

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in regular session at this time, for the purpose of considering additional appropriations, a written notice was sent to each member of the Council, and proper advertisement made, and all other acts performed in accordance with the laws governing such matters.

And now in obedience to such call, come Will A. Smith, Jr., President, Donald Potrebic, Ron Tabaczynski, Elsie Franklin, Christine Cid, Thomas O'Donnell, and Larry Blanchard, County Councilpersons, together with Ray Szarmach, County Council Attorney.

In the Matter of Minutes of L.C. Council Meeting – October 11, 2005, and October 12, 2005-Special Meeting.

Franklin made a motion, seconded by Cid to approve the minutes of October 11, 2005, and the minutes of the Special meeting on October 12, 2005. All voted "Yes". Motion carried 7-0.

ORDINANCE NO. 1269

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)	\$ 25,000.00	Defer to 12-13-05
43120 Medical & Hospital Service	\$100,000.00	\$100,000.00
<u>Work Release</u> 3150		
41120 Professional	\$ 64,045.00	Defer to 12-13-05
<u>Clerk</u> 0100		
41160 Office & Clerical	\$ 67,310.00	Defer to 1-10-06
<u>Soil & Water Conservation</u> 2650		
41190 Part-Time	\$ 790.00	\$ 790.00
<u>Animal Control</u> 3200		
41190 Part-Time	\$ 5,000.00	\$ 5,000.00
<u>Fairgrounds</u> 2920		
41190 Part-Time	\$ 3,200.00	\$ 3,200.00
42210 Petroleum roducts	\$ 2,400.00	\$ 2,400.00
42410 Other Supplies	\$ 2,300.00	\$ 2,300.00
L.C. Animal Shelter Non-Reverting Fund 163		
<u>Animal Control</u> 3200		
43995 Other Services & Charges	\$ 2,556.30	\$ 2,556.30
Gambling Adm Tax Fund 196		
<u>Weights & Measures</u> 2800		
44440 Motor Vehicles	\$ 24,000.00	No Action
Cum Cap Fund 651		
<u>Weights & Measures</u> 2800		
44440 Motor Vehicles	\$ 24,000.00	\$ 24,000.00
E-911 Fund 199		
<u>Commissioners</u> 2900		
43995 Other Services & Charges	\$500,000.00	\$500,000.00
<u>Surveyor</u> 0600		
43995 Other Services & Charges	\$ 50,000.00	\$ 50,000.00
Reassessment 2005 Fund 237		
<u>North Township Assessor</u> 1600		
43190 Other Professional Service(CNL)	\$147,323.00	No Action
<u>Hobart Township Assessor</u> 1500		
43630 Maintenance & Service Contract(CNL)	\$ 64,000.00	No Action
<u>Center Township Assessor</u> 1200		
43630 Maintenance & Service Contr(CNL)	\$ 45,000.00	No Action
Homeland Security Grant Fund 249		
<u>Emergency Management</u> 3500		
44490 Other Equipment	\$103,648.82	\$103,648.82

	Appropriation Requested	Appropriated
Criminal Court Suppl Public Defender Fee Fund 405		
<u>Public Defender</u> 4002		
41390 Supplemental Pay(CNL)	\$ 45,000.00	Defer to 1-10-06

TRANSFER OF FUNDS CERTIFICATE

I, the proper legal officer of Lake County Council, Lake County, IN., hereby certify to the Auditor of Lake County, that the Lake County Council, approved the following transfers:

	Requested	Approved
<u>Public Defender</u> 4002		
Criminal Court Suppl Public Defender Fee Fund 405		
From: 405-43190 Other Professional Service	\$ 6,817.50	
To: 405-41220 FICA	\$ 3,442.50	Defer to 1-10-06
405-41230 PERF(CNL)	\$ 3,375.00	Defer to 1-10-06
<u>Courthouse</u> 3000		
From: 001-43630 Maint & Serv Contracts	\$15,000.00	
To: 001-42240 Household & Institute Suppl	\$15,000.00	\$ 15,000.00
<u>County Court Div III</u> 4050		
From: 001-41160 Office & Clerical	\$ 545.00	
To: 001-41190 Part-Time	\$ 545.00	\$ 545.00
<u>Treasurer</u> 0300		
From: 001-43630 Maintenance & Service	\$ 4,000.00	
To: 001-42110 Office Supplies	\$ 4,000.00	\$ 4,000.00
<u>Coroner</u> 0700		
From: 001-41110 Officials & Administrator	\$ 7,000.00	
To: 001-41190 Part-Time	\$ 7,000.00	\$ 7,000.00
<u>Work Release</u> 3150		
From: 001-43290 Other Comm & Trans	\$ 4,000.00	
001-43630 Maint & Serv	\$ 5,000.00	
To: 001-42240 Household & Inst Suppl	\$ 9,000.00	\$ 9,000.00
<u>Commissioners</u> 2900		
From: 001-41160 Office & Clerical	\$11,464.68	
To: 001-41250 Unemploy Comp	\$11,464.68	\$ 11,464.68
<u>Highway</u> 5011		
County Highway Fund 102		
From: 102-5017-41270 Group Insurance	\$10,000.00	
102-5011-43189 Other Prof Service	\$ 50,000.00	
102-5017-43630 Maint & Serv Contr	\$ 75,000.00	
102-5013-43710 Equip Rental	\$ 30,000.00	
102-5011-44410 Furniture & Fixtures	\$ 20,000.00	
To: 102-5011-41270 Group Insurance	\$ 250.00	\$ 250.00
102-5013-41270 Group Insurance	\$ 1,300.00	\$ 1,300.00
102-5013-42210 Petroleum Products	\$ 75,000.00	\$ 75,000.00
102-5017-41100 Overtime	\$108,450.00	\$108,450.00
<u>Sheriff</u> 0500		
From: 001-43330 Photo/Blueprinting	\$ 6,000.00	
001-43995 Services & Charges	\$ 15,000.00	
To: 001-42210 Petroleum Products	\$ 21,000.00	\$ 21,000.00
<u>Jail</u> 3100		
From: 001-43188 Employment Testing	\$ 5,000.00	
To: 001-42230 Clothing	\$ 5,000.00	\$ 5,000.00
<u>Work Release</u> 3150		
From: 001-43231 Travel/Reg	\$ 500.00	
001-43232 Travel/Meals	\$ 400.00	
001-43233 Travel/Lodging	\$ 300.00	
001-43234 Travel/Trans	\$ 500.00	
001-43235 Travel/Mileage	\$ 300.00	
001-43920 Food & Lodging	\$ 5,000.00	
To: 001-42240 Household & Inst	\$ 7,000.00	\$ 7,000.00
<u>Work Release</u> 3150		
From: 001-43995 Other Services & Charges	\$ 3,000.00	
To: 001-42410 Other Supplies	\$ 3,000.00	\$ 3,000.00

<u>Criminal Court 4000</u>		
From: 001-41160 Office & Clerical	\$ 885.00	
To: 001-41120 Professionals	\$ 885.00	\$ 885.00
<u>Sheriff 0500</u>		
From: 001-41338 Proficiency Pay	\$ 30,000.00	
001-41339 Clothing	\$ 20,000.00	
To: 001-41100 Overtime	\$ 50,000.00	\$ 50,000.00
<u>Sheriff 0500</u>		
From: 001-41338 Proficiency Pay	\$ 8,000.00	
To: 001-41140 Protective Services	\$ 8,000.00	\$ 8,000.00
<u>Sheriff 0500</u>		
From: 001-41338 Proficiency Pay	\$ 3,000.00	
To: 001-41337 Differential Pay	\$ 3,000.00	\$ 3,000.00
<u>Sheriff 0500</u>		
From: 001-41338 Proficiency Pay	\$ 10,000.00	
To: 001-41120 Professional	\$ 10,000.00	\$ 10,000.00
<u>Jail 3100</u>		
From: 001-41140 Protective Services	\$ 11,000.00	
001-41150 Paraprofessional	\$ 7,000.00	
001-41338 Proficiency Pay	\$ 7,000.00	
001-41339 Clothing	\$ 10,000.00	
To: 001-41370 Holiday Pay	\$ 35,000.00	\$ 35,000.00
<u>Jail 3100</u>		
From: 001-41140 Protective Services	\$ 65,000.00	
To: 001-41100 Overtime	\$ 65,000.00	\$ 65,000.00
<u>Work Release 3150</u>		
From: 001-41120 Professional	\$ 10,000.00	
To: 001-41100 Overtime	\$ 10,000.00	\$ 10,000.00
<u>Drainage Board 2600</u>		
Drainage Improvement Fund 790		
From: 790-44520 Little Calumet Construction	\$ 51,900.00	
To: 790-43160 Little Calumet Engineering	\$ 51,900.00	\$ 51,900.00
<u>Calumet Township Assessor 1000</u>		
From: 001-43310 Printing	\$ 4,000.00	
To: 001-44410 Furniture & Fixtures	\$ 4,000.00	Motion Failed
<u>County Court Div II 4040</u>		
From: 001-41160 Office & Clerical	\$ 600.00	
To: 001-41210 Longevity	\$ 600.00	\$ 600.00
<u>Public Works 2950</u>		
From: 001-42210 Petroleum Products	\$ 1,500.00	
001-42230 Clothing Allowance	\$ 2,000.00	
001-42310 Equipment Repair Parts	\$ 12,500.00	
001-42410 Other Supplies	\$ 6,500.00	
001-43610 Building & Structure	\$ 3,500.00	
001-43620 Equipment Repair	\$ 7,000.00	
To: 001-44490 Other Equipment	\$ 33,000.00	\$ 33,000.00
<u>Election & Registration 2100</u>		
From: 001-43150 Consultant Fees	\$ 1,000.00	
To: 001-41196 Election Day Workers	\$ 1,000.00	\$ 1,000.00
<u>Public Defender 4002</u>		
From: 001-43630 Maint & Serv Contr	\$ 2,000.00	
To: 001-42110 Office Supplies	\$ 2,000.00	\$ 2,000.00
<u>Public Defender 4002</u>		
From: 405-43234 Travel Trans/Other	\$ 4,000.00	
To: 405-41190 Part-Time	\$ 4,000.00	\$ 4,000.00
<u>Surveyor 0600</u>		
From: 001-41110 Official & Admin	\$ 220.00	
To: 001-41210 Longevity	\$ 220.00	\$ 220.00
<u>Weights & Measures 2800</u>		
From: 001-41160 Office & Clerical	\$ 3,000.00	
To: 001-41210 Longevity	\$ 300.00	\$ 300.00
001-42110 Office Supplies	\$ 700.00	\$ 700.00
001-42210 Petroleum	\$ 1,000.00	\$ 1,000.00
001-42310 Equipment Repair	\$ 400.00	\$ 400.00
001-43310 Printing	\$ 600.00	\$ 600.00
<u>Work Release 3150</u>		
From: 001-43910 Dues & Subscriptions	\$ 400.00	
To: 001-42110 Office Supplies	\$ 400.00	\$ 400.00

Clerk 0100

From: 001-41160 Office & Clerical	\$ 5,000.00	
To: 001-41190 Part-Time	\$ 5,000.00	\$ 5,000.00

And that such transfer does not necessitate expenditure of more money than was set out in detail in the budget as finally approved by the State Board of Tax Commissioners.

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

Dated this 8th day of November, 2005.

Adopted this 8th day of November, 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

Additional

	Made motion	seconded	
<u>General fund</u>			
Jail(\$25,000)	Franklin	O'Donnell	All voted "Yes" to defer to 12-13-05. Motion carried 7-0
Jail(\$100,000)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$64,045)	Franklin	O'Donnell	All voted "Yes to defer To 12-13-05. Motion to defer Carried 7-0.
Clerk(\$67,310)	Tabaczynski	Blanchard	All voted "Yes" to defer to 1-10-06, except Cid, "abstain". Motion to defer carried 6-yes, 1-abstention.
Soil&Water Conserv(\$790)	Blanchard	O'Donnell	All voted "Yes" to Approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Animal Control(\$5,000)	Blancahrd	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Fairgrounds(\$7,900)	Blanchard	Cid	All voted "Yes" to Approve. Motion carried 7-0.
<u>LC Animal Shelter Non-Reverting Fund 163</u>			
Animal Control(\$2,556.30)	Blanchard	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
<u>Gambling Adm Tax Fund 196</u>			
Weights & Measures(\$24,000)	No Action Taken		
<u>Cum Cap Fund 651</u>			
Weights & Measures(\$24,000)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.

E-911 Fund 199

Commissioners(\$500,000)	Franklin	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
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Surveyor(\$50,000)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
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2005 Reassessment Fund 237

North Twp Assessor(\$147,323)	No Action Taken		
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Hobart Twp Assessor(\$64,000)	No Action Taken		
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Center Twp Assessor(\$45,000) (See Footnote)	No Action Taken		
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Homeland Security Grant Fund 249

Emergency Mngmt(\$103,648.82) Q#55084 dted 10-6-05	Blanchard	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
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Criminal Court Suppl Public Defender Fee Fund 405

Public Defender(\$45,000)	Potrebic	Cid	All voted "Yes" to defer To 1-10-06. Motion to defer Carried 7-0.
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Footnotes

Re: Center Twp Assessor – Assessor Paul Karras said that he doesn't care who does this ratio study, as long as it's done uniformly, correctly, and accurately. He said that the State is watching us very closely, and if we are not "right on the money", they have the power to come in and take over. He said he likes to do business with a company that has a success record. The Nexus Group's record is 22-0. They have done and completed 22 counties. The DLGF has approved every one of them. He said that right now there are 71 counties in the State of Indiana contracting to outside vendors, so it's not out of the norm for us to contract because this is a new issue that we are faced with. The local Assessors have admitted to Mr. Karras that they haven't had enough training to do it properly. He said whatever the outcome is, what monies they appropriate, whether they want it in their accounts, fine. If you want to put it all in the County Assessor's account, have them bill the County Assessor, but the main thing right now is to get it going, fast because time is of the essence. We can't afford to be late, but the end result has to be accuracy.

Potrebic said he feels that this should be put in an account, or line item, under the County Assessor, out of the reassessment fund.

Franklin said she is hoping that all of the other Assessors take note of what Mr. Karras is suggesting. She hopes that we don't fall into having to pay another company to come in here and correct, as it relates to the trending. Franklin said she has reservations as to whether or not we are going to be all uniform, and "on the money". Franklin said she supports the Assessors who have come forward and asked for assistance. Tabaczynski said that his concern is that there should be some technical assistance available to the townships who do this; however, as Mr. Karras said, it is important that it be done uniformly. He said he believes the original proposal was for \$400,000 dollars, and \$100,000 dollars of that was for an equilization study, which is somewhat separate. With these three request alone, we are already at \$250 something thousand dollars. He would like to see whatever this Council wants to grant as an appropriation for technical assistance, but in one single line item. It would also accommodate the townships in this way, making the technical assistance available, letting them choose a single vendor that they are going to work with, and then, in their own townships let them draw as much from that vendor as they feel they need to. He said, by putting it under one line item, letting them bill from a single line item, Tabaczynski said he thinks that would be a way to compromise and hopefully make everybody happy, but at least with one contract, one vendor, and one way of doing it, Tabaczynski thinks we increase the chances of it being done uniformly.

O'Donnell agrees with Tabaczynski, that this should be under the auspices of the Assessor's Office.

Attorney Szarmach said that on the mechanics of this, advertisement was done for today in each of the three separate township budgets, creation of a new line item for this purpose, and an appropriation from the reassessment fund for this purpose. Attorney Szarmach said, to consolidate it, he thinks the Council will need to re-advertise and create a new line item in the Assessor's budget. He is looking at a special meeting.

O'Donnell asked if there is anything that precludes them from setting up a contract with one of these vendors, contingent upon appropriation?

Attorney Szarmach said, you could do that, all those contracts are contingent on appropriations anyway. There is a paragraph in there that contingent upon appropriations, you could start the ball rolling. If they start doing work, and you don't sign the contract, we don't appropriate it. If you are going to go with one

line item in the Assessor's budget, the problem is legally you can't really do it today, you are going to have to advertise it, to create that, and we are looking at a special meeting at the end of the month.

Dante said we can do that pending, as long as the Council knows, we can do this. Put it on the December agenda, get the ball rolling contractually. We can trick the system as long as it is publicly acknowledged, and you guys comply with this, you can "trick the system" and put an appropriation, pending approval, only in this particular emergency kind of case. He said if he has the Council's approval, publicly to go and put in something to start out, whatever Mr. Karras may need, to get us to the December meeting because we not only have to advertise, but we are going to have to wait for State approval, and that's another three weeks, so we are looking at January. He said if the Council agrees to let some appropriation out there, up to possible a \$50,000 dollar mark to get this thing jump started, we can indeed plug that into the system, prior to the approval, sanctioning on December 13th.

Attorney Szarmach said he thinks that is a good idea.

Dante said, if you approve, long as it is publicly discussed.

Attorney Szarmach said, even if there were technical problems with the appropriation, and the State did not approve it, we could always re-advertise and approve it in another meeting. He said, the vendor will understand what the problem is.

Dante said, this is unorthodox, and unusual. We never do this beforehand. We totally discourage it, but in this particular case, the Council may want to consider that alternative, it's an extreme measure, but we can do it.

Dante said the Council could dismiss the three appropriation requests, direct the County Assessor to come back next month for an appropriation request of whatever amount of dollars. Advertise \$300,000 dollars just to be safe, you can always go under. He said at the same time now, give him some kind of number that the Council feels comfortable with, and have his "jumpstart the process" between now and then, with a dollar amount, possibly \$50,000 dollars in a line item in Mr. Karras' budget.

Dante said he could do that with the Council' approval, and create the line item today.

Dante said it's a pre-appropriation.

St. John Township Assessor, Hank Adams said that the only thing that the County Assessor is responsible for, under law, is doing the ratio study. He asked why would you have the same company supervise trending, and then do the grading of what they have just done? He said if you are going to waste money and hire an outside firm, make sure you have separate firms doing the trending.

Smith said they want to move forward on this issue. It is important that we do something.

Dante said that there has to be a pre-conditioned sort of thing here.

Attorney Szarmach said today, if you want to do it with one line item in the Assessor's budget, you approve the creation of a new line item for this purpose, and then a motion to appropriate from reassessment, a certain amount of dollars.

Dante said the Assessor's Budget, 0900, probably 43190. Give him a cap on that. He told Mr. Karras he will come in next month with a maximum, whatever that is, advertise the maximum, then we will actually conditionalize this based upon the approval then. He said if there is one dollar spent, the Council is committed.

Blanchard asked what is the status of the contract?

Smith said that he doesn't know of anything that has been signed.

Potrebic made a motion, seconded by Tabaczynski to create a new line item in the Assessor's budget, 0900, Fund 237, 43190 – Other Professional Service.

Attorney Szarmach said that the motion only creates the line item, there is no appropriation into the line item. That's the next motion, subject to approval at the next meeting.

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

Dante said the next step is a conditionalized appropriation, contingent upon a future appropriation in the same line item, up to and not to exceed some dollar amount. Dante said he is going to ask the Council to insert a dollar amount to where we can stop it. There should be some kind of ten per cent factor in here, up to, but not to exceed \$45,000 dollars.

Dante said if the bills come in at \$45,000 dollars, you must appropriate \$45,000 dollars, or whatever mark you are putting in now.

Attorney Szarmach said you can appropriate money into that line, create the line with the purpose to negotiate contract, but if for some reason the contract is never negotiated, that money is not spent.

Potrebic made a motion, seconded by O'Donnell to appropriate \$100,000 dollars in 43190 – Other Professional Services, in fund 237 in department 0900, L.C. Assessor's budget.

Blanchard said Mr. Adams made a good point, when he spoke about potential conflict with the outfit that does the ratio study, and the one who performs the trending as well, but it's not this Council' position to determine who gets what contract, and it's not our business to suggest who is going to get a contract. Our business is merely to provide a means for funding for a service that the majority of the Township Assessors

have come to us and requested to help them with the trending, and the County Assessor with the ratio study. Blanchard said he has been in contact with the State, and have written material before us stating that they are going to withhold our PTRC funding, if certain steps and time lines are not met, and Blanchard said if this thing falls apart, and the time would come when the State passes bills to delay this, then he thinks, the Council did it before, and will probably do it again, and pull that money away until further notice.

Dante said to Mr. Karras, again, this \$100,000 dollars, if it goes through now, it has to be ratified next month. It has to be.

Tabaczynski said the only decision that they can make, as a Council is one based on the appropriation. The responsibility for the assessment still falls on the Assessor, and Tabaczynski doesn't think they should necessarily try to be doing their job.

All voted "Yes". Motion to approve \$100,000 dollars appropriation carried 7-0.

After the appropriation was approved for Soil & Water(\$790). Dante said that the Council is coming down to their last few dollars of appropriations in the general fund, pursuant to your commitment. He said that he just wanted the Council to know that basically, appropriations for general fund is off limits. He said that for December, it's off limit. We will blow our \$1.3 million. Smith asked if there is enough to get Fairgrounds out of the way, and Dante said yes.

	Transfer		
	Made motion	seconded	
Public Defender(\$6,817.50)	Potrebic	Cid	All voted "Yes" to defer to 1-10-06. Motion to defer carried 7-0.
Courthouse(\$15,000)	Cid	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
County Court Div III(\$545)	Cid	Franklin	All voted "Yes" to Approve, except O'Donnell, (abstain). Motion carried 6-yes, 1-abstention.
Treasurer(\$4,000)	Tabaczynski	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Coroner(\$7,000)	Franklin	Cid	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$9,000)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Commissioners(\$11,464.68)	Franklin	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Highway(\$185,000)	Cid	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Sheriff(\$21,000)	Cid	Potrebic	All voted "Yes" to Approve. Motion carried 7-0.
Jail(\$5,000)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$7,000)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$3,000)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Criminal Court(\$885)	O'Donnell	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Sheriff(\$50,000)	Cid	Potrebic	All voted "Yes" to Approve. Motion carried 7-0.
Sheriff(\$8,000)	Cid	Potrebic	All voted "Yes" to Approve. Motion carried 7-0.

Sheriff(\$3,000)	Cid	Potrebic	All voted "Yes" to Approve. Motion carried 7-0.
Sheriff(\$10,000)	Cid	Potrebic	All voted "Yes" to Approve. Motion carried 7-0.
Jail(\$35,000)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Jail(\$65,000)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$10,000)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Drainage Board(\$51,900)	O'Donnell	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Calumet Twp Assr(\$4,000) (See Footnote)	Franklin	Cid	All voted "Yes" to Approve and create new line item except, O'Donnell, and Blanchard, "No". Motion failed 5-yes, 2-no
County Court Div II(600)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Public Works(\$33,000)	Cid	Potrebic	All voted "Yes" to Approve and create new line. Motion carried 7-0.
Election & Registration(\$1,000)	Franklin	Blanchard	All voted "Yes" to Approve. Motion carried 7-0.
Public Defender(\$2,000)	Potrebic	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Public Defender(\$4,000)	Potrebic	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Surveyor(\$220)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Weights & Measures(\$3,000)	Franklin	O'Donnell	All voted "Yes" to Approve. Motion carried 7-0.
Work Release(\$400)	O'Donnell	Franklin	All voted "Yes" to Approve. Motion carried 7-0.
Clerk(\$5,000)	Tabaczynski	Franklin	All voted "Yes" to Approve, except Cid, "abstain". Motion carried 6-yes, 1-abstention.

Footnote

Re: Calumet Township Assessor – Franklin made a motion to approve for the amount of the invoice, which is \$3,077 and to create a new line item. Cid seconded the motion. All voted "Yes", except Blanchard, and O'Donnell. Motion failed 5-yes, 2-no. **(Need 6 votes to create a new line item).**

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

Re: Parks & Recreation – Tabaczynski made a motion, seconded by Cid to defer to 1-10-06. All voted "Yes" to defer. Motion carried 7-0.

Re: Work Release – Franklin made a motion, seconded by O'Donnell to defer to 12-13-05. All voted "Yes". Motion to defer carried 7-0.

Re: Clerk – Tabaczynski made a motion, seconded by Blanchard to defer to 1-10-06. All voted "Yes", except Cid, "abstain". Motion to defer carried 6-yes, 1-abstention.

Re: Public Defender – Potrebic made a motion, seconded by Cid to defer to 1-10-06. All voted “Yes”. Motion to defer carried 7-0.

Re: Detention Center – Cid made a motion, seconded by Franklin to approve. All voted “Yes”. Motion carried 7-0.

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12434-008 Intake Probation Officer	\$28,543	\$31,752	-\$3,209

Re: Juvenile Court – Cid made a motion, seconded by Franklin to approve. All voted “Yes”. Motion to approve carried 7-0.

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12428-032 Probation Officer	\$36,644	\$26,517	-\$10,127

In the Matter of Create New Line Item – Sales Disclosure Fund 710 – Calumet Township Assessor.

Franklin made a motion to approve creating a new line item, seconded by O’Donnell.

Henry Bennett, Administrative Assistant for Calumet Township Assessor, explained that this is to create a new line item from already existing money. There is additional training that is available through the International Association of Assessing Officials that staff and the Officeholder would like to take advantage of in the upcoming months.

He said that it is specifically for per diem for meals.

Franklin said until she gets some clarity as to what is really being done here, she made a motion to defer to 12-13-05. O’Donnell seconded the motion.

Lynn Carter explained that creating the new line item is for meals in the travel line. They have a deficit in their account in the 710 fund because they did not have a meal line item in that particular fund, so it’s actually to transfer from that particular fund to cover purchase orders that were already created.

Smith explained that is why they have the work study sessions on the Thursday before the council meeting so that any item that you have on the agenda in the future, it would be to your benefit to make those meetings, because if there is any questions, we want to deal with that in our work study session, as opposed to having to deal with it out on the floor. Smith suggested that in the future, that they have somebody representing your office on these items and being in contact with your chairman.

Mr. Bennett apologized for the misunderstanding and said he will commit to making sure that this doesn’t happen again.

All voted “Yes”. Motion to defer carried 7-0.

In the Matter of Create New Line Item – Assessor/0900

Potrebic made a motion, seconded by Tabaczynski to approve creating a new line item in Fund 237/Reassessment Fund for 43190 – Other Professional Service.

All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Approval of \$100,000 in Assessor/0900 Budget.

Potrebic made a motion, seconded by O’Donnell to approve \$100,000 dollars in the Assessor’s budget, Fund 237 for line 43190 – Other Professional Services. All voted “Yes”. Motion to approve carried. (Advertisement to be done for December’s Council Meeting).

In the Matter of Councilmanic Appointment – County Redevelopment Commission (1).

Blanchard nominated Donald Potrebic to serve on the County Redevelopment Commission.

O’Donnell made a motion, seconded by Blanchard to close the nomination.

All voted “Yes” to approve. Motion carried 7-0.

Donald Potrebic is the nomination to the County Redevelopment Commission.

In the Matter of Citizen Nomination – Crown Point Economic Development Commission (1).

Blanchard made a motion, seconded by O’Donnell to defer to 12-13-05. All voted “Yes”. Motion to defer carried 7-0.

In the Matter of Selection of Provider for Energy Savings Contract.

Potrebic made a motion, seconded by Franklin to defer to 12-13-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ratification – Third Amendment to the Lake County Police Retirement Plan.

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

THIRD AMENDMENT
TO
LAKE COUNTY POLICE RETIREMENT PLAN

WHEREAS, Lake County Police Retirement Plan (hereinafter referred to as "Plan") was established by Lake County Sheriff 's Department, Crown Point, Indiana (hereinafter referred to as "Employer"), effective as of January 1, 1962; as amended by a complete restatement, effective as of January 1, 2000; and as last amended by a Second Amendment, effective as of December 1, 2004; and

WHEREAS, by Section 11.01 of the Plan, the Employer reserved the right to amend the Plan; and

WHEREAS, the Employer desires to amend the Plan in certain respects heretofore considered and discussed;

NOW, THEREFORE, BE IT RESOLVED, that the Plan is hereby amended by this Third Amendment, effective as of January 1, 2006, as follows:

Section 2.01 (a) is hereby amended to read as follows:

"(a) 'Actuarial Equivalent' or 'Actuarially Equivalent' means a benefit of equivalent value computed on the basis of mortality determined as follows:

(1) For Participants, the Unisex Pension 1984 Mortality Table (UP-1984 Table) with ages set forward one-half (1/2) year. This age adjustment is determined by interpolating (straight line) between mortality rates with no age adjustment and mortality rates with ages set forward one (1) year.

(2) For Beneficiaries, the Unisex Pension 1984 Mortality Table (UP- 1 984 Table) with ages set back three and one-half (3-1/2) years. This setback is determined by interpolating (straight line) between mortality rates with a three (3) year age setback and mortality rates with a four (4) year age setback.

The mortality basis specified above is to be used in conjunction with an interest rate of six percent (6%) per annum, compounded annually, for the purpose of determining any Actuarially Equivalent benefit, unless otherwise specified.

For determining Actuarially Equivalent lump sums (other than the lump sum payable under Section 8.02(b) or 8.02(c)), for distributions in calendar years beginning on or after January 1, 2006 and ending on or before December 31, 2010, an interest rate which is not less than three percent (3%), is not greater than five percent (5%) and is the lower of the following interest rates shall be utilized:

(1) the average of the applicable rate of interest used by the PBGC for the purpose of determining the present value of a lump sum distribution on plan termination (hereinafter TBGC rate') in effect as of the five (5) January 1 dates preceding distribution (such average shall be rounded to the nearest .25%), or

(2) the PBGC rate on the January 1 preceding the Participant's date of termination of employment (as reflected on the payroll record) occurs adjusted as follows:

<u>Calendar Year in which termination date occurs</u>	<u>Interest rate</u>
2007	PBGC rate plus .25%
2008	PBGC rate plus .50%
2009	PBGC rate plus .75%
2010	PBGC rate plus 1.00%

For calendar years beginning on and after January 1, 2011, for determining Actuarially Equivalent lump sums, (other than the lump sum payable under Section 8.02(b) or 8,02(c)), the average of the PBGC rates in effect as of the five (5) January 1 dates preceding distribution shall be utilized, provided however, the average rate shall not be less than three percent (3%) and shall not be more than five percent(5%). Such average shall be rounded to the nearest.25%.

In determining the applicable rate of interest for this purpose, the applicable interest rate used by the PBGC in valuing deferred annuities shall be taken into account when a lump sum amount is being calculated with respect to a deferred annuity. The applicable interest rate used by the PBGC in valuing immediate annuities shall be taken into account when a lump sum amount is being calculated with respect to an immediate annuity."

In witness of its adoption of the foregoing amendment to the Plan, the Employer has caused this amendment to be executed as of the ____ day of _____, 20

LAKE COUNTY SHEREFF'S DEPARTMENT

By
Sheriff of Lake County

Approved and ratified at a meeting of the Lake County Sheriffs Merit Board on the 13th day of October, 2005.

LAKE COUNTY SHERIFF'S MERIT BOARD

G ROGGE

Approved and ratified at a meeting of the County Council of Lake County on the 8th day of November, 2005.

COUNTY COUNCIL OF LAKE COUNTY

WILL A. SMITH, JR.

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

Tabaczynski said, out of respect to the Congressman who has agreed to sit down and meet with the Lake County Officials, who have concerns over the efficiency study, Tabaczynski made a motion to defer this till 12-13-05. Blanchard seconded the motion.

Potrebic asked if there is anything for the Council to review? Tabaczynski said, not at this time. He is still curious to know what are some of the actual objections on those that they would be asking to participate. He didn't envision anything specific, other than us indicating that we believe Lake County government should be included in the study, and encouraging our department heads, elected officers to take the time to participate. He said, evidently there are some other concerns out there that specifically, he is not aware of. He said, hopefully at the November 28th meeting will shed some light on that.

Smith said he is extremely pleased that they are able to move forward with the request to the Congressman, and other people who were involved with the proposements. He said they asked over a year ago, basically for an opportunity to sit down with the Congressman and those people involved with it. Smith said he is happy to see, through the efforts of all of the County Officials, and particularly, the County Chairman who put this together, that we will have an opportunity to answer whatever questions we might have, related to the issue. He is happy that they will be afforded that opportunity, and harmoniously come to some resolve. Smith said from his perspective, their books, in terms of the County Council, have always been open. They remain open, the 16-line statements and budgets are always there. Smith said from his perspective as a councilman, he has already been a part of the government efficiency study because this Council has always been open, so it's not a problem for our Council, it was a problem or concern of our elected officials, and out of respect for them, he supported their position, in terms of wanting more information.

All voted "Yes". Motion to defer carried 12-13-05.

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

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

Blanchard read the plaque and presented it to the coach.

RESOLUTION NO.- 05-89

**RESOLUTION HONORING THE DYER
13-YEAR-OLD BABE RUTH ALL STAR TEAM**

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, the Dyer 13-Year-Old Babe Ruth All Star Team won the State Championship in Noblesville, defeating Logansport.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the coaches and trainers but most particularly to the young men of the Dyer 13-Year-Old Babe Ruth All Star Team, the Indiana State Champions; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to Dyer Babe Ruth 13-Year-Old All Star Team.

DATED THIS 8th day of November, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution honoring Dyer Little League 11 year old All Stars – Indiana State Champions.

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

Blanchard read the plaque and presented it to the coach.

RESOLUTION NO. 05-90

**RESOLUTION HONORING THE DYER
11-YEAR-OLD LITTLE LEAGUE ALL STAR TEAM**

WHEREAS, students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and

WHEREAS, Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and

WHEREAS, Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and

WHEREAS, the Dyer 11 -Year-Old Little League All Star Team won the State Championship defeating South Bend.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the coaches and trainers but most particularly to the young men of the Dyer 11 -Year-Old Little League All Star Team, the Indiana State Champions; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to Dyer Little League 11 -Year-Old All Star Team.

DATED THIS 8th day of November, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Honoring Murcie Poplar Lavender – Recipient of the Indiana Governor’s Arts Award.

Smith made a motion, seconded by Franklin to approve. All voted “Yes”. Motion carried 7-0.
Franklin read the plaque and presented it to Mrs. Lavender.
Mrs. Lavender read her acceptance speech from the Governor’s Arts Award affair.

**RESOLUTION NO. 05-91
RESOLUTION HONORING MURCIE POPLAR LAVENDER**

WHEREAS, MURCIE POPLAR LAVENDER has been a lifelong Gary resident, she graduated from Roosevelt High School in 1946, and received an art scholarship to Indiana University in Bloomington, where she studied painting and sculpture; and

WHEREAS, MURCIE POPLAR LAVENDER was an art teacher in the Gary Public Schools system for 33 years, in 1963 she formed the Gary Art Institute which produced weekly public art exhibitions and awarded scholarships to students, in 1974 she helped bring the first mural to downtown Gary and in 2001 she was inducted in the Steel City Hall of Fame as an artist and educator; and

WHEREAS, in 1999, MURCIE POPLAR LAVENDER formed the Children's Art Institute located at Indiana University Northwest's Campus as a place for sculpture, painting, drawing and other art classes for children in Lake and Porter Counties; and

WHEREAS, the Indiana Arts Commission and Governor Mitch Daniels have honored MURCIE POPLAR LAVENDER with the Governor's Arts Award, which recognizes those who have made significant contributions to the arts.

NOW, THEREFORE, LET IT BE RESOLVED THAT THE Lake County Council recognizes MURCIE POPLAR LAVENDER for her significant contributions to the arts, and for the honor of receiving the Governor's Arts Award; and that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to MURCIE POPLAR LAVENDER.

DULY ADOPTED by the Lake County Council, this 8th day of November, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Honoring Rosa Parks – Founding Symbol of Civil Rights Movement.

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

Smith said that this resolution will be a part of the presentations from the County Commissioners who will also have a resolution sponsored by Commissioner Clay. They will attempt to forward it to the Rosa Parks estate, and to her family.

**RESOLUTION NO. 05-92
RESOLUTION HONORING ROSA PARKS**

WHEREAS, ROSA PARKS, a black seamstress whose refusal to relinquish her seat to a white man on a city bus in Montgomery, Alabama, almost 50 years ago grew into a mythic event that helped touch off the civil rights movement of the 1950's and 1960's; and

WHEREAS, the events that began on that bus in the winter of 1955 captivated the nation and transformed a 26-year-old preacher named Martin Luther King, Jr. into a major civil rights leader and clarified for people far beyond Montgomery the cruelty and humiliation inherent in the laws and customs of segregation; and

WHEREAS, ROSA PARKS was very active in the Montgomery N. A. A. C. P. Chapter and had taken part in voter registration drives; and

WHEREAS, ROSA PARKS was awarded the Presidential Medal of Freedom and Congressional Gold Medal and has been known as the Founding Symbol of Civil Rights.

NOW, THEREFORE, LET IT BE RESOLVED THAT

That the Lake County Council hereby recognizes and memorializes ROSA PARKS, that a copy of this Resolution shall be spread on the official records of the Lake County Council.

SO RESOLVED THIS 8TH DAY OF NOVEMBER, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Honoring Pastor Rev. Charles M. Morgan – Galilee Missionary Baptist Church Fifth Anniversary.

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

Smith said that they will be presenting the resolution and plaque on November 19, 2005 during his anniversary banquet.

RESOLUTION NO 05-93

**RESOLUTION HONORING
REVEREND CHARLES M. MORGAN**

WHEREAS, REVEREND CHARLES M. MORGAN is an active member of the Baptist Minister's Conference of Gary, Second Vice Moderator of the Northern Indiana Missionary Baptist District Association, a participant at the Stephen Olford School for Expository Preaching in Memphis, Tennessee, an instructor for the Baptist Minister's Seminar for the past two years and has been a guest evangelist for churches throughout the Country; and

WHEREAS, REVEREND CHARLES M. MORGAN has organized "Children's Church" for the children in the community as well as the children of Galilee, initiated a program of witnessing in housing developments and apartment complexes where church members go door to door spreading the word of God, he also implemented a Vacation Bible School "kickoff " each year which includes a picnic on the Church grounds geared towards involving the youth in the community as far away as Griffith; and

WHEREAS, REVEREND CHARLES M. MORGAN demonstrates in his own life and in his relations with his fellow human beings the highest of ideals and personal commitment to his God and to the betterment of all mankind; and

WHEREAS, the members of the Galilee Missionary Baptist Church will observe the Fifth Anniversary of REVEREND CHARLES M. MORGAN.

NOW, THEREFORE, LET IT BE RESOLVED THAT THE Lake County Council in recognition of the service to the citizens of Lake County honor REVEREND CHARLES M. MORGAN as a true humanitarian who exemplifies selflessness, hard work and dedication to his community and church; and that a copy of this Resolution be spread on the official records of the Lake County Council and an official copy be delivered to REVEREND CHARLES M. MORGAN.

DULY ADOPTED by the Lake County Council, this 8th day of November, 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 Approving the Holiday Schedule for Calendar Year of 2006.

Franklin made a motion, seconded by O'Donnell to approve. All voted "Yes", except Blanchard, "No". Motion to approve carried 6-yes, 1-no.

RESOLUTION NO. 05-94

**RESOLUTION CONCERNING HOLIDAY
SCHEDULE FOR THE CALENDAR YEAR OF 2006**

WHEREAS, the Lake County Council pursuant to I.C. 36-2-2-10 has authority for employees of Lake County, and

WHEREAS, the Lake County Council wishes to establish legal holidays for Lake County.

NOW, THEREFORE, LET IT BE RESOLVED by the Lake County Council that the following holidays are established for the employees of Lake County:

New Year's Day	January 1st	Monday closed (1-2-06)
Martin Luther King, Jr.	January 16th	Monday closed
President's Day	February 20th	Monday closed
Good Friday	April 14th	Friday closed
Memorial Day	May 29th	Monday closed
Independence Day	July 4th	Tuesday closed
Labor Day	September 4th	Monday closed
Columbus Day	October 9th	Monday closed
Veterans Day	November 11th	Friday closed(11-10-06)
Thanksgiving Day	November 23rd	Thursday closed
	November 24th	Friday closed
Christmas Eve	December 24th	Sunday
Christmas Day	December 25th	Monday closed
New Years Eve	December 31st	Sunday

SO RESOLVED THIS 8th Day OF NOVEMBER, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
CHRISTINE CID
DONALD POTREBIC

THOMAS O'DONNELL
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution in Support of the Workshop to Explore the Comparative Merits of Sales Tax Increment Financing as an Economic Benefit Tool and Urging the Indiana General Assembly to Press Forward with Appropriate Legislation.

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

RESOLUTION NO. 05-95

**RESOLUTION IN SUPPORT OF THE WORKSHOP TO EXPLORE THE COMPARATIVE
MERITS OF SALES TAX INCREMENT FINANCING AS AN ECONOMIC BENEFIT TOOL
AND URGING THE INDIANA GENERAL ASSEMBLY TO PRESS FORWARD WITH
APPROPRIATE LEGISLATION**

WHEREAS, the Lake County Council as the fiscal and legislative body of the County, from time to time, encounters issues of public import and moment which invite an expression from the elected representatives as part of the public discourse on the matter; and

WHEREAS, Article 1, Section 31 of the Indiana Constitution provides that no law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good, nor from instructing their representatives, nor from apply to the General Assembly for redress of grievances;
and

WHEREAS, Lake County was incorporated to provide certain public services to the inhabitants of this community, all of whom are also inhabitants of this State, who from time to time assemble together in a peaceable manner, consult for their common good, instruct their representatives and in some cases to apply to the General Assembly for redress of grievances, all for the betterment of government; and

WHEREAS, Lake County, along with the many other general service municipal governments in the State, notes the importance and public value in meaningful statutory tools and methods in support of economic development and redevelopment, that among these is Sales Tax Increment Financing; and

WHEREAS, Lake County, along with many other general service municipal governments in the State, notes the importance and public value in additional workshops, training and other educational opportunities to help more fully inform the elected and appointed policy makers about the variety and application of various statutory tools and methods in support of economic development and redevelopment including Sales Tax Increment Financing; and

WHEREAS, Lake County by and through its elected officers wishes to offer a distinct, public expression on the public import of this matter.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

- Section 1: That the Lake County Council, speaking as an advocate for the people of this community, supports the organization and presentation of a workshop to help more fully inform the elected and appointed policy makers about the variety and application of various statutory tools and methods in support of economic development and redevelopment, including Sales Tax Increment Financing.
- Section 2: That the Lake County Council, speaking as an advocate for the people of this community, urges the Indiana General Assembly to further equip the policy toolbox of local governments by making available Sales Tax Increment Financing to all local governments which may wish to employ it in service to economic development and redevelopment.
- Section 3: That the Lake County Auditor be hereby further instructed to transmit and forward this Resolution to such other persons as may be deemed to have an interest in this matter and to encourage those persons to evidence their strong desire to see the objects and purposes of this Resolution achieved.

SO RESOLVED THIS 8TH DAY OF NOVEMBER, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Resolution Permitting Board of Elections & Registration to pay a 2004 service with 2005 funds.

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

RESOLUTION NO.-05-96

**RESOLUTION PERMITTING THE LAKE COUNTY
BOARD OF ELECTIONS AND REGISTRATION TO PAY
OUTSTANDING 2004 INVOICE/DEBT FROM THE 2005 BUDGET**

WHEREAS, the Lake County Board of Elections and Registration, is currently operating in the 2005 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2004, has not been paid:

001-2100-43995	-	Other Services and Charges
Jamie Gill		\$ 15.00

WHEREAS, the Lake County Council desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2004 expense shall be paid from the Lake County Board of Elections and Registration's 2005 Budget:

001-2100-43995	Other Services and Charges
Jamie Gill	\$ 15.00

SO RESOLVED THIS 8th DAY OF NOVEMBER, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

In the Matter of Ordinance Creating County Storm Water Management Ordinance.

O'Donnell made a motion, seconded by Cid to defer to 12-13-05. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Creating Lake County Part-Time Employees Salary Ordinance for 2006.

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

In the Matter of Ordinance Creating a Lake County Div III Alcohol/Drug Abuse Monitoring Fund.

Cid made a motion, seconded by Smith to approve on First Reading. All voted "Yes", except O'Donnell, "abstain".

Attorney Szarmach said there is enabling State Legislation, which is included in the ordinance that allows a court that handles alcohol and drug cases to collect the fee to monitor the programs. Attorney Szarmach said, what she does is she has been collecting a \$100 dollar fee, which goes into the fund, it's a non-reverting fund, it's used for various court expenses appropriated by the County Council. She is not collecting it as of today because we have looked for the ordinance, and we could not find it from 1997, so as long as this is not in effect she is not going to be able to collect the fee basically.

Attorney Szarmach explained that this is a monitoring program only. In other words, if a probationer is put on probation, and they have to go to Ladoss, or Southlake, or whatever place they are going for their counseling, there is a system within the Courts' probation office, which monitors to make sure the person completes what stage they're in.

Blanchard asked if we are establishing a program and setting a fee?

Attorney Szarmach said, actually the only thing you are doing is creating the fund, and establishing the fee. The program actually is then submitted, by statute as a recipe here where it's submitted to the State Judicial Commission, and they send her a letter saying go ahead and do it, but that what she is doing is specifically allowed by the statute to monitor defendants that go into other programs, not her own program. If a defendant wants to go to Southlake, that defendant will still go to Southlake, but she won't be able, and still be monitored by somebody on her staff, but she won't be able to collect a fee to pay for them.

All voted "Yes", except Franklin, "No". O'Donnell "abstain". Motion to approve carried 5-yes, 1-no, 1-abstention.

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

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

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

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

ORDINANCE NO. 1269A

ORDINANCE GRANTING PETITION FOR ROAD VACATION BY WILLIAM G. BORN AND ETHEL L. BORN, WALTER GRONKIEWICZ AND CAROL GRONKIEWICZ, JOSEPH VUKODIMOVICH AND HELEN MOISE, RYAN THOMAS AND HEATHER THOMAS, ANTHONY PAMPALONE AND JAMIE PAMPALONE AND SHELLEY KELBY

WHEREAS, Petitioners WILLIAM G. BORN and ETHEL L. BORN, WALTER GRONKIEWICZ and CAROL GRONKIEWICZ, JOSEPH VUKODIMOVICH and HELEN MOISE, RYAN THOMAS and HEATHER THOMAS, ANTHONY PAMPALONE AND JAMIE PAMPALONE and SHELLEY KELBY pursuant to I.C. 36-7-3-12 file their Petition to vacate a portion of Carstens Drive; and

WHEREAS, the Lake County Council on November 8, 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 WILLIAM G. BORN and ETHEL L. BORN, husband and wife:

The Southerly 15 feet of Carstens Drive North of and adjoining lots 57 and 58 and more particularly described as follows:

Beginning at the Northwest Comer of said Lot 58, thence East 50 feet to a point; thence Northeasterly 63.4 feet to the Northeasterly corner of lot 57; thence North 15 feet to the center line of Carstens Drive; thence Southwesterly 63.4 feet; thence West 50 feet; thence South 15 feet to the point of beginning, Dalecarlia Blocks 23 and 24 as recorded in Plat Book 23, 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 Petitioners WALTER GRONKIEWICZ and CAROL GRONKIEWICZ, husband and wife:

The Southerly 15 feet of Carstens Drive North of and adjoining lot 43 and more particularly described as follows:

Beginning at the Northwest comer of lot 43; thence Northeasterly along the North line of lot 43, 125 feet to the Northeast comer of lot 43; thence Northwesterly 15 feet to the center line of Carstens Drive; thence Southwesterly 125 feet; thence South 15 feet to the place of beginning all in Dalecarlia Blocks 23 and 24 as recorded 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 Petitioners JOSEPH VUKODIMOVICH and HELEN MOISE, as joint tenants with right of survivorship and not as tenants in common:

The South 15 feet of Carstens Drive North of and adjoining lot 61 and more particularly described as follows:

Beginning at the Northwest corner of lot 61 thence North 15 feet; thence East 100 feet; thence South 15 feet to the Northeast corner of lot 61; thence West 100 feet to the point of beginning in Dalecarlia, Blocks 23 and 24 as recorded in Plat Book 23, 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 Petitioners RYAN THOMAS and HEATHER THOMAS, husband and wife:

The North 15 feet of Carstens Drive South of and adjoining lots 53, 54 and 55 Dalecarlia and more particularly described as follows:

Beginning at the Southwest comer of lot 53; thence South 15 feet; thence East 200 feet; thence North 15 feet to the Southeast corner of lot 55; thence West along the South line of lots 53, 54 and 55 to the place of beginning in Dalecarlia Blocks 23 and 24 as recorded in Plat Book 23, 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 Petitioners ANTHONY PAMPALONE and JAMIE PAMPALONE, husband and wife:

The South 15 feet of Carstens Drive North of and adjoining lots 59 and 60 and more particularly described as follows:
Beginning at the Northwest corner of lot 60; thence North 15 feet; thence East 100 feet; thence South 15 feet to the Northeast corner of lot 59; thence West 100 feet along the North line of lots 59 and 60 to the point of beginning in Dalecarlia Blocks 23 and 24 as recorded in Plat Book 23, 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 SHELLEY K. KELBY:

The North 15 feet of Carstens Drive South of and adjoining lots 44 and 56 and more particularly described as follows:
Beginning at the Southwest corner of lot 56; thence East along the South line of lot 56, 42.5 feet; thence Northeasterly along the South line of lot 56, 54.85 feet thence Northeasterly along the South line of lot 44, 125 feet to the Southeast corner of lot 44; thence Southeasterly 15 feet to the center line of Carstens Drive; thence Southwesterly 179.85 feet along the center line of Carstens Drive; thence Easterly 42.5 feet; thence North 15 feet to the point of beginning all in Dalecarlia Blocks 23 and 24 as recorded in Plat Book 23, page 78 in the Office of the Recorder of Lake County, Indiana.

SO ORDAINED THIS 8th DAY OF NOVEMBER, 2005.

WILL A. SMITH, JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

In the Matter of Ordinance establishing the Lake County Identification Security Protection Fund, a Non-Reverting Fund.

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

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

Cid 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. 1269B

ORDINANCE ESTABLISHING THE LAKE COUNTY IDENTIFICATION SECURITY PROTECTION 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. 36-2-5-2(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, pursuant to I.C. 36-2-7.5-6 (SB 503), the Lake County Council must establish the County Identification Security Protection Fund prior to January 1, 2006; and

WHEREAS, the Two (\$2.00) Dollar fee for recording the Declaration Form which must be recorded with every document, shall be deposited into the Fund; and

WHEREAS, the Fund shall be administered by the Recorder and appropriated by the Lake County Council and used to purchase, upgrade, implement and maintain the redacting technology for the Recorder's Office.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Identification Security Protection Fund, a non-reverting fund, is established for the deposit of the Two (\$2.00) Dollar fee for recording the Declaration Form. The Fund shall be administered by the Recorder and used to purchase, upgrade, implement and maintain the redacting technology for the Recorder's Office
2. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.
3. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Identification Security Protection Fund.

SO ORDAINED THIS 8th DAY OF NOVEMBER, 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 – Establishment and posting of a 30 M.P.H. Limit – W. 101st Avenue From Calumet Avenue To State Line Road.

Cid made a motion, seconded by Franklin to approve. All voted "Yes", except Tabaczynski, O'Donnell, and Blanchard, "No". Motion to approve carried 4-yes, 3-no.

**ORDINANCE NO. 1269C
ORDINANCE PETITION
FINDING OF FACT**

The BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE HEREBY REQUEST THE ESTABLISHMENT AND POSTING OF A 30 M.P.H. LIMIT ALONG AND OVER THE FOLLOWING DESCRIBED ROADS BE APPROVED.

W. 101ST AVENUE FROM CALUMET AVENUE TO STATE LINE ROAD

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 ENGINEERJ (AN INDIANA LICENSED PROFESSIONAL ENGINEER) IN ACCORDINANCE WITH THE INDIANA UNIFORM TRAFFIC MANUAL FOR STREETS AND HIGHWAYS AS REQUIRED BY INDIANA CODE 9-21-3 AND HAS DETERMINED THAT A 30 M.P.H. SPEED LIMIT(S) (ARE) WARRANTED AT THE ABOVE DESCRIBED LOCATION (S) 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 DESRIBED 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 30 M.P.H. SPEED LIMIT ORDINANCE (S) AT THE ABOVE DESCRIBED ROADS.

RECOMMENDED TO THE BOARD OF COUNTY COMMISSIONERS BY:

ROY DOMINGUEZ 8-30-05
THE LAKE COUNTY SHERIFF
MARCUS MALCZEWSKI 9-1-05
LAKE COUNTY HIGHWAY SUPERINTENDENT
DUANE A. ALVERSON 8-2-05
LAKE COUNTY HIGHWAY ENGINEER

ELSIE FRANKLIN
WILL A. SMITH, JR.
CHRISTINE CID
DONALD POTREBIC

COUNTY COUNCIL

11-8-05
COUNTY APPROVAL DATE

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE:

FRANCES DUPEY
COUNTY COMMISSIONER PRESIDENT
RUDY CLAY
COUNTY COMMISSIONER

9-21-05
DATED

OF LAKE COUNTY, INDIANA, THIS DAY OF NOVEMBER 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

Potrebic made a motion, seconded by Blanchard to **deny** Plan Commission Ordinance # 2119. All voted "Yes" to **deny**. Motion to **deny** carried 7-0. There were no remonstrators present.

**ORDINANCE #2119
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 denial 10/19/05).

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

ZONE CHANGE from A-1 (Agricultural) Zone to R-1 (One-Family) Zone owned and petitioned by **MICHAEL G. TURNER**, for the purpose of residential development on the following described property:

General Location: Located approximately 6/10 of a mile south of 141st Avenue on the west side of Clark Street, a/k/a 14611 Clark Street in Center Township.

Legal: Part of the Northeast Quarter of the Southeast Quarter of Section 36, Township 34 North, Range 9 West of the 2nd Principal Meridian in Lake County, Indiana, described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence South 00 degrees 04 minutes 55 seconds West along the East line of said Northeast Quarter, 438.47 feet to the point of beginning; thence continuing South 00 degrees 04 minutes 55 seconds West along the East line, 223.09 feet, thence North 89 degrees 33 minutes 17 seconds West parallel with the North line of said Northeast Quarter, 89.81 feet; thence North 00 degrees 04 minutes 55 seconds East parallel with the said East line, 85.00 feet; thence North 89 degrees 33 minutes 17 seconds West parallel with the said North line, 217.23 feet to the centerline of Clark Street; thence North 03 degrees 39 minutes 10 seconds East, 138.30 feet; thence South 89 degrees 33 minutes 17 seconds East parallel with the said North line, 298.42 feet to the point of beginning containing 1.007 acres more or less.

IS HEREBY APPROVED X BY THE COUNTY COUNCIL
DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 8th DAY OF NOVEMBER, 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

Potrebic made a motion, seconded by Blanchard to approve Plan Commission Ordinance # 2120. All voted "Yes". Motion to approve carried 7-0. There were no remonstrators present.

**ORDINANCE #2120
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 10/19/05).

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 by **LILLIAN SCHOON PISKE** and petitioned by **RODNEY W. SCHOON**, for the purpose of residential development on the following described property:

