

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 L.C. Council Meeting, June 13, 2005, June 23, 2005 Special Meeting, June 28, 2005 Special Meeting, and July 12, 2005.

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

ORDINANCE NO. 1266

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
<u>Council</u> 3700		
41240 Group Insurance	-\$10,400.00	No Action
<u>Plan Commission</u> 2900		
41120 Professionals	\$10,400.00	No Action
<u>Jail</u> 3100		
41190 Part-Time(Create New Line Item)	\$25,000.00	Defer to 8-16-05
<u>Work Release</u> 3150		
41120 Professionals	\$64,045.00	Defer to 8-16-05
<u>Council</u> 3700		
41240 Group Insurance	-\$100,000.00	No Action
<u>Weights & Measures</u> 2800		
41190 Part-Time	\$ 2,592.00	\$ 2,592.00
42110 Office Supplies	\$ 400.00	\$ 400.00
42210 Petroleum Products	\$ 1,400.00	\$ 1,400.00
42230 Clothing	\$ 700.00	\$ 700.00
42310 Equipment Repair Parts	\$ 2,000.00	\$ 2,000.00
43233 Travel-Lodging	\$ 900.00	\$ 900.00
43235 Travel-Mileage	\$ 100.00	\$ 100.00
43310 Printing	\$ 1,300.00	\$ 1,300.00
43720 Laundry & Cleaning	\$ 400.00	\$ 400.00
43910 Dues & Subscriptions	\$ 400.00	\$ 400.00
<u>Sheriff</u> 0800		
41100 Overtime	\$30,000.00	\$30,000.00
	Gambling Adm Tax Fund 196	
<u>Sheriff</u> 0800		
41100 Overtime	\$30,000.00	No Action
	L.C. Animal Shelter Non-Reverting Fund 163	
<u>Animal Control</u> 3200		
43610 Building & Structure	\$25,000.00	\$25,000.00
	Animal Control Snap Fund 156	
<u>Animal Control</u> 3200		
43995 Other Services & Charges	\$ 7,000.00	\$ 7,000.00
	Reassessment 2005 Fund 237	
<u>Assessor</u> 0900		
43190 Other Professional Services	\$475,000.00	Withdrawn
	Weights & Measures User Fee Fund 255	
<u>Weights & Measures</u> 2800		
43992 Refunds of Fines	\$121,500.00	\$121,500.00

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>Jail</u> 3100		
Misdemeanant County Jail Housing Fund 152		
From: 152-43610 Building & Structure	\$ 10,000.00	
To: 152-44490 Other Equipment	\$ 10,000.00	\$ 10,000.00
 <u>Work Release</u> 3150		
From: 001-43995 Other Serv & Charges	\$ 5,000.00	
To: 001-42410 Other Supplies	\$ 5,000.00	\$ 5,000.00
 <u>Sheriff</u> 0500		
From: 001-43231 Travel/Registration	\$ 1,500.00	
001-43232 Travel/Meals	\$ 1,500.00	
001-43630 Maint & Serv Contr	\$20,000.00	
To: 001-42220 Garage & Motors	\$23,000.00	\$ 23,000.00
 <u>Sheriff</u> 0500		
From: 001-43231 Travel/Registration	\$ 1,500.00	
001-43232 Travel/Meals	\$ 1,500.00	
001-43630 Maint & Serv Contr	\$20,000.00	
To: 001-42210 Petroleum Products	\$60,000.00	\$60,000.00
 <u>Sheriff</u> 0500		
From: 001-43730 Property Rental	\$ 7,000.00	
To: 001-42110 Office Supplies	\$ 7,000.00	\$ 7,000.00
 <u>Coroner</u> 0700		
From: 001-41110 Office & Administrators	\$10,000.00	
To: 001-41100 Overtime	\$10,000.00	\$10,000.00
 <u>Superior Court Civil</u> 3900		
From: 001-41140 Protective Service	\$ 3,500.00	
To: 001-41190 Part-Time	\$ 3,500.00	\$ 3,500.00
 <u>Surveyor</u> 0600		
From: 001-41120 Professionals	\$ 975.00	
To: 001-41130 Technicians	\$ 975.00	Defer to 9-13-05

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 Commission.

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

Dated this 9th day of August, 2005.

Adopted this 9th day of August, 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	
<u>General fund</u>			
Council(-\$10,400)	No Action Taken		
Plan Commission(\$10,400)	No Action Taken		
Jail(\$25,000)	Franklin	O'Donnell	All voted "Yes" to defer to 8-16-05. Motion carried 7-0.
Work Release(\$64,045)	Franklin	O'Donnell	All voted "Yes" to defer To 8-16-05. Motion carried 7-0.
Council(-\$100,000)	No Action		
Weights & Measures(\$10,192)	Franklin	O'Donnell	All voted "Yes" to approve Motion carried 7-0.
Sheriff(\$30,000)	Cid	Franklin	All voted "Yes" to approve Out of general fund. Motion Carried 7-0.
<u>Gambling Adm Tax Fund 196</u>			
Sheriff(\$30,000)	No Action Taken		
<u>L.C. Animal Shelter Non-Reverting Fund 163</u>			
Animal Control(\$25,000)	Blanchard	O'Donnell	All voted "Yes". Motion carried 7-0.
<u>Animal Control Snap Fund 156</u>			
Animal Control(\$7,000)	Blanchard	O'Donnell	All voted "Yes". Motion carried 7-0.
<u>Reassessment 2005 Fund 237</u>			
Assessor(\$475,000)	Withdrawn		
<u>Weights & Measures User Fee Fund 255</u>			
Weights & Measures(\$121,500)	Franklin	O'Donnell	All voted "Yes". Motion carried 7-0.

Transfer

	Made motion	seconded	
Jail(\$10,000)			
Misdemeanant Fund 152	Franklin	O'Donnell	All voted "Yes". Motion carried 7-0.
Work Release(\$5,000)	Franklin	O'Donnell	All voted "Yes". Motion carried 7-0.
Sheriff(\$23,000)	O'Donnell	Blanchard	All voted "Yes". Motion carried 7-0.
Sheriff(\$60,000)	O'Donnell	Blanchard	All voted "Yes". Motion carried 7-0.
Sheriff(\$7,000)	O'Donnell	Blanchard	All voted "Yes". Motion carried 7-0.
Coroner(\$10,000)	Franklin	Blanchard	All voted "Yes". Motion carried 7-0.
Superior Court Civil(\$3,500)	Franklin	O'Donnell	All voted "Yes". Motion carried 7-0.
(See Footnote)			
Surveyor(\$975)	O'Donnell	Blanchard	All voted "Yes" to defer to 9-13-05. Motion carried 7-0.
(See Footnote)			

Footnotes

Superior Court Civil(\$3,500) – O'Donnell said this is an example of good government in action. Judge Dywan came to the committee and indicated that a retired bailiff was not going to be replaced, and he thought his court could run more efficiently with a full-time bailiff, and utilizing part-time money.

O'Donnell said, the savings to the County on this is substantial, not only are we saving additional salary of this bailiff, the Judge won't have to be asking for part-time money, so that will be a savings of around \$20,000 dollars, or so, with an additional savings of about \$10,000 dollars in insurance premiums. O'Donnell commended the Judge for coming forward with this.

Surveyor(\$975) – O'Donnell made a motion to approve the transfer and Revised 144. Motion dies for a lack of a second.

O'Donnell said he spoke to the Surveyor about concerns of the Council that this might be better done at budget time. The Surveyor implored the Council to take action now.

Mr. Van Til said last year when there was a vacancy, he went into the drainage portion of his budget and made a number of adjustments and moves with personnel. He said a number of people received modest increases as a result of that. He said he has an employee who just retired after 49 years with the county, and if they don't do this today, he is going to make some moves internally, and two people will receive increases, one will get an increase of over \$5,000 dollars. He said with the Council's assistance on this, 7 people can get adjustments that are commensurate with what the drainage that he has. He said the highest one being \$1,200, and the lowest being \$400 dollars. He said the choice for him, as the person who knows his office the best, in terms of trying to move people into positions that they should move into, and starting a new person, basically at the lowest salary, if this is passed today. He said he doesn't think that there is anyone in his office who should get a \$5,000 raise, for morale purposes and professional purposes, it makes a whole lot of sense to do it this way.

In the Matter of Revised 144 for Parks & Recreation, Plan Commission, Work Release, North Township Assessor, Recorder, St. John Township Assessor, Superior Court Civil, and Surveyor.

Re: Parks & Recreation – Tabaczynski made a motion, seconded by Franklin to defer to 9-13-05. All voted "Yes". Motion carried 7-0.

Re: Plan Commission – No Action Taken

Re: Work Release – Franklin made a motion, seconded by O'Donnell to defer to 8-16-05. All voted "Yes". Motion to defer carried 7-0.

Re: North Township Assessor – Tabaczynski 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>
16571-005 Pers. Prop Deputy I	\$24,144	-0-	-\$24,144

Re: North Township Assessor – Tabaczynski 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>
16578-001 R.E. Deputy	\$26,785	-0-	-\$26,785

Re: Recorder – Tabaczynski 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>
16xxx-001 Deputy Recorder	-0-	\$24,144	\$24,144

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

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
134550996 R.E. Deputy	-0-	\$26,785	\$26,785

Re: Superior Court Civil – Franklin 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>
12750-001 System Manager	\$35,921	\$36,971	\$1,050
12760-001 Field Survey Specialist	\$31,210	\$29,185	-\$2,015
13552-001 Mapping Technician	\$28,076	\$29,051	\$975

Re: Surveyor – O'Donnell made a motion, seconded by Blanchard to defer to 9-13-05. All voted "Yes" to defer. Motion carried 7-0.

In the Matter of Announcement – Syd Garner Scholarship Recipient

Blanchard announced the recipient of the Syd Garner Scholarship, as Pam Witt.

Ms. Whitt was present and thanked the Council for allowing her to be present today, and thanked the Council for the scholarship.

Blanchard made a motion, seconded by Cid to approve the recipient as Pam Witt. All voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Items – County Court Div I – General Fund

Potrebic made a motion, seconded by O'Donnell to approve creating new line items, 43240 – Telephone, and 43620 – Equipment Repair. All voted "Yes". Motion carried 7-0.

In the Matter of Public Hearing – Vacating Platted Easement – Edwards Dr. East of Lot 11 in Phillips 1st Edition to Lake County Indiana, Book 33 Page 78.

Public hearing was opened.

O'Donnell explained that there were some people present from the area of East Phillips Road, and they are asking that the Council vacate current dedicated right-of-way, for Edwards Drive, which is about 200 or so, feet long, and runs into the back of somebody else's property. They are asking that that property be vacated.

Ben Dunifer, 5260 W 73rd Ave, said the reason they are here is because they want to try to split that property, Edwards Drive between Donna and himself, and Bob Bydalek, who lives on the other side. They have been taking care of that property since they have lived there, for the last 15 years. It was dedicated Edwards Dr, at one time when they first began building that area. They were going to put a road through there, going through a sub-division, but they never built the sub-division. That road leads to no where, it's just an empty lot between them.

Donna Ratkovich said that they would just like to preserve what land there is that's left there. They have been taking care of it all of these years, and they look out their window and see the beautiful land there, and they would not like to see a road there. That is why they want it vacated.

Public hearing was closed.

In the Matter of Public Hearing – Vacation of Public Right of Way – A part of 94th Place, lying between Lots 21 and 22 in Enclave Unit 3.

Public Hearing was opened.

There were no remonstrators present.

The public hearing was closed.

Blanchard made a motion, seconded by O'Donnell to approve the petition to vacate the public right-of-way. All voted "Yes". Motion carried 7-0. SEE ORDINANCE # 1266A

In the Matter of Employee Time Clocks
Discussion/Action

Potrebic feels there should be a little more accountability within all of the offices, and time clocks instilled in all of the offices. He said there are several that have it, the Clerks Office, the Auditor, and maybe there should be some fine-tuning with the Auditor's Office, but Potrebic feels that this should be the times we're in, and some of the flagrancy that has been going on for a while, and, in Potrebic's opinion, he would like to pursue it that we get time clocks in all of the offices.

Potrebic said he would like to talk to Mr. Dull and Mr. Szarmach and have something formal for the September 13th meeting.

Franklin said that she hates to assume that all of these people that leave out of here at certain times of the day are staff people. She certainly doesn't want the general public to think that the staff just walks out the door anytime they get ready, and that a time clock is going to stop that. Franklin said, you have to take under consideration that some of the staff people work certain hours, overtime, and their Directors will give them that comp time, since we don't see them. Franklin said, she thinks that what is happening is sometimes her colleague is seeing people leave, and no Department Head is going to allow their staff to just get up and walk out without authorization. She said a time clock is not a deterrent for authorized permission to leave the County office that you are employed at.

Franklin said, she believes that this is a discussion that needs to take place with the Elected Officials and if they want to put a time clock in their offices, then Franklin thinks that is something that they should make a decision to do. Franklin said, that what happened with the Clerks and Auditor's Office, is a decision that

they made, and the other departments should be allowed to do the same, and not us pass an ordinance demanding that they do so.

She said this is going to stop the Department Heads from giving their staff person overtime, or using their comp time.

Franklin said you need to think about this very seriously, when you start making demands on your staff, look out, next week the union will be here, and she is pro-union and she will support them.

Potrebic said, there is flagrancy, this is why he is pushing it. It has been going on for a long time, and you have some people who are getting paid eight hours, whether it's the Chief Deputy, some Supervisors, make them accountable, and have some communication with their employees. You are talking about some hard times, Potrebic said, money is being "thrown out the window".

Potrebic said he will have a long outline you at the September 13th meeting.

St. John Township Assessor Hank Adams said he can see where Council Lady Franklin is coming from because he has occasions when somebody just, it's impossible to catch them at home. He does occasionally has to send somebody out on a Saturday, and they try to collect two or three at a time. He said that Mark Pearman said, that that wouldn't be a problem and it could be worked out, so Mr. Adams said, he has no problem with the time clock, if something like that could be worked out, it would be occasionally. Mr. Adams said, he thinks it's a good idea.

No Action Taken

In the Matter Citizen Appointment – Lake County Library

O'Donnell nominated Arthur Giannini.

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

All voted "Yes" for Arthur Giannini. Motion carried to appoint Arthur Giannini to the Lake County Library Board.

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

Tabaczynski made a motion, seconded by Franklin to defer to 9-13-05. All voted "Yes", except O'Donnell, "No". Motion to defer carried 6-yes, 1-no.

In the Matter of Calumet Township Trustee Loan Request to fund the Township's Poor Relief Services.

Franklin made a motion, seconded by Smith to approve.

Attorney Szarmach said, what he prepared is a resolution denying the request, which then, allows the Calumet Township to go to the State for the loan. He said, what we do every year, is we approve the resolution to deny. Szarmach just wanted to clarify if the motion was a motion to approve the resolution to deny, or are you moving to approve the request?

Smith said that the motion that Franklin made was to approve the request.

Attorney Szarmach said, then you should not approve that, and there should be a motion made to approve the resolution so that they can then go down State to get the money.

Smith said then, if there is a vote, to vote down the motion to approve, then there can be a motion to deny.

Attorney Szarmach said correct.

Smith said, the motion on the floor right now is a motion to approve.

All voted "Yes", except Tabaczynski, O'Donnell, Cid, Potrebic, and Blanchard, "No". Motion to approve failed 5-no, 2-yes.

O'Donnell made a motion, seconded by Blanchard to approve the resolution denying the borrowing of funds. All voted "Yes" to deny, except Franklin, and Smith, "No". Motion to deny carried 5-yes, 2-no.

RESOLUTION NO. 09-71

**RESOLUTION OF THE LAKE COUNTY COUNCIL
DENYING THE BORROWING OF FUNDS BY
CALUMET TOWNSHIP OF LAKE COUNTY, INDIANA**

WHEREAS, the Auditor of Lake County, Indiana (the "Auditor"), has determined that the poor relief account of Calumet Township of Lake County, Indiana ("Calumet Township"), will be exhausted before the end the 2005 fiscal year, and the Auditor has notified the Township Board of Calumet Township (the "Township Board") of such determination; and

WHEREAS, the Township Board has shown that (a) the amount of money contained in the poor relief account of Calumet Township will not be sufficient to fund services required to be provided within Calumet Township under I. C. 12-20 for the fiscal year 2005; (b) the estimated amount of money that will be needed to fund such deficit is an amount of Three Million Dollars (\$3,000,000.00). and (c) Calumet Township will repay such loan by August 1, 2006; and

WHEREAS, after receiving such notice from the Auditor, the Township Board appealed by Resolution adopted June 9, 2005 to the Board of Commissioners of the County of Lake (the "Commissioners") for the right to borrow money on a short term basis to fund poor relief services in the Calumet Township; and

WHEREAS, the Commissioners, on the 20th day of July, 2005 heard the appeal of the Township Board and determined not to loan the requested amount to Calumet Township; and

WHEREAS, the Commissioners have submitted the requested of the Township Board to the Auditor who has requested a special meeting of the Lake County Council (the "Council") requesting the Council to allow the borrowing by Calumet Township; and

WHEREAS, the Council now finds that the appeal of the Township Board should not be granted and that the Council should not allow the borrowing by Calumet Township.

NOW THEREFORE, BE IT RESOLVED BY THE LAKE COUNTY COUNCIL AS FOLLOWS:

SECTION 1. The Council hereby determines that the appeal of the Township Board is not granted and that the Auditor is not authorized to borrow money for and on behalf of Calumet Township to fund the obligations of Calumet Township incurred in this fiscal year under I.C. 12-20-24.

SECTION 2. The Council hereby determines to notify the Township Board of its decision pursuant to I.C. 12-20-24-4.

SECTION 3. This Resolution shall be in full force and effect upon adoption and compliance with I.C. 36-2-4-8,

So RESOLVED THIS 9TH DAY OF AUGUST, 2005.

RON TABACZYNSKI
THOMAS O'DONNELL
DONALD POTREBIC

LARRY BLANCHARD
CHRISTINE CID

Members of the Lake County Council

In the Matter of Resolution Transferring \$200,000.00 from Gambling Admission Tax Fund 196 to 2005 Reassessment Fund 230

Blanchard made a motion, seconded by O'Donnell to approve the resolution to transfer \$200,000.00 from Gambling Admission Tax Fund to Reassessment Fund 230. All voted "Yes", except Smith, "No". Motion to approve carried 6-yes, 1-no.

RESOLUTION NO. 05-72

**RESOLUTION TRANSFERRING \$200,000.00
FROM THE GAMBLING ADMISSION TAX FUND (FUND NO. 196)
TO THE 2005 REASSESSMENT FUND (FUND NO. 230)**

WHEREAS, the Lake County Council has established the 2005 Reassessment Fund (Fund No. 230) to pay for reassessment costs; and

WHEREAS, the Lake County Council desires to transfer \$200,000.00 in funds from the Gambling Admission Tax Fund (Fund No. 196) to the Reassessment Fund (Fund No. 230) to pay for reassessment costs.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council approves the transfer of \$200,000.00 from the Gambling Admission Tax Fund (Fund No. 196) to the Reassessment Fund (Fund No. 230), to pay reassessment costs.

SO RESOLVED THIS 9th DAY OF AUGUST, 2005.

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

O'Donnell made a motion, seconded by Blanchard to defer to 9-13-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of 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 9-13-05. All voted "Yes". Motion to defer carried 7-0.

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

Blanchard made a motion, seconded by O'Donnell to defer to 9-13-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Amending Ord 1077C – Grievance Procedures.

Franklin made a motion, seconded by Blanchard to defer to 9-13-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Vacating Platted Easement – Edwards Dr East of Lot 11 in Phillips 1st Edition to Lake County Indiana.

O'Donnell made a motion, seconded by Blanchard to approve the ordinance vacating the platted easement for the Edwards Drive between lots 11 and 12.

Attorney Szarmach said, they could vote on the petition today, the ordinance, which is number 19B-8 on the agenda, he did not prepare because he needs some information from the petitioners. They can vote on the petition today, approve, that, he will put the ordinance, which is like the deed. That actually conveys it to you, it goes to the Recorder's Office. Szarmach will do the ordinance on the September meeting. Szarmach said they could vote on it, then defer it.

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

O'Donnell made a motion, seconded by Blanchard to defer to 9-13-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Amending Ord 1255G – Part Time Salaries 2005 – Center Township Assessor.

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.

In the Matter of Ordinance Amending Ordinance 1255G Part Time Salaries 2005 – Parks & Recreation – Off Duty Officers/Security.

Tabaczynski explained that these are the sworn officers that the Parks Department employs for security at the various facilities, primarily near the water park, and they are asking the range in there up to \$25 dollars, it's currently set at \$20 dollars.

Tabaczynski pointed that this is not raising everyone's salary to \$25 dollars an hour, it simply allows the Parks Department to continue to use the schedule increases depending on length of service.

Mr. Nickovich said all of their starting officers come in at \$16/hr, first year, which is considerably less than what they would do for off-duty work elsewhere.

Tabaczynski made a motion, seconded by O'Donnell to approve on First Reading. 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. 1255G-5

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME EMPLOYEES SALARY ORDINANCE FOR 2005, ORDINANCE NO. 1255G

WHEREAS, on September 7, 2004, the Lake County Council adopted the Lake County Part-Time Employees Salary Ordinance for 2005, Ordinance No. 1255G; and

WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

Section III.

12. Parks and Recreation

c. Security:

Off Duty Police Officers \$ 16.00 - 25.00/hr.

SO ORDAINED THIS 9TH DAY OF AUGUST, 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 Ordinance 1255G – Part Time Salaries for 2005 – Superior Court Civil Division Bailiff.

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

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

Franklin 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.- 1255G-6

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME EMPLOYEES SALARY ORDINANCE FOR 2005, ORDINANCE NO. 1255G

WHEREAS, on September 7, 2004, the Lake County Council adopted the Lake County Part-Time Employees Salary Ordinance for 2005, Ordinance No. 1255G; and

WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following be added to Section III., No. 31, Lake Superior Court, Civil Division, as follows:

Section III.

31. - Lake Superior Court, Civil Division

Bailiff

Up to a maximum of \$ 15.00

SO ORDAINED THIS 9th DAY OF AUGUST, 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 for Vacation of Public Right of Way – A part of 94th Place, lying between Lots 21 and 22 in Enclave Unit 3.

Blanchard made a motion to defer item 19B-9, to 9-13-05.

Attorney Szarmach said he has that ordinance and they can take actions on this one.

Blanchard withdrew his motion to defer.

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

ORDINANCE NO. 1266A

**ORDINANCE GRANTING PETITION TO
VACATE RIGHT OF WAY BY KMW PROP., LLC**

WHEREAS, Petitioner KMW PROP., LLC pursuant to I.C. 36-7-3-12 file their Petition to Vacate a Public Right-of-Way; and

WHEREAS, the Lake County Council on August 9, 2005, granted the said petition.

IT IS NOW, THEREFORE, ORDAINED AS FOLLOWS:

That the following described real estate in Lake County, Indiana, shall be given to the Petitioner KMW PROP., LLC, fee simple:

A parcel of land lying in The Enclave Unit 3, an Addition to Lake County, Indiana, as found in Plat Book 95 page 38, recorded as Document Number 2004-038601 on May 11, 2004, in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: Beginning at the Northwest corner of Lot 21 of said Plat; thence North 00' 05' 34" West along the West line of said Plat, 60.00 feet to the Southwest corner of Lot 22; thence South 89 43' 37" East along the South line of said Lot 22, 130.81 feet, to a point on the West right-of-way line of Henry Street, said point also being the Southeast corner of said Lot 22; thence South 00' 11' 42" East along the southerly prolongation of the West right-of-way line 60.00 feet, to the Northeast corner of Lot 21; thence North 89 43'37" West along the North line of said Lot 21 to the Point of Beginning containing 0. 18 acres more-or-less and subject to all easements and rights-of-way of record.

SO ORDAINED THIS 9th DAY OF AUGUST, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O;D ODONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Ordinance Creating U.S. Steel Property Tax Settlement Fund 596

Dante explained that this is now in its funded form, which means PTRC is been combined with the original \$44 million. It's sitting in a fund called 596 waiting for your official approval of that fund. They had to place it in that fund, prior to this meeting. It's kind of like a retroactive approval here, so all you are doing is creating the fund today, which is serving as a repository for the \$52.4 something million dollars. Dante said, all you're doing is just sanctioning that fund today.

Cid made a motion, seconded by O'Donnell 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. 1266B**ORDINANCE CREATING THE
U.S. STEEL PROPERTY TAX SETTLEMENT FUND**

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, S.B. 496 gives Lake County the opportunity to adopt an ordinance to direct the Auditor's Office to apply the funds received from the U.S. Steel settlement as credit to tax for subsequent years; and

WHEREAS, the Lake County Council desires to create a U.S. Steel Property Tax Settlement Fund for the deposit of funds received from the U.S. Property Tax Settlement.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the U.S. Steel Property Tax Settlement Fund, Fund No. 596, a non-reverting fund, is established for the deposit funds received from the U.S. Steel Settlement.
2. That funds shall be disbursed from the U.S. Steel Property Tax Settlement Fund, Fund No. 596, pursuant to law.

SO ORDAINED THIS 9TH DAY OF AUGUST, 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 Non-Reverting Justice Assistance Grant Fund for L.C. Sheriff.

Cid made a motion, seconded by O'Donnell 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. 1266C

**ORDINANCE CREATING THE
JUSTICE ASSISTANCE GRANT FUND, A NON-REVERTING FUND**

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, 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 Sheriff will be receiving a grant from the Department of Justice in the sum of \$409,548.00 for the purpose of fortifying law enforcement programs within the County; and

WHEREAS, the Lake County Council desires to create a Justice Assistance Grant Fund for the deposit of \$409,548.00 from the Justice Department.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Justice Assistance Grant Fund, a non-reverting fund, is established for the deposit of \$409,548.00 from the Justice Department to fortify law enforcement programs within the County.
2. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.
3. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Justice Assistance Grant Fund.

SO ORDAINED THIS 9th DAY OF AUGUST, 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 Ordinance # 2102, 2103, 2104, 2105, and 2106.

Potrebic made a motion, seconded by Blanchard to approve Plan Commission Ordinance # 2102.

Eric Goetz, who is the general contractor for Anthony Lutgen was present and explained what the variance of use was for. He is in favor of the ordinance.

Wayne Weitbrook was in favor of ordinance.

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

**ORDINANCE #2102
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 07/20/05).

