

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 Ted Bilski, President, Jerome Prince, Michael Repay, Elsie Franklin, Daniel Dernulc, Christine Cid, and Rick Niemeyer County Councilpersons, together with Ray Szarmach, County Council Attorney.

In the Matter of Minutes of the Lake County Council for April 12, 2011, and April 19, 2011 – Special Meeting.

Dernulc made a motion, seconded by Prince to approve the minutes of the April 12, 2011 Lake County Council Meeting, and the minutes of the April 19, 2011 Special Meeting. All voted "Yes". Motion carried 7-0.

ORDINANCE NO. 1335

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>Council</u> 3700 | | |
| 43420 Liability Insurance(Reduction) | -\$2,000,000.00 | -\$1,911,500.00 |
| <u>Co-Op Extension</u> 2300 | | |
| 43630 Maintenance & Service Contracts | \$ 925.00 | \$ 925.00 |
| <u>Jail</u> 3100 | | |
| 41100 Overtime | \$ 100,000.00 | \$ 100,000.00 |
| 41120 Professionals | \$ 44,800.00 | \$ 44,800.00 |
| 41190 Part-Time | \$ 50,000.00 | \$ 50,000.00 |
| 42110 Office Supplies | \$ 25,000.00 | \$ 25,000.00 |
| 42240 Household & Inst Supplies | \$ 50,000.00 | \$ 50,000.00 |
| 42250 Health Care Supplies(Reduction) | -\$ 530,000.00 | -\$ 530,000.00 |
| 42260 Inmate Clothing Allowance | \$ 50,000.00 | \$ 50,000.00 |
| 43190 Other Professional Service | \$ 506,000.00 | \$ 411,700.00 |
| 43610 Building & Structure | \$ 75,000.00 | \$ 75,000.00 |
| 43620 Equipment Repair | \$ 35,000.00 | \$ 35,000.00 |
| 43630 Maintenance & Service Contr | \$1,700,000.00 | \$1,700,000.00 |
| 43920 Food & Lodging(Reduction) | -\$ 100,000.00 | -\$ 100,000.00 |
| Gambling Admission Tax Fund 196 | | |
| <u>Commissioners</u> 2900 | | |
| 44500 Construction & Reconstruction(Reduction) | -\$1,448,425.00 | WITHDRAWN |
| <u>Commissioners</u> 2900 | | |
| 44310 Improvements | \$ 500,000.00 | \$ 500,000.00 |
| Misdemeanant Co Jail Housing Fund 152 | | |
| <u>Jail</u> 3100 | | |
| 42250 Healthcare Supplies(CNL) | \$ 280,000.00 | \$ 280,000.00 |
| County Bond Redemption Fund 320 | | |
| <u>Commissioners</u> 2900 | | |
| 44500 Construction & Reconstruction(CNL) | \$1,448,425.00 | WITHDRAWN |
| State Drunk Driving Fees Fund 126 | | |
| <u>Sheriff</u> 0500 | | |
| 41100 Overtime | \$ 14,600.00 | \$ 14,600.00 |
| 41220 FICA | \$ 1,117.00 | \$ 1,117.00 |
| Drainage Improvement Fund 790 | | |
| <u>Drainage Board</u> 2600 | | |
| 44520 Little Cal Watershed Constr | \$ 24,849.68 | \$ 24,849.68 |

Lake County Animal Shelter Non-Reverting Fund 163

Animal Control 3200

| | | | |
|-------|---------------------------|-------------|-------------|
| 42410 | Other Supplies | \$ 5,000.00 | \$ 5,000.00 |
| 42240 | Household & Inst Supplies | \$ 2,000.00 | \$ 2,000.00 |

| | | | |
|--|---------------|--|--------------|
| | Appropriation | | |
| | Requested | | Appropriated |

2005 Reassessment Fund 237

Assessor 0900

| | | | |
|-------|-----------------------------|----------------|----------------|
| 41100 | Overtime | \$ 35,500.00 | \$ 35,500.00 |
| 41190 | Part-Time | \$ 225,000.00 | \$ 125,000.00 |
| 41120 | FICA | \$ 20,000.00 | \$ 13,223.00 |
| 41230 | PERF | \$ 5,000.00 | \$ 4,785.00 |
| 41260 | Workman's Comp | \$ 6,240.00 | \$ 4,000.00 |
| 41340 | Other Compensation | \$ 1.00 | \$ 0.00 |
| 41351 | Assessor Per Diem | \$ 12,350.00 | \$ 12,350.00 |
| 41390 | Supplemental Pay | \$ 1.00 | \$ 0.00 |
| 42110 | Office Supplies | \$ 15,000.00 | \$ 5,000.00 |
| 42410 | Other Supplies(CNL) | \$ 2,500.00 | \$ 0.00 |
| 43145 | Legal Services(CNL) | \$ 45,000.00 | \$ 0.00 |
| 43190 | Other Professional Services | \$1,450,000.00 | \$1,000,000.00 |
| 43220 | Postage | \$ 75,000.00 | \$ 75,000.00 |
| 43232 | Travel-Meals(CNL) | \$ 1.00 | \$ 0.00 |
| 43233 | Travel-Lodging(CNL) | \$ 5,000.00 | \$ 0.00 |
| 43235 | Travel-Mileage(CNL) | \$ 1.00 | \$ 0.00 |
| 43310 | Printing(CNL) | \$ 1.00 | \$ 0.00 |
| 43910 | Dues & Subscriptions(CNL) | \$ 1.00 | \$ 0.00 |
| 44420 | Office Machines | \$ 66,000.00 | \$ 66,000.00 |
| 44490 | Other Equipment(CNL) | \$ 25,000.00 | \$ 0.00 |

Calumet Township Assessor 1000

| | | | |
|-------|-----------------------------|---------------|---------------|
| 41100 | Overtime | \$ 55,000.00 | \$ 30,000.00 |
| 41190 | Part-Time | \$ 758,596.00 | \$ 650,276.00 |
| 41220 | FICA | \$ 65,846.00 | \$ 53,000.00 |
| 41230 | PERF | \$ 5,300.00 | \$ 4,350.00 |
| 41260 | Workman's Comp | \$ 11,700.00 | \$ 11,700.00 |
| 41351 | Assessor's Per Diem | \$ 12,350.00 | \$ 12,350.00 |
| 42110 | Office Supplies | \$ 40,000.00 | \$ 40,000.00 |
| 43190 | Other Professional Services | \$ 50,000.00 | \$ 50,000.00 |
| 43220 | Postage | \$ 8,000.00 | \$ 8,000.00 |
| 43232 | Travel-Meals | \$ 1,500.00 | \$ 1,500.00 |
| 43233 | Travel-Lodging | \$ 1,500.00 | \$ 1,500.00 |
| 43231 | Travel-Registration | \$ 7,000.00 | \$ 0.00 |
| 43235 | Travel-Mileage | \$ 82,000.00 | \$ 82,000.00 |
| 43240 | Telephone | \$ 8,000.00 | \$ 1.00 |
| 43310 | Printing | \$ 15,000.00 | \$ 15,000.00 |
| 43510 | Utilities | \$ 15,000.00 | \$ 1.00 |
| 43730 | Property Rental | \$ 33,360.00 | \$ 1.00 |
| 44420 | Office Machines | \$ 25,000.00 | \$ 24,000.00 |
| 44490 | Other Equipment | \$ 18,000.00 | \$ 18,000.00 |

Center Township Assessor 1200

| | | | |
|-------|----------------------------|--------------|--------------|
| 41190 | Part-Time | \$ 40,000.00 | \$ 40,000.00 |
| 41220 | FICA | \$ 4,005.00 | \$ 4,005.00 |
| 41230 | PERF | \$ 1,328.00 | \$ 1,328.00 |
| 41260 | Workman's Comp | \$ 1,170.00 | \$ 1,170.00 |
| 41351 | Assessor Per Diem | \$ 12,350.00 | \$ 12,350.00 |
| 42110 | Office Supplies | \$ 500.00 | \$ 500.00 |
| 41390 | Other Professional Service | \$ 1.00 | \$ 1.00 |
| 43220 | Postage | \$ 1.00 | \$ 1.00 |
| 43235 | Travel-Mileage | \$ 1,500.00 | \$ 1,500.00 |
| 44420 | Office Machines | \$ 1.00 | \$ 1.00 |

Hobart Township Assessor 1500

| | | | |
|-------|----------------------|--------------|--------------|
| 41100 | Overtime | \$ 14,000.00 | \$ 14,000.00 |
| 41190 | Part-Time | \$ 6,000.00 | \$ 6,000.00 |
| 41220 | FICA | \$ 2,773.00 | \$ 2,773.00 |
| 41230 | PERF | \$ 3,252.00 | \$ 3,252.00 |
| 41351 | Assessor Per Diem | \$ 11,250.00 | \$ 11,250.00 |
| 42110 | Office Supplies | \$ 1,000.00 | \$ 1,000.00 |
| 43235 | Travel-Mileage | \$ 2,500.00 | \$ 2,500.00 |
| 44410 | Furniture & Fixtures | \$ 5,000.00 | \$ 5,000.00 |
| 44420 | Office Machines | \$ 5,000.00 | \$ 5,000.00 |

| | | | | | |
|--|-----------------------------|----|------------|----|------------|
| 41260 | Workman's Comp | \$ | 690.00 | \$ | 690.00 |
| <u>Ross Township Assessor 1700</u> | | | | | |
| 41100 | Overtime | \$ | 54,700.00 | \$ | 45,000.00 |
| 41190 | Part-Time | \$ | 289,600.00 | \$ | 225,144.00 |
| 41220 | FICA | \$ | 27,400.00 | \$ | 23,967.00 |
| 41230 | PERF | \$ | 7,300.00 | \$ | 9,477.00 |
| 41260 | Workman's Comp | \$ | 4,000.00 | \$ | 3,900.00 |
| 41351 | Assessor Per Diem | \$ | 12,800.00 | \$ | 12,350.00 |
| 42110 | Office Supplies | \$ | 5,000.00 | \$ | 4,170.00 |
| 42230 | Clothing Allowance | \$ | 2,000.00 | \$ | 0.00 |
| 43220 | Postage | \$ | 8,800.00 | \$ | 4,200.00 |
| 43231 | Travel-Registration | \$ | 3,100.00 | \$ | 2,400.00 |
| 43232 | Travel-Meals | \$ | 4,700.00 | \$ | 3,250.00 |
| 43233 | Travel-Lodging | \$ | 7,700.00 | \$ | 5,250.00 |
| 42334 | Travel-Trans/Other | \$ | 3,200.00 | \$ | 2,100.00 |
| 43235 | Travel-Mileage | \$ | 10,700.00 | \$ | 8,584.00 |
| 43310 | Printing | \$ | 10,000.00 | \$ | 2,500.00 |
| 43730 | Property Rental | \$ | 11,900.00 | \$ | 20,400.00 |
| 43910 | Dues & Subscriptions | \$ | 2,000.00 | \$ | 2,000.00 |
| 44420 | Office Machines | \$ | 8,300.00 | \$ | 5,000.00 |
| 44490 | Other Equipment | \$ | 5,000.00 | \$ | 6,500.00 |
| <u>St. John Township Assessor 1800</u> | | | | | |
| 41100 | Overtime | \$ | 140,000.00 | \$ | 140,000.00 |
| 41190 | Part-Time | \$ | 256,000.00 | \$ | 156,000.00 |
| 41220 | FICA | \$ | 31,239.00 | \$ | 23,589.00 |
| 41230 | PERF | \$ | 16,378.00 | \$ | 16,378.00 |
| 41260 | Workman's Compensation | \$ | 7,800.00 | \$ | 7,800.00 |
| 41351 | Per Diem | \$ | 12,350.00 | \$ | 12,350.00 |
| 42110 | Office Supplies | \$ | 60,000.00 | \$ | 40,000.00 |
| 43190 | Other Professional Service | \$ | 60,000.00 | \$ | 60,000.00 |
| 43220 | Postage | \$ | 20,000.00 | \$ | 13,500.00 |
| 43232 | Travel-Meals | \$ | 2,000.00 | \$ | 2,000.00 |
| 43233 | Travel-Lodging | \$ | 8,000.00 | \$ | 8,000.00 |
| 43235 | Travel-Mileage | \$ | 30,500.00 | \$ | 20,500.00 |
| 43310 | Printing | \$ | 30,000.00 | \$ | 10,000.00 |
| 43910 | Dues & Subscriptions | \$ | 3,200.00 | \$ | 1,000.00 |
| 44420 | Office Machines | \$ | 35,000.00 | \$ | 23,000.00 |
| 44490 | Other Equipment | \$ | 28,537.00 | \$ | 10,000.00 |
| <u>Data 3600</u> | | | | | |
| 43630 | Maintenance & Service Contr | \$ | 656,315.00 | \$ | 656,315.00 |

TRANSFER OF FUNDS CERTIFICATE

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

| | Requested | Approved |
|--|--------------|--------------|
| <u>Drainage Board 2600</u> | | |
| From: 001-43190 Other Professional Service | \$ 500.00 | |
| To: 001-43320 Advertising | \$ 500.00 | \$ 500.00 |
| <u>Auditor 0200</u> | | |
| Dormant Funds Transfer | | |
| From: 192 Public Works Tax Incentive | \$ 7.06 | |
| To: 001 General Fund | \$ 7.06 | \$ 7.06 |
| From: 248 Community Fund | \$ 12.63 | |
| To: 001 General Fund | \$ 12.63 | \$ 12.63 |
| From: 504 N.W. Regional Plan Commission | \$ 60,637.69 | |
| To: 001 General Fund | \$ 60,637.69 | \$ 60,637.69 |
| From: 704 Vehicle License(Add'l Excise) | \$ 1,094.20 | |
| To: 001 General Fund | \$ 1,094.20 | \$ 1,094.20 |
| From: 133 Reassessment 1999 | \$ 1,040.68 | |
| To: 237 Reassessment 2005 | \$ 1,040.68 | \$ 1,040.68 |
| <u>Sheriff 0500</u> | | |
| From: 001-41193 Compensation Board Members | \$ 600.00 | |
| To: 001-41329 Board Member Per Diem | \$ 600.00 | \$ 600.00 |
| <u>Assessor 0900</u> | | |
| From: 001-43235 Travel-Mileage | \$ 1,000.00 | |
| To: 001-41350 Assessor Certification | \$ 1,000.00 | \$ 1,000.00 |
| <u>Coroner 0700</u> | | |
| From: 001-42115 Photography | \$ 3,000.00 | |

| | | |
|--|-------------|-------------|
| 001-42255 Pathology | \$ 4,000.00 | |
| To: 001-43190 Other Professional Service | \$ 7,000.00 | \$ 7,000.00 |
| <u>Emergency Management 3500</u> | | |
| From: 001-43240 Telephone | \$ 900.00 | |
| To: 001-43910 Dues & Subscriptions | \$ 900.00 | \$ 900.00 |
| <u>Treasurer 0300</u> | | |
| Treasurer's Incentive Fund 427 | | |
| From: 427-44490 Other Equipment | \$10,037.04 | |
| To: 427-41390 Supplemental Pay | \$ 8,586.00 | \$ 8,586.00 |
| 427-41230 PERF | \$ 794.21 | \$ 794.21 |
| 427-41220 FICA | \$ 656.83 | \$ 656.83 |
| <u>Ross Township Assessor 1700</u> | | |
| From: 237-43235 Travel-Mileage | \$ 2,000.00 | |
| To: 237-42230 Clothing Allowance | \$ 2,000.00 | \$ 2,000.00 |

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 Department of Local Government and Finance.

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

Dated this 10th day of May, 2011.

Adopted this 10th day of May, 2011.

NAY

AYE

Ted F. Bilski
Jerome A. Prince
Michael Repay
Elsie Franklin
Daniel Dernulc
Christine Cid
Rick Niemeyer

Members of the Lake County Council

| | Additional | Made motion | seconded | |
|---|-----------------------|-------------|----------|--|
| <u>General Fund 001</u> Council(-\$1,911,500) (See Footnotes) | Franklin | Prince | | All voted "Yes" to approve the Reduction. Motion carried 7-0. |
| Co-Op Extn(\$925.00) | Niemeyer | Dernulc | | All voted "Yes" to approve. Motion Carried 7-0. |
| Jail(\$1,911,500) | Cid | Franklin | | All voted "Yes" to approve. Motion Carried 7-0. |
| <u>Gambling Adm Tax Fund 196</u> Commissioners(-\$1,448,425) Commissioners(\$500,000) | WITHDRAWN Franklin | Cid | | All voted "Yes" to approve. Motion Carried 7-0. |
| <u>Misdemeanant Co Jail Housing Fund 152</u> Jail(\$280,000) | Cid | Franklin | | All voted "Yes" to create new line item, and approve. Motion carried 7-0. |
| <u>County Bond Redemption Fund 320</u> Commissioners(\$1,448,425) | WITHDRAWN | | | |
| <u>State Drunk Driving Fees Fund 126</u> Sheriff(\$15,717) | Cid | Prince | | All voted "Yes". Motion carried 7-0. |
| <u>Drainage Improvement Fund 790</u> Drainage Board(\$24,849.68) | Prince | Dernulc | | All voted "Yes", except Cid, "absent". Motion to approve carried 6-yes, 1-absent. |
| <u>L.C. Animal Shelter Non-Reverting Fund 163</u> Animal Control(\$7,000) | Repay | Franklin | | All voted "Yes" to approve. Motion Carried 7-0. |
| <u>2005 Reassessment Fund 237</u> Assessor(\$1,340,858) | Prince | Franklin | | All voted "Yes" to approve and create All new line items, except Cid, "absent" Motion carried 6-yes, 1-absent. |

| | | | |
|---|--------|----------|---|
| Calumet Township Assessor(\$1,001,679) (See Footnotes) | Prince | Franklin | All voted "Yes" to approve and create All new line items, except Niemeyer, "No". Motion to approve Carried 6-yes, 1-no. |
| Center Twp Assr(\$60,856) | Prince | Niemeyer | All voted "Yes" to approve and create All new line items, except Repay, "absent". Motion carried 6-yes, 1-absent. |
| Hobart Twp Assr(\$51,465) | Prince | Dernulc | All voted "Yes" to approve and create All new line items. Motion carried 7-0. |
| Ross Twp Assr(\$386,192) | Prince | Repay | All voted "Yes" to approve and create All new line items. Motion carried 7-0. |
| St. John Twp Assr(\$544,117) | Prince | Dernulc | All voted "Yes" to approve and create All new line items. Motion carried 7-0. |
| Data(\$656,315) | Prince | Repay | All voted "Yes" to approve and create New line item. Motion carried 7-0. |

Footnotes

Re: Council(-\$1,911,500) – Franklin made a motion, seconded by Prince to approve the reduction of \$1,911,500.

Dante said we need to spend a minute to see where this takes us and how this integrates with finances. The question is how do we "cough" up \$2,000,000 dollars, normal growth.

Dante explained that right now technically, if you don't approve this, because the County is in recovery mode, and the County has a false operating balance, which we haven't had in years, based upon 100% collections. You've got a false positive here, so this \$1,911,500 will go against that false positive based upon 100% collections, which is not a good thing to do.

In addition, assuming that you didn't do anything, and you wanted to post it against our fake operating balance that won't occur because it's based on 100%, \$1.9, or some semblance of that will occur next year because Mr. Sheriff is going to be here next year asking for \$1, or 2, or \$3 million dollars more for the Jail to continue on with a recovery plan, whatever it may be. Really you're going to (inaudible) the general fund with \$21.9, is what you're going to do and see how this insidious thing just creeps up on you mid-year.

The Second option, if you don't want to do that, is indeed to have liability insurance take hit for this, and that's what they're doing right now. This is being pulled from liability insurance reserve, we pulled down \$3 million from the Health Ins Reserve last year to bail out the budget. We're now pulling down another \$2 out of Liability to pay for it.

You really have 2 options for you today. You can either let it go through the general fund and you will sand bag the general fund for \$21.9 million dollars, one this year, and one next year really put a "hurt" on our finances. You can put one "hit" on the Liability Fund, which you're doing right here. You're putting one hit on the liability fund this year, and I'm assuming the \$1.9 will come out of the general fund next year, or there's 2 other options, and they are not on the agenda. We can cut immediately, or take out our discretionary activities immediately, or search for \$1.9 this year.

So there's basically 4 options, 2 of them which are on your agenda. You are in fact, if you make a motion on this, you are in fact, going for Option number 2. So it deserves and warrants a discussion before you make a motion. That's where the money is coming from, you're pulling it from your Insurance Reserve, not some magical thing that we've been hiding.

Dernulc asked how much is in that fund, in the liability?

Dante answered you have \$5 million dollars cash reserve in there. I believe \$5 million, it started this year. If claims go over the appropriated amount, we need to drag that down farther, so it depends on the normal claims here. You're going down by at least \$2 million bucks, maybe more depending on liability claims, so you are bringing down those insurance reserves very quickly. That's my point.

Dernulc said if we didn't have this money in the fund, we would be in a world of hurt.

Dante said it's Jail recovery. We have to fix it.

Niemeyer said it's not the Council' fault. I'm bringing this back to the department heads, there was money available to make sure the maintenance was being kept up, if it wasn't being kept up, there was avenue to come back to the Council to make sure it was being kept up. I really hope that this doesn't happen in the future. The responsibility lies on the department heads to make sure this doesn't happen, the money was there, and it's disgusting that we have to spend this kind of money, or forced to, to make a situation better, that has to be better or we are going to be in more trouble. It's unfortunate that this happened, in government it does happen, sometimes, and hopefully it won't happen in the future.

Dante said we will have another year of Jail recovery.

Cid said just to clarify that, that was the fault of the past administration.

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

Re: Calumet Township(\$1,001,679) – Prince made a motion, seconded by Repay to approve the reduced amounts in Fund 237.

Franklin asked what was the Travel-Mileage in the amount of \$82,000 for?

Prince answered that would be mileage for the field personnel, that's the way it was explained.

Niemeyer said he we are looking at 7 Townships under the County' jurisdiction, you're looking at 1 township under the Calumet Township jurisdiction. Before it was always parcel count plus whatever else you could show you needed, contractual stuff, if you're doing your pricing in-house. I know the Nexus thing, the trending is there. You either do it in-house, or outside, if you're doing it with Nexus, you have to have a line item in there for that. If you're not, then there is a compensation for you doing your own work. So that's the question I'm asking here. There is not much difference between these 2 budgets, the County, and Calumet Township, and that's my question.

Prince said I would just say, again I've referred to the Committee, and referred to the processes and most importantly I would have to refer to the County Assessor, he absolutely had a part in determining the amounts that were distributed, or allocated to the different entities, and he seems to suggest that this is in line with what they should need.

Mr. Adams said I looked at them, hopefully that will be enough for Calumet to complete the re-assessment.

Repay asked does Calumet Township has so many more parcels than all those other Townships combined?

Mr. Adams explained that the parcel count is not that much different between North Township and Calumet Township. Calumet Township does have the most parcels, but you can't go by parcel only. You have to go by assessed value, and the assessed value means a lot because most of the Townships have small lots. We try to work it out where the parcel count, and the value, and the type of construction all enters into it.

Prince asked if the geographic area have anything to do with it because Cal Township is a pretty large area.

Mr. Adams said it's a hard township to do because you will have certain neighborhoods that are in real good shape, and then you have certain neighborhoods that are not. And the same thing applies to Hammond.

Bilski said and Whiting as well.

Niemeyer commented that it's a lot of small lots in Calumet Township also, to the blocks and stuff in the residential areas, so there is probably more small lots in that area than anywhere else, and there are a lot of 1,500 foot lots in that area. That was my point earlier when we took out the US Steel assessments and those types of assessments that are very difficult that the State is unfortunately still doing. We still have the Personal Property issue, but that was my point, parcel counts. There are different parcel counts, just like in the South County a little bit, we have 150 acres of farm ground that have to be soil typed, tillable, non tillable, that kind of stuff. Some of those parcels are very difficult to assess because you have to get the right acreage of tillable, non-tillable, and the soil type, and the production factor to get assessment of that land.

All voted "Yes", except Niemeyer and Cid, "No". Motion carried 5-yes, 2-no.

Attorney Szarmach said that these are new line items. **You need six votes to create the new line items.**

Cid asked to do the Per Diem separate and I will vote in favor of it. That's the only thing I don't care for.

Prince made a motion, seconded by Repay to reconsider this matter. All voted "Yes". Motion carried 7-0.

Prince said that we are reconsidering this for a couple of reasons. Primarily because it failed, largely due to the fact that you need 6 votes to create the new line items. Prince said I am hoping that at least one person will change their vote on that, only to pass this because reassessment is a very integral part of everything we do, as it relates to the Assessor Per Diem. I just want to remind everyone that that particular Per Diem is something that is regulated, or at least it's a result of State Legislation. We don't necessarily have a particular say as it relates to the Assessor Per Diem for the Assessors, we don't. We don't have a say in that, and the motion is going to remain.

Bilski added that when we started the reassessment, it was an option to pay the workers per diem, but it was not an option when it came to the Assessors. We were given a copy of that State Legislation that says that they are entitled to that. They have to submit the hours and the time in order to get that per diem, but we had to approve that per diem line item, that per diem for them. That's what we covered last year that it was not debatable on whether or not we can make that appropriation or not. That money had to be there, it's up to that Assessor that has to justify why they are entitled to that per diem, or that money. It was the opinion of the Council last year not to approve the employee per diem, but it was not an option when it came to the Assessor' Per Diem.

Cid said I respectfully disagree. I think the law said we "may", and if you really wanted to pass and vote on line item 41351, Assessor Per Diem separately, and I'd be happy to vote in favor of all of these, and you can just vote on that line item separately.

Attorney Szarmach said it's a tricky statute, it says that you may, but if requested you shall. If it is requested, you shall ..

Bilski said and it was requested.

Franklin asked are we going to go back and explain..

Bilski interjected and explained that on the agenda, unfortunately when the agenda was prepared, Calumet Township is missing the bold type the creation of new line items, so that's what we are trying to correct at this point, and that's why we had to re-visit because it does require 6 votes.

As we go through the rest of the Townships we will have to add creation of new line items because all the line items were all wiped out, when they were zeroed out, so we have to create all new line items.

Dante explained that when a budget is zeroed out by either the Council or the State, and a zero enters into the original budget like it did through the State Order, that line item does not exist.

Years ago, the Council said if we are going to zero something out, or the State comes back and zeros it out, like they did in this case, it doesn't exist. You have to go and reformulate the line item. That's how we're at this juncture.

Prince said I would hope we have the approval to create the new line items, as we did for the first one, so I don't have any other choice but to make the motion again.

Prince made a motion to approve Item # 13 on the agenda(Calumet Township), with the creation of all new line items, as previously read. Franklin seconded the motion.

Cid said this is quite a predicament because I do not want to vote in favor of Assessor Per Diem. I don't think they should be paid extra for doing their job, regardless of what the law says. But I also don't want to hold up the reassessment.

Bilski said for the purpose of the minutes, it can be stated that you stand in objection to a Per Diem to the Assessors, but for the purpose of expedient government, and assessing the property, and getting the tax bills out on time, that's why you're voting for it, and for the record, you stand opposed to the fact that Assessor's get a Per Diem.

Niemeyer said I always had a problem, a little bit with Per Diem. cause I was from a smaller township. Reassessment is part of your job duties sometimes, and every 4 or 5 years you know you have reassessment that you've got to handle, and you paid your people extra to do it for you, and stuff like that you're responsible for, as long as you've got money to get it done, and get it done properly, then the Per Diem thing was there. I took the Per Diem. It's there now, whether it's right, too much, not enough. I have no comment because I don't know how much, I guess it depends on how much effort the Assessors they put into it, I assume they are.

Bilski said that we had thorough discussion on this, over the last year when we tried to get our hands around this "beast" that we call reassessment. It's up to the integrity of the Elected Official to justify their time, to show that they are working above and beyond to justify the Per Diem. That it was the Council' position that by Indiana Code that they are entitled to that, upon request as our Attorney read, and then it's up to the Elected Assessor to justify the amount of time they spend.

Now just because there is \$12,000 dollars there, it doesn't mean that it's there, this is still activity based grouping, and they could still transfer that out of there. They might need that money to transfer an overtime for their folks that are putting in the additional time. Bilski said, I just want to be very clear, for the record on what's transpired and where we are with this.

Dernulc said it this doesn't get passed, there is a risk of the tax bills not going out on time, and that's my biggest concern. Ultimately, if you don't have the assessment in, then next year... that's the only comment I have.

Cid said I don't believe this is going to affect the tax bills going out on time. This has nothing to do with the tax bills

Mr. Adams said the tax bills are going out the end of this week.

Cid said right, this has nothing to do with the tax bills going out on time.

Franklin said I don't understand how we sit here and we vote for this one to be approved. I don't care what the language says, it says create new line item, now there was a request for the Cal Township, and then we sit here and don't vote for it, but we vote for the Assessor.

All voted "Yes" to approve, except Niemeyer, "No". Motion carried 6-yes, 1-no.

Re: Assessor - (\$1,340,858) – Prince made a motion, seconded by Franklin to create 8 new line items and approve the appropriations.

Attorney Szarmach explained that what you have on the agenda is what's been advertised and the motion will have amounts that are less than what's been advertised. That's okay to do.

Prince made a motion, seconded by Dernulc to create all new line items, and approve the appropriations from the Reassessment Fund 237.

Niemeyer wanted to comment on the amount that 's been reduced. He asked Mr. Adams how many Townships has he taken over the Reassessment for? The answer was 6

Niemeyer said there are 6 Townships involved in this \$1,340,858 for reassessment is the County Assessor's appropriation.

Cid asked if the "Other Professional Services" is contracted? Is that Nexus?

Mr. Adams answered that would cover the Contractor that has a Contract that was approved last year for the reassessment.

Cid said, I don't understand how that amount, before it was \$1,450,000 and now you're only asking for \$1,000,000. How was it that you justify that?

Mr. Adams said I don't understand what you're saying right now, it's last year's.

Prince said there is still a balance in this fund of about \$891,000 dollars. He said in terms of the reduced amount, they have the authority to come back for an additional appropriation, when it's needed. They just kind of scaled it back in concert with everything that the Reassessment Committee had started and continued through last budget session, 2010.

Getting back to Councilman Niemeyer' comment because I think they are kind of similar, in terms of the 6 townships with the amount that's appropriated, I guess it's sort of subjective and it depends on who you're asking. If you ask the Assessors' they are naturally going to say they need more money, and Rick I can understand your concern as an Assessor. The end story is that this is the amount that's left in the balance, and it was meticulously, by our now Chairman, decided and pretty much concluded that the amounts that were distributed, or that were allocated for each particular township, including the County Assessor, were fair, and they were in accordance, more importantly what's in the fund. I think that's probably the larger point here is that the fund balance initially started with \$4.9 million. If we had more funds, certainly they would be in that portion that's available for them to come back, but there isn't, and the appropriations now, in my opinion, and at least in the opinion of the former Committee. The appropriations were certainly sufficient to at least begin and to complete the work. Now, I guess the test for that ultimately is going to be the completion of the reassessment. We have some barometers in which we can look at to kind of gauge their successes, if you will, and one would be the Assessor Reports. Today, all of the Assessors are up to date, where they should be, well according to the reports I have Hank, they are. All of them are up to date, in terms of what they should have done at data collection, and when I say up to date, May 1st there should have been 50% of data collection completed, and according to the reports that I have, all townships, including the County is at that 50% level. So to wrap this thing up, I would say that the appropriation amount that they requested now, is absolutely adequate for what they have to do, the work that's left, and the time-frame that's left to complete it in. The rest is up to the Assessor' to get it done.

Hank Adams, Assessor said that the Assessor' office is getting "killed" on some of the assessments that are being done and this is not hiring somebody, it's other contracting with somebody, they are actually getting a program for cost analysis. We have no way of fighting these appeals, and one was just tossed at me, where economic obsolescence, this particular industrial company wants half, something like \$7 million deducted, so, on the income approach, we are going to have to have some way to get figures to fight these thing, and there is only one company in the Country that does that, localized. So somehow we're going to arrange a contract with that company, and they have to go back 2 years. It's not just contracting for the current year that we'd be using, on income approach, you've got to go back at least 2 years so the company is going to go back and update their data for 2 years, in addition to updating their current data, and we're going to have to contract with that, or you can expect a lot more refunds going through there, than is going out, and I'm telling you, you don't want to see those refunds and the reductions.

Bilski interjected, this is in addition to 1858, which created the taxing obsolescence. This is in addition to that they want the addition, they are depreciating the property even more?

Mr. Adams answered, yes.

Bilski said so it wasn't enough benefit under 1902 and 1858, now they want more.

Mr. Adams said yes, it's an income approach.

Mr. Adams also said that he would also like the Council to approve the line items that are marked "new", to approve those and appropriate 1 dollar for each one of those line items, so they can be transferring, that way it would be easier.

Bilski asked Dante under the new line items, does there need to be \$1 dollar in there to make a transfer in the future. It has to be \$1 dollar.

Dante answered yes.

Bilski asked Prince should amend the motion to include the new line items to include \$1.00 in there, which would change your balance by \$8 dollars

Prince said when the line items were read into the motion does it still need to have \$1 dollar in there? I read it into the motion.

Dante answered, I believe you only read the ones that had an appropriation.

Prince answered, actually not, I read them all.

Dante said then they are all covered.

Prince said so I don't have to put \$1 dollar in there.

Dante said, no. I didn't realize that you read that.

Bilski said he made the motion to approve them, with zero.

Dante said technically they didn't exist, so you had to create them. I didn't realize you covered the ones that had no appropriation.

Prince said to Mr. Adams, your last point, in terms of your appeal dilemma, that you're anticipating is absolutely not falling on deaf ears. We intend to set up another committee hearing for the reassessment committee, and I'd like for you to include that point then. Dante will certainly be there, and perhaps you can articulate it a little bit more then.

Niemeyer said as far as the industrial goes that the Steel mills, is the State doing some of that assessment Hank?

Mr. Adams answered the State was doing the Real property assessment on the Steel Mills and BP, and the personal property falls on Lake County.

Franklin commented that when I look at the Assessor' Office, and I see these Level II persons out on the street in rain, sleet, and snow in their personal cars because we don't provide them with anything. When I see that the supplementary pay, these persons are not getting any parts of that money. They are getting compensated through mileage, overtime, and compensatory time. I think it's so unfair to them that this happens. I think that the staffing should have some kind of compensation, but they get compensatory time, use their own cars, and they do get mileage, but with the gas prices, we've already set a price, so they have to live within that price. That's my complaint.

All voted "Yes", except Cid, "absent". Motion to approve carried 6-yes, 1-absent.

| Transfer | | | |
|--|-------------|----------|---|
| | Made motion | seconded | |
| Drainage Board(\$500) | Prince | Franklin | All voted "Yes" to approve, except Cid, "absent". Motion carried 6-yes, 1-absent. |
| Auditor – Dormant Fund Transfer General Fund 001(\$61,751.58) | Cid | Prince | All voted "Yes". Motion carried 7-0. |
| 2005 Reassessment Fund 237(\$1,040.68) | Cid | Prince | All voted "Yes". Motion carried 7-0. |
| Sheriff(\$600) | Cid | Prince | All voted "Yes". Motion to approve Carried 7-0. |

| | | | |
|---|----------|----------|--|
| Assessor(\$1,000) | Prince | Franklin | All voted "Yes". Motion to approve Carried 7-0. |
| Coroner(\$7,000) | Cid | Franklin | All voted "Yes" to approve, except Prince, "absent". Motion carried 6-yes, 1-absent. |
| Emergency Mngmt(\$900) | Niemeyer | Cid | All voted "Yes" to approve. Motion Carried 7-0. |
| Treasurer(\$10,037.04) | Franklin | Prince | All voted "Yes" to approve, except Repay and Cid, "No". Motion carried 5-yes, 2-no. |
| Ross Twp Assr(\$2,000) (See Footnotes) | Prince | Repay | All voted "Yes" to approve. Motion carried 7-0. |

Footnotes

Re: Ross Township Assessor(\$2,000) Franklin made a motion to add this transfer to the agenda. All voted "Yes". Motion to add to the agenda carried 7-0.

Prince made a motion, seconded by Repay to approve transfer for Ross Township, Reassessment Fund 237, Dept 1700, from line item 43235 in the amount of \$2,000 which would reduce that line to \$6,584, going to 42230 Clothing Allowance in the amount of \$2,000.

Niemeyer asked the clothing allowance is for identification purposes? The answer was yes.

All voted "Yes" Motion carried 7-0

In the Matter of Revised 144 for Sheriff, Jail, and Treasurer.

Cid made a motion, seconded by Franklin to add this matter to the agenda. All voted "Yes". Motion carried 7-0.

Re: Sheriff - Cid made a motion, to allow this matter to be placed on the agenda today. Cid explained that the Merit Board has re-instated a Police Officer, so we need a position for him. Franklin seconded the motion. All voted "Yes". Motion to add to the agenda carried 7-0.

Cid made a motion, seconded by Franklin to approve.
Niemeyer asked for a complete explanation of this matter.

Sheriff Buncich explained that a Police Officer who was off, was re-instated by the Sheriff's Merit Board last week, or two weeks ago, and we created this spot for him to get him back to work and report back to duty Thursday, and the fund that we are going to pay it through is the Commissary Fund.

Niemeyer asked when the Merit Board makes a recommendation, are we bound to that?

Someone said it's a contract filled obligation, and we must do this.

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

| | | | |
|-----------------------------|----------------|-----------------|-------------------|
| <u>Revised 144 Fund 332</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
| 14402-106 Police Officer | -0- | \$41,850 | \$41,850 |

Re: Jail – Cid made a motion, seconded by Franklin to approve. All voted "Yes", except Niemeyer, "No". Motion to approve carried 6-yes, 1-no.

| | | | |
|--|----------------|-----------------|-------------------|
| <u>Revised 144 - 001</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
| 12xxx-001 Pre-Trial Release Services Clerk | -0- | \$22,400 | \$22,400 |
| 12xxx-002 Pre-Trial Release Services Clerk | -0- | \$22,400 | \$22,400 |

Re: Treasurer – Franklin made a motion, seconded by Prince to approve. All voted "Yes", except Repay and Cid, "No". Motion carried 5-yes, 2-no.

| | | | |
|-----------------------------|----------------|-----------------|-------------------|
| <u>Revised 144 Fund 427</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
| 39002-003 Supplemental Pay | -0- | \$4,218 | \$4,218 |
| 39002-004 Supplemental Pay | -0- | \$1,782 | \$1,782 |
| 39002-005 Supplemental Pay | -0- | \$ 796 | \$ 796 |
| 39002-006 Supplemental Pay | -0- | \$ 790 | \$ 790 |
| 39002-007 Supplemental Pay | -0- | \$1,000 | \$1,000 |

In the Matter of Creating New Line Item – County Health Fund 105

Dernulc made a motion, seconded by Cid to add a new line item 43234. Dernulc explained that it's a line item in the budget for a reimbursement from our Lake County Health Department for parking fees incurred while attending County training seminars, and meetings. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Positions – Juvenile Court

Dernulc made a motion, seconded by Prince to approve filling the vacant position of 001-4100-16670-006 Secretary. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Positions – Plan Commission.

Niemeyer made a motion, seconded by Dernulc to approve filling the vacant position of 001-2400-12420-001 Planning Administrator. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Positions – Jail.

Cid made a motion, seconded by Franklin to approve filling the vacant positions of 001-3100-12xxx-001 Pre-Trial Release Services Clerk, and 001-3100-12xxx-002 Pre-Trial Release Services Clerk. All voted "Yes", except Niemeyer, "No". Motion to approve carried 6-yes, 1-no.

In the Matter of Ordinance 1330C – Regarding Vacant Positions – Jail.

Cid made a motion, seconded by Franklin to approve filling the vacant position of 001-3100-14404-112 Correctional Officer. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Positions – Clerk.

Franklin made a motion, seconded by Repay to approve filling the vacant position of 001-0100-16723-008 – Deputy I. All voted "Yes", except, Cid, "abstain". Motion to approve carried 6-yes, 1-abstention.

In the Matter of Ordinance 1330C – Regarding Vacant Position – Superior Court Civil.

Franklin made a motion, seconded by Prince to approve filling the vacant position of 001-3900-16670-007 Secretary. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Position – Prosecutor IV-D.

Franklin made a motion, seconded by Prince to approve filling the vacant position of 001-0850-15705-003 Caseworker I. All voted "Yes". Motion to approve carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Position – Park Services

Dernulc made a motion, seconded by Prince to approve filling the vacant position of 107-5153-17742-001 Carpenter III. All voted "Yes". Motion carried 7-0.

In the Matter of Citizen Appointments – County Child Fatality Review Team (13).

Franklin made a motion, seconded by Dernulc to defer to 6-14-11. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Council Nominations – County Economic Development Commission (1).

Repay made a motion, seconded by Prince to defer to 6-14-11. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Councilmanic Appointment – Lake County Public Safety Communications Commission (1).

Repay nominated Councilwoman Christine Cid.

Prince made a motion to close the nominations. All voted "Yes". Motion carried 7-0.

Repay made a motion, seconded by Prince to nominate Councilwoman Christine Cid to the Lake County Public Safety Communications Commission. All voted "Yes". Motion carried 7-0.

In the Matter of Memorandum of Understanding – Lake County Coroner and New Life Generation.

NO ACTION TAKEN.

In the Matter of Discussion – Strategic Planning – Zero Growth Budgeting

NO ACTION TAKEN.

In the Matter of Resolution Honoring Judge Lorenzo Arredondo.

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

RESOLUTION NO. 11-47

RESOLUTION HONORING JUDGE LORENZO ARREDONDO

WHEREAS, JUDGE LORENZO ARREDONDO is the youngest of ten children born to Mexican Immigrant parents; and

WHEREAS, raised in East Chicago, Indiana, JUDGE ARREDONDO, grew up in a diverse community, Influenced by many ethnic groups, all living and working together; and

WHEREAS, JUDGE LORENZO ARREDONDO has served the citizens of Indiana for over three decades As the Lake County Circuit Court Judge and was the longest serving elected Latino State Trial Judge in the United States; and

WHEREAS, JUDGE ARREDONDO’S distinguished career included service on the faculty of the National Judicial College, the Indiana Trial Advocacy College and the Board and Executive Committee of the American Judicature Society; he has served as President of the Hispanic National Bar Association and the Boards of Indiana Judges Association and Judicial Conference; and

WHEREAS, JUDGE ARREDONDO is the recipient of the National Hispanic Bar Association’s prestigious Lincoln-Juarez Award, the Indiana Judges Association Award for Excellence in Public Information and Education, the Indiana State Bar Association’s prestigious Rabb Emison Award and the Sherman Minot Award; and

WHEREAS, on May 11, 2011, the Lake Superior Courthouse in East Chicago, Indiana will be designated The Arredondo Justice Center.

NOW, THEREFORE, LET IT BE RESOLVED THAT THE Lake County Council in recognition Of his meritorious service to the citizens of Lake County honors JUDGE LORENZO ARREDONDO and hereby recognized the dedication of the Lake Superior Courthouse in East Chicago, Indiana on May 11, 2011 as the Arredondo Justice Center in honor of JUDGE LORENZO ARREDONDO.

A copy of this Resolution be spread on the official records of the Lake County Council, an official copy shall be delivered to the HONORABLE LORENZO ARREDONDO.

DULY ADOPTED by the Lake County Council, this 10th day of May, 2011.

TED BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Permitting Lake County Fairgrounds to pay 2010 invoices with 2011 funds – 131-2920-42410 – Other Supplies in the amount of \$1,165.24.

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

RESOLUTION NO. 11-48

**RESOLUTION PERMITTING THE LAKE COUNTY FAIRGROUNDS TO
PAY OUTSTANDING 2010 INVOICES/DEBTS FROM THE 2011 BUDGET**

WHEREAS, the Lake County Fairgrounds is currently operating in the 2011 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2010, have not been paid:

| | |
|-----------------------|-----------------------|
| <u>131-2920-42410</u> | <u>Other Supplies</u> |
| Sargent Electric | \$1,165.24 |

WHEREAS, the Lake County Council desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expenses shall be paid from
The Lake County Fairground's 2011 Budget:

| | |
|-----------------------|-----------------------|
| <u>131-2920-42410</u> | <u>Other Supplies</u> |
| Sargent Electric | \$1,165.24 |

SO RESOLVED THIS 10TH DAY OF MAY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Permitting Lake County Fairgrounds to pay 2010 invoices with 2011 funds – 131-2920-42410 – Other Supplies in the amount of \$267.99.

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

RESOLUTION NO. 11-49

**RESOLUTION PERMITTING THE LAKE COUNTY FAIRGROUNDS TO PAY
OUTSTANDING 2010 INVOICES/DEBTS FROM THE 2011 BUDGET**

WHEREAS, the Lake County Fairgrounds is currently operating in the 2011 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2010, have Not been paid:

| | |
|-----------------------|-----------------------|
| <u>131-2920-42410</u> | <u>Other Supplies</u> |
| A & M Farm Center | \$ 267.99 |

WHEREAS, the Lake County Council desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expenses shall be paid from
The Lake County Fairground's 2011 Budget:

| | |
|-----------------------|-----------------------|
| <u>131-2920-42410</u> | <u>Other Supplies</u> |
| A & M Farm Center | \$ 267.99 |

SO RESOLVED THIS 10TH DAY OF MAY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Approving a Temporary Loan of \$8,000.00 from the Lake County Superior Court, Juvenile Division, Budget 4100, Fund 144 Supplemental Juvenile Fund, to the Disproportional Minority Contact Project Grant Fund, Lake County Juvenile Center, Budget 4200.

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

RESOLUTION NO. 11-50

**RESOLUTION TO APPROVE TEMPORARY LOAN FROM
THE SUPPLEMENTAL JUVENILE FUND, FUND NO. 144
TO THE DISPROPORTIONAL MINORITY CONTRACT PROJECT GRANT
FUND FOR THE LAKE COUNTY JUVENILE CENTER DEPT 4200**

WHEREAS, I.C.36-1-8-4(a) provides that the Lake County Council may by resolution approve Temporary loans from one fund in the County to another fund in the County In need of money for cash flow purposes; and

WHEREAS, the Disproportional Minority Contract Project Grant Fund for the Lake County Juvenile Center Dept. 4200 is in need of Eight Thousand (\$8,000.00) Dollars to have sufficient Operating cash while awaiting receipt of the Grant funds; and

WHEREAS, there is sufficient money on deposit in the Supplemental Juvenile Fund, to loan Eight Thousand (\$8,000.00) Dollars to the Disproportional Minority Contract Project Grant Fund for the Lake County Juvenile Center Dept 4200.

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

That the Lake County Council approves the loan of Eight Thousand (\$8,000.00) Dollars From the Supplemental Juvenile Fund, Fund No. 144 to the Disproportional minority Contract Project Grant Fund for the Lake County Juvenile Center Dept 4200. That the loan Shall bear no interest and shall be repaid to the Supplemental Juvenile Fund Fund No. 144 On or before December 31, 2011 pursuant to I.C.36-1-8-4(a)(3).

SO RESOLVED THIS 10TH DAY OF MAY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Board of Commissioner to pay a 2010 Government Center invoice with 2011 funds – 001-3030-43630 Maintenance & Service Contract in the amount of \$22,500.00

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

RESOLUTION NO. 11-51

**RESOLUTION PERMITTING THE LAKE COUNTY BOARD OF COMMISSIONERS
TO PAY AN OUTSTANDING 2010 GOVERNMENT CENTER
INVOICE/DEBT FROM THE 2011 BUDGET**

WHEREAS, the Lake County Board of Commissioners, Government Center is currently operating In the 2011 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2010 has not been paid:

| | |
|-----------------------|---|
| <u>001-3030-43630</u> | <u>Maintenance & Service Contract</u> |
| Maximus, Inc. | \$ 22,500.00 |

WHEREAS, the Lake County Council desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expense shall be paid from the Government Center's 2011 Budget:

| | |
|-----------------------|---|
| <u>001-3030-43630</u> | <u>Maintenance & Service Contract</u> |
| Maximus, Inc | \$22,500.00 |

SO RESOLVED THIS 10TH day of May, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Transferring \$1,448,425.00 from the Gambling Admission Tax Fund No. 196 to the County Bond Redemption Fund No. 320.

Franklin made a motion, seconded by Cid to approve. All voted "Yes, except Prince, "absent". Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO. 11-52

RESOLUTION TRANSFERRING \$1,448,425.00 FROM THE GAMBLING ADMISSION TAX FUND, FUND NO. 196 TO THE COUNTY BOND REDEMPTON FUND, FUND NO 320

WHEREAS, the Lake County Council by Resolution may permit the transfer to a fund from another Fund with sufficient money on deposit in the County; and

WHEREAS, the Gambling Admission Tax Fund, Fund No 196 has on hand the sum of \$1,448,425.00; and

WHEREAS, the Lake County Council desires to transfer the sum of \$1,448,425.00 from the Gambling Admission Tax Fund, Fund No., 196 to the County Bond Redemption Fund, Fund No. 320.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$1,448,425.00 is hereby transferred from the Gambling Admission Tax Fund, Fund No. 196 to the County Bond Redemption Fund, Fund No. 320.

SO RESOLVED THIS 10TH DAY OF MAY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution transferring \$40,000.00 from Fund 196 for Fund 194 for the Clerk.

Franklin made a motion, seconded by Repay to approve. All voted "Yes", except Prince, "absent", and Cid, "abstained". Motion carried 5-yes, 1-absent, 1-abstention.

RESOLUTON NO. 11-53

RESOLUTION TRANSFERRING \$40,000.00 FROM THE GAMBLING ADMISSION TAX FUND, FUND NO. 196

TO THE CLERK’S RECORDS PERPETUATION FUND, FUND NO. 194

WHEREAS, the Lake County Council by Resolution may permit the transfer to a fund from Another fund with sufficient money on deposit in the County; and

WHEREAS, the Gambling Admission Tax Fund, Fund No. 196 has on hand the sum of \$40,000.00; and

WHEREAS, the Lake County Council desires to transfer the sum of \$40,000.00 from the Gambling Admission Tax Fund, Fund No. 196 to the Clerk’s Records Perpetuation Fund, Fund 194.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$40,000.00 is hereby transferred from the Gambling Admission Tax Fund, Fund No. 196 to the Clerk’s Records Perpetuation Fund, Fund No. 194.

SO RESOLVED THIS 10TH day of May, 2011.

TED F. BILSKI, President

MICHAEL C. REPAY
ELSIE FRANKLIN

DANIEL E. DERNULC
RICK NIEMEYER

Members of the Lake County Council

In the Matter of Ordinance 20 for the Lake County Health Dept – Fees for Services.

NO ACTION TAKEN.

In the Matter of Ordinance Amending Ord # 23 for the Lake County Health Dept – Food Service Permits.

NO ACTION TAKEN.

In the Matter of Ordinance Amending Ord 993B – Lake County Health Dept Septic Permit Fees.

NO ACTION TAKEN.

In the Matter of Ordinance Amending Ord 1224A – Establishing Pool Water Testing Fees

NO ACTION TAKEN.

In the Matter of Ordinance Establishing a Fee Schedule for the Lake County Health Dept.

Dernulc made a motion, seconded by Prince to approve on First Reading.

Niemeyer said he is questioning the amounts, some of these are going up three times the amount that they were. This ordinance is going to affect small business people and people that are trying to make a living right now in the food business. Niemeyer questioned the timing of this, and the magnitude of the increase in these fees as large as they are, instead of going at a smaller scale, and trying to see what happens in the industry before we start doing this. Some of the fees I’m okay with but a lot of these in the food service stuff, I’m not.

Dernulc said these were because of them not being brought in before, and part of the Maximus Study where they fall into line. Dernulc asked Nick if he and Dr. Best would get together every year, along with the Board, and review our schedule, so we don’t have this big push every 5 or 8 years.

Franklin said basically these fees will affect those large chains, and not the smaller businesses. When you look at only the 1-4 employees, that’s not a bad price(\$150), but when you go down further you’re looking at 10-14 employees,(\$240), 15-19 employees, and 20-24 employees, these are larger establishments.

Bilski commented that he agrees with Councilman Niemeyer says about these fees, but we also have to look at the cost that comes to the County for doing these inspections and these other items. It’s a cost onto the taxpayers that shouldn’t be on the taxpayer solely, so they have to pay their fair share. I don’t know if it’s acceptable for me to subsidize business in industry, as a taxpayer, I would have to say no. I think that they are in business to do that. These fees are part of doing business and it shouldn’t be a cost that’s put onto all taxpayers that pay property taxes in Lake County. So I’m in agreement with the increase, I guess at this point to cover those losses.

Dernulc echoed what Councilman Bilski said, but also added that again, this needs to be looked at every year, going forward, and they can give us a report, if you will, if you don't see a need for it, or if you do see a need for it, and then put those in.

Franklin asked Nick when you do a re-check, do we charge an additional fee to do the re-check, or is it still included in this one fee?

Nick answered we don't currently charge that. When our staff talked to Maximus, it was suggested or recommended to them, and she included that in her report as a new fee.

Franklin said, basically what I was talking about if they go out and find an infraction at that particular establishment, they are given so many days to correct it, then they are not charging to do the re-check, am I correct?

Nick said if we closed them, we closed them because they were in violation and have to go back out to re-open, and do a re-check, yes might charge them for that.

Niemeyer said I'm not questioning taxpayer subsidizing businesses, I'm questioning there should be a fee, but the fee should not be at this particular time increased at the magnitude it is, that's my question on this, it's not that I think the taxpayer should subsidize these companies inspections at all, it's increasing the fee at this particular time.

Repay said I will concur with the increases, they seem pretty large, and then I also understand that it took, we haven't done it for a while. My question is that the Maximus study was September of 2009, why are we in May, 2011 doing it. What happened in between?

Nick said we were directed by the Commissioner' Office to put this into place. I don't know what happened either. We did it in 2009, and didn't hear anything until about 2 months ago.

Dante said the Finance Committee.

Cid said there were a couple of Officials who were actually holding up the report, and I don't know if it was 2009 that the report was finished, or 2009 that they were contracted? I believe it was last year that they finished the report, in 2010.

All voted "Yes", except Repay and Niemeyer, "No". Motion to approve on First Reading carried 5-yes, 2-no.

In the Matter of Ordinance Establishing A Disproportional Minority Contact Project Grant Fund.

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

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

Dernulc made a motion, seconded by Prince to approve on Second Reading. All voted "Yes". Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1335A

ORDINANCE ESTABLISHING THE DISPROPORTIONAL MINORITY CONTACT PROJECT GRANT FUND FOR THE LAKE COUNTY JUVENILE CENTER DEPT 4200, 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, the Lake County Juvenile Center has been awarded a grant from the Indiana Criminal Justice Institute titled "Disproportional Minority Contact Project" in the Sum of Twenty Thousand (\$20,000.00) Dollars to provide funding for a contract

With an individual to serve as a Local Coordinator for the Lake County Juvenile Center to work with Detention and Court staff, along with police agencies, schools And the Casey Foundation to meet the objectives of the project; and

WHEREAS, the Lake County Council desires to create a Disproportional Minority Contact Project Grant Fund for the Lake County Juvenile Center Dept 4200 for the deposit of Twenty Thousand (\$20,000.00) Dollars from the Indiana Criminal Justice Institute.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Disproportional Minority Contact Project Grant Fund, A non-reverting fund, is established for the deposit of Twenty Thousand (\$20,000.00) Dollars from the Indiana Criminal Justice Institute for funding for a contract with An individual to serve as a Local Coordinator for the Lake County Juvenile Center to participate in a statewide Initiative to reduce disproportional minority contract in Detention centers.
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 Disproportional Minority Contact Project Grant Fund for the Lake County Juvenile Center Dept 4200.

SO ORDAINED THIS 10TH DAY OF MAY, 2011

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Amending the Lake County Part-Time Employees Pay Rate Ordinance for 2011, Ordinance No 1330B.

Dernulc made a motion, seconded by Repay to approve on First Reading.

Dernulc said to Nick that this is a large increase that we see, but it doesn't come out of our general fund, this is a Grant that you receive every year that will fund this person. This person will also be part-time, and he will not receive any benefits from our County correct?

Nick answered, correct.

Franklin asked what type staff person is it that will make \$20 per hour?

Nick answered they go out and pick up the recreational water samples from the public pools, and beaches, and take them to a private laboratory, where they are analyzed. They also on-site do testing that is required by regulations for each of these (inaudible) areas.

Franklin asked what is the current price?

Nick said we are currently paying \$9.50/hr, but last year I came to the Council asking to make them a full-time position. He is part-time through that Grant project because he works 4 days a week picking up pool samples. So, they wanted to put him on the insurance program, not because the Grant money pays for the premiums, but (inaudible). We kind of suggested putting him on a contractual basis, or something else where he could go out and buy his own insurance, his own fringe benefits, we could keep him on like a full-time person, but the County wouldn't be paying his benefits. That's why we changed this from \$9.50/hr to \$20/hr.

Cid asked does this person hold certain credentials, or a degree, or anything to perform this job?

Nick said he is trained. He has to follow codes and regulations. He has to understand that, and be able to(inaudible).

Bilski asked what happens to the position when the money is gone?

Nick answered when the Grant is gone, we won't have the Program anymore. All of our Grants work that way.

Dernulc said, and that person would be gone also.

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

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

Dernulc made a motion, seconded by Prince to approve on Second Reading. All voted "Yes". Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1330B-3

**ORDINANCE AMENDING THE LAKE COUNTY PART-TIME
EMPLOYEES PAY RATE ORDINANCE FOR 2011, ORDINANCE NO 1330B**

WHEREAS, on December 14, 2010, the Lake County Council adopted the Lake County Part-Time Employees Pay Rate Ordinance for 2011, Ordinance No. 1330B; and

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

DELETE:

Section III.

- 11. Health Dept.
 - a. Clerk 10.00-12.75/hr.
 - b. Special Projects Coordinator 15.00/hr.
 - c. LHMF Pool & Beach Monitor/Lab Technician 9.50/hr.
 - d. Seasonal Vector Control Technician 8.00- 12.50/hr.
 - e. Part-Time Instrument Chemist 13.50/hr.

INSERT:

Section III.

- 11. Health Dept
 - a. Clerk 10.00-12.75/hr.
 - b. Special Projects Coordinator 15.00/hr.
 - c. LHMF Pool & Beach Monitor/Lab Technician 20.00/hr.
 - d. Seasonal Vector Control Technician 8.00-12.50/hr.
 - e. Part-Time Instrument Chemist 13.50/hr.

SO ORDAINED THIS 10TH DAY OF MAY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Amending Ord#1206E – County Towing Ordinance – Franchise Fee.

Cid made a motion, seconded by Franklin to approve on First Reading.

Niemeyer asked, this is raising the fee from what to what? Then said, this is for the public' information.

Attorney Szarmach answered this is establishing a new fee.

Niemeyer asked, we don't have this fee at all? How much is the fee?

Attorney Szarmach answered, \$50.00.

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

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

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

ORDINANCE NO. 1206E-2

**AMENDMENT TO THE LAKE COUNTY VEHICLE
TOWING ORDINANCE, ORDINANCE NO. 1206E**

WHEREAS, on August 8, 2000, the Lake County Council adopted the Lake County Vehicle Towing Ordinance, Ordinance No. 1206E; and

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Vehicle Towing Ordinance, Ordinance No. 1206E, shall be amended as follows:

INSERT:

Section 1. Towing Company/Rates

E. County Towing Franchise Fee.

1. That a franchise fee is hereby established to be paid by the towing companies who provide towing services on behalf of Lake County.
2. That the fee shall be known as the Lake County Towing Company Franchise Fee, and is hereby established in the sum of Fifty (\$50.00) Dollars per tow.
3. That the franchise fee should be paid by the towing company in addition to the County towing fee established in paragraph D.1. of the Lake County Vehicle Towing Ordinance.
4. That the franchise fee shall be paid by the franchise towing company to the Lake County General Fund.

DELETE:

Sec. 3. Selection of Towing Companies.

The Lake County Sheriff shall determine the companies for the purpose of towing vehicles in accordance with the needs for public safety. Pursuant to I.C. 36-2-3.5-4, the Lake County Board of Commissioners shall negotiate and enter into all contracts for towing services on behalf of the County. Only towing companies selected by the Lake County Sheriff, with contracts approved by the Lake County Board of Commissioners, shall be called by Lake County Sheriff personnel to tow vehicles.

INSERT:

Sec 3. Selection of Towing Companies.

The Lake County Sheriff shall determine the companies for the purpose of towing vehicles in accordance with the needs for public safety. Only towing companies selected by the Lake County Sheriff shall be called by Lake County Sheriff personnel to tow vehicles

SO ORDAINED THIS 10TH DAY OF MAY, 2011.

TED BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NEIMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Establishing the Lake County Public Safety Communications Commission.

Cid made a motion, seconded by Franklin to approve on First Reading.

Dernulc wanted to reiterate by saying, I know that the Sheriff has worked on this for quite some time with the municipalities, and their Chief' in there. This is just one step, there's many more steps, we have to get an inter-local agreement that's going to be passed by all municipalities before we go.

Sheriff Buncich agreed with Dernulc by saying yes, this is the first, upon passage today, the inter-local agreements go out to all 18 municipalities, Cities and Towns. You have to have that in place so we can get the process of working on the funding mechanism and the logistics of getting everything done.

Dernulc said I know you've had an issue with one, and those have to be resolved before we can move forward with the Municipalities correct?

Sheriff Buncich answered, correct. We have to look towards proper funding for this consolidation, all the way down the line. We want to make certain that we don't make any mistakes so that years from now that the funding covers the complete consolidation process.

Repay wanted to restate his concerns. He said his main question was in Section III, Item e "The Commission shall appoint an Executive Director of the Commission who manages the operations of the consolidated dispatch centers under the direction of the Commission and serves at the pleasure of the Commission".

Repay asked is that a paid position, or proposed to be?

Sheriff Buncich answered, no.

Repay repeated, no, it's just one of the members of the Commission...

Sheriff Buncich answered it's a member of the Commission who will be selected by the group to oversee operations.

Repay said just head of the Commission.

Sheriff Buncich said just head of the Commission, not paid.

Repay said I just think it seems like it's going maybe a little too fast, but as you said, you need approval for...

Sheriff Buncich said our backs are against the wall constantly. We have until December 14th to do this.

Repay asked what was the issue with the previous ordinance? This rescinds an ordinance we have a previous ordinance.

Sheriff Buncich answered there was not enough participation from all of the municipalities, all the Police, the fire, EMS They needed to have a seat at the table to discuss this, to work on everything, the technology, the set-up of the buildings from the two centers. We needed input from the Professionals, and that being the Public Safety Police and Fire Chief. So we wanted to get everybody at the table, we went through several meetings with them, hashed this out, they totally agreed on this language so we are moving on this.

Repay said since you've been through this, and you've talked with these other municipalities, theoretically, this should be passed by those, these inter-local agreements.

Sheriff Buncich said I've had informal discussions with Mayors and Town Board Presidents, and that. They realize that in order to proceed with this, the inter-local agreements will go out immediately.

We need to gather the necessary funding because right now we're at 39 cents for 911. That is the lowest in the State. Other Counties are up over a dollar, or two dollars. To fund something like this, for a county of this size, you're going to have to raise some revenue. You recognize the problems that Porter County is having and they only consolidated six centers.

Niemeyer said as far as this committee, it's a recommending body, do you have the authority to make those things in place?

Sheriff Buncich said the final decisions on everything, this will be an advisory committee making the recommendations, doing the study work, the final comes from the Commissioners, and you, the fiscal body.

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

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

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

ORDINANCE NO. 1335B

ORDINANCE ESTABLISHING THE LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION

WHEREAS, each of eighteen (18) local government units in Lake County operates a Public Safety Answering Point ("PSAP") for dispatching fire, ambulance and law enforcement services;

WHEREAS, state law requires the consolidation of PSAP operations no later than December 31, 2014;

WHEREAS, the public safety agencies of Lake County operate on different radio systems hindering their ability to interoperate with each other when needed; and

WHEREAS, consolidating the dispatch function and developing an interoperable public safety communications system will increase the safety of residents and public safety personnel of Lake County;

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

SECTION 1. PURPOSE

The Lake County Public Safety Communications Commission is established for the purpose of promoting the efficient use of public safety agency resources through improved coordination and cooperation to enhance the safety of Lake County residents and public safety personnel using a consolidated dispatch function and interoperable communications system.

SECTION 2. DEFINITIONS

The following definitions apply throughout this ordinance:

- (1) "Commission" refers to the Lake County Public Safety Communications Commission.
- (2) "County Commissioners" refers to the Lake County Board of Commissioners.
- (3) "Consolidated dispatch center" refers to centers at which the consolidated dispatch function takes place.
- (4) "Consolidated dispatch function" refers to all of the functions involved with operating consolidated dispatch centers including public safety call taking and dispatching of appropriate public safety responders that currently are performed at eighteen (18) Public Safety Answering Points ("PSAPs") and any other function that is appropriate for accomplishing the Commission's purposes.
- (5) "Interoperable communications system" means a system that enables public safety units from two or more different entities to communicate with each other via voice or data communications, including video communications, when and where needed.
- (6) "Municipality" means a city or town.
- (7) "Non-public safety agency" means an entity that is not a public safety agency such as a school district, a department of public works, department of transportation or utility.
- (8) "Public safety agency" means a federal, state, or local governmental entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 et seq.
- (9) "System" refers to the interoperable communications system.

SECTION 3. LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION

- (a) The Commission is comprised of the following twenty-one (21) voting members and non-voting advisors:

1. The chief of police or chief of the fire department as appointed by the Mayors of Gary, Hammond, East Chicago, Crown Point, Hobart, Lake Station and Whiting (seven (7) voting members).
 2. The chief of police or chief of the fire department as appointed by the Town Council Presidents of Cedar Lake, Dyer, Griffith, Highland, Lowell, Merrillville, Munster, New Chicago, Schererville and St. John (ten (10) voting members).
 3. Lake County Sheriff (voting member).
 4. One member of the County Commissioners (voting member).
 5. One member of the Lake County Council (voting member).
 6. One member representing unincorporated Lake County appointed by the Lake County Sheriff (voting member).
 7. Lake County Emergency Management Director (non-voting advisor).
 8. Pursuant to IDACS rules, a majority of the voting members of the Commission shall represent criminal justice agencies.
- (b) The Lake County Emergency Management Director and the Lake County Sheriff serve by virtue of their offices. Members serve for a term of two (2) years and may be reappointed by the appointing authority. The members described in subsections (a)(4) and (a)(5) are appointed by their respective governmental bodies and serve at the pleasure of the respective governmental bodies.
- (c) Each member may select a designee in writing to represent the member. However, the designee for the members described in (a)(1) and (a)(2) must either be a deputy with command responsibility or a person with emergency management and communications command responsibility.
- (d) At the first meeting of the Commission held in each calendar year, the members shall elect a chairman, vice chairman and secretary and such other officers that the Commission determine are necessary.
- (e) The Commission shall appoint an Executive Director of the Commission who manages the operations of the consolidated dispatch centers under the direction of the Commission and serves at the pleasure of the Commission.
- (f) A majority of the twenty-one voting members of the Commission or eleven voting members shall constitute a quorum to conduct Commission business. Each member has one vote. Decisions require an affirmative vote by a majority of those voting members present.

SECTION 4. COMMISSION POWERS

- (a) The Commission may make recommendations to the County Commissioners regarding:
- (1) Financing, purchasing and contracting for the implementation of a consolidated dispatch function that complies with state law and an interoperable communications system.
 - (2) Contracting with consultants including architects, engineers, attorneys, auditors and others to assist in the financing, planning, development and implementation of the consolidated dispatch function and interoperable communications system.
 - (3) Acquiring personal or real property, or any interest in it, by lease or conveyance.
 - (4) Owning, improving and constructing facilities on real property.
 - (5) Conveying, leasing, mortgaging or otherwise disposing of or encumbering personal or real property or interests therein or facilities on it.
 - (6) Assessing charges for using the consolidated dispatch center and interoperable communications system.
 - (7) Entering into and performing use and occupancy agreements concerning the consolidated dispatch function and interoperable communications system.
- (b) The Commission's powers include:
- (1) Operating and maintaining the consolidated dispatch function and interoperable communications system including: frequency planning, managing the licensing of frequencies with the Federal Communications Commission and anything else needed for the proper functioning of the consolidated dispatch center and interoperable communications system.
 - (2) Developing means of sharing information operationally and technologically to improve public safety.
 - (3) Developing a personnel system for employees of the Commission including staffing, salary, benefits and standards for hiring, and disciplining employees.

- (4) Accepting revenue from fees, gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing, and any other aid from any source. The Commission shall turn all revenue received over to the fiscal officer designated by the County Commissioners.
- (5) Any other power necessary to carry out the Commission's purposes.
- (c) The Commission may allow non-public safety agencies to use the consolidated dispatch center and/or interoperable communications system if allowing this will not adversely impact public safety.
- (d) The Commission may create subcommittees to assist the Commission in carrying out its purposes.

SECTION 5. USER AGREEMENTS

Any public safety agency or non-public safety agency that wishes to use the consolidated dispatch center and/or interoperable communications system must enter into a user agreement with the Commission. The Commission shall develop criteria for determining whether a public safety agency or other entity may use the interoperable communications system.

SECTION 6. REPEALER

This Ordinance rescinds and repeals Ordinance No. 1327A adopted on September 14, 2010.

SO ORDAINED THIS 10th DAY OF MAY, 2011.

TED F. BILSKI, President

CHRISTINE CID
JEROME A. PRINCE
MICHAEL C. REPAY

ELSIE FRANKLIN
RICK NIEMEYER
DANIEL E. DERNULC

Members of the Lake County Council

In the Matter of Highway Ordinance – Establishing and Posting of a 15 Ton Weight Limit for the following described roads:

- Chase Street From 203rd Ave to Monon Road
- Monon Road From Chase Street to 231st Street
- 231st Street from Monon Road to State Road 55

Franklin made a motion, seconded by Repay to approve.
Niemeyer explained that this is a detour due to a Bridge replacement in the unincorporated area. They rerouted the traffic, and if there is any damage to these roads, the State will take care of fixing these roads.

All voted "Yes", except Prince, "absent". Motion to approve carried 6-yes, 1-absent.

ORDINANCE NO 1335C

**ORDINANCE PETITION
FINDING OF FACT**

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE HEREBY REQUEST THE ESTABLISHMENT AND POSTING OF A 15 TON WEIGHT LIMIT AND OVER THE FOLLOWING DESCRIBED ROADS BE **APPROVED (DENIED)**.

| | | |
|--------------------------------|-------------|--|
| CHASE STREET | FROM | 203RD AVENUE TO MONON ROAD |
| MONON ROAD | FROM | CHASE STREET TO 231ST STREET |
| 231ST STREET | FROM | MONON ROAD TO STATE ROAD 55 |

PETITIONED BY: LAKE COUNTY HIGHWAY DEPARTMENT

BASED UPON THE FOLLOWING FINDING OF FACT:

- 1) **AN ENGINEERING STUDY WAS CONDUCTED BY THE LAKE COUNTY HIGHWAY DEPARTMENT ON MARCH 31, 2011. UNDER THE DIRECTION OF THE LAKE COUNTY HIGHWAY ENGINEER (AN INDIANA LICENSED PROFESSIONAL ENGINEER) IN ACCORDANCE WITH THE INDIANA UNIFORM TRAFFIC MANUAL FOR STREETS AND HIGHWAYS AS REQUIRED BY INDIANA CODE 9-21-3 AND HAS DETERMINED THAT A 15 TON WEIGHT LIMITS (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**

Dante said the last bullet point is non-binding recommendations, the first bullet point are the binding recommendation. The last bullet point are the non-binding recommendations. Those are the Civil units of Government that only have to submit their data on the gateway, and do not come before us with binding recommendations.

Dante explained that whatever they submit on the gateway, as they are proposed is what the Council will probably, and will adopt. Good, better, or indifferent, errors, or omissions, the risk is on them. So the last bullet point is the non-binding recommendations, which are essentially your municipalities, will fall under that.

We're going to say, when you enter information on the Gateway, and the Gateway is basically a spreadsheet, it's a spreadsheet on the system on the internet that they have access to, just their individual profiles, that we have access to up here.

When you see these spreadsheets, you are going to, I think, if you pass this, adopt their proposed columns on budgets, levies, and tax rates, good, bad, or indifferent.

He said there is a third category, and the third category are the second bullet-points. These are the Libraries, Redevelopment Commissions, Sanitary Districts, Airport Authorities, and City Transit Systems, I think maybe the RBA, maybe falls underneath there.

Dante said the law says there that indeed if their budget appropriations exceed the assessed valuation growth quotient, they become binding. If they stay under the assessed valuation growth quotient, they are non-binding. The Stickler here is, they will never have this assessed valuation growth quotient at budget time, so we are caught with a high probability of errors in here, with these folks, and we don't know if they are going to exceed the binding, or non-binding. So the Council is saying to them on the note under the second bullet-point:

Note: For the civil units with budgets over the assessed value growth quotient, minus 1 –triggering a “binding” recommendation- the Lake County Council will opt for the following: a) request a Resolution from the civil unit specifying that the tax levy, miscellaneous revenue, cash, and collections can sustain the budget increase; b) equalize the budget percent increase to the assessed value growth quotient, minus 1: or c) request and review the detailed financial budgetary and salary data as described in the binding recommendation process under the Fire Protection and Solid Waste Districts”

Dante explained with “a” the Council is putting it back on them. Can I have a Resolution, that you indeed think the finances can support it. We will accept one by Resolution.

With “b”, you're saying to them, this is opt, you haven't discussed this, you're just giving them option, you're going to say to them, we're going to equalize the budget percent increase to the assessed valuation growth quotient. If they submit a budget in that's 10 per cent higher, and their growth quotient, they think is 5 per cent, you're going to move them back down to 5 per cent. You're going to make their budget increase equal to the assessed valuation growth increase, that's if they have it.

With “c”, and this is where it gets really tricky, you're going to make them binding, and you're going to throw them into the Solid Waste, and Lake Ridge, and you're going to make them come here, and we become the czars, you're going to throw them into that bucket, so really you're opting out for the “grey” area ones, and giving them 3 options of which you have not declared yet.

Bilski said to Dante that we don't have the staff or the ability to do that.

Dante said if they submit that to me in the in the reigning days of our budgets, it's going to be rough.

Bilski said we don't have that capability.

Dante said it depends. There may be only one or two of these that exceed.

Bilski said we can do it case by case in other words.

Dante answered right, but there is a whole bunch of data that comes with these.

You are going to have 3 options, if that ever becomes an issue. So it's more complicated than just the binding, and non-binding groups.

Dante asked the Council to take a look at this, and let him know what they think.

Bilski said he wanted to entertain a motion, first on what Dante presented to the Council, either yea or nay to have this draft submitted to our Attorney, Ray Szarmach to review it, and make sure that we're standing in the letter of the law, and we're not putting ourselves in a bind. Once it's reviewed and approved by Ray that all of these I.C. codes, and everything lines up and we're in conjunction by this, Ray can notify the Council with a memo saying that, these corrections were made, or it's good as it exists, and gets with you directly, and then we move forward.

Franklin made a motion to submit this to our Attorney for review, and upon approval to forward it to Dante to move forward with it. Prince seconded the motion.

Dernulc asked so we are taking over all of that for the Towns?

Dante said not necessarily, only the binding ones we, and only at budget time. We are not going to sit there in our monthly meetings and dictate to them what they can or can not spend.

Dante said what this is saying, is number 1 we're going in on finances, all the way, on the binding ones. The ones that are Lake Ridge, and Solid Waste, and any bond issue that doesn't report to an elected board. Anything that's approved by a non-elected board, it comes here, and I'm having the Auditor's check that. 2. The non-binding ones, you're going to adopt what they proposed, and if it's a 100% increase in the budget, and we do a cut in pay, you're going to approve a 100% increase in the budget, and the consequences are whatever, it's on them.

The ones that are in the middle, are the ones who exceed the growth quotient, the Libraries, the Redevelopment Commissions, if they are running. They are going to "trip" the binding, and they are going to go to the tough group, or they are going to be the non-binding, and you're going to accept them on face value, so that's what it is. Essentially it's what you're saying in this memo. You're providing an outline according to that, assuming that it's legally correct.

Attorney Szarmach said the problem has been, especially the first one, I.C. 6-1.1-17-3.5, that is a directive to you, and that and that Statute is one sentence long.

Dante said, right.

Attorney Szarmach repeated, one sentence long. Attorney Szarmach asked Dante if he had anything in writing from the DLGF, regarding the guidelines to follow that one-sentence directive?

Dante answered, he received from Mike Wieser in the Auditor' Office, "We are duly notifying you, your budgets are being rejected as you submitted, with you being reverted to back to the prior year because you did not satisfy the attached law, I.C. 6-1-17-3.5, and they threw the one sentence back to me.

Attorney Szarmach said, I guess the answer to that is no, we did not receive any guidelines from the DLGF as to how we comply with that one-sentence directive to review the budgets.

Dante said I just want to let you know how ludicrous it is and I'm groping through the process of trying to figure out what they want. What they want to do is to intimidate us, or embarrass us into an income tax, that's what they want.

Attorney Szarmach said I think they need to be confronted, with questions. He also said that this is coming from the Auditor, but this is coming through the Auditor from DLGF, "we don't like what you're doing". Attorney Szarmach said, okay, what don't you like about it? We need some guidance, unless you are going to give us a couple of million dollars for additional staff.

Attorney Szarmach said we could probably discuss this at Executive Session there's different routes to take, but you could ask a Judge to interpret what that one sentence means, what do we have to do, otherwise you are at their mercy.

Bilski said we could do everything that Dante said, and they could still come back and say, "that's not enough".

Bilski said I will talk to an attorney, and we will have an Executive Session to discuss how to move forward from that point.

Dante said this is the worse-case scenario trying to get our hands around this in a different way.

Bilski said we had a motion on the floor, and seconded to have our Attorney review this document, and it was seconded to get back and notify us on the corrections, or changes and to work with Dante with recommendations and directly giving him the authority, at that point to take that document and move forward with it.

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

Public Portion

Wayne Weitbrock, a citizen of Lowell spoke.

Mr. Weitbrock mentioned a matter of public interest. You talk about the animal control, and warned not to donate to HSUS, Humane Society of United States. They are strictly a political gathering. Mr. Weitbrock said they do not take care of animals, they are strictly a political to obliterate use of animals for food..

He said donate to your Humane Societies of your local ones, but not to HSUS.

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

President, Lake County Council

ATTEST:

Peggy Holinga Katona,
Lake County Auditor

