

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 announcement of RDA appointment, 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. Commissioner Rudy Clay, Commissioner Fran DuPey, and Commissioner Gerry Scheub were present.

In the Matter of RDA Appointment.

Attorney Szarmach cited for the record, statute, I.C. 5-14-1.5-6.1, regarding Executive Sessions. He said that Section C of that Statute says that a final action must be taken at a meeting open to the public, this is under Executive Sessions. They started using Executive Sessions to determine our final three. Section C-10 of that code requires us to interview the last three appointees in public, which we did, and Section C again, as a final action requires that action be taken open to public meeting. He said in citing 36-2-4-4, Majority Vote – A requirement that an ordinance, resolution, or other action be passed by majority vote, means at least a majority of all the elected members. He said, that is the Statute that applies to legislative procedures of Lake County Council, and Lake County Board of Commissioners. Accordingly, a majority vote of those elected would mean six out of ten votes.

Attorney Szarmach said, on the tie, you pretty much make up your own rules. Traditionally, you can take as many ballots as you want to. If you end up with three tie votes, you can make a rule that you can flip a coin, just like they do for election, where there is a re-count, and there's a court ordered tie decision.

Smith said that he took the liberty, and he hopes that his colleagues will concur, that if there is a coin flipping situation, that we ask our Prosecutor, who is in attendance here to be the one to flip the coin, and he willingly accepted that role.

Attorney Szarmach said the easiest way to do this is take a roll call, as we do in our regular meeting, and announce the name of the Officeholder, and have him, or her give the name of who they want to. The Secretary for the Council will poll the Council, and the Secretary for the Commissioners, will poll the Commissioners.

Tabaczynski voted for Louis Martinez, Franklin voted for Harold Foster, O'Donnell voted for Louis Martinez, Cid voted for Louis Martinez, Potrebic voted for Louis Martinez, Blanchard voted for Harold Foster, and Smith voted for Harold Foster. The vote was 4-3. Mr. Louis Martinez was selected by L. C. Council.

Commissioner Clay voted for Harold Foster, Commissioner Scheub voted for Louis Martinez, and Commissioner DuPey voted for Louis Martinez. The vote was 2-1. Mr. Martinez was selected by the L.C. Board of Commissioners.

Collectively, Mr. Louis Martinez won 6-4; therefore he was chosen by the L.C. Council and the L.C. Board of Commissioners as the RDA representative for the Council and the Commissioners.

Commissioner Scheub said they were very fortunate, in that they had six very qualified individuals and it was hard to get down to three, so you can imagine what they went through to get down to one person. He said that a lot of time was spent on this because all three were very qualified individuals. They are very fortunate that people in the County are interested in being involved, but he thinks that Louis Martinez will be a very positive influence on the Board, and his desires for employment will play a big part in his part of the board for the future of Lake County. He commends the board for doing this openly, in front of the public, which is what they all wanted. He believes they will see a very strong movement by the new Board of Lake County.

Commissioner Clay said he thinks they have a good appointee in Mr. Martinez. He said he thinks that everyone agrees that the Airport will be a big part of this RDA equation, and hopefully we can give Mr. Martinez a charge to focus on foreign trade zone, air freight, air cargo at the Gary Airport as well as jobs, and of course, passenger service.

Smith said as they looked at all six of the applicants, and went through the process, Smith said, all of them presented themselves quite well during that process. Smith said that he suggested, during that process that they have an advisory committee, made up of a member representing the Commissioners, as well as a member representing the County Council, and to sit with that advisory committee to have our appointee meet with that advisory committee, as least once a month to go over the issues that are germane to all of us, as our representative. Smith said, hopefully Commissioner Scheub and himself can put that together because there were some concurrences from this body and Scheub' body, for that committee. Smith said

that, in itself will deal with the unanimous end of support from all of us as well. Smith said that one issue that they must discuss is, who else can participate in that board, and things that can be done internally.

Attorney Szarmach said that O'Donnell brought up a good point about certifying. Szarmach said they don't have to certify, but he thinks they should send something to the Governor's Office today, fax something down there on our stationary, that we did make our appointment, timely.

Commissioner DuPey asked if these are permanent appointments, or do they have a term and what is our appointee's term?

Attorney Szarmach said, three years.

Commissioner DuPey asked, each time we have to go through the process the same way?

Attorney Szarmach said, correct.

Franklin said that she is very pleased that they have completed their process. She said she had hoped that in this process the ones that did qualify for the final round, and her selection of this individual was based on adding some "new blood" to some of these boards throughout Lake County. She said she has no problem with any of the persons that ran, she just would have like to seen some "new blood" being given the opportunity to serve on some major boards throughout Lake County.

Smith said he echo what Franklin is saying. He reached out to the community and spoke with and encouraged Mr. Foster to participate. Smith said that some of our young people in our communities, whether it's in the urban quarter, or the rural sector of our county, some of our young people have a lot of apprehension about participating with the political process and on various boards of this county because they feel as though they are shut out, and there is no opportunity for them. Smith said he thought that Mr. Foster was the right kind of guy to represent some of our skilled, technical equipped young people in our community. To come forward, step forward and offer themselves to participate, and Mr. Foster was one of those individuals. His position, and the work that he has done with the Gary Chamber of Commerce, and all of those things, and his technical company, and so on, Smith thought, stood well. He said Mr. Martinez is a great guy. He encouraged Mr. Martinez to participate as well because we needed Hispanic representation on this board. Smith said that for himself, either Mr. Foster, or Mr. Martinez were the right type of people to represent the Hispanic and African American communities, throughout Lake County.

Smith recognized our Lake County Prosecutor, Mr. Bernard Carter, and our Lake County Sheriff, Mr. Rogelio Dominguez who were present.

Smith recognized the representatives from Interfaith Clergy who have participated in all of the Council' events, and Smith wanted to recognize their presence.

Smith asked Attorney Szarmach if they needed to send a letter of certification?

Attorney Szarmach said they should fax and mail a letter to the Governor's Office, dated today that pursuant to statue, the Board of Commissioners, and the County Council has made their selection.

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

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Lake County Council President

ATTEST:

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Lake County Auditor