

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.

President Smith publicly announced the passing of two Lake County Employees. Smith along with the entire Lake County Council extended their condolences to the families of Ms. Joyce Greene, who passed away on October 6, 2005, and Mr. Lewis Thomas, who passed away on October 7, 2005. Ms. Greene was employed with the Lake County Court Div II, and Mr. Thomas was employed with Lake County Community Development and was a former Lake County Councilman.

President also publicly extended the condolences of the Lake County Council to Mrs. Martha Wheeler, Center Township Assessor who lost her husband last week.

In the Matter of Minutes of the L.C. Council for July 22, 2005, Joint Special Meeting, August 9, 2005, August 16, 23, 25, 31, and Sept 8, 2005 – Special Meetings, August 4, 2005 – Public Hearing 2006 Budget, August 10, 2005 – 2006 Budget Workshop, August 11, 2005 - 2006 Budget Workshop, August 16, 2005 – 2006 Budget Workshop, August 17, 2005 – 2006 Budget Workshop, August 23, 2005 – 1<sup>st</sup> Reading 2006 Budget, August 24, 2005 – 2006 Budget Workshop, August 25, 2005 2006 Budget Workshop, August 30, 2005 – 2006 Budget Workshop, August 31, 2005 – 2006 Budget Workshop, September 1, 2005 – 2006 Budget Workshop, September 6, 2005 – 2006 Budget Workshop, September 8, 2005 – 2<sup>nd</sup> Reading 2006 Budget, and September 26, 2006 – Regular Meeting.

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

**ORDINANCE NO 1268**

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		
41190 Part-Time(Create New Line)	\$ 25,000.00	Defer to 11-8-05
<u>Work Release</u> 3150		
41120 Professionals	\$ 64,045.00	Defer to 11-8-05
<u>Clerk</u> 0100		
41163 Office & Clerical	\$ 67,310.00	Defer to 11-8-05
<u>Animal Control</u> 3200		
42240 Household & Institution Supplies	\$ 2,000.00	\$ 2,000.00
<u>Animal Control</u> 3200		
42250 Health Care & Lab Supplies	\$ 5,000.00	\$ 5,000.00
<u>Work Release</u> 3150		
42210 Petroleum Products	\$ 10,000.00	\$ 10,000.00
<u>Work Release</u> 3150		
41100 Overtime	\$ 20,000.00	\$ 20,000.00
<u>Sheriff</u> 0500		
42220 Garage & Motors	\$ 60,000.00	No Action Taken
<u>Sheriff</u> 0500		
42210 Petroleum Products	\$160,000.00	No Action Taken
<u>Commissioners</u> 2900		
43190 Other Professional Service	\$250,000.00	\$250,000.00
<u>Fairgrounds</u> 2920		
41190 Part-Time	\$ 5,700.00	\$ 5,700.00
42310 Equipment Repair Parts	\$ 2,300.00	\$ 2,300.00
43630 Maintenance & Service Contracts	\$ 2,000.00	\$ 2,000.00
	Gambling Adm Tax Fund 196	
<u>Work Release</u> 3150		



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

Dated this 11<sup>th</sup> day of October, 2005.

Adopted this 11<sup>th</sup> day of October, 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:  
Peggy Holinga Katona,  
Lake County Auditor

Additional

	Made motion	seconded	
<u>General fund</u>			
Jail(\$25,000)	Franklin	Blanchard	All voted "Yes" to defer to 11-8-05. Motion carried 7-0.
Work Release(\$64,045)	Franklin	Blanchard	All voted "Yes" to defer to 11-8-05. Motion carried 7-0.
Clerk(\$67,310)	Tabaczynski	O'Donnell	All voted "Yes" to defer to 11-8-05, except Cid, "abstain". Motion to defer carried 6-yes, 1-abstention.
Animal Control(\$2,000)	Blanchard	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Animal Control(\$5,000)	Blanchard	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$10,000)	O'Donnell	Cid	All voted "Yes" to approve, except Potrebic, "No". Motion carried 6-yes, 1-no.
Work Release(\$20,000)	O'Donnell	Cid	All voted "Yes" to approve, in the general fund, except Potrebic, "No". Motion carried 6-yes, 1-no.
Sheriff(\$60,000)	No Action Taken		
Sheriff(\$160,000)	No Action Taken		
Commissioners(\$250,000)	Franklin	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Fairgrounds(\$10,000)	O'Donnell	Franklin	All voted "Yes" to approve. Motion carried 7-0.
<u>gambling adm tax fund 196</u>			
Work Release(\$20,000)	No Action Taken.		
Sheriff(\$60,000)	Cid	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Sheriff(\$160,000)	Cid	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.

Local Emergency Planning Fund 185

Emergency Planning Committee(\$43,794.77)    Blanchard    O'Donnell    All voted "Yes" to Approve. Motion carried 7-0.  
Q#54180 & Q#54346

2005 Reassessment Fund 237

North Twp Assr(\$147,323) Blanchard    O'Donnell    All voted "Yes" to Approve and create new line item. Motion carried 7-0.

Center Twp Assr(\$45,000) Blanchard    O'Donnell    All voted "Yes" to defer to 11-8-05. Motion to defer carried 7-0.

Sheriff's Grant Fund 239

Sheriff(-\$67,000)    Cid    Franklin    All voted "Yes" to approve. Motion carried 7-0.

Homeland Security Grant Fund 249

Emerg Mngmt(\$3,340)    Blanchard    Franklin    All voted "Yes" to approve. Motion carried 7-0.

County Court Public Defender Fee Fund 405

Div II(\$12,800)    Franklin    O'Donnell    All voted "Yes" to create 3 new line items, and approve, except Blanchard, "absent" Motion to approve Carried 6-yes, 1-absent.

Public Defender (\$45,000)    Potrebic    Tabaczynski    All voted "Yes" to defer. to 11-8-05. Motion carried 7-0.  
(See Footnote)

Footnotes

Re: Public Defender – Potrebic made a motion to approve. Potrebic made a motion, seconded by Tabaczynski to defer to 11-8-05. All voted "Yes". Motion to defer carried 7-0.

Transfer

	made motion		seconded	
Commissioners(\$52,000)	Franklin		Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Public Defender (\$6,817.50)	Potrebic		Tabaczynski	All voted "Yes" to defer to 11-8-05. Motion carried 7-0.
Superior Court Civil(\$500)	Franklin		O'Donnell	All voted "Yes" to approve. Motion carried 7-0.
Sheriff(\$6,000) (Sheriff's Grant Fund)	Cid		O'Donnell	All voted "Yes" to approve. Motion carried 7-0.
County Court SAPS Fund 143 Div IV(\$4,051)	Cid		Blanchard	All voted "Yes" to approve & create new line item. Motion carried 7-0.
Hanover Twp Assr(\$3,590)	Blanchard		O'Donnell	All voted "Yes" to approve, except Tabaczynski, and Cid, "absent". Motion to approve carried 5-yes, 2-absent.
Clerk(\$16,000)	Tabaczynski		Franklin	All voted "Yes" to Approve, except Cid,

“abstain”. Motion carried  
6-yes, 1-abstention.

In the Matter of Revised 144 for Parks & Recreation, Work Release, Clerk, Public Defender, Juvenile Court, and Hanover Twp Assr.

Re: Parks & Recreation – Tabaczynski made a motion, seconded by O’Donnell to defer to 11-8-05. All voted “Yes”. Motion to defer carried 7-0.

Re: Work Release – Franklin made a motion, seconded by Blanchard to defer to 11-8-05. All voted “Yes”. Motion to defer carried 7-0.

Re: Clerk – Tabaczynski made a motion, seconded by O’Donnell to defer to 11-8-05. All voted “Yes”. Motion to defer carried 7-0.

Re: Public Defender – Potrebic made a motion to approve. Potrebic made a motion, seconded by Tabaczynski to defer to 11-8-05. All voted “Yes”. Motion to defer carried 7-0.

Re: Juvenile Court – Cid made a motion, seconded by O’Donnell 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>
12428-010 Probation Officer	\$42,323	\$46,556	\$4,233
12428-016 Probation Officer	\$31,752	\$35,487	\$3,735

Re: Hanover Township Assessor – Blanchard made a motion, seconded by O’Donnell to approve. All voted “Yes”, except Tabaczynski and O’Donnell, “absent”. Motion to approve carried 5-yes, 2-absent.

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16675-002 Clerk	\$18,665	-0-	-\$18,665
11101-001 Chief Deputy	-0-	\$18,665	\$18,665

In the Matter of Citizen Appointment – Lowell Library Board.

Blanchard nominated Wayne Weitbrock.

Blanchard made a motion, seconded by Cid to close nominations.

All voted “Yes” to approve. Motion to approve Wayne Weitbrock to the Lowell Library Board carried 7-0.

In the Matter of Appointment of Project Committee – Energy Savings Contract.

Attorney Szarmach said he sent everyone a packet about a week ago on the Energy Savings Contract Law, the procedure, and a handout notice that we already advertised the request for qualifications. He said he received a request for the packet, from three entities, Ameresco, Trane, and Professional Services. He has not received a statement of qualifications from any of the three yet, they are due on the 14<sup>th</sup> of October. Attorney Szarmach said at the meeting on November 8, 2005, the Council should select one of the providers. He said in looking through the materials, it is suggested and he agrees that a project committee should be appointed, which consists of two to three Councilmen, a Commissioner, and Dan Ombac to kind of oversee the project. This is not a project manager just to keep everybody informed what is happening, to meet, review, what the provider is doing, what he said he is going to do etc. and have that authority. Szarmach said the Chair here has that authority. He said that one thing that everyone needs to realize is that, in this case, the County Council, not the Commissioners, who signed the contract, pick the provider, negotiate the contracts, and sign the contracts with the provider for the work they would be doing on these buildings to conserve energy. He said it’s one of those quirks in the law, in St. Joe County and Lake County, the County Council that does it, not the Commissioners; however, as a practical matter, he thinks everybody realizes that it should be done in unison with the Commissioners, as far as letting them know what is going on, keeping them informed, coordinating what they are doing, with what the provider put in, or the savings contract would do. Attorney Szarmach said he thinks that Smith should go ahead and put that committee together.

Smith said he would want to keep it under the Commissioners standing committee, and that committee consist of Council lady Franklin, Councilman Blanchard, and Smith..

Smith said they will be seeking a selection from the Commissioners, in terms of who they want to put on there.

Attorney Szarmach said, it would be Gerry Scheub, Councilman Smith has the power to appoint the committee as well. Smith asked, the full committee? Attorney Szarmach said, yes.

Smith said Commissioner Scheub, and Danny Ombac as well as the three Council people, Blanchard, Franklin, and Smith, consist of the standing committee.

Smith appointed Franklin, Blanchard, Smith, Commissioner Gerry Scheub, and Danny Ombac.

In the Matter of Public Hearing – Vacating Public Way, namely Carstens Drive in Lowell IN.

Attorney Richard Zunica made a presentation as to why a vacation was being requested. Jim & Shelly Kelby were present and in favor of the vacation. Mr. Walter was present and in favor of the vacation. Blanchard made a motion, seconded by O'Donnell to approve the vacation. All voted "Yes". Motion to approve carried 7-0.

In the Matter of Resolution Honoring Dyer Babe Ruth 13-year old All Stars – Indiana State Champions.

O'Donnell made a motion, seconded by Franklin to defer to 11-8-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Honoring Dyer Babe Ruth 11 year old All Stars – Indiana State Champions.

O'Donnell made a motion, seconded by Franklin to defer to 11-8-05. All voted "Yes". Motion to defer carried 7-0.

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

Tabaczynski said the first phase of the efficiency studies, which involved a number of municipalities, are being completed and they are beginning to compile a roster for participation in phase 2. He said his discussion with Mr. Charbonneau indicated that rather than taking County Government, as a whole, they may look at possibly addressing certain parts of County Government, should we elect to participate, as you may have heard, the Sheriff has volunteered participation in that department. He said because of the complexity of County Government it is unlikely that they would, the efficiency study approach County Government, the way they have, a city government or as the entire city government.

Tabaczynski made a motion, seconded by O'Donnell to defer to 11-8-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Requesting the Indiana Department of Local Government Finance to Reduce the 2006 Lake County Health Department Budget by \$664,000.00.

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

#### **RESOLUTION NO. 05-85**

#### **RESOLUTION REQUESTING THE INDIANA DEPARTMENT OF LOCAL GOVERNMENT FINANCE TO REDUCE THE 2006 LAKE COUNTY HEALTH DEPARTMENT BUDGET BY \$664,000.00**

**WHEREAS,** on September 8, 2005, the Lake County Council adopted the 2006 Lake County Budget, which included the budget for the Lake County Health Department; and

**WHEREAS,** the 2006 Lake County Health Department Budget was approved at \$2,806,312.00, \$664,000.00 of which was for expected services to be provided to the citizens of the City of Hammond, Indiana, in 2006 for the reason that the City of Hammond, Indiana, indicated it would discontinue its Health Department (see Exhibit "A"); and

**WHEREAS,** on September 28, 2005, the Common Council of the City of Hammond, Indiana, adopted its 2006 Hammond City Budget which in fact included a budget for the City of Hammond's Health Department; and

**WHEREAS,** the \$664,000.00 included in the 2006 Lake County Health Department Budget for expected Health Department services to the citizens of the City of Hammond, Indiana, will not be needed.

#### **NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:**

That the Lake County Council requests the Indiana Department of Local Government Finance to reduce the 2006 Lake County Health Department Budget by \$664,000.00 to reflect the savings in the budget made possible by the City of Hammond, Indiana, continuing to provide Health Department services to the citizens of its City.

SO RESOLVED THIS 11<sup>th</sup> DAY OF OCTOBER, 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 Proclaiming November as County Diabetes Month.

Smith explained that this is a resolution proclaiming November as National Diabetes Month. He said this is a resolution off the heels of the National Association of County Officials, representing our 3,000 counties around the Country, and encouraging counties around the Country to establish and be supportive of November as a county diabetes month.

Smith said we have a tremendous problem through many ethnic groups in the Country, related to this disease, and he certainly wants to raise the awareness of people throughout Lake County. Smith respectfully asked his colleagues to approve this resolution as presented.

Blanchard made a motion, seconded by Franklin to approve.

Blanchard explained that about 20 years ago, his brother passed away from Type I Diabetes, which he had from birth. He passed away at the age of 39. There is still today, a lot of myths of the different types of diabetes and how it affects your health later on in life, and what can be done to try to prevent, type II, at least. Blanchard said with the Council' permission, the Insurance Oversight Committee might consider having someone come to the Government Center during lunch hour and have a seminar.

Franklin said she also is supporting this ordinance because she lives with it everyday. Her husband has diabetes, as well as her oldest daughter, so she understands what diabetes does to a person's body, and the agony it causes a family watching their loved ones suffer with diabetes.

Smith said he thinks it is an excellent idea for our Insurance Oversight Committee to be involved, and maybe with the Health Department, as well, then we can really do something that makes sense, in terms of some awareness, particularly among our employees and people who visit our County complex for services, maybe not only here, but some of our district offices as well, some kind of posting and some efforts towards this dreaded disease.

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

**RESOLUTION NO. 05-86**

**RESOLUTION PROCLAIMING  
NOVEMBER AS COUNTY DIABETES MONTH**

**WHEREAS,** diabetes is a condition which affects millions of Americans and their families; and

**WHEREAS,** public awareness and education enhance a community's understanding of the issues affecting people with diabetes; and

**WHEREAS,** the Lake County Council desires to proclaim November as County Diabetes Month in an effort to increase public awareness and education of diabetes.

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

That the Lake County Council declares November as County Diabetes Month in Lake County.

SO RESOLVED THIS 11<sup>th</sup> DAY OF OCTOBER, 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 Opposing the use of Eminent Domain to take property from one Private Owner for the Benefit of another.

Blanchard made a motion, seconded by Franklin to approve.

Franklin said she is in opposition of using eminent domain in taking from private owners, their property, unless it is being used for the benefit of economic development, but not for just private use by some of the developers. She said a developer wanted to cut through another person's property by putting a road in, and was almost trying to force the person out of his business, by taking it by eminent domain. Franklin said her concern is that's why she is supporting this, so that it is not used to harm people as it relates to their private owned property, unless it is for economic development, as it relates to building businesses coming into the community. That's it is going to be a benefit to the total community.

Blanchard said in the last session, there was a bi-partisan Senate Committee formed by the General Assembly, just to look at guidelines and some type of restrictions that could be placed on government units, when the use of eminent domain is to benefit a private entity, so this is part of that study committee going forward and looking at certain guidelines or limitations by the Indiana General Assembly.

Smith wanted to commend Councilman Blanchard and Council lady Franklin. He said he thinks it is essential that we do position ourselves with this, as we go forward on many items under the RDA umbrella, and so on. It's essential that we do take an established position in opposing the original concepts of it. This is right on target in Smith's opinion, and he said he certainly supports it.

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

#### **RESOLUTION NO. 05-87**

#### **RESOLUTION OPPOSING THE USE OF EMINENT DOMAIN TO TAKE PROPERTY FROM ONE PRIVATE OWNER FOR THE BENEFIT OF ANOTHER WITHOUT REASONABLE LIMITATIONS**

**WHEREAS**, in the wake of the Supreme Court's June 2005 decision in Kelo v. The City of New London, the American Farm Bureau Federation and Indiana Farm Bureau have undertaken initiatives to restore reasonable limits on the use of eminent domain by government; and

**WHEREAS**, in the Kelo decision, the Court held that it was not an inappropriate use of eminent domain for a governmental entity to take property from one private owner and turn it over to another private owner for economic development; and

**WHEREAS**, the decision in Kelo unreasonably expands the definition of legitimate public purpose; and

**WHEREAS**, the Lake County Council opposes the Kelo decision as an unreasonable judicial intrusion into the rights of private property owners and opposes the use of eminent domain to take property from one private owner for the benefit of another without reasonable limits.

#### **NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:**

That the Lake County Council opposes the use of eminent domain to take property from one private owner for the benefit of another without reasonable limits. That the Lake County Council supports a comprehensive study of this issue by the Indiana General Assembly in order to adopt legislation which will balance the interests of private property owners with the needs of the community. That the Lake County Council supports the efforts of the American Farm Bureau Federation and the Indiana Farm Bureau and its initiatives to restore reasonable limits on the use of eminent domain by Government.

SO RESOLVED THIS 11<sup>th</sup> DAY OF OCTOBER, 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 Requesting the Indiana Department of Local Government Finance to reduce the 2006 Lake County Combined Election and Registration Department in Fund No 680 By \$2,085,270.

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

**RESOLUTION NO. 05-88**

**RESOLUTION REQUESTING THE INDIANA DEPARTMENT OF  
LOCAL GOVERNMENT FINANCE TO REDUCE THE  
2006 LAKE COUNTY COMBINED ELECTION AND  
REGISTRATION DEPARTMENT IN FUND NO. 680 BY \$2,085,270.00**

**WHEREAS,** on September 8, 2005, the Lake County Council adopted the 2006 Lake County Budget, which included the budget for the Combined Election and Registration Department Budget; and

**WHEREAS,** the 2006 Lake County Combined Election and Registration Department Budget was approved at \$4,400,000.00, \$2,085,270.00 of which represented anticipated miscellaneous revenues (see Exhibit "A"); and

**WHEREAS,** the expected miscellaneous revenues in the sum of \$2,085,270.00 were earmarked for Fund No. 680 in the 2006 Lake County Combined Election and Registration Department Budget; and

**WHEREAS,** the miscellaneous revenue in the sum of \$2,085,270.00 will not materialize and it is necessary to reduce Fund No. 680 in the Budget by \$2,085,270.00.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council requests the Indiana Department of Local Government Finance to reduce the 2006 Lake County Combined Election and Registration Department Budget, Fund No. 680, by \$2,085,270.00, due to a decrease in miscellaneous revenues in the sum of \$2,085,270.00.

SO RESOLVED THIS 11TH DAY OF OCTOBER, 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 said that he has received correspondence and spoken with the Surveyor. This is still not ready for final reading; therefore, O'Donnell made a motion, seconded by Cid to defer to 11-8-05. 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 said he was late in getting some information relative to this ordinance to Attorney Szarmach. He said the draft isn't prepared right now, but he would like to defer this to the Special Meeting tomorrow, 10-12-05 at 1:00 P.M. O'Donnell seconded the motion. All voted "Yes". Motion to defer to 10-12-05 carried 7-0.

In the Matter of Ordinance Vacating Public Way namely Carstens Drive in Lowell, IN

Blanchard said he has reservations about supporting this and he called the Attorney who is handling the vacation and asked him to come forward and answer some questions as to why this vacation is being requested.

Attorney Richard Zunica was present. He had pictures and basically explained to the Council, the reason for the vacation using the pictures.

Blanchard said in terms of the comments that the Plan Commission made about the turn around, or a dead end, but this is a vacation from one street to another street, which would not end up with a dead end.

Mr. Zunica said, they are basically using part of the street as their driveway, the other part, is their yard so when they are doing any snow clearing, that street is useless. He said there is nothing that is needed there for snow removal for emergency vehicles, there are two ways to move totally around.

Franklin said she has a concern about children being there, and a road being put between those two houses. She said she wouldn't want a road put that close to her house.

Attorney Zunica said that's why it doesn't make sense that it would ever be used for a road, especially when they don't need it.

O'Donnell asked if a 50 foot lot is buildable?

Blanchard made a motion, seconded by O'Donnell to vacate.

Jim and Shelly Kelby, 209 N. Colfax were present and in favor of the vacation.  
Mr. Walter, 336 W Lincoln Dr is in favor of vacating

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

In the Matter of Highway Ordinance – Establishing and posting of a 30 M.P.H. Limit – West 101<sup>st</sup> Ave From Calumet Avenue to State Line Rd.

Blanchard made a motion to defer to 11-8-05, the establishment of a 30 M.P.H. speed limit posting on 101<sup>st</sup> Ave & Calumet to State Line Road. O'Donnell seconded the motion. All voted "Yes", except Tabaczynski and Cid, "absent". Motion to defer carried 5-yes, 2-absent.

In the Matter of Ordinance Vacating Public Way, namely Carstens Drive in Lowell, IN

Attorney Szarmach said this is the ordinance, which acts as a deed, or actually transfers legal descriptions. He said they usually approve the vacation first, and then do the ordinance at the next meeting. He told Attorney Zunica that he needs him to provide for us an exact legal description each one is to receive, and how it is going to be held, fee simple, as by entirety, and then fax it to his (Attorney Szarmach's) office.

Blanchard made a motion, seconded by O'Donnell to defer to 11-8-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Amending Ord 1051B – County Owned Vehicles

Potrebic said that the intent of this matter is to hopefully put to rest with these County vehicles. Potrebic said they can limit the use of them to basically to which department this body wants, if the Elected Official chooses to have one, then they can live with the consequences from the taxpayers of Lake County. He said it has been an ongoing thing since November, but it is his personal opinion that it's time to limit the use of them. He said he and Commissioner Scheub have been working on this for the last couple of months.

Commissioner Scheub said that they went through this last year, and with the cost of everything, as far as vehicles go, and the liability. He said that in the Commissioner's meeting he is going to ask to reduce the take-home vehicles by 28. This does not stop the Merit Officers on the Sheriff's Department, it does include Civilian employees of the Sheriff's Department. It includes the Surveyor, the floating management, the County Highway. There are 28 cars that Scheub feels basically that they do not need for the employees to take them home because they really don't do anything for the day to day covering of this County. It would cut the tremendous cost of gas, the liability cost, and that's one of our biggest scares, liability. We waited to see if we could have an ordinance passed to see if we could do this, but the vehicles are in the County Commissioner's name, and he will be bringing this up in the Commissioner's meeting on Wednesday to eliminate 28 take-home vehicles. He is asking for support, if that's possible that they can do this together and since it's gone up to 48 ½ cents, and half the people that, he said they could have another 50 cars take-home, if they wanted to. Scheub said, you can't have a double standard, and that's what we have right now, we have certain people allowed to take cars home, and certain people aren't, and everybody should be treated under the same thing, conditions so at 48 ½ cents, that makes a lot more important for the people so hopefully we can get an ordinance passed that would eliminate a lot of the non-essential vehicles. They will go into a pool here for those departments, they just won't be taken home anymore, and that saves a lot of liability responsibility, and a lot of gas.

Attorney Szarmach said this is one issue that, he believes is the feeling of the Commissioners and the Council, that both entities should be on the same page. In other words, we don't want to pass an ordinance which gets vetoed there, and has to come over here for an override here, therefore; Attorney John Dull and Szarmach have been working in the string of this last summer, putting together something that both bodies would approve, and there was some indication on the Commissioners side that they were not going to go forward on it.

Scheub said they will have an opportunity Wednesday to make another decision.

Attorney Szarmach said and what we could do for our next meeting is put together what we've come up with, the two bodies, with John and himself, and we will have it on for November, and then hopefully it goes to the Commissioners with no problems.

Commissioner Scheub said he is still going to make his presentation Wednesday at their Commissioner's meeting because he thinks they have to do something because they have a lot of people complaining because they don't get a take-home car and another person does, and that's a true fact. You have Officeholders who want cars also, so we just want to make this a level playing field for everybody and that's Commissioner Scheub's concern.

Franklin said that she, along with Commissioner DuPey have compiled information as it relates to the take-home cars, and in speaking with the different departments, Franklin said none of those Elected Officials had a problem with eliminating their Chief Deputies and some of the other persons who worked underneath them. All of that information is put into that proposal that she was attempting to present, and after one of the Attorneys pulled off of that assignment.

Franklin said hopefully, once the two Attorneys complete what they are doing, then we can move forward. Franklin said she is not saying that everybody in Lake County should have a car, she is saying that this body, who is the fiscal body should not be micro-managing these departments. That is what has been asked of us, and since we continue to have this issue, and Franklin said it's ironic because it really gets hot around election time. All the rest of the year, nobody talks about the cars. Franklin said they do have something in place, and she is asking the Council President that they be allowed to keep that process and that both entities get together. She said Commissioner DuPey has her input into that, and she did pass it around to the other Commissioners, and all of that is being incorporated into that ordinance.

Potrebic said he appreciates Commissioner Scheub finalizing that list that he has, but he thinks there should be more, eventhough that's a start. Potrebic said he could live with that for a while to see how that works out and hopefully by next year, there is more.

Smith said that the Council has a procedure, as they have a procedure, from the Commissioner's standpoint. Smith said we have a standing committee over every department in the County. Smith said we have people who are chairman of those committees, and this particular issue, is under the Commissioner's umbrella. We have a chairperson, Council lady Franklin. We have a committee of Councilman Blanchard and Smith who serve on that committee. Smith said we attempt to work on those things related to that department, in that manner. Smith said, this request is out of sequence. This request is being dealt with in that Committee, and that committee does have some recommendations, as Attorney Szarmach alluded to. Smith said he would think that they would allow that process to go forward. When it's circumvented, it causes problems in other areas of our operations. Smith said, from his perspective, it's a moot issue, when the issue has already been dealt with, with that committee, so Smith would think in order for us to move forward in a harmonious atmosphere, that we allow that process to continue. Commissioner Scheub said he started this program over a year ago, and it turned back to the County Council in our November meeting, and this is already October of the next year, and he has not been notified of anything, so he decided that it is time to go forward again, and maybe expedite some action for Wednesday.

Smith said the issue is still being worked on. Smith said, the Commissioners have a procedure, and he attends their meetings, and those procedures are set forward. Smith said, all he is saying is that the Council has a procedure as well, and we ask for the same respect. If there is an issue related to energy, related to building conditions, and needs, and so on, there is a procedure that follows that. Smith said that in this particular instance, because we do have both Attorneys representing both legislative bodies collectively, let's allow that process to go, and not circumvent it.

Scheub said it's on their agenda, and he is just saying he will follow through with that.

Smith said, from his perspective, he will not be supportive of anything that's on the agenda that's related to an item that is still being negotiated and worked out. It would be the same way as we have Merit Officers and Correctional Officers in negotiations and that process. We allow that to go, same thing, so Smith would not be supportive of this.

Potrebic made a motion that they approve items# 23B- 8 and 23B- 9 on the agenda. Potrebic then said he will wait until November.

Smith said that he would like for Potrebic's statements to reflect that he would work with the Chairperson in that committee, and then work with the Commissioners on trying to find amenable resolve to the issue because that's the issue at hand.

Commissioner Scheub said that the cars are in the County Commissioner's name. The County Commissioners have the right to make a decision on those cars, and he is going to use his right as a County Commissioner.

NO ACTION TAKEN.

In the Matter of Amending Ord 1189A – Use of Private Vehicles for County Business.

NO ACTION TAKEN.

In the Matter of Creating Ordinance regarding the use of Time Clocks for County Employees

Potrebic said he would like the time clocks to be used in every office for the employees.

Smith said there is nothing in their book on this issue.

Attorney Szarmach said they were going to get together before today, and they didn't about what Potrebic wanted to put in there, what offices. He said you have Bailiff's in the Courts. Potrebic said they are leaving early half of the time. Attorney Szarmach said they also stay there until midnight when a Jury comes in. Potrebic said he would get an outline to Attorney Szarmach so he can send it to everybody to review.

NO ACTION TAKEN.

In the Matter of Creating a Non-Reverting HAVA Voting System Fund.

Franklin said she is asking for approval, with some revisions as it relates to creating funds.

Sally said the initial fund that they established is the 680 voter fund, was based on the tax levy and by statue, which is fine. That's to have the \$2 million dollars to pay for these compliant machines. She said, in the application for reimbursement, it states that the money that comes back from the reimbursement has to be put, in actually three separate funds. Title III money for the machines, which they have applied for, and a fund 101, which that fund is based on any of the equipment that was purchased between 1998 and 2001, which they did buy, the deadline was actually July/01. She said they purchased 183 464's in March/2001. She said they are looking at \$400,000 dollars. She wants to apply for reimbursement for those funds. She said, those two funds are what they are applying for, the 102 is punch card lever, doesn't apply to them. Sally said that she spoke with Bruce Hartman from the State Board of Accounts, who told her in a meeting that the State Board had. She left it with the Auditor's Office and Dante. She said they have to have the two separate funds established for reimbursement, plus they have to have an agreement with the County Council. She goes before the Commissioners' tomorrow, that any unused money be returned to the State, that will stay in those funds. Any unused of the Title III, or 101 fund monies from the Federal Government has to be returned, it doesn't stay in the accounts, except for the 680 funds, and that's different. Any reimbursement money from the Federal Government has to be returned, that's not used for election.

She said that the same commitment from the Council to agree, she needs that same commitment from the County Commissioners on funds being returned to the State, unused funds.

Dante said the creation of these funds is a State Board of Accounts opinion, he has never heard of this. He said that they have no choice, they have to create two extra funds it appears right now, and then when the Council takes action on the resolution that is item 23C-5, that's tied to this. When you take action on this resolution, you are going to have to remove the Federal money from Fund 680, which is \$2,085,270.00, so you are going to have to do the resolution, along with creating these funds. Dante said that right there, you are pulling that outside money away from that 680 Fund, and you are separating the issue. Dante said he doesn't agree with this, but it appears that State Board says you have to do it this way, so we have to do what the State says.

Franklin says she is asking for approval to create the two funds on First Reading.

Attorney Szarmach asked Sally if she looked at the ordinance that he prepared, and she said yes, it was good, except for the last one, it can't stay in that Title III. The money can not stay if they don't use it. She said if we use it up fine, but if there is any left, the Council has to commit to the State that they will refund it.

Attorney Szarmach asked if the only change that she needs is any money remaining in the fund at the end of the year shall revert to the State? Sally said, right, but she needs it for both funds. She needs two funds. Title III money again, is for the machines.

Attorney Szarmach said this only creates one fund.

Sally said she needs two funds, another fund for 101, and that's the reimbursement for the \$400,000 dollars that they already spent in 2001, which the Council approved.

Attorney Szarmach said the second fund doesn't exist and you are going to need an ordinance to create that. He said they will do that tomorrow, (10-12-05) at the Special Meeting.

Attorney Szarmach asked if they could defer this until tomorrow, to create the two funds, how will that affect the resolution 23C-5, if at all? Dante said, not at all. Attorney Szarmach said, we can go forward with 23C-5? Dante said, yes, and he is pulling the \$2,085,270 out of 680, and it's going to your two other funds.

Franklin made a motion, seconded by Tabaczynski to defer to 10-12-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Establishing the Jail Oversight Committee.

Blanchard made a motion, seconded by Franklin 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", except Potrebic, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

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. 1268A**

### **ORDINANCE ESTABLISHING THE JAIL OVERSIGHT COMMITTEE**

**WHEREAS**, Lake County has completed the Lake County Jail Expansion Project, providing additional housing for jail inmates; and

**WHEREAS**, several agencies and programs currently exist in Lake County to safely divert jail inmates from incarceration in the Lake County Jail both before and after conviction; and

**WHEREAS**, public officials of Lake County desire to act efficiently, and utilize existing facilities, and criminal justice programs to safely and efficiently manage the Lake County jail inmate population.

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

#### **1. JAIL OVERSIGHT COMMITTEE**

- A. There is hereby established a Lake County Jail Oversight Committee.
- B. The actions of the Committee shall be advisory in nature.
- C. The purposes of the Committee shall be to:
  - 1. Develop a program to implement a countywide approach to safely maintain the Lake County Jail inmate population.
  - 2. Coordinate the existing programs used by criminal justice agencies both pre-trial and posttrial to increase utilization of the programs by the courts in order to reduce the length of confinement for appropriate inmates.
  - 3. Make recommendations for policy, program selection, and guidelines, to be used by the criminal justice agencies.
  - 4. Establish policy for the implementation of a criminal justice management information system on the composition of the jail population, and make the information available to all countywide criminal justice agencies on a daily basis.

#### **II. COMPOSITION AND MEETINGS**

- A. The Committee shall consist of the following members or their respective designated representatives:
  - 1. One member of the Board of County Commissioners, appointed by the Lake County Board of Commissioners.
  - 2. Two members of the County Council, appointed by the Lake County Council.
  - 3. Lake County Sheriff.
  - 4. Warden of the Lake County Jail.
  - 5. Lake County Clerk.
  - 6. Lake County Prosecutor.

- 7. One Lake Superior Court, Criminal Division, Judge, to be selected by the Judges of the Criminal Division.
  - 8. One Lake Superior Court, County Division, Judge, to be selected by the Judges of the County Division.
  - 9. Two City Court Judges, selected by the City Court Judges of Lake County, Indiana.
  - 10. Director of Lake County Data Processing. The Director shall be a non-voting member of the Committee.
- B. All members shall be appointed within 30 days of the adoption of this Ordinance. In the event a position is vacated, the appointing entity shall appoint the replacement within 30 days of notice.
  - C. Within 30 days of appointment of its members, the Committee shall meet at the Lake County Council, and Lake County Commissioners' Chambers to select a chairman, establish rules and procedures, and proceed with business. Thereafter, the Committee shall meet on a monthly basis on a date and place to be determined by the Committee.
  - D. A quorum shall consist of at least five (5) of the eleven (11) voting members, and a majority of those present shall determine a majority vote.

**III. ADOPTION OF ORDINANCE**

Adoption of this Ordinance hereby repeals Ordinance No. 1230A, the Ordinance Establishing the Oversight Committee to Alleviate Jail Overcrowding.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF OCTOBER, 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 Amending Ord 1077C – Grievance Procedures – Second Reading.

Franklin made a motion, seconded by Blanchard to approve on Second Reading. All voted “Yes”, except Tabaczynski, “absent”. Motion to approve on Second Reading carried 6-yes, 1-absent.

**ORDINANCE NO. 1077C-14**

**ORDINANCE AMENDING ORDINANCE NO. 1077C,  
(LAKE COUNTY CODE SEC. 32.115)  
LAKE COUNTY PERSONNEL POLICY/GRIEVANCE PROCEDURES**

**WHEREAS**, on July 10, 1990, the Lake County Council adopted the Lake County Personnel Policy Ordinance, Ordinance No. 1077C; and

**WHEREAS**, the Lake County Council now desires to amend Ordinance No. 1077C by changing grievance procedures and stating the authority of the Grievance Board.

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

That Ordinance No. 1077C, Lake County Personnel Policy Ordinance, (Lake County Code Sec. 32.115) be amended as follows:

**INSERT:**

**Sec. 32.115 Scope of Grievance Procedures.**

- D. Only grievances filed by an employee that expressly indicate on the grievance form that the action taken against the employee was based upon race, sex, religion, age, national origin, handicap, political affiliation, or protection speech will be scheduled for hearing before the Grievance Review Board. The attorney assigned to the Grievance Review Board will review each grievance to determine whether the

grievance is within the scope of the grievance procedure. If the grievance does not allege that the action was taken for one of the aforementioned prohibited reasons the attorney will so indicate in writing and send the determination to the members of the Grievance Board. The Grievance Review Board is without authority to hear any grievance unless the attorney assigned to represent the Grievance Review Board states in writing that the grievance is within the scope of the grievance procedure.

- E. The grievance review procedure is an advisory procedure only and does not constitute a hearing wherein any factual issues are found to be true and any legally binding determinations are made. The authority of the Grievance Review Board is limited to making non-binding advisory opinions.
- F. The Grievance Board has no authority to order reinstatement of an employee who has been terminated, rescind the suspension of any employee, overrule any written reprimands, or overrule any oral reprimand that is memorialized in writing, or take any action that would have the effect of overruling the disciplinary action taken against the employee.

SO ORDAINED THIS 11<sup>th</sup> DAY OF OCTOBER, 2005.

LARRY BLANCHARD  
CHRISTINE CID  
DONALD POTREBIC

WILL A. SMITH, JR., President

THOMAS O'DONNELL  
ELSIE FRANKLIN

Members of the Lake County Council

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

O'Donnell made a motion, seconded by Blanchard to approve on First Reading. All voted "Yes", except Tabaczynski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

O'Donnell made a motion, seconded by Blanchard 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. 1268B**

#### **ORDINANCE GRANTING PETITION TO VACATE EASEMENT BY DONNA J. RATKOVICH, BEN DUNIFER AND ROBERT L. BYDALEK**

**WHEREAS**, Petitioners DONNA J. RATKOVICH, BEN DUNIFER and ROBERT L. BYDALEK pursuant to I.C. 36-7-3-12 file their Petition to Vacate the Easement; 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 Petitioners DONNA J. RATKOVICH and BEN DUNIFER, tenants in common:

##### **Property Description (Parcel 1)**

The Westerly 30' of Edward Drive abutting 5260 W. 73rd Avenue, Schererville, Indiana, legally described as:

The Westerly 30 feet of the 60 foot wide public road right-of-way of Edward Drive, in Phillips 1<sup>ST</sup> Addition, as per record plat thereof shown in Plat Book 33, page 78, in the office of the Recorder of Lake County, Indiana.

That the following described real estate in Lake County, Indiana, shall be given to the Petitioner ROBERT L. BYDALEK, fee simple:

##### **Property Description (Parcel 2)**

The Easterly 30' of Edward Drive abutting 5120 W. 73rd Avenue, Schererville, Indiana, legally described as:

The Easterly 30 feet of the 60 foot wide public road right-of-way of Edward Drive, in Phillips 1st Addition, as per record plat thereof shown in Plat Book 33, page 78, in the Office of the Recorder of Lake County, Indiana.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF OCTOBER, 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 Highway Ordinance – Establishing and posting of a 35 M.P.H. Limit. – Sheffield Ave From W. 81<sup>st</sup> Avenue To West 101<sup>st</sup> Avenue.

Blanchard made a motion to establish a 35 M.P.H. speed limit on Sheffield Ave, from W. 81<sup>st</sup> Ave to West 101<sup>st</sup> Ave. Franklin seconded the motion. All voted “Yes”, except O'Donnell, “No”. Cid, and Tabaczynski were “absent”. Motion carried 4-yes, 1-no, and 2-absent.

**ORDINANCE NO 1268C**

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE HEREBY REQUEST THE ESTABLISHMENT AND POSTING OF A 35 M.P.H. LIMIT ALONG AND OVER THE FOLOWING DESCRIBED ROADS TO BE **APPROVED**.

**SHEFFIELD FROM W. 81<sup>ST</sup> AVENUE TO W. 101<sup>ST</sup> AVENUE**

**PETITIONED BY LAKE COUNTY**

**BASED UPON THE FOLLOWING FINDING OF FACT:**

- 1) AN ENGINEERING STUDY WAS CONDUCTED BY THE LAKE COUNTY HIGHWAY DEPARTMENT ON JULY 19, 2005 UNDER THE DIRECTION OF THE LAKE COUNTY HIGHWAY ENGINEER (AN INDIANA LICENSED PROFESSIONAL ENGINEER) IN ACCORDANCE WITH THE INDIANA UNIFORM TRAFFIC MANUAL FOR STREETS AND HIGHWAYS AS REQUIRED BY INDIANA CODE 9-21-3 AND HAS DETERMINED THAT A 35 M.P.H. SPEED LIMIT(S) (ARE) WARRANTED AT THE ABOVE DESCRIBED LOCATION IN UNINCORPORATED LAKE COUNTY, INDIANA.
- 2) AFTER A REVIEW OF THE LAKE COUNTY HIGHWAY DEPARTMENT BUDGET IT HAS BEEN DETERMINED THAT THE EXPENDITURE OF FUNDS FOR THE PURCHASE AND INSTALLATION OF TRAFFIC CONTROL DEVICES (ARE) JUSTIFIED ACCORDING TO THE ENGINEERING STUDY AND THE INDIANA UNIFORM TRAFFIC MANUAL AT THE ABOVE DESCRIBED ROAD(S).

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE BASED UPON THE ABOVE FINDING OF FACTS PETITION THE LAKE COUNTY COUNCIL OF THE COUNTY OF LAKE TO ESTABLISH A 35 M.P.H. SPEED LIMIT ORDINANCE AT THE ABOVE DESCRIBED ROADS.

**RECOMMENDED TO THE BOARD OF COUNTY COMMISSIONERS BY:**

ROY DOMINGUEZ 8-30-05  
THE LAKE COUNTY SHERIFF  
MARCUS MALCZEWSKI 8-3-05  
LAKE COUNTY HIGHWAY SUPERINTENDENT  
DUANE A. ALVERSON 8-2-05  
LAKE COUNTY HIGHWAY ENGINEER

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE:**

FRANCES DUPEY  
COUNTY COMMISSIONER PRESIDENT  
RUDOLPH CLAY  
COUNTY COMMISSIONER

9-21-05  
DATED

WILL A. SMITH, JR.  
DONALD POTREBIC  
ELSIE FRANKLIN  
LARRY BLANCHARD

OCTOBER 11, 2005

In the Matter of Amending Ord 992C-18 – Cost Center Contributions for Health Care. – Second Reading

Blanchard made a motion, seconded by O'Donnell to approve on Second Reading. Blanchard explained that this sets up the premium for the cost centers, that don't derive their funding directly from the general fund, and it also sets up the premium to withdraw the appropriation on the first pay period from the County Government employees in the appropriation within our budget, our 001-3700 budget, the employer's cost, not employees'.

Dante said they do this periodically, every two or three years. It's built into everyone's budget. He said they did hit the major funds, Health, Parks, general fund, big user fee, it's all built in. They may have one or two that did not advertise, and may come in next year.

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

**ORDINANCE NO. 992C-25**

**ORDINANCE AMENDING LAKE COUNTY ORDINANCE NO. 992C-18**

**WHEREAS**, on May 13, 2003 the Lake County Council amended the Lake County Self Insurance Ordinance, Ordinance No. 992C-3; and

**WHEREAS**, the Lake County Council now desires to amend Ordinance No. 992C-18.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That Ordinance No. 992C-18 be amended as follows:

**SECTION IV. EMPLOYEE ELIGIBILITY REQUIREMENTS FOR PARTICIPATION  
IN THE EMPLOYEE BENEFIT PROGRAM**

D. Cost Center Contributions for Health Care.

**DELETE:**

- 1. Effective January 1, 2003, costs center contributions for health care are hereby established at \$400.00 per pay period for each insured employee, single or family, effective date January 1, 2003.
- 2. That the \$400.00 per pay period contribution shall be made by all offices, departments and agencies that have insured employees.

**INSERT:**

- 1. Effective January 1, 2006, costs center contributions for health care are hereby established at \$462.00 per pay period for each insured employee, single or family, effective date January 1, 2006.
- 2. That the \$462.00 per pay period contribution shall be made by all offices, departments and agencies that have insured employees.

SO ORDAINED THIS 11<sup>th</sup> DAY OF OCTOBER, 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 # 2112, 2113, 2114, and 2115.

Blanchard made a motion, seconded by Potrebic to approve Plan Commission Ordinance # 2112. All voted "Yes". Motion carried 7-0. There were no remonstrators present.

**ORDINANCE #2112  
OF THE COUNTY OF LAKE**

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a **REVISED SPECIAL EXCEPTION**. (Board of Zoning Appeals recommended approval 09/21/05).

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

**REVISED SPECIAL EXCEPTION - TOWN OF LOWELL, Owner/Petitioner** - to allow a wastewater treatment facility in an A-1 (Agricultural) Zone on the following described property:

General Location: Located approximately 1/4 mile west of Colfax Street on the south side of Belshaw Road in Cedar Creek Township.



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 approval 09/21/05).

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

**ZONE CHANGE** from A-1 (Agricultural) Zone to RR (Rural Residential) Zone owned and petitioned by **CHARLES MIEDL**, for the purpose of residential development on the following described property:

General Location: Located approximately 1/2 mile south of 157<sup>th</sup> Avenue on the west side of Parrish Avenue in West Creek Township.

Legal: Part of the SE 1/4 of Section 9, Township 33 North, Range 9 West of the 2nd P.M., in Lake County, Indiana, described as follows: Beginning at a point on the East line of said SE 1/4, 235.84 feet South of the Northeast corner thereof; thence South 00 degrees 33 minutes 01 seconds East, along said East line, 238.33 feet; thence South 89 degrees 73 minutes 33 seconds West, parallel to the North line of the SE 1/4 of said Section 9, 1818.00 feet to the Easterly right-of-way of the Chicago, Indiana and Southern Railroad; thence North 05 degrees 12 minutes 43 seconds West, along said Easterly right-of-way, 239.22 feet; thence North 89 degrees 43 minutes 33 seconds East, parallel to the North line of the SE 1/4 of said Section 9, 1837.45 feet to the point of beginning, containing 10 acres, more or less.

IS HEREBY  BY THE COUNTY COUNCIL  
APPROVED  DENIED  REMANDED

OFLAKECOUNTY,INDIANA,THIS 11<sup>th</sup> DAY OF OCTOBER, 2005.

MEMBERS OF THE LAKE COUNTY COUNCIL

WILL A. SMITH, PRESIDENT

ELSIE FRANKLIN  
LARRY BLANCHARD  
CHRISTINE CID

RON TABACZYNSKI  
THOMAS O'DONNELL  
DONALD POTREBIC

Potrebic made a motion, seconded by Blanchard to approve Plan Commission Ordinance # 2115. All voted "Yes". Motion to approve carried 7-0. There were no remonstrators present.

**ORDINANCE #2115  
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 approval 09/21/05).

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

**ZONE CHANGE** from A-1 (Agricultural) Zone to RR (Rural Residential) Zone owned and petitioned by **BRUCE YOUNG & NANCY FRIGO**, for the purpose of residential development on the following described property:

General Location: Located approximately 2/10 of a mile south of 153<sup>rd</sup> Avenue on the east side of Hendricks Street, a/k/a 15455 Hendricks Street in Cedar Creek Township.

Legal: The South Half of the Northeast Quarter of the Southeast Quarter of Section 6, Township 33 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana.

IS HEREBY  BY THE COUNTY COUNCIL  
APPROVED  DENIED  REMANDED

OF LAKE COUNTY,INDIANA,THIS 11<sup>th</sup> DAY OF OCTOBER, 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

Smith said that Dan Murchek, a representative of the Police Union is present. He said there are negotiations being held, as he speaks, on the issues with the Merit Officers, as well as our Correctional Officers, and hopefully we can come to some resolve very shortly on those issues.

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:

\_\_\_\_\_  
Peggy Holinga Katona,  
Lake County Auditor

