRA and petitioned by HON INVESTMENTS, L.L.C., for the purpose of commercial development on the following described property:

General Location: Located at the southeast quadrant at tile intersection at State Road 2 and Clay Street in Eagle Creek Township.

entrance and monument signs in a residential zone on the following described property:

General Location: Located approximately 2/10 of a mile south of 93rd Avenue on the west side of Blaine Street in St. John Township.

Legal: That part of the West Half of the Northwest Quarter of Section 35, Township 35 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana, described as follows: Beginning at a found iron pipe at the Southwest corner of said Northwest Quarter of Section 35; thence North 00 degrees 25 minutes 29 seconds West along the West line of said Section 35, a distance of 1688.34 feet; thence North 65 degrees 27 minutes 12 seconds East, a distance of 600.85 feet; thence North 71 degrees 17 minutes 01 seconds East, a distance of 184.48 feet; thence North 78 degrees 51 minutes 48 seconds East, a distance of 613.57 feet to a point on the East line of the West Half of said Northwest Quarter; thence South 00 degrees 26 minutes 43 seconds East along said East line, a distance of 2128.13 feet to the Southeast corner of said West Half; thence North 89 degrees 27 minutes 45 seconds West along said South line, a distance of 1327.36 feet to the place of beginning

IS HEREBY X BY THE COUNTY COUNCIL
 APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 12TH DAY OF APRIL, 2005.

MEMBERS OF THE LAKE COUNTY COUNCIL

WILL A. SMITH, JR., PRESIDENT

ELSIE FRANKLIN
THOMAS O'DONNELL
DONALD POTREBIC

RON TABACZYNSKI
CHRISTINE CID

Potrebic made a motion, seconded by Cid to approve Plan Commission Ordinance # 2087. All voted "Yes", except Blanchard, "No". Motion carried 6-yes, 1-absent. Wayne Gruber was present, and in favor of this ordinance. Wayne Weitbrook is in favor of this ordinance.

**ORDINANCE #2087
OF THE COUNTY OF LAKE**

AN ORDINANCE TO **AMEND** the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a **VARIANCE OF USE**. (Board of Zoning Appeals recommended approval 03/16/05).

BE IT ORDAINED by the County Council of Lake County, Indiana as follows:
VARIANCE OF USE owned and petitioned by **WAYNE A. & JOANNE GRUBER** to allow expansion of existing green houses in a residential zone on the following described property:

General Location: Located approximately 1/2 mile east of Holtz Road on the north side of 169th Avenue, a/k/a 3242 W. 169th Avenue in Cedar Creek Township.

Legal: Lot 4 in Wendel Acres, as per plat thereof, recorded in Plat Book 73, page 52 in the Office of the Recorder of Lake County, Indiana.

IS HEREBY X BY THE COUNTY COUNCIL
 APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 12TH DAY OF APRIL, 2005.

MEMBERS OF THE LAKE COUNTY COUNCIL

WILL A. SMITH, JR., PRESIDENT

ELSIE FRANKLIN
LARRY BLANCHARD
CHRISTINE CID

RON TABACZYNSKI
THOMAS O'DONNELL
DONALD POTREBIC

Potrebic made a motion, seconded by Cid to approve Plan Commission Ordinance # 2088. All voted "Yes". Motion carried 7-0. Wayne Weitbrook was in favor of this ordinance. There were no remonstrators present.

Tabaczynski said that once we start to get a handle on something, once we start to move in a direction, we have the rules changed on us. It's very difficult, and he is constantly amazed that we are in as good a shape as we are, considering the circumstances we're working at. Tabaczynski told Mr. Tomaczewski that this Council is well represented, in these hearings, they may not be the first ones to stand on stage and wave their arms and say look, here we are, but we are where it counts.

Blanchard said he felt as though he was representing this Council, and the taxpayers as well when he was at the Hall of Justice.

Blanchard said that what you have here, paid for services that are performed by this Administration' Building, and Buildings B and C, we're about \$125 dollars of your total tax bill, that's the County portion.

Mr. Tomaczewski said that maybe we could cut our expenses by downsizing.

Smith said that in terms of County Government, we have kept off the heads of taxpayers, close to \$80 million dollars, or more by prudently using our Casino monies. We are probably at the forefront of Casino recipients, in the State of Indiana, that have prudently used the kinds of dollars that we get for the betterment of property taxpayers and the relief. He said the Jail, and the Juvenile Center were all mandated, that we had to pay for. We are paying for that with our Casino monies. The reassessment costs to our County, with no input from us, in terms of who the vendors were, and what the procedure was going to be, were on the heads of the property taxpayers in Lake County. We are doing those things that we know to do, in a prudent manner, with the dollars that we have coming in to keep off of your heads, as a property taxpayer, and lower your rate. Smith said, that's what this Council is doing. That is what our County Commissioners are doing, so from our standpoint, that's where we are.

Smith said, we also help the Cities and Towns, in the proximities that receive no Casino monies. We give a share of our dollars to them as well. Now, here is an issue of changing the rules to pull some of that money away from us. If it is pulled away from us, that costs will automatically be on your head in addition to everything else, as a taxpayer. Smith said to Mr. Tomaszewski, we are doing our job.

Wayne Weitbrook said this argument has gone on for generations. It doesn't matter whether it's a Republican, or a Democrat down there, or up here. It's the same thing in politics of money, how do we fund the money, we want the services without paying for it. We want more services, yet we want to downsize the government, and that's the whole situation. He said we have the balance of property tax, income tax, and sales tax that we have here in Indiana, that we don't have in some of the other States, so Mr. Weitbrook said, be thankful for little things because it doesn't matter, Democrat or Republican.

There being no further business to come before the Council, it was moved and seconded that the Council does now adjourn to meet again.

President, Lake County Council

ATTEST:

Stephen R. Stiglich,
Lake County Auditor

