

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.

There was a moment of silence for of L.C. Correctional Officers Patricia Sloan and Johnathan Hale who passed away.

There was also a moment of silence for the family of Judge Bonaventura, who lost her Father today.

Councilman O'Donnell along with Terry Barczak bring greetings from the 97th Best Town in the Nation, which is Dyer, Indiana, as determined by Money Magazine

In the Matter of the Minutes of June 13, 2005, June 23, 2005, Special Meeting, and June 28, 2005 Special Meeting.

Cid made a motion, seconded by Franklin to defer to 8-9-05. All voted "Yes". Motion to defer carried 7-0.

In the Mater of Amending Minutes of May 10, 2005.

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

ORDINANCE NO 1265

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>Council</u> 3700		
41240 Group Insurance	-\$10,400.00	Defer to 8-9-05
<u>Plan Commission</u> 2400		
41120 Professionals	\$10,400.00	Defer to 8-9-05
<u>Commissioners</u> 2900		
41220 FICA	-\$75,000.00	-\$75,000.00
41230 PERF	-\$75,000.00	-\$75,000.00
<u>Council</u> 3700		
41240 Group Insurance	-\$100,000.00	-\$100,000.00
43145 Legal Services	-\$150,000.00	No Action
43830 Matching Funds	-\$ 50,000.00	-\$ 50,000.00
<u>Center Township Assessor</u> 1200		
41210 Longevity	\$ 200.00	No Action
<u>Assessor</u> 0900		
41130 Technicians	-\$ 9,929.59	-\$ 9,929.59
41210 Longevity	-\$ 320.00	-\$ 320.00
41350 Assessor's Certification	-\$ 500.00	-\$ 500.00
<u>St. John Township Assessor</u> 1800		
41130 Technician	\$ 9,929.59	\$ 9,929.59
41210 Longevity	\$ 320.00	\$ 320.00
41350 Assessor's Certification	\$ 500.00	\$ 500.00
<u>St. John Township Assessor</u> 1800		
41130 Technicians	\$ 11,057.00	\$ 11,057.00
41210 Longevity	\$ 620.00	\$ 620.00
<u>North Township Assessor</u> 1600		
41160 Office & Clerical	-\$ 11,057.00	-\$ 11,057.00
41210 Longevity	-\$ 620.00	-\$ 620.00
<u>Commissioners</u> 2900		

43976 Patients & Inmates	\$5,524,064.45	\$5,524,064.45
<u>Jail</u> 3100		
41190 Part-Time(Create New Line Item)	\$ 25,000.00	Defer to 8-9-05
<u>Work Release</u> 3150		
41120 Professionals	\$ 64,045.00	Defer to 8-9-05
Non-Reverting Highway Deposit Gambling Fund 229		
<u>Local Roads & Streets</u> 5060		
42390 Other Repair & Maintenance	\$200,000.00	\$ 100,000.00
43630 Maint & Service Contracts	\$300,000.00	\$ 200,000.00
Domestic Relations Counseling Bureau Fund 234		
<u>Circuit Court</u> 3800		
41190 Part-Time	\$ 3,000.00	\$ 3,000.00
41220 FICA	\$ 230.00	\$ 230.00
44410 Furniture & Fixtures(Create New Line Item)	\$ 2,000.00	\$ 2,000.00
Park Bond Redemption Fund 310		
<u>Parks & Recreation</u> 5156		
43810 TAW Interest	\$ 50,000.00	\$ 50,000.00
Commissioner's Tax Certificate Sale Fund 385		
<u>Commissioners</u> 2900		
Create New Line Item		
43320 Advertising	\$ 5,000.00	\$ 5,000.00

TRANSFER OF FUNDS CERTIFICATE

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>Public Defender</u> 4002		
From: 001-43190 Other Professional Service	\$ 8,055.00	
To: 001-41110 Official & Administrators	\$ 8,055.00	\$ 8,055.00
<u>Public Defender</u> 4002		
From: 001-43190 Other Professional Service	\$18,000.00	
To: 001-41190 Part-Time	\$18,000.00	Withdrawn
<u>Public Defender</u> 4002		
From: 001-43190 Other Prof Service	\$18,450.00	
To: 001-41110 Officials & Admin	\$18,450.00	Withdrawn
<u>Ross Township Assessor</u> 1700		
From: 001-41130 Technicians	\$ 500.00	
To: 001-41350 Assessor Certification	\$ 500.00	\$ 500.00
<u>Winfield Township Assessor</u> 2000		
From: 001-41190 Part-Time	\$ 1,320.00	
To: 001-41210 Longevity	\$ 120.00	\$ 120.00
001-42110 Office Supplies	\$ 500.00	\$ 500.00
001-43235 Travel – Mileage	\$ 200.00	\$ 200.00
001-43240 Telephone	\$ 500.00	\$ 500.00
<u>PTBOA</u> 2505		
From: 001-43190 Other Professional Service	\$ 2,000.00	
To: 001-44420 Office Machines(Create New)	\$ 2,000.00	Motion Failed
<u>St. John Township Assessor</u> 1800		
From: 001-43510 Utilities	\$ 2,000.00	
To: 001-42110 Office Supplies	\$ 1,000.00	\$ 1,000.00
001-422419 Other Supplies	\$ 1,000.00	\$ 1,000.00
<u>Animal Control</u> 3200		
From: 001-41190 Part-Time	\$ 60.00	
To: 001-41210 Longevity	\$ 60.00	\$ 60.00
<u>Coroner</u> 0700		
From: 001-43190 Other Professional	\$ 9,100.00	
To: 001-44420 Office Machines	\$ 9,100.00	\$ 9,100.00
<u>CASA</u> 4150 Fund 706		
From: 706-42210 Office Supplies	\$ 2,000.00	
706-43310 Printing	\$ 3,800.00	
To: 706-41120 Professional	\$ 3,300.00	\$ 3,300.00
706-41230 Perf	\$ 500.00	\$ 500.00
706-41240 Group Insurance	\$ 2,000.00	\$ 2,000.00
<u>CASA</u> 4150		
From: 001-43310 Printing	\$ 1,500.00	
001-43630 Maintenance & Service Contr	\$ 8,000.00	
To: 001-41120 Professionals	\$ 9,500.00	\$ 9,500.00
<u>Economic Development</u> 6100		

From: 170-42110 Office Supplies	\$ 1,750.00	
To: 170-44410 Furniture & Fixtures	\$ 1,750.00	\$ 1,750.00
<u>Sheriff 0500</u>		
From: 001-41140 Protective Service	\$ 25,000.00	
To: 001-41190 Part-Time	\$ 25,000.00	\$ 25,000.00
<u>Work Release 3150</u>		
From: 001-41120 Professional	\$ 8,000.00	
To: 001-41190 Part-Time	\$ 8,000.00	\$ 8,000.00
<u>Animal Control 3200</u>		
From: 001-41193 Board Members	\$ 900.00	
To: 001-43190 Other Prof Service	\$ 900.00	\$ 900.00
<u>LS Court County Div III 4050</u>		
<u>SAPS Fund 143</u>		
From: 143-43910 Dues & Subscriptions	\$ 300.00	
To: 143-45400 Refund Probation Fees	\$ 300.00	\$ 300.00
<u>Public Defender 4002</u>		
Create 2 New Line Items		
From: 001-43190 Other Professional Service	\$ 19,377.00	
To: 001-41190 Part-Time	\$ 18,000.00	\$ 18,000.00
001-41220 FICA	\$ 1,377.00	\$ 1,377.00
<u>Center Township Assessor 1200</u>		
From: 001-41190 Part-Time	\$ 200.00	
To: 001-41210 Longevity	\$ 200.00	\$ 200.00
 <u>Clerk 0100</u>		
From: 001-41110 Officials & Admin	\$ 1,845.00	
001-41160 Office & Clerical	\$ 10,000.00	
001-41396 PERF Supplement	\$ 1,155.00	
001-43630 Maint & Serv Contr	\$ 27,225.00	
To: 001-41190 Part-Time	\$ 40,625.00	Withdrawn

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 July, 2005.

Adopted this 12th day of July, 2005.

NAY

AYE

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

Members of Lake County Council

ATTEST:
Stephen R. Stiglich,
Lake County Auditor

	Additional		
	Made motion	seconded	
Council(-\$10,400)	Potrebic	Blanchard	All voted "Yes" to defer except O'Donnell, "No". Motion carried 6-yes, 1-no.
Plan Commission(\$10,400)	Potrebic	Blanchard	All voted "Yes" to defer to 8-9-05. Motion carried 7-0.
Commissioners(-\$150,000)	Franklin	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Council(-\$150,000) (See Footnote)	Blanchard	O'Donnell	All voted "Yes". Motion carried 7-0.
Center Twp Assr(\$200)	No Action		

(See Transfer)			
Assessor(-\$10,749.59)	Potrebic	O'Donnell	All voted "Yes". Motion Carried 7-0.
St. John Twp Assr(\$10,749.59)	Potrebic	O'Donnell	All voted "Yes". Motion Carried 7-0.
St. John Twp Assr(\$11,677.90)	Tabaczynski	O'Donnell	All voted "Yes". Motion Carried 7-0.
North Twp Assr(-\$11,677.90)	Tabaczynski	O'Donnell	All voted "Yes". Motion Carried 7-0.
Commissioner(\$5,524,064.45)	Franklin	Blanchard	All voted "Yes". Motion Carried 7-0.
Jail(\$25,000)	Franklin	O'Donnell	All voted "Yes" to defer To 8-9-05, except Smith, "No". Motion to defer carried 6-yes, 1-no.
Work Release(\$64,045) (See Footnote)	Franklin	O'Donnell	All voted "Yes" to defer to 8-9-05, except Smith, "No". Motion to defer carried 6-yes, 1-no.
<u>Non-Reverting Hwy Deposit Gambling Fund 229</u>			
Local Rds & Streets(\$300,000) (See Footnote)	Blanchard	Cid	All voted "Yes" to approve. Motion carried 7-0.
<u>Domestic Relations Counseling Bureau Fund 234</u>			
Circuit Court(\$5,230)	Franklin	O'Donnell	All voted "Yes" to Approve and create new line item. Motion carried 7-0.
<u>Park Bond Redemption Fund 310</u>			
Parks & Recreation(\$50,000)	Tabaczynski	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
<u>Commissioners Tax Certificate Sale Fund 385</u>			
Commissioners(\$5,000)	Franklin	Blanchard	All voted "Yes" to Create new line item and Approve. Motion carried 7-0.

Footnotes

Re: Local Roads & Streets – Blanchard said that due to the State' Income Tax Credit, and reduction of an additional \$3.5 million dollars of our Casino revenue distribution, Blanchard made a motion, seconded by Cid to approve for 42390 – Other Repair & Maint Supplies, \$100,000 and for 43630 – Maintenance & Service Contracts, \$200,000 for a total appropriation of \$300,000. All voted "Yes". Motion carried 7-0.

Re: Work Release – **Franklin made a motion, seconded by O'Donnell to defer to 8-9-05.**

Blanchard said that collective bargaining met yesterday, and they didn't get to a point where they felt comfortable to approve these, so that is why they are asking for a deferral until 8-9-05.

Sheriff Dominguez said this was discussed in their Committee meeting and he wouldn't have been here unless they thought that this was going to be approved. He said, they are ready, and they have been at this for almost two years now. He said this is a minor step in the overall picture of trying to alleviate the overtime. He said the Correctional Officers are mandated to work overtime and their quality of life and family time has been severely affected.

He said this proposal is not budget neutral, at a minimum, you will save anywhere between \$750,000 to \$1,000,000. This proposal is intended to save money for the budget. He said it enhances the quality of life for their Correctional Officers, it has nothing to do with collective bargaining issues.

Smith agreed with the Sheriff, in saying that they have labored with this for a long time. He said they have to make this move now.

Franklin said they are paying officers to be secretaries, that really need to be inside the jail working, and Franklin agrees that they need to make a move on this issue as well. They need to do something to relieve this County of all the money that we are spending on overtime. She said when you are paying a Correctional Officer overtime, you are paying them time and a half, and it's a health issue as well. She said the turn-over in that facility is astronomical because of the stress with them being mandated to work overtime.

Cid said they are trying to resolve the overtime, but they need a little more time, which is why they are asking for the deferral.

O'Donnell said Blanchard, along with Dante has spent hours and hours analyzing to usage of personnel put into place. He has put together this plan which O'Donnell thought was to implement the plan, now they are going to implement it piece mill, which is not how it is set up to work. It's set up to work the way Blanchard suggested. O'Donnell said they need to do it as a package.

Potrebic said he hopes this Council will finally address this on 8-9-05 and address the whole package at that time. He is reluctantly going to go with the deferral, but on 8-9-05, Potrebic hopes they will take care of what needs to be done so they won't have to talk about this again.

All voted "Yes" to defer, except Smith, "No". Motion to defer carried 6-yes, 1-no.

Re: Council – Blanchard explained that this would finish up the reduction appropriation to meet the additional appropriation they approved on 6-28-05 in part-time. Blanchard said they got \$150,000 already previously in the meeting, and Blanchard made a motion, seconded by O'Donnell to approve the reduction of \$100,000 in 41240/Group Insurance, and \$50,000 in 43830/Matching Funds to bring it to the \$300,000 that we need for overtime. All voted "Yes". Motion carried 7-0. "No Action" was taken on 43145/Legal Services.

	Transfer		
	Made motion	seconded	
Public Defender(\$8,055)	Potrebic	O'Donnell	All voted "Yes" to Approve and that it be retro to 7-1-05.
Public Defender(\$18,000)	Withdrawn		
Public Defender(\$18,450)	Withdrawn		
Ross Twp Assr(\$500)	Potrebic	Blanchard	All voted "Yes" to approve. Motion carried 7-0.
Winfield Twp Assr(\$1,320)	Blanchard	Franklin	All voted "Yes" to Approve, except O'Donnell, "No". Motion carried 6-yes, 1-no. Motion failed
PTBOA(\$2,000) (See Footnote)	Potrebic	Smith	
St. John Twp Assr(\$2,000)	O'Donnell	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Animal Control(\$60.00)	Blanchard	O'Donnell	All voted "Yes". Motion Carried 7-0.
Coroner(\$9,100) (See Footnote)	O'Donnell	Tabaczynski	All voted "Yes", except Blanchard, "absent". Motion To approve carried 6-yes, 1-absent.
CASA Fund 706(\$5,800)	Cid	O'Donnell	All voted "Yes". Motion to approve carried 7-0.
CASA Fund 001(\$9,500)	Cid	O'Donnell	All voted "Yes". Motion To approve carried 7-0.
Economic Development(\$1,750)	Potrebic	O'Donnell	All voted "Yes". Motion To approve carried 7-0.
Sheriff(\$25,000)	Cid	Potrebic	All voted "Yes". Motion To approve carried 7-0.
Work Release(\$8,000) (See Footnote)	O'Donnell	Franklin	All voted "Yes". Motion to approve carried 7-0.
Animal Control(\$900)	Blanchard	O'Donnell	All voted "Yes" Motion To approve carried 7-0.
LS Court Div III(\$300)	Franklin	Cid	All voted "Yes", except O'Donnell, "abstain". Motion To approve carried 6-yes, 1-abstention.
Public Defender(\$19,377)	Potrebic	O'Donnell	All voted "Yes" to create two new line items, and approve. Motion carried 7-0.
Center Twp Assr(\$200)	Blanchard	O'Donnell	All voted "Yes" to approve. Motion carried 7-0.

Footnotes

PTBOA – Potrebic made a motion, seconded by Smith to approve to create a new line item and approve the transfer.

O'Donnell said he thought everybody used the same machine that we have.

John Kersteff from the Assessor' Office said that the President of the PTBOA has requested two new recorders. One for up here and one for the desk for a total of about \$1,300.

Potrebic amended the amount to \$1,300. Smith seconded the motion.

Smith said they discussed using this facility to accommodate here, and down there as well, but what they were running into was trying to get someone to operate it. He said that because of the sensitivity of this machine was a little different when they started their meetings, sometimes they could not get someone from the Commissioner' Office downstairs when they had the PTBOA meetings. The two machines combined was to accommodate that. Smith said he thought it would be appropriate to allow them their own recording device.

Cid asked if they meet in other places and not here? Smith said, yes.

All voted "Yes" to approve, except O'Donnell, "No". Motion to approve amended amount of \$1,300 carried 6-yes, 1-no.

All voted "Yes" to approve the transfer of \$1,300 and create a new line item, except O'Donnell, Tabaczynski, and Blanchard, "No". Motion failed 4-yes, 3-no. *****Need 5 votes to create a new line*****

Smith made a motion, seconded by Potrebic for reconsiderations of this issue.

Franklin said we need to take a look at making sure that they have the proper tools to work with. She said they reduced the dollar amount because they said it would not cost \$2,000 dollars and she doesn't know why they can't take a look at making sure that the staff has the proper tools to work with.

O'Donnell said that everyone is talking about the nebulous great things that the Assessor's Office has done, that now has changed everybody' mind, but O'Donnell said, he doesn't know what it is, and asked, what has happened that's changed everybody.

Franklin said it's not about the great things they are doing, it's the tools they need to work with, and she thinks they are the ones that are responsible in making sure that they do have the tools to work with.

All voted "Yes", except O'Donnell, Blanchard, and Tabaczynski, "No". Motion for reconsideration carried 4-yes, 3-no.

Potrebic made a motion, seconded by Smith to create the new line item, and transfer \$1,300 from the general fund. All voted "Yes", except Tabaczynski, O'Donnell, and Blanchard, "No". Motion Failed 4-yes, 3-no.

Re: Work Release(\$8,000) – O'Donnell made a motion to defer to 8-9-05.

Heaps said this helps them with some of the vacancies that they have in this budget because of illnesses. O'Donnell made a motion, seconded by Franklin to approve. All voted "Yes". Motion to approve carried 7-0.

Re: Clerk(\$40,625) WITHDRAWN

Re: Coroner – O'Donnell made a motion, seconded by Tabaczynski to approve. All voted "Yes", except Blanchard, "absent". Motion to approve carried 6-yes, 1-absent.

Dante said that they had to find money to fund this line, 43190 – Other Professional Services a couple of years ago, and now they are moving the money out, and they can't react to some of these emergencies that some are hitting us with.

In the Matter of Revised 144 for Parks & Recreation, Plan Commission, Public Defender, North Twp Assr, Assessor, St. John Twp Assr, Juvenile Court, Sheriff, Work Release, and Economic Dev.

Re: Parks & Recreation - Tabaczynski made a motion, seconded by O'Donnell to defer to 8-9-05. All voted "Yes". Motion to defer carried 7-0.

Re: Plan Commission – Potrebic made a motion, seconded by Blanchard to defer to 8-9-05. All voted "Yes". Motion carried 7-0.

Re:Public Defender – WITHDRAWN

Re: Public Defender – Potrebic made a motion, seconded by O'Donnell to approve and make it retro to 7-1-05.

Attorney Szarmach said that there is no State Law, there is no mandate but if you do not adopt this salary increase, which is 90% of the Prosecutor' salary, and 90% of the Chief Deputy Prosecutor, you probably would lose funding, the reimbursement for these two positions.

Senate Bill 363 is the bill that created this to come into effect 7-1-05.

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

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
11029-001 Chief Public Defender	\$95,000	\$103,000	\$8,950
11031-001 Deputy Chief Public Def	\$76,000	\$ 83,160	\$7,160

Re: North Township Assessor – Tabaczynski made a motion, seconded by Franklin to approve.

Tabaczynski said that this is a budget neutral item. The Assessor is trying to use the opportunity, while this position is vacant, to adjust some of the salaries and achieve some parity among some of the salaries of similar positions.

O'Donnell said that this Chief Deputy' position now would be paid a greater number than any Chief Deputy at the County level, and his concern is that there will be other Townships coming in saying that they need to have parity in their office between North Township and their office.

Cid said this should be dealt with at budget time.

Tabaczynski said that regarding the salary of the Chief Deputy', that's actually restoring the salary to what it was formerly.

Franklin said she seconded the motion for discussion because the North Township Assessor' Office cooperated with this County in trying to help take care of some of the burdens the Assessor' Office has, but she has a problem with them doing any increases, but as long as it is not coming out of the general fund. She said this is something they have always asked the Officials, which is to look within their budget to try to take care of their staff. She said she thinks they need to take a look at the payroll book and see that the Chief Deputy is almost in line.

Cid said that she spoke with the Assessor and he said he would not have a problem with them tabling this matter that there was no urgency at this point.

Tabaczynski said he didn't think it was a matter of urgency, it was simply one of opportunity in using the current vacancy and the upcoming vacancy as the opportunity to make these moves. He wanted to point out, in terms of giving raises to everybody, he doesn't know that the outlet to do that under 2006 would even be there, but he would like to point out that he believes the Township Assessor was one of the first to step up when we had the attrition incentive ordinance, to do salary adjustments, and he believes those were universal, if he recalled.

O'Donnell said they have had these discussions for years of doing it within your own budget. O'Donnell said obviously they have been able to transfer people out of that office, which means that we gave them too many people to begin with, so they've had that ability to do things with their own budget because we had too many people there to begin with, so then to say, "hey thanks for giving up those people, and you've done such a good job that we're going to reward you by paying people". O'Donnell said this Chief Deputy, and he thinks the acknowledgement is pretty clear at these meetings, which is that St. John Township is one of the busiest townships in the County putting more and more property on the tax rolls every year, and his Chief Deputy makes \$12,000 less than this proposed position. O'Donnell said, it doesn't make any sense to him. He said they do want to reward people for doing things within their own budget, but when we are able to keep giving raises to certain offices and not others, that it seems like we're saying, the counter proposal is maybe we gave you too much money to begin with.

Smith said that since there are such diverse opinions on the actions on this issue, he would like to commend Mr. Matonovich for something that Smith thinks is worthwhile in pursuing; however, at this time we are too close to the budget sessions, and he thinks these things should be worked out during budget sessions. Smith said, at this point, he thinks they need to wait until that time.

All voted "Yes", except Potrebic, Blanchard, Franklin, O'Donnell, Cid, and Smith, "No". Motion to approve failed 6-no, 1-yes.

Tabaczynski made a motion, seconded by Franklin to approve. All voted "No", except Tabaczynski, "Yes". Motion to approve failed 6-no, 1-yes.

Re: Assessor – Potrebic made a motion, seconded by O'Donnell to approve. All voted "Yes". Motion carried 7-0.

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
13153-006 Technicians	\$23,470	-0-	-\$23,470

Re: St. John Township Assessor – Potrebic made a motion, seconded by O'Donnell to approve. All voted "Yes". Motion carried 7-0.

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
13463-002 Commercial Deputy	-0-	\$23,470	\$23,470

Re: Juvenile Court – Franklin made a motion, seconded by O'Donnell to approve. All voted "Yes". Motion to approve carried 7-0.

<u>Revised 144 Fund 246</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39003-010 Suppl. Pay Probation	\$1,162	\$2,015	\$853

Re: Sheriff – Cid made a motion, seconded by Potrebic to approve. All voted "Yes". Motion to approve carried 7-0.

<u>Revised 144 Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12508-007 Captain	\$39,188	-0-	-\$39,188
14402-102 Police Officer	-0-	\$32,503	\$32,503

Re: Work Release – Franklin made a motion, seconded by O'Donnell to defer to 8-9-05. All voted "Yes", except Smith, "No". Motion to defer carried 6-yes, 1-no.

Re: Economic Development – Potrebic made a motion, seconded by O'Donnell to approve. All voted "Yes". Motion to approve carried 7-0.

<u>Revised 144 Fund 170</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12723-001 Inspector	\$40,516	\$32,000	-\$8,516

In the Matter of Syd Garner Scholarship Recipient

Blanchard made a motion, seconded by O'Donnell to defer to 8-9-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Create New Line Items – Sales Disclosure Fund 710 – Ross Township Assessor – 43232 – Travel – Meals, and 43233 Travel – Lodging.

Potrebic made a motion, seconded by Blanchard to approve creating two new line items in the Sales Disclosure Fund 710 for Ross Township Assessor. All voted "Yes". Motion to approve 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 8-9-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Honoring Tim Sirbek – Morton High School – Indiana State Champion IHSAA Track and Field 3,200 Meter Run.

Cid made a motion, seconded by Tabaczynski to approve. All voted "Yes". Motion to approve carried 7-0. Tabaczynski read and presented the plaque to Tim Sirbek.

RESOLUTION NO. 05-66

RESOLUTION HONORING TIM SIRBEK, 3,200 METER RUN 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, TIM SIRBEK, of Morton High School won the 3,200 Meter Run at the IHSAA Track and Field State Finals with a time of 9:08.16.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to TIM SIRBEK for capturing first place in the 3,200 Meter Run at the IHSAA Track and Field State Finals; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to TIM SIRBEK.

DULY ADOPTED by the Lake County Council this 12th day of July, 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 Eugene Ellis – Gary West Side – Indiana State Champion IHSAA Track and Field 800 Meter Run.

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

Council President, Will Smith along with Councilman Ron Tabaczynski, Councilman Thomas O'Donnell, Council Lady Elsie Franklin, Councilman Larry Blanchard, Councilperson Christine Cid, and Councilman Donald Potrebic, as members of the Lake County Council extended their congratulations again to Mr. Eugene Ellis.

Council lady Franklin read the plaque and presented it to Eugene Ellis.

RESOLUTION NO. 05-67**RESOLUTION HONORING EUGENE ELLIS,
800 METER RUN 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, EUGENE ELLIS of Gary West Side High School won the 800 Meter Run at the IHSAA Track and Field State Finals with a time of 1:52.38.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to EUGENE ELLIS for capturing first place in the 800 Meter Run at the IHSAA Track and Field, State Finals; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to EUGENE ELLIS.

DULY ADOPTED by the Lake County Council, this 12th day of July, 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 Andean High School Baseball Team – Class 3A – Indiana State Champions.

Potrebic made a motion, seconded by O'Donnell to approve. All voted "Yes". Motion carried 7-0. Potrebic read the plaque and said if Andean' Baseball Team is able to come to the August meeting, they will be recognized.

RESOLUTION NO. 68**RESOLUTION HONORING ANDREAN
HIGH SCHOOL BOYS BASEBALL TEAM**

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, Andean High School through its boys baseball team, has captured the IHSAA Class 3A Boys Baseball Championship.

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, teachers, coaches and trainers but most particularly to the young men of the Andean High School Baseball Team, the IHSAA Class 3A Baseball State Champions and champions always for Lake County.

DATED THIS 12th day of July, 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 Katie Mitchell.

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

Blanchard read the plaque and presented it to Katie Mitchell.

**RESOLUTION NO. 05-69
RESOLUTION HONORING KATIE MITCHELL**

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, KATIE MITCHELL a member of the Lake Central High School Softball Team finished the season with a .394 batting average, with 24 RBI's and 42 runs scored-, and

WHEREAS, KATIE MITCHELL was named Post-Tribune Player of the Year and Miss Softball by the Indiana Coaches of Girls Sports Association.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County, extend congratulations and praise to KATIE MITCHELL for being named Miss Softball by the Indiana Coaches of Girls Sports Association; and that a copy of this Resolution be spread on the official records of the Lake County Council and an official copy be delivered to KATIE MITCHELL.

DATED THIS 12th day of JULY, 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 Office of the Public Defender to Pay Outstanding 2004 Invoices/Debts from the 2005 Budget.

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

RESOLUTION NO. 05-70

**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 - Line Item 43190 - Other Professional Services	
Roseann Ivanovich	\$ 1,062.00
Roseann Ivanovich	3,348.00
Roseann Ivanovich	1,116.00
Dhyana Fernandez	754.38
TOTAL	\$ 6,280.28

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 Line Item 43190 - Other Professional Services	
Roseann Ivanovich	\$ 1,062.00
Roseann Ivanovich	3,348.00
Roseann Ivanovich	1,116.00
Dhyana Fernandez	754.38
TOTAL	\$ 6,280.28

SO RESOLVED THIS 12th day of July, 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 Ordinance – Second Reading.

O'Donnell made a motion, seconded by Cid to defer to 8-9-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Authorizing the Collection of a Credit Card Service Charge for payment of Lake County Real Estate Taxes.

Tabaczynski made a motion, seconded by Blanchard to defer to 8-9-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Amending Ord 1230A – Establishing the Jail Oversight Committee.

Franklin made a motion to approve.

Blanchard made a motion, seconded by Cid to defer to 8-9-05. All voted "Yes", except Potrebic, "No". Motion to defer carried 6-yes, 1-no.

In the Matter of Overriding the Commissioner's Veto of Ordinance 1235G-4 – Part-Time Salary for Criminal

O'Donnell made a motion, seconded by Potrebic to override the Commissioner's Veto. O'Donnell explained that they are paying part-time Probation Officers to do those interstate compact cases, where we are required by Federal Law to interview, get in touch with the probationer as soon as they move over to Indiana within 48 hours. Failure to do that can result in a fine against the County of \$25,000 dollars per violation, so they needed a little more money. He said he doesn't know why Probation Officers that are part-time don't fall under the mandated State salary ordinance, but they needed to pay them \$10/hour to keep them, and previously the ordinance read \$8/hr as the maximum.

All voted 'Yes'. Motion to override carried 7-0.

In the Matter of Overriding Commissioner's Veto of Ord 1077C-13 – Personnel Policy – Smoking.

Potrebic made a motion, seconded by Blanchard to override the Commissioner's veto of Ordinance 1077C-13.

Potrebic asked Attorney Szarmach if they could define where not to be, such as in front of the building, or inside of the cafeteria. Potrebic asked if we could get a little more detailed of where can't we smoke, and could that be put into that ordinance? Would that come from the Council or the Commissioners?

Attorney Szarmach said that the location of where smoking is allowed outside the building is an executive function that will be up to the Commissioners. They have that authority and they could do that without any changes to this ordinance.

All voted "Yes", except Franklin and Smith, "No". Motion to override carried 5-yes, 2-no.

In the Matter of Ordinance Amending Ordinance 1077C Grievance Procedures.

Attorney Szarmach said that George Patrick is asking the Council to amend the L.C. Personnel Policy regarding grievance procedures. He said it narrows what grievance can be, and clarifies that the grievance board has no authority to re-instate someone who has been terminated, that basically the grievance board is a recommending body, much like the Planning Commission.

Attorney Szarmach said that this goes back to 1984 when it was established in the personnel policy because there were a lot of wrongful termination lawsuits which costs the County a lot of money, this procedure was instituted to hear those complaints that would fall under a wrongful termination category, which means political firing, religious grounds, races, color, sex, age discrimination, those type of things. He said it evolved into now if an employee doesn't like another employee and there are "catfights" in the office, they bring that in front of the grievance board, that was never the purpose of the grievance board. The grievance board was kind of a sounding board where there was legitimate wrongful termination issues. He said the grievance board has absolutely no legal authority. It is kind of a first step in trying to solve a problem between an employee and one of the officeholders, and avoid a lawsuit.

O'Donnell asked if there is a State or Federal Law that mandates that we have a grievance board?

Attorney Szarmach said, no.

O'Donnell suggested that maybe they should just rescind the ordinance instead of revising it, because now we have to pay a lawyer under this ordinance to participate in it, when what we are really saying by this revision today is, you can bring them in, if an employer says you can, but it's not going to have any impact in any court.

Franklin said she would like to see this ordinance expounded on further. She said she would like to see that board reviewed as to what it really does for the employees. She thinks they need a committee between the Commissioners and whom ever the Attorneys are and take a look at the grievance procedures to see who it really benefits.

Smith said he thinks this ordinance should stay in effect and give the employees the opportunity to aggrieve their feelings, but it does need to be amended. He said that maybe today they could do the First Reading on this.

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

In the Matter of Ordinance Amending Ord 992C-3 Employee Eligibility Requirements for Participation in the Employee Benefit Program.

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

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

Blanchard 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. 992C-24

**ORDINANCE AMENDING THE LAKE COUNTY
SELF INSURANCE ORDINANCE, ORDINANCE NO. 992C-3**

WHEREAS, on May 9, 1989 the Lake County Council adopted the Lake County Self Insurance Health Ordinance, Ordinance No. 992-C, (Lake County Code Sec. 32.165) in part, to establish a Group Health Insurance Program for employees of Lake County Government; and

WHEREAS, the Group Health Insurance Program included an Employee Benefit Health Plan; and

WHEREAS, the Lake County Board of Commissioners have entered into a voluntary Platinum PPO Plan, for hospital stays with the following hospitals: Methodist Hospitals in Gary and Merrillville, Indiana; Community Hospital in Munster, Indiana; St. Catherine Hospital in East Chicago, Indiana; St. Mary Mercy Hospital in Hobart, Indiana and the University of Chicago Hospital in Chicago, Illinois; and

WHEREAS, the Insurance Oversight Committee has recommended that insured employees participating in the network should receive a One Hundred (\$100.00) Dollar reduction on the annual deductibles for hospital stays with the following hospitals: Methodist Hospitals in Gary and Merrillville, Indiana; Community Hospital in Munster, Indiana; St. Catherine Hospital in East Chicago, Indiana; St. Mary Mercy Hospital in Hobart, Indiana and the University of Chicago Hospital in Chicago, Illinois; and

WHEREAS, the Lake County Council desires to implement the recommendations from the Insurance Oversight Committee.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Self Insurance Ordinance, Ordinance No. 992C-3 (Lake County Code Sec. 32.165) be amended by adding the following:

B. SCHEDULE OF BENEFITS - MEDICAL

CALENDAR YEAR DEDUCTIBLE

- Per Individual \$ 200.00
- Per Family \$ 400.00

The Calendar Year Deductible is waived for the Supplemental Accident, Elective Second Surgical Opinion, and Wellness Benefits.

Lake County Board of Commissioners have entered into a voluntary Platinum PPO Plan for hospital stays with the following hospitals: Methodist Hospitals in Gary and Merrillville, Indiana; Community Hospital in Munster, Indiana; St. Catherine Hospital in East Chicago, Indiana; St. Mary Mercy Hospital in Hobart, Indiana and the University of Chicago Hospital in Chicago, Illinois.

An insured participating in the network will receive a One Hundred (\$100.00) Dollar reduction on the annual deductible for hospital stays with the following hospitals: Methodist Hospitals in Gary and Merrillville, Indiana; Community Hospital in Munster, Indiana; St. Catherine Hospital in East Chicago, Indiana; St. Mary Mercy Hospital in Hobart, Indiana and the University of Chicago Hospital in Chicago, Illinois.

SO ORDAINED THIS 12th DAY OF JULY, 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 Interpreter Services Grant Fund for Circuit Court – Dept 3800 and Court Administrator Dept 3910.

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

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

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

ORDINANCE NO. 1265A**ORDINANCE ESTABLISHING INTERPRETER SERVICES
GRANT FUND FOR LAKE CIRCUIT COURT AND LAKE SUPERIOR COURT**

WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopts 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, that the Lake Circuit Court and the Lake Superior Court has received a Grant of Nine Thousand Five Hundred (\$9,500.00) Dollars for the Lake Superior Court, and Five Hundred (\$500.00) Dollars for the Lake Circuit Court for foreign language interpreter services; and

WHEREAS, the Lake County Council desires to create a new fund, Fund No. 259, for the deposit and use of grant funds to provide for foreign language interpreter services required by the Lake Circuit Court and the Lake Superior Court.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake Circuit Court and Lake Superior Court Interpreter Services Grant Fund, Fund No. 259, is hereby established for the deposit and use of grant funds for foreign language interpreter services required by the Lake Circuit Court and Lake Superior Court.
2. That appropriations made from the Fund shall be made for foreign language interpreter services only, approved by the Lake County Council, pursuant to State and Federal Law.

SO ORDAINED THIS 12th DAY OF JULY, 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 2100 and 2101.

Blanchard made a motion, seconded by Potrebic to approve Plan Commission Ordinance # 2100 with conditions.

Tim Keiper from Austgen, Decker & Phillips was present on behalf of the petitioner and owner requesting favorable consideration of this request.

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

**ORDINANCE #2100
OF THE COUNTY OF LAKE**

County Council

Regular Session

July 12, 2005
10:00 A.M.

LARRY BLANCHARD
CHRISTINE CID

THOMAS O'DONNELL
DONALD POTREBIC

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

