

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in special session at this time, for the purpose of considering approval of ordinances and a discussion with the Assessors, 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.

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 Frances DuPey, Commissioner Gerry Scheub, and Commissioner Rudolph Clay were also present.

Matter of Ordinance Establishing a Processing Fee for the Use of a Credit Card for Payment of Lake County Real Estate and Personal Property Taxes.

Tabaczynski explained that items one and two both concern establishment of fees associated with the payment of payments with a credit card. Tabaczynski said that one, is to collect the service fee charge, which is actually charged by the credit card. The County would collect it, and then it be paid on to the credit card company. The other is a processing fee which is currently being set at zero. We are authorizing these two because they go hand in hand, but Tabaczynski wanted to make it clear that the County would not be charging this. People would only be paying what their credit card company is charging them. Tabaczynski said it is important that we pass these two ordinances so we can begin the use of the credit cards for the next billing, which should go out October 18, 2005. Tabaczynski made a motion for passage on First Reading, that's the credit card processing charge, which is being set at zero right now. O'Donnell seconded the motion.

O'Donnell asked if paragraph 2 should be stricken because there won't be any fees collected. Attorney Szarmach said, no, leave it.

Tabaczynski said the discussion was, when we do return to a normal billing cycle, if there are costs associated with maintaining the collection system, that we may add a processing fee to it, we are not doing it at this time, but should be, then this ordinance would be in place.

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 carried 7-0.

Attorney John Dull explained to the Commissioners that this is an ordinance Establishing the Processing fee for payment of Lake County Real Estate Taxes.

Commissioner DuPey made a motion to approve. Clay seconded the motion. Motion carried 3-0.

**ORDINANCE NO. 1268D**

**ORDINANCE ESTABLISHING A PROCESSING FEE FOR  
THE USE OF A CREDIT CARD FOR PAYMENT OF  
LAKE COUNTY REAL ESTATE AND PERSONAL PROPERTY TAXES**

This Ordinance becomes effective upon passage pursuant to I.C. 36-2-8-4.

ORDAINED THIS 12<sup>TH</sup> DAY OF OCTOBER, 2005.

WILL A. SMITH, JR., President

N TABACZYNSKI  
DMAS O'DONNELL  
IE FRANKLIN

LARRY BLANCHARD  
CHRISTINE CID  
DONALD POTREBIC

Matter of Ordinance Establishing the Credit Card Service Fee and the Credit Card Service Fee Fund, for  
ment of Lake County Real Estate and Personal Property Taxes.

aczynski said this ordinance is for the collection of the credit card service fee, which is actually charged by the  
lit card company. We would simply be collecting it and then the company would be drawing it from the fund that  
being deposited in. This has to be in addition to the taxes that are paid to insure that when the fee is taken out,  
e isn't a shortage of the taxes paid remaining for the payment of the taxes, which would then create a  
nquency, unlike a retail transaction where this is actually included in the price, and the payment of the taxes it  
ally has to be added onto the total amount.

aczynski made a motion, seconded by O'Donnell to approve on First Reading.

onnell asked if this 3 percent number something that is just arbitrarily picked, or can we negotiate with these  
lit card companies and say we are going to get you a lot of business, we don't want to pay more than one  
cent though.

aczynski said we are putting in the three percent as a maximum, but it's the actual amount that is charged by the  
lit card company.

k Pearman said the rate could be anywhere, given any, since we collect taxes over a span of time, it could be  
where from 1.7 up to 3 percent. That's as high as it will ever go, but they do adjust them as they desire, with the  
, so what we are doing is covering ourselves so we know, if it's less than three percent, we are covering  
elves so that if they do get it to three, we can go that high without having to come back and get it adjusted here.  
onnell asked, are we going to always collect the three percent, or is it going to vascillate?

k said, on the ordinance, the service fee, not to exceed three percent, and it's only what their rate is, in other  
ds, if their rate is 1, that's what we collect.

onnell asked, how does the taxpayer know that?

k said it will be on the web page, it will all be explained and it will all be broken down, and they will see the  
ges before they opt to pay their tax bill. They will see a final cost breakdown, then they can pay it, or not pay it.

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

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

aczynski made a motion, seconded by O'Donnell to approve on Second Reading.

**ORDINANCE NO. 1268E**

**ORDINANCE ESTABLISHING THE CREDIT CARD SERVICE FEE AND  
THE CREDIT CARD SERVICE FEE FUND, FOR PAYMENT OF  
LAKE COUNTY REAL ESTATE AND PERSONAL PROPERTY TAXES**

**WHEREAS,** pursuant to I.C. 36-1-3-4(b)(2) Lake County has all powers necessary or desirable in the conduct of its affairs, even though not granted by statute; and

**WHEREAS,** pursuant to I.C. 36-1-3-6(b)(2) Lake County may adopt an Ordinance for exercise of a power; and

**WHEREAS,** pursuant to I.C. 36-1-2-9 and I.C. 36-2-3.5-3, the legislative body of Lake County is the Lake County Council; and

**WHEREAS,** Lake County has authorized payment of Lake County real estate and personal property taxes by use of a credit card, it is necessary to establish a credit card service fee to pay the credit card fee charged by a credit card company for the use of the card by a payor, and to establish a credit card service fee fund for the deposit of the service fees charged by credit card companies; and

**WHEREAS,** that the credit card service fee deposited in the credit card service fee fund shall be paid to the respective credit card companies when the respective credit card is used to pay Lake County real estate and personal property tax, and a credit card fee is charged for use of the credit card.

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

1. That the Lake County Council establishes a credit card service fee not to exceed three (3) percent of the amount charged, in order to pay a credit card company the credit card fee for the use of a credit card to pay Lake County real estate and personal property tax.
2. That the Lake County Council hereby establishes the Credit Card Service Fee Fund for the deposit of the credit card service fees for the use of a credit card to pay Lake County real estate and personal property tax.
3. That the credit card' service fee shall be placed in the Credit Card Service Fee Fund and distributed to respective credit card companies to cover their fees for use of their credit card to pay real estate and personal property tax, and shall be appropriated by the Lake County Council pursuant to law.

This Ordinance becomes effective on passage pursuant to I.C. 36-2-8-4.

**ORDAINED THIS 12th DAY OF OCTOBER, 2005.**

WILL A. SMITH, JR., PRESIDENT

N TABACZYNSKI

LARRY BLANCHARD

**ORDINANCE NO. 1268F**

**ORDINANCE CREATING THE  
HAVA TITLE III VOTING SYSTEM 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 Board of Elections and Registration will be receiving money from Title III of the Help American Voters Act (HAVA) as reimbursement from the Federal government through the State of Indiana for purposes set out by HAVA Title III including but not limited to the purchase of ADA compliant voting machines; and
- WHEREAS,** HAVA Title III requires monies and State matching funds received to be used for purposes set out by HAVA Title III to pay any outstanding obligations incurred by Lake County for the purposes, including but not limited to voting systems purchased which are subject reimbursement; and
- WHEREAS,** the Lake County Council desires to create a HAVA Title III Voting System Fund for the deposit of HAVA Title III monies and State matching funds.

AND, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the HAVA Title III Voting System Fund, a non-reverting fund, is established for the deposit of monies received from HAVA Title III and State matching funds and to pay any outstanding obligations incurred by the County for purposes set out in HAVA Title III, including voting system purchased subject to the reimbursement.
2. That the Lake County Council pledges that Title III requirement monies and State matching funds received by the County will be used to pay any outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.
3. That the Lake County Council pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining HAVA Title III requirement monies and State matching funds will be used to improve the administration of elections for federal office in the County.
4. That no later than thirty (30) days after adoption of this Ordinance, the County will establish a separate non-reverting account in which all HAVA Title III requirement monies and State matching funds will be deposited.
5. That Lake County agrees to refund the State of Indiana no later than May 1, 2006, an amount equal to the HAVA Title III requirement monies and State matching funds received by the County

the Matter of Ordinance Creating a Non-Reverting HAVA Section 101 Voting System Fund.

nklin made a motion, seconded by O'Donnell to approve on First Reading. All voted "Yes". Motion to approve on  
t Reading carried 7-0.

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

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

Commissioner DuPey made a motion, seconded by Clay to approve. Motion carried 3-0.

**ORDINANCE NO. 1268G**

**ORDINANCE CREATING THE  
HAVA SECTION 101 VOTING SYSTEM 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 Board of Elections and Registration will be receiving money from Section 101 of the  
Help American Voters Act (HAVA) as reimbursement from the Federal government through the State  
of Indiana for purposes set out by HAVA Section 101 including but not limited to the upgrading voting  
equipment; and

**WHEREAS,** HAVA Section 101 requires monies and State matching funds received to be used for purposes set  
out by HAVA Section 101 to pay any outstanding obligations incurred by Lake County for the  
purposes, including but not limited to voting systems purchased which are subject reimbursement;  
and

**WHEREAS,** the Lake County Council desires to create a HAVA Section 101 Voting System Fund for the deposit of  
HAVA Section 101 monies and State matching funds.

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

1. That the HAVA Section 101 Voting System Fund, a non-reverting fund, is established for the deposit of monies received from HAVA Section 101 and State matching funds and to pay any outstanding obligations incurred by the County for purposes set out in HAVA Section 101, including voting system purchased subject to the reimbursement.

- 7. Any money remaining in the fund at the end of the reimbursement period pursuant to HAVA Section 101 shall revert to the State of Indiana.

ORDAINED THIS 12th DAY OF OCTOBER, 2005.

WILL A. SMITH, JR., President

N TABACZYNSKI  
DMAS O'DONNELL  
IE FRANKLIN

LARRY BLANCHARD  
CHRISTINE CID  
DONALD POTREBIC

Members of the Lake County Council

the Matter of County Assessor's – Trending.

Discussion

Assessor Paul Karras said it had been brought to his attention that six months ago that nine of the eleven local assessors had not received the proper training to comply with the State's regulations. He said, as of yet, he understands that there are eight out of eleven. He said he doesn't care who does the job, but it has to be done correctly. If it isn't done correctly, they will suffer some dire consequences. If it isn't done correctly, the DLGF is going to turn it over to the State. He said he can see that happening now. He said they don't have any friends in the State anymore. We do have probably the largest reassessment fund. He said he can see the State trying to get their own vendors coming through our reassessment fund to take as much as they can. Mr. Karras said we can either save a little now, and do the job right, and if we don't do the job right, we are going to pay a great deal of money. He said he doesn't want to see the State coming here anymore, they have done enough harm. He said, he hires the local Assessors who feel they have the capability to do the job themselves. He said it is time now for best judgment, or the best company to do this job. If we don't, we are going to pay dearly in the future.

spoke of the Nexus Group, who he said, came to the local Assessors, put on a program, explained their position, and their experience. He said they have done 23 ratio studies with 23 counties, in the State of Indiana. He said their record is 23-0. They have never been challenged by the State. They have the experience, and this is their "game of ballgame". He said it's up to the local Assessors, which way you want to go, but he doesn't want to pay a lot of money because of a few errors that are made. He said that 77 of the 92 Counties in the State of Indiana are contracting out on vending because this is a brand new ballgame, and they are not ready to step up to the plate. It has to be done correctly. A tiny flaw can turn everything upside down, and this is the last thing we want. He said we want to pay a little money now, and it's going to be a lot better than paying a lot later, if the State steps in.

He said that the County Council and the Commissioners decided to have this meeting to give the Assessors an opportunity to present their views.

Margo Miller, Chief Deputy of North Township Assessor said this is a huge project in which they have to undertake, and since they didn't have their "hands on" the last reassessment, which was botched so badly, they just want to make sure at the Township now, that they do it properly. She said they don't want somebody else to do it for them, they just want a support system in place for them, to walk them through it in case they need a hands on intervention. She said they don't feel that the State has properly trained them. They have been to all of the training sessions that have been provided by the State, which has been three, in the past year and a half. They don't feel that qualifies them, or educates them enough to be able to do the trending. She said they don't have the

y, Hammond, Whiting, East Chicago are facing a crisis. This crisis started with this Nexus study that was conducted in 1998, that was very flawed and did not comply with the standards they said it complied with. Basically their study, they used and compared assessment to assessment, rather than assessed values to sales price, and they had a very flawed study. Don't just listen to what he says, or what they say, look at the information that they have already generated for us, and look at the outcome.

Smith told Mr. Blumenberg that the Council has received his letters to the County Assessor. They all have a copy of them and they do have his written information, as well as his position, which indicates that he is opposed to Nexus.

Richard said that for clarification, they are not here today to choose a vendor, no matter who the vendor might be, because there is a vendor.

Richard asked Mr. Blumenberg if he was not opposed to a vendor, as long as it's not Nexus?

Blumenberg said, yes. He said he is not absolutely opposed to the possibility of hiring another vendor, he is open to it.

Smith reiterated that this meeting was called.

Smith said the issue was on the Council agenda, for the 10-11-05 Council meeting. It was their decision to allow all the Assessors the opportunity to present to both bodies, their positions as it relates to trending. He said the issue was put on the agenda for consideration by the County Assessor, and Smith said, out of fairness to all of the elected officials, we set today's meeting basically to give them an opportunity to present their feelings to us, for us to digest and consider as we move forward.

Richard said that during their study session the Council listened to Mr. Popp, and Mr. Karras and they are aware that the State will come in and take our PTRC if we are not on a timetable, if we are not meeting the deadline, and that would be the funding mechanism also, for an outside group if they came in.

Richard said we are interested in having everyone on the same page, and we know there are some Assessors who don't want an outside agency, some that do, and we understand if it's split like that, nothing is going to be accepted by the State. That's why we feel there is a need to have all the Assessors, at some level, on the same page, whether or not they come in and oversee, whether or not they do the actual work, whatever that might be.

Smith said that is exactly what they need for everyone to understand, the importance of it, and the time frames that they are faced with, we certainly can not afford to be losing any dollars through any position of inactions, or whatever.

Commissioner Scheub asked when is the deadline that they have to have everything in, and aren't there seminars that we could send our Assessors to because they were elected to do the job, and that's where we screwed up the time by letting the State rip us off for \$25 million dollars. Can we get our Assessors to some type of seminar or school. Why would we spend all that money again and have the same fiasco we had last time?

Blumenberg responded to Commissioner Scheub's question by saying that meetings are already being conducted throughout the State to train Assessors and Assessor personnel on trending, that's ongoing. He said members of his staff know how to do this, and they know the technical process to do it. He said, if he didn't know, he would have people who are already in assessment and administration already in Lake County. He said he would suggest Doug Hensley, who could help any Assessor who needs any assistance. He said if you are going to contract anyone, he would suggest they contract with Doug Hensley, and he could do it perhaps for less than \$10,000 dollars. He said they could get the job done. He said they have a unique problem in Lake County in that the last general reassessment was messed up. We are facing problems that other Assessors are not facing, and these are horrendous problems. Nexus is not going to correct these problems, trending is factoring up existing values, and they are not going to address that, in addition to that, Assessors are still responsible for the product, by

Popp said that Nexus is 23-0 regarding ratio studies. They are not taking it away from you, they are a resource just sits. If you don't need them that's great, but Mr. Popp asked if your study comes back, and it's wrong, and Karras has to correct it, is the County Council going to pay for it or do the local Assessors?

th said there appears to be room for some co-work here because could we look at some kind of combined approach, whether it's Nexus or whoever, with the data information?

Popp said that the county and the townships can define how they want to do this. No one is trying to take it over. He thinks the key is that Lake County, as a whole needs to be complete, accurate, and uniform.

Popp said that the ratio study has not been done before in Lake County by the County, it was taken away from them. This first go round in training is the most important.

th asked if the timeframe is March 31<sup>st</sup>?

Popp said March 31<sup>st</sup> is the deadline to submit the trending values to the County Assessor.

th asked, prior to that training opportunities for our Assessors to be able to "bone" up on these things related to trending, is that being proposed.

Popp said he doesn't know what courses are being offered, to his understanding it's minimal training.

Potrebic said one concern of his is who wants to bring in a vendor, or who wants to do it themselves. Mr. Popp just mentioned if it is done wrong, or is found wrong by the County Assessor, the repercussions later, dollars and cents, the taxpayers, who is going to pay for it? The County, or that individual assessor where it's wrong?

Popp said we have been through so much these last three or four years. Do we have time now for the 31<sup>st</sup> of March arguing over a vendor versus "I want to do it myself"? Potrebic said we are all sitting here now, how are we going to get up now to that deadline March 31<sup>st</sup>?

Popp said that once the County is done with their ratio study, then the DLGF comes in and does their own. That's the only reason he mentioned the track record of the vendor because they have had 23 submitted and all 23 have been approved.

Bl Ann Sease, the Council's appointee to the PTABOA explained that within the last two weeks, there was a meeting given by the DLGF on trending in Valparaiso. She passed out information that was given to them at that meeting. She said all information is in there related to the dates that must be met by the Township Assessors, as well as the County Assessor. She explained that any other class can be held, and they can be held anywhere you want them to be held on any subject that is necessary.

Mark Adams, St. John Township Assessor said that I.C. 6-1.1-31-1 Section 1 states, "on or before March 1<sup>st</sup> of each assessment year, the County Assessor must submit to the Department of Local Government Control, the sales tax disclosures". Mr. Adams said that they have to have the Sales Disclosures in by March 1<sup>st</sup>, and those are for 2006. He said you can't even start the thing, you are not going to be done because you haven't gotten all of the sales tax disclosures in. He said that trending is a fancy name for reassessment. He has been to each session in which the County has shown what they are going to do for the County, with their contract. He said their system works fine, there is no problem with it. He said the problem is, you are going to spend \$480,000 dollars for them to come in and do it for you, you got a problem, go fix it. He said at the end, the County Assessor is responsible for one thing under the new rules. Under the old rules, if we did a land value or anything, it had to come up to the PTABOA. They wiped all that out now, they gave it all back to the Assessors, statewide. The State knows they have a problem, they gave it back to the Assessors to correct it because we are the ones next to the people, just like the Commissioners and the County Council. Mr. Adams asked, If you can't get the dates right to start with, how are you going to get the

Arney Dull said, when they tried the BP Amico case, it saved the County \$80 million dollars. He said the reason they won is because there was an assessment study done, it was done in the correct fashion, it was a ratio study, and they called those people in as witnesses down there.

Arney said we "blew their socks off", and BP had their person, and they went in with an assessment to a market value study, a lot like the DeBoar study, and the Court said you are wrong, and we won, and we saved you \$80 million dollars, and the guys are here who testified. The guy is from I.U. who testified. Attorney Dull said, when you're talking about what he needs for his ratio study, it has to be someone with some credentials that can do it, can get it done, and they are 23-0.

Arney said if Marty wants some help, you ought to get somebody to help her. If Booker can do it himself, then let him do it himself. But, on March 1<sup>st</sup> it better be done, and the people that want to do, they do it themselves. People that are like they need some assistance, they ought to have somebody to help them.

Christina Vick, Cedar Creek Assessor, said she agrees with everyone, if they need support they can have it, if they don't need it, we don't need it.

Mr. Morrow, Eagle Creek Township Assessor said, he would like to know if they will be going through this each year or are they are a new group to do it for another \$480,000 dollars to do the trending?

Arney was told no, they are doing this one time.

Mr. Morrow said that when someone's house doubles in price, they always have to correct it. They are always the assessors who will correct the problems. He said the \$25 million dollar people left town and they got all of the appeals, and if this is not perfect, they are going to get a lot of heartaches here. Mr. Morrow said he thinks they can work it out, combined.

Carl Speichert from Hanover Township Assessor said that he took the training and thought it was adequate. He thinks he could do the job and he would like the opportunity to try. He said, when that ratio study is generated by the County Assessor, then he would like them to tell him where he made his mistakes, and have it corrected. Mr. Speichert asked, how wrong can he be? He doesn't see a major problem in the work that has to be done. He asked them to allow him to do the job, and come back and tell him where he did it wrong.

Mr. Morrow, Ross Township Assessor, Chief Deputy Edie said they agree with what Marty said, they are a large township, but a small office, and they need the help as well. They would appreciate if they could have an outside vendor come in to help them.

Arney Guernsey, Ross Township Assessor said that they can do the trending. If Mr. Karras wants to hire someone to oversee what they do to fall into the guidelines that he is in charge of, that he has to overlook, Mr. Guernsey said he doesn't have a problem with that. He said he doesn't have all of the data that's necessary for sales on commercial property to do the right trending. He said he has no problem with whatever direction that the County Council and County Commissioners want to take. He said he doesn't have a problem with anyone providing assistance or overlooking what they are doing. He said but as far as he is concerned, his office is more than capable with doing the annual updates.

Arney then asked Mr. Guernsey if he is amenable to a combined assistance, if necessary? Mr. Guernsey said he has no problem with that.

Mr. Niemeyer, West Creek Township Assessor said that he feels that it is ironic that they are sitting here worrying about the DLGF and worrying about stuff that we have to worry about, what they say, and we are sitting here waiting for the DLGF to pay our 04 tax money. We are sending appeals for the last year and a half, with that governmental agency defending

Mr. Popp said that the contract is about \$475,000 dollars, which includes the ratio study, not just the trending study. It is providing assistance, on an as needed basis, and it provides the ratio study, which is what the County Assessor is responsible for performing to submit to the DLGF so they can do their ratio studies to confirm its accuracy.

Mr. Smith asked if this \$450,000 proposal is to do all of the work?

Mr. Popp said, no. It's providing assistance to all of the townships, and to do a ratio study, and that's the cap, so if it comes in less, it would be out of the reassessment fund.

Mr. Smith asked if the assistance cost has been broken down, in terms of what it would be?

Mr. Popp said it hasn't been yet, but he believes that it can be.

Mr. Smith said he would think the invoices would then be going into the Commissioners for ratifying, based on services provided, but the cap for the overall cost is \$450,000 dollars, or maybe less?

Mr. Popp said he thinks it's \$470,000 dollars.

Mr. Dull asked what is the cost for the ratio study, about \$100,000 dollars. Your cost is \$100,000 dollars per study, and if nobody needs assistance, you're talking about \$100,000 dollars. Whatever you need beyond that, we're assuming they would develop some hourly rates. He said the ratio study isn't trending, statistical analysis, sampling, that kind of stuff.

Mr. Smith said that there is another important part of this presentation that is needed outside of the Assessor's abilities.

Mr. Dull said when we go downstate, we have to have the wherewithal to even fight those people in our ratio studies. They were successful, they helped us, and he knows they produce a quality product on this ratio study. If anybody else wants to do the other thing, or don't do it, but he knows they, (Nexus) do a great job on ratio studies.

Ms. Cid said it seems to her that there are some Township Assessors feel that they know how to do the job, and she doesn't understand why only three out of eleven have had training. Cid said she doesn't understand why they can't get together. Those Assessors who know the job, get together with the other Township Assessors and maybe have a seminar of their own and learn from each other. Cid said she doesn't understand why that's not being done.

Mr. Richard said he is glad they were able to have this meeting and listen to some of the concerns.

Commissioner Scheub said he doesn't see where the Assessors would need help with trending because that's part of their job. He said he thinks they have a qualified group of people, and let them do their job and communicate with each other. We aren't ready to make any decisions on anything, the \$480,000 dollars is excessive to him.

Mr. Adams said they keep saying that we are behind, we are not behind because you can't get started until all of the sales disclosures are in, and that's March 1<sup>st</sup> of next year, so we can't be six months behind.

Ms. Smith from Kennedy Terrace, Gary, IN said that trending is unconstitutional. He said what has been happening in Indiana is the State legislature has been violating his first, his eighth, his tenth, and his thirteenth constitution amendment. He said trending is a name for multiple regression analysis, and when you begin talking about ratio studies, that's sales ratio studies, and in order to develop sales ratio studies you have to have access to

market value, but we talked about market values, and asked isn't market values the price of what somebody is going to pay you, not what you would like to ask for that property. Mr. Weitbrock said the problem is, do we hire an outside vendor to give us experience that they don't have, or do we use the experience that you have on your assessors here that know their township, know their people, yes, he testified downstate about problems in Lake County. Yes, he we did have improper assessment because of personal greed, political greed, and economic greed, now we had assessment by ignorance. He said we need help, but we don't need somebody to do it all over again.

Mr. Kelly, with Nexus Group commented that they would welcome working with any and all of the townships in Indiana in regards to this. We are currently working with 17 counties in Indiana on various aspects of trending for 2006, and the rule does vary by the county, in which we're working, so it's not "one size that fits all", and you shouldn't expect that here in Lake County.

Mr. Kelly said just to clear up some of their previous roles in regards to assessments in Lake County, the School Assessment ratio study that was performed in 1997, before we started working for the State, identified some of the assessment issues in Lake County. He said, their study followed up on that, and unfortunately found some of the problems with under assessments in certain types of properties. He said they can make that study available, but they still stand behind those results. There has been some indication of what Nexus will or will not provide, he isn't sure where that information came from, since it didn't come from him. He said what they can provide to the townships varies based on what they want. He said they can provide all the trending service, some of the trending service, they can provide various reports back to townships, trying to indicate how they can correct certain areas that may be flawed, or certain types of properties, but again that is something that can be worked out with the townships. He said the big player is the possibility that the State will withhold PTRC in the county because they are non-compliant, either with their assessment quality, or with turning over data to the State. That hasn't happened yet, but that is something that the DLGF is trying to implement because they do now have that authority to hold those counties. He said the trending rule, nor the Indiana Code has specific deadlines as to when values have to be submitted, but generally those assessments and the ratio studies that the County Assessor would have to do, would have to be complete by the time the County rolls their assessed values to the DLGF, which is typically in September, so you go back that date up to give the County Assessor time to prepare their information, then you are looking at reasonably, a time-frame in March, April, or May of getting those assessments to the Assessor's Office, if you are going to meet that September deadline. If you're not going to meet that deadline, then that's kind of out the window. Lake County, based on their current situation, is already behind. Currently you are just getting the 04/05 tax rates, which is approximately 6 months behind where other counties are because those Counties got those tax rates available in March for payable in May, so the County is approximately six months behind, as it stands now, there is probably nothing to do about that now. He would expect that six-month lag to continue at least for the foreseeable future.

Mr. Blanchard asked if these assessment figures that he is going to be dealing with are going to become effective pay 06 tax rate?

Mr. Kelly said no. Indiana pays a year in the arrears, so the assessments that we are talking about trending are for 2006, which are payable starting in May, then November of 2007. The tax rates that Lake County just got are for 2004 payable 2005, which most counties had six months ago, so what you still have in Indiana here, is 2005 assessments payable in 2006, which are not to be trended, that's just the usual rollover process.

Mr. Blanchard asked so this will affect pay 2007? Mr. Kelly said, pay 07 and forward.

Mr. Blanchard said we will be working on assessed values for pay 06, just as we have in the past, and we are not going to continue to be six months behind, we are going to catch up in 07. Blanchard said it's not us catching, it's just a

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Special Joint Session

October 12, 2005  
1:00 P.M.

