

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 5-14-11.

Franklin made a motion, seconded by Prince to approve the minutes of the 5-14-11 Lake County Council meeting. All voted "Yes". Motion to approve carried 7-0.

ORDINANCE NO. 1336

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
Gambling Adm Tax Fund 196		
<u>Council</u> 3700		
43150 Consultant Fees(CNL)	\$ 15,000.00	\$ 15,000.00
2005 Reassessment Fund 237		
<u>Assessor</u> 0900		
43190 Other Professional Service	\$ 104,500.00	\$ 104,500.00
Commissioner's Incentive Fund 242		
<u>Commissioners</u> 2900		
43995 Other Services & Charges(CNL)	\$ 100,000.00	\$ 100,000.00
L.C. Coroner Facility Fee Fund 273		
<u>Coroner</u> 0700		
41190 Part-Time	\$ 10,000.00	\$ 10,000.00
41220 FICA	\$ 1,000.00	\$ 1,000.00
41260 Workman's Compensation	\$ 1,000.00	\$ 1,000.00
Sex and Violent Offenders Fee Fund 275		
<u>Sheriff</u> 0500		
41190 Part-Time	\$ 12,000.00	\$ 12,000.00
41220 FICA	\$ 200.00	\$ 200.00
Lake Circuit & Superior Courts Excess Internet Access Fee Fund 283		
<u>Superior Court Civil Division</u> 3900		
41220 FICA(CNL)	\$ 5,661.00	Defer to 7-12-11
41230 PERF(CNL)	\$ 6,845.00	Defer to 7-12-11
41390 Supplemental Pay(CNL)	\$ 74,000.00	Defer to 7-12-11
43920 Food & Lodging	\$ 16,800.00	
Commissary Pass Thru Fund 332		
<u>Sheriff</u> 0500		
41140 Protective Service	\$ 20,925.00	\$ 20,925.00
41220 FICA	\$ 1,600.00	\$ 1,600.00
41240 Group Insurance	\$ 7,475.00	\$ 7,475.00
41260 Workman's Comp	\$ 195.00	\$ 195.00
41339 Clothing Allowance	\$ 1,300.00	\$ 1,300.00

Non-Reverting Self-Insurance Fund 541

Commissioners 2900

43420 Insurance

\$1,200,000.00

\$1,200,000.00

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>Jail</u> 3100		
From: 001-41193 Compensation Board Members	\$ 2,300.00	
To: 001-41329 Board Member Per Diem	\$ 2,300.00	\$ 2,300.00
<u>Jail</u> 3100		
From: 001-43630 Maintenance & Service	\$828,460.00	
To: 001-41120 Professionals	\$828,460.00	\$257,140.00
<u>Sheriff</u> 0500		
From: 001-41193 Compensation Board Member	\$ 2,501.00	
To: 001-41329 Board Members Per Diem	\$ 2,501.00	\$ 2,501.00
<u>Sheriff</u> 0500		
From: 001-41338 Proficiency/Specialty Pay	\$112,300.00	
To: 001-41140 Protective Service	\$112,300.00	\$ 112,300.00
<u>Sheriff</u> 0500		
Sheriff's Grant Fund 239		
From: 239-42410 Other Supplies	\$ 1,410.00	
239-43630 Maintenance & Service	\$ 15,000.00	
To: 239-43620 Equipment Repair	\$ 16,410.00	\$ 16,410.00
<u>Assessor</u> 0900		
From: 001-43190 Other Professional Service	\$ 3,000.00	
To: 001-43910 Dues & Subscriptions	\$ 3,000.00	\$ 3,000.00
<u>Commissioners</u> 2900		
From: 001-43982 Change of Venue	\$ 1,015.00	
To: 001-43910 Dues & Subscriptions	\$ 1,015.00	\$ 1,015.00
<u>Commissioners</u> 2900		
From: 651-44500 Construction & Reconstruction	\$ 20,000.00	
To: 651-44490 Other Equipment	\$ 20,000.00	\$ 20,000.00
<u>Election & Registration</u> 2100		
From: 001-43310 Printing	\$ 10,000.00	
001-43630 Maintenance & Service Contr	\$ 10,000.00	
To: 001-43235 Travel-Mileage	\$ 10,000.00	\$ 10,000.00
001-43320 Advertising	\$ 10,000.00	\$ 10,000.00
<u>Plan Commission</u> 2400		
From: 001-41120 Professionals	\$ 25,251.00	
To: 001-41160 Office & Clerical	\$ 25,251.00	\$ 25,251.00
<u>Emergency Management</u> 3500		
From: 001-42410 Other Supplies	\$ 400.00	
To: 001-42220 Garage & Motors	\$ 400.00	\$ 400.00
<u>Emergency Management</u> 3500		
Create New Line Item		
From: 001-43920 Food & Lodging	\$ 300.00	
To: 001-43235 Travel/Mileage	\$ 300.00	\$ 300.00
<u>PTBOA</u> 2505		
From: 001-41193 Compensation Board Members	\$ 7,600.00	
To: 001-41329 Board Members Per Diem	\$ 7,600.00	\$ 7,600.00
<u>Detention Center</u> 4200		
From: 001-41190 Part-Time	\$ 3,921.00	
To: 001-41160 Office & Clerical	\$ 3,921.00	\$ 3,921.00
<u>Calumet Township Assessor</u> 1000		
From: 237-43235 Mileage	\$ 33,360.00	
237-43310 Printing	\$ 6,000.00	
237-43220 Postage	\$ 3,000.00	
To: 237-43730 Property Rental	\$ 33,360.00	\$ 33,360.00
237-43510 Utilities	\$ 6,000.00	\$ 6,000.00
237-43240 Telephone	\$ 3,000.00	\$ 3,000.00

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 14th day of June, 2011.

Adopted this 14th day of June, 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

ATTEST:
Peggy Holinga Katona,
Lake County Auditor

Additional

	Made motions	seconded	
<u>Gambling Adm Tax Fund 196</u> Council(\$15,000) (see Footnote)	Cid	Niemeyer	All voted "Yes" to Create new line item and Approve. Motion carried 7-0.
<u>2005 Reassessment Fund 237</u> Assessor(\$104,500) (See Footnotes)	Prince	Cid	All voted "Yes" to approve. Motion carried 7-0.
<u>Commissioner's Incentive Fund 242</u> Commissioners(\$100,000)	Franklin	Repay	All voted "Yes" to create new line item, and approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
<u>Coroner Facility Fee Fund 273</u> Coroner(\$12,000)	Cid	Prince	All voted "Yes" to approve and create 3 new line items. Motion carried 7-0.
<u>Sex and Violent Offenders Fee Fund 275</u> Sheriff(\$12,200)	Cid	Franklin	All voted "Yes" to approve. Motion carried 7-0.
<u>Lake Circuit & Superior Courts Excess Internet Access Fee Fund 283</u> Superior Court Civil Division(\$103,306)	Franklin	Prince	All voted "Yes" to defer to 7-12-11. Motion carried 7-0.
<u>Commissary Reimbursement Pass Thru Fund 332</u> Sheriff(\$31,495)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
<u>Commissioners Non-Reverting Self Insurance Fund 541</u> Commissioners(\$1,200,000) (See Footnote)	Franklin	Prince	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.

Footnotes

Re: Council(\$15,000) – Cid made a motion, seconded by Niemeyer to create a new line item, and approve the appropriation. Cid explained that this is the South Shore Grant, so that we can bring some monies into the County. All voted "Yes" to approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.

Re: Assessor(\$104,500) – Prince made a motion, seconded by Cid to approve from the Reassessment Fund 237.

Prince explained that this is to allow the Assessor to fund a program that’s going to help them preserve the assessed values throughout the County. It’s called IncomeWorks.

Niemeyer said this is going to be open to all of the Assessors.

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

Commissioners(\$1,200,000.00) – Franklin made a motion, seconded by Prince to approve the appropriation in Fund 541. Blanchard explained that the appropriation that they were given last year at budget time for this year has been depleted. There are various reasons, tax appeals, BP, Majestic Star, DOJ consultant pay was taken out of the Insurance Liability fund, and we are left with about \$300,000 dollars in appropriations to carry us through the rest of the year out of \$2.3 million dollars that we had. Blanchard said I am asking that you replenish the appropriation up to \$1,2 million dollars to carry us through the rest of the year. Most of the Consultants are not going to be paid out of the 541 fund, they are being paid out of the Jail budget, hopefully this will be more than enough to get us through the rest of the year.

Niemeyer said we were really dipping into the non-reverting insurance fund, and liability insurance fund, that’s how we’ve been funding this stuff. We’re going into 2012 deliberations for our budgets, and we’ve got to decide, this fund is getting very low.

Dernulc asked if we have a tool to replenish these funds if we do have excess money?

Bilski asked Dante if, at the end of the year when we go back, those monies that are in excess could be turned into the general fund?

We already bailed out the Jail, that’s what we did, so the answer is no.

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

Transfer

	Made motions	seconded	
Jail(\$2,300)	Cid	Prince	All voted “Yes” to approve. Motion carried 7-0
Jail(\$257,140) (See Footnote)	Cid	Prince	All voted “Yes” to approve the amended amount of \$257,140, except Dernulc, and Niemeyer, “No”. Motion carried 5-yes, 2-no.
Sheriff(\$2,501)	Cid	Franklin	All voted “Yes” to approve. Motion carried 7-0.
Sheriff(\$112,300)	Cid	Prince	All voted “Yes” to Approve. Motion carried 7-0.
Sheriff Grant Fund 239 Sheriff(\$16,410)	Cid	Prince	All voted “Yes” to approve, except Repay, “absent”. Motion to approve carried 6-yes, 1-absent.
Assessor(\$3,000)	Prince	Franklin	All voted “Yes” to approve. Motion carried 7-0.
Commissioners(\$1,015)	Franklin	Repay	All voted “Yes” to approve, except Bilski, “absent”. Motion carried 6-yes, 1-absent.
Commissioners(\$20,000)	Franklin	Cid	All voted “Yes” to approve, except Bilski, “absent”. Motion carried 6-yes, 1-absent.
Election & Registration(\$20,000)	Franklin	Prince	All voted “Yes” to approve. Motion carried 7-0.
Plan Commission(\$25,251)	Niemeyer	Dernulc	All voted “Yes” to approve. Motion carried 7-0.
Emergency Mngmt(\$400)	Niemeyer	Prince	All voted “Yes” to approve. Motion carried 7-0.
Emergency Mngmt(\$300)	Niemeyer	Dernulc	All vote “Yes” to create New line item, and approve. Motion carried 7-0.

PTBOA(\$7,600)	Prince	Cid	All voted "Yes" to approve. Motion carried 7-0.
Detention Center(\$3,921)	Franklin	Prince	All voted "Yes" to approve, except Repay, Cid, and Niemeyer, "No". Motion carried 4-yes, 3-no.
Calumet Twp Assr(\$42,360)	Franklin	Repay	All voted "Yes" to Approve, except Niemeyer, "No". Bilski was "absent". Motion carried 5-yes, 1-no, 1-absent.

Footnotes

Re: Jail(\$257,140) – Cid asked if the amount is changed? Attorney Bushemi explained that because of the elimination of those 3 positions, he wanted Mrs. Dillon to identify the transfer amount, which is substantially reduced. Mrs. Dillon said that the amount is \$257,140.00. That is the amount that they would like to transfer into Professionals line item. That will cover those positions for the 13 pays that are left in this year.

Cid made a motion, seconded by Prince to approve the transfer of \$257,140.

Repay asked how are those other individuals getting paid, and what are you using the extra money because it seems like a big difference and according to my calculations, you would still need about \$545,580 in order to pay the 15.

Melanie Dillon explained in order to pay 15, she counted up 13 pays left for this year, and explained how she broke the money down. She explained that the Psychiatrist, the Mental Health Manager, and the Clinical Team Leader will be paid under a Contract.

Repay said that one of the things that was brought up in our study session was the savings to the County, and it was enumerated the dollar figure over the Contract that we currently have, so if there's a savings, the County wants to realize that savings. The County doesn't want the Sheriff Department, or the Jail to spend that money on another contract, in lieu of saving that money.

Attorney Bushemi said that's understood, and we're striving to do that in every step that the Sheriff has found need to present to you for your consideration.

Niemeyer asked those 3 positions that you took out, totaling \$257,140, they are going be hired under Contract right?

Mrs. Dillon answered, yes.

Niemeyer asked where is that money coming from?

Mrs. Dillon explained our Maintenance & Service Contracts.

Sheriff interjected which is an existing appropriation.

Niemeyer asked we are still funding the total money, it's just coming from different ...?

Attorney Bushemi said, for the record, so there is no confusion about this. The Sheriff is not involved directly in the selection of these qualified mental health individuals, these particular hires. The Consultants that work for Lake County, and the Jail Doctor, the Clinical Mental Health Director, they are interviewing the individuals. They are determining whether the individual is qualified based on licensure, and based upon past work experience to work in this setting, and only when qualified individuals to fill this are found, are those names after a thorough process, forwarded to the Sheriff.

This hiring process is being conducted professionally, so that good personnel are being hiring to help us achieve compliance with the Department of Justice Settlement Agreement.

Sheriff Buncich said that there are 3 noted Psychologists, whom he named, that he lets handle the interviews, and the screening, and he stated, because he doesn't know anything about Psychology.

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

Dante said we're going to have to make some adjustments for next month. We must be on next month' agenda to reduce that line item by \$112,125 for health insurance, then we will figure out with perf, and then we will appropriate in the regular other departments, so that line item is going to come down even more.

Ms Dillon said she has those figures already, and asked if they could act on it today.

Dante said we have to advertise reductions, and we have to have additional appropriations in the corresponding departments.

Dante said my other question is did I hear correctly that indeed, when we come up with the 2012 budgets for the Sheriff and Jail, the Sheriff is going to assume the 2011 appropriation we maintained at the current level?

The answer was correct.

Dante said excellent, great, wonderful. That's great.

In the Matter of Revised 144's for Jail, and Detention Center,

Re: Jail – Cid made a motion, seconded by Prince to approve.

Melanie Dillon, a representative of the Sheriff's Department said that the Psychiatrist @ \$156,000, the Mental Health Manager @ \$70,720, and the Clinical Team Leader @ \$56,160 can be taken out.

Cid amended her motion to approve all, except the Psychiatrist @ \$156,000, the Mental Health Mgr @ \$70,720, and the Clinical Team Leader @ \$56,160. Prince seconded the amended motion.

Sheriff Buncich explained this would result in a substantial reduction in the transfer that is on the agenda(#5E). Sheriff Buncich said that those positions were taken out because only the remaining 15 individuals would become payroll employees, for the remaining 13 pays of 2011.

Niemeyer said basically we added 15 new hires to cover the Mental Health that was funded previously by the Contractual? Sheriff Buncich answered, that's correct. Niemeyer said, so we're adding 15 people to the benefit package, and the insurance package, self insured? Sheriff Buncich answered, that's correct.

Niemeyer said, "I know since the first of the year, the majority of this funding, we've transferred over for Edgewater, everything else came from the Insurance Excess Liability Fund, so how do we have a procedure in place going forward, how are we going to fund these in 2012? Are we funding these positions the same way, or are they going to be part of the Sheriff' budget? How are we going to be looking at these in the future?"

Sheriff Buncich said he would let one of his representatives speak. Melanie Dillon said we plan to make this part of the Sheriff' budget for 2012, the 15 new positions, but for the remainder of this year we are transferring from our Maintenance & Service line item, into the Professionals line item, the amount for the 13 pays left in this year for the 15 employees. Sheriff Buncich interjected , that will simply be a transfer within the Sheriff' budget, which is an item coming up on the agenda, item 5-E.

Attorney Bushemi explained that based upon the Sheriff's careful examination, careful examination of the delivery of the mental health services, for inmates, as required by Federal Law, in the Jail, he has determined that outside contractors have proven, unfortunately ineffective to deliver the adequate health care that the Federal Government is requiring that he delivers in the Jail.

In order for Lake County to achieve compliance with the terms of the Department of Justice Settlement Agreement, that we all know that we are under, the Sheriff and the Jail Doctors must have the ability to have these 15 individuals in the capacity as Lake County payroll employees, so that the Sheriff and the Jail Doctors can control these individuals hours of work, their healthcare duties that they perform for the inmates, training requirements, the equipment that they use, and all of their job performance standards.

He said we don't have that ability right now, with the Contractors because the Contractors control that, and sometimes it results in inadequate delivery of care. With these individuals, as payroll employees, they will be under the direct control and management of the Jail Doctors, and ultimately, the Sheriff. That will assist all of us in achieving compliance with the Department of Justice Settlement Agreement. It's our opinion, and our recommendation to the Council that these hires are necessary for that purpose.

Niemeyer said my question again is we've been shifting money over, since the first of the year for everything that's going on at the Jail, which I know the Sheriff inherited, it's perfectly fine, most of the stuff we've done, we've had to do it, but we are getting to a point now of where are we going in the future with hirees'. When the money was sent over, I assumed it was going to be outsourced the way it was, where it came from. It came from an outsourced position to Edgewater, and hiring a firm. Has that been looked at? I don't have anything to show the criteria behind it, but have you tried to vest out at new agencies that might be willing to do something like this under a contractual basis till the end of the year? Or we just decided that this is the best route? I assume you're saying this is the best route at this point, but we are going to have these hirees in 2012? I'm looking at the future here. We're trying to remedy the problem right now, but trying to remedy it by putting hiring people that we're going to put on our benefit package, I don't know that we have the ability to do, no matter what's going on.

Sheriff Buncich said that we've been wrestling with this for the last 4 months. We have to have in-house control, so we have the proper care provided, otherwise this will just continue. We have the next inspection in 3 months. If we don't remedy the situation now, this is just one step in that direction that we're going to bring this under the control of the Sheriff.

Niemeyer said I agree with what you're saying Sheriff, but I just don't know if this is the plan to.. I know you need something right now, I'm in disagreement, this is the plan to go forward with.

Repay commented that he feels that you have to set criteria with who is going to be on that program, and who is not. Repay said that he thinks that these individuals, as the Sheriff and his Attorney has said, are of critical importance to the Jail, and the functioning of the Jail, whereas, there are other individuals in this building, or on this system who are not of great importance, and are not required to be participants in the healthcare system at the County, and therefore I would trade these for those, which is why I'm going to support this action.

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

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12xxx-001 Admin Coordinator	-0-	\$41,600	\$41,600
12xxx-001 Qualified Mental Health Prof	-0-	\$55,120	\$55,120
12xxx-002 Qualified Mental Health Prof	-0-	\$49,920	\$49,920
12xxx-003 Qualified Mental Health Prof	-0-	\$49,920	\$49,920
12xxx-004 Qualified Mental Health Prof	-0-	\$49,920	\$49,920
12xxx-005 Qualified Mental Health Prof	-0-	\$49,920	\$49,920
12xxx-001 Qualified Mental Health Prof	-0-	\$49,920	\$49,920
12xxx-001 Qualified Mental Health Prof Certified	-0-	\$34,320	\$34,320
12xxx-001 MH/Crisis Stabilization Team Leader	-0-	\$34,320	\$32,320
12xxx-001 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320
12xxx-002 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320
12xxx-003 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320
12xxx-004 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320
12xxx-005 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320
12xxx-006 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320
12xxx-007 MH/Crisis Stabilization Tech	-0-	\$21,320	\$21,320

Re: Detention Center - Franklin made a motion, seconded by Prince to approve. All voted "Yes", except Repay, Cid, and Niemeyer, "No". Motion to approve carried 4-yes, 3-no.

<u>Revised 144</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16648-001 Bookkeeper	\$27,940	\$31,861	\$3,921

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

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-3100-14404-071 Correctional Officer. All voted "Yes". Motion to approve carried 7-0.

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

Cid made a motion, seconded by Prince to approve filling the vacant positions.

Dernulc said, this is also funded by the insurance, and that's my point correct?

Attorney Bushemi said this would take action to permit these positions to be filled, and answered yes, and the Councilmembers know that it's critical the positions be filled because as of June 21st, 2011, our contract provider is out of the Jail, and there will be no, if these positions are not filled, with qualified individuals, and that is our intention. There will be no one to provide the needed mental health services for the inmates, so Attorney Bushemi answered, yes, this would allow these vacant positions to be filled and I think there is a separate determination that you are discussing regarding benefits, such as health.

All voted "Yes", except Dernulc, and Niemeyer, "No". Motion to approve carried 5-yes, 2-no. The positions are as follows:

- 001-3100-12xxx-001 – Admin Coordinator
- 001-3100-12xxx-001 Qualified Mental Health Professional
- 001-3100-12xxx-002 Qualified Mental Health Professional
- 001-3100-12xxx-003 Qualified Mental Health Professional
- 001-3100-12xxx-004 Qualified Mental Health Professional

001-3100-12xxx-005 Qualified Mental Health Professional
001-3100-12xxx-001 Qualified Mental Health Professional Certified
001-3100-12xxx-001 MH/Crisis Stabilization Team Leader
001-3100-12xxx-001 MH/Crisis Stabilization Tech
001-3100-12xxx-002 MH/Crisis Stabilization Tech
001-3100-12xxx-003 MH/Crisis Stabilization Tech
001-3100-12xxx-004 MH/Crisis Stabilization Tech
001-3100-12xxx-005 MH/Crisis Stabilization Tech
001-3100-12xxx-006 MH/Crisis Stabilization Tech
001-3100-12xxx-007 MH/Crisis Stabilization Tech

In the Matter of Ordinance # 1330C – Regarding Vacant Positions – Work Release.

Dernulc made a motion, seconded by Prince to approve filling the vacant positions of 001-3150-12715-017 – Custody Officer, and 001-3150-18809-001 Cook. All voted “Yes”. Motion carried 7-0.

In the Matter of Ordinance # 1330C – Regarding Vacant Positions – Work Release.

Dernulc made a motion, seconded by Niemeyer to approve filling the vacant position of 001-3150-12715-012 – Custody Officer. All voted “Yes”. Motion carried 7-0.

In the Matter of Ordinance # 1330C – Regarding Vacant Positions – Animal Control.

Repay made a motion, seconded by Prince to approve filling the vacant position of 001-3200-15821-001 Community Liaison. All voted “Yes”. Motion to approve carried 7-0.

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

Cid made a motion, seconded by Franklin to approve filling the vacant position of 332-0500-14402-106 Police Officer, and make it retro to 5-10-11.

Dante said you have an extra Police Officer from last month’ action, so this one shouldn’t be filled, it should be eliminated actually. Franklin said this is that position. Dante said you are right, he thought it was another one.

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

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

Cid made a motion, seconded by Franklin to approve filling the vacant positions of 001-0500-14408-011 Court Security. All voted “Yes”. Motion to approve carried 7-0.

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

Cid made a motion, seconded by Franklin to approve filling the vacant position of 001-0500-14565-001 Communication Clerk. All voted “Yes”. Motion to approve carried 7-0.

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

Franklin made a motion, seconded by Cid to approve filling the vacant positions of 001-3000-18819-004 – Janitor – Gary. All voted “Yes”. Motion to approve carried 7-0.

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

Franklin made a motion, seconded by Prince to approve filling the vacant position of 001-4100-11226-001 Referee/Grant Officer. All voted “Yes”. Motion to approve carried 7-0.

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

Cid made a motion, seconded by Franklin to approve filling the vacant position of 001-4150-12013-009 CASA Coordinator. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Ordinance # 1330C – Regarding Vacant Positions – Circuit Court.

Cid made a motion, seconded by Franklin to approve filling the vacant position of 001-3800-12535-001 Probate Commissioner. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Ordinance # 1330C – Regarding Vacant Positions – Public Defender.

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-4002-12536-001 Public Defender – Effective June 17, 2011. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Citizen Appointments – County Child Fatality Review Team

Repay made a motion, seconded by Dernulc to approve the following persons to the County Fatality Review Team:

Kathleen O’Halloran (Re-appoint) – Prosecutor
Jane Bisbee (New appointee) – Div Mgr Off. Family & Children
Dr. Janice Zunich, M.D. (Re-appoint) – Physician
Lt. John Gruszka (New appointee) – Law Enforcement
Don Hess (New appointee) – Emergency Med Svcs. Prov
Dr. John Cavanaugh, MDMS(Re-appoint) – Pathologist
Karen Horst, RN (Re-appoint) – Health Dept
Dr. Kalyani Gopal, PHD (Re-appoint) – Psych & Counseling Svcs.
Gail Teagarden (Re-appoint) – Juvenile Court

All voted “Yes”, except Bilski, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Citizen Appointments – Convention & Tourism Bureau – (1D) (1R)

Repay made a motion, seconded by Dernulc to defer to 7-12-11. 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 Franklin to re-appoint Sid Rothstein. All voted “Yes”, except Bilski, “absent”. Motion carried 6-yes, 1-absent.

In the Matter of Contract – South Shore Grants Center.

Cid made a motion, seconded by Niemeyer to approve the Contract for South Shore Grants. All voted “Yes”, except Bilski, “absent”. Motion to approve carried 6-yes, 1-absent.

CONTRACT AGREEMENT

This Consultant AGREEMENT (“Agreement”) is entered into this 1st day of July, 2011, by and between the Lake County Government, an Indiana corporation (“AGENCY”), and Grant Research and Non-Profit Training Services, Inc. (“GRANTS Inc.”) dba The South Shore GRANTS Center (“PROVIDER”). The agreed parties wish to enter into this agreement, agree to hire and share a grant writer who will provide grant writing services to the above signed agency/organization.

TERMS OF AGREEMENT:

WHEREAS, THE ABOVE SIGNED AGENCY/ORGANIZATION hereby agree to share the cost of a grantwriter and desires professional consulting services with respect to Grant writing; PROVIDER has represented that it has the certification, knowledge, skills, and abilities to perform such services; the AGENCY realizes the fiscal savings to enter into this Agreement; and, it is in the mutual interest of both Parties to this Agreement for the agency to obtain such services in return for the payment to PROVIDER.

1. **TERM:** The term of performance under this Agreement shall commence on July 1, 2011 and Conclude on June 20, 2012 unless terminated by either party in writing with at least **60** days Advance notice.
2. **BILLING:** Billing will be in advance quarterly at \$3750.00 per quarter.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

RELATIONSHIP OF PARTIES: At all times hereunder, the parties shall be considered as equal parties In this agreement. Nothing contained herein shall be construed to create an employer-employee or agent-servant relationship.

During the term of this Agreement (**SEE ATTACHMENT “A,B, & C”**), PROVIDER shall perform such duties and undertake such responsibilities pursuant to this agreement. The AGENCY shall pay a sum of fifteen thousand dollars and no cents (\$15,000). This will provide the AGENCY with a set limit of grant writing hours during the life of the contract which can be modified and added to as the need arises. The hours covered in this contract are 420.

The Provider shall render performance with a degree of care, skill and competence that at a minimum is ordinarily exercised by other professionals who provide similar services in the community.

CONSIDERATION TO PROVIDER: Professional services rendered by PROVIDER under this Agreement shall be as follows:

- 3. **INDEMNIFICATION AND INSURANCE:** Neither party to this Agreement shall be responsible For any obligation or general liability incurred or assumed by the other party or its employees, affiliates, or other agents, and each party hereby indemnifies and holds the other party harmless for any claim arising from its own acts or omissions of its employees, affiliates or agents.
- 4. **NOTICES:** Notices under this Agreement shall be in writing and sent by Certified Mail – Return Receipt Requested, or overnight mail with receipt verification and shall be sent to:

AGENCY/ORGANIZATION	Lake County Government 2293 North Main Street Crown Point, IN 46307
PROVIDER:	South Shore GRANTS Center 2400 New York Ave. Whiting, IN 46394
- 5. **ASSIGNMENTS:** The parties may not assign or transfer any right, interest, responsibility or Duty under this Agreement.
- 6. **MODIFICATIONS; ENTIRE AGREEMENT:** This writing contains the entire Agreement of the Parties, unless modification is done in writing and signed by both parties.
- 7. **TERMINATION:** This Agreement may be terminated, with cause, upon either party’s Providing the other party with a written notification at least sixty (60) days in advance of its Intent to terminate this Agreement.

IN WITNESS WHEREOF, Agency/Organization have, through duly authorized representatives, Entered into this Contract. The parties having read and understand the foregoing terms of this Contract do by their respective signatures dated below hereby to the terms thereof:

AGENCY/ORGANIZATION:

Christine Cid
Daniel E. Dernulc
Rick Niemeyer

Michael Repay
Elsie Franklin
Jerome A. Prince

PROVIDER: GRANTS Inc.
Jim McShane, Executive Director

*****See Attachments “A,B, and C” attached to Ordinance and on file in Lake County Auditor’s Office)*****

In the Matter of Resolution Honoring Annie Ostojic – Third Grader at Frank H. Hammond School – Indiana State Champion of the Hoosier Science and Engineering Fair.

Repay made a motion, seconded by Dernulc to defer to July 12, 2011. All voted “Yes”. Motion to defer carried 7-0.

In the Matter of Resolution Honoring the Lake Central High School Centralettes Varsity Dance Team – Grand Champions at the Dance Alliance Nationals.

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

RESOLUTION NO. 11-54

RESOLUTION HONORING THE LAKE CENTRAL HIGH SCHOOL VARSITY CENTRALETES DANCE TEAM

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all matters throughout the State and Country; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in contests in this State, the Nation and the 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 competition demands; and

WHEREAS, Lake Central High School Varsity Centralettes Dance Team captured first place in Large Varsity Jazz, best in Jazz-All Divisions, and received the Technical Excellence Award at the Dance Alliance Nationals; and

WHEREAS, Lake Central High School Varsity Centralettes Dance Team captured the National Grand Championship at the Dance Alliance Nationals held in Orlando, Florida on March 3rd and 4th, 2011, with the highest point total overall and being recognized for Outstanding Sportsmanship.

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 students and teachers, of the Lake Central High School Varsity Centralettes Dance Team, for capturing the National Grand Championship at the Dance Alliance Nationals and being recognized for Outstanding Sportsmanship; 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 the LAKE CENTRAL HIGH SCHOOL VARSITY CENTRALETES DANCE TEAM.

DATED THIS 14th DAY OF JUNE, 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 Honoring the Lake Central High School Centralettes Varsity Dance Team – Indiana High School Dance Team State Champions in Jazz, Hip Hop and Small Ensemble.

Dernulc made a motion, seconded by Repay to approve. All voted “Yes”. Motion carried 7-0. Dernulc presented each member with a certificate.

RESOLUTION NO. 11-55

RESOLUTION HONORING THE LAKE CENTRAL HIGH SCHOOL VARSITY CENTRALETES DANCE TEAM

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all matters throughout the State and Country; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in contests in this State, the Nation and the 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 competition demands; and

WHEREAS, Lake Central High School Varsity Centralettes Dance Team won their 17th consecutive State Championship by capturing the Indiana High School Dance Team Association Championship in Jazz, Hip Hop and Small Ensemble Divisions in New Castle, Indiana on March 18th and 19th, 2011; and placed 2nd in Duet and Large Ensemble.

NOW, THEREFORE, LET IT BE RESOLVED that that Lake County Council, and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the students and teachers, of the Lake Central High School Varsity Centralettes Dance Team, for their capture of first place in the Jazz, Hip Hop and Small Ensemble Divisions at the Indiana State Championship Dance Team Competition; 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 the LAKE CENTRAL HIGH SCHOOL VARSITY CENTRALETES DANCE TEAM.

DATED THIS 14TH DAY OF JUNE, 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 Honoring Lake Central High School Centralettes Junior Varsity Dance Team – Indiana High School State Champions in Junior Varsity Hip Hop and Jazz.

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

RESOLUTION NO. 11-56

**RESOLUTION HONORING THE LAKE CENTRAL
HIGH SCHOOL JUNIOR VARSITY CENTRALETES DANCE TEAM**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all matters throughout the State and Country; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in contests in this State, the Nation and the 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 competition demands; and

WHEREAS, Lake Central High School Junior Varsity Centralettes Dance Team captured the Indiana High School Dance Team Association Championship in Junior Varsity Hip Hop and Junior Varsity Jazz Divisions in New Castle, Indiana on March 18th and 19th, 2011.

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 students and teachers, of the Lake Central High School Junior Varsity Centralettes Dance Team for their capture of first place in the Junior Varsity Hip Hop and Junior Varsity Jazz Divisions at the Indiana State Championship Dance Team Competition; 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 the LAKE CENTRAL HIGH SCHOOL JUNIOR VARSITY CENTRALETES DANCE TEAM.

DATED THIS 14TH DAY OF JUNE, 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 Honoring Grimmer Middle School Dance Team – Indiana State Champions in the Intermediate Jazz.

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

**RESOLUTION NO. 11-57
RESOLUTION HONORING THE GRIMMER
MIDDLE SCHOOL DANCE TEAM
INDIANA STATE CHAMPIONS – INTERMEDIATE JAZZ**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all matters throughout the State and Country; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in contests in this State, the Nation and the 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 competition demands; and

WHEREAS, Grimmer Middle School Dance Team won its second consecutive Indiana High School Dance Team Association – Intermediate Jazz State Championship in New Castle on March 18th and 19th, 2011 with only two veterans and nine new dancers on the Team.

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 students and teachers, of the Grimmer Middle School Dance Team, for capturing the Indiana High School Dance Team Association – Intermediate Jazz State Championship; 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 the GRIMMER MIDDLE SCHOOL DANCE TEAM.

SO RESOLVED THIS 14TH DAY OF JUNE, 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 Honoring Clark Middle School Dance Team – Indiana State Champions in Elite Hip Hop, and Junior High Ensemble.

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

RESOLUTION NO. 11-58

**RESOLUTION HONORING THE
CLARK MIDDLE SCHOOL DANCE TEAM**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all matters throughout the State and Country; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in contests in this State, the Nation and the 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 competition demands; and

WHEREAS, the CLARK MIDDLE SCHOOL DANCE TEAM’S performance in Elite Hip Hop in a “Girls Night Out” and the ensemble’s performance to “Ballerina” went undefeated throughout the season; and

WHEREAS, the CLARK MIDDLE SCHOOL DANCE TEAM has gone undefeated for two consecutive years in Hip Hop competition and within the span of three years, the Dance Team has won five State Titles; and

WHEREAS, the CLARK MIDDLE SCHOOL DANCE TEAM captured the Championships in Junior High Elite Hip Hop and Junior High Ensemble at the State Finals of the Indiana High School Dance Team Association Competition held on March 18th and 19th, 2011 in New Castle, Indiana.

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 students and teachers, of the Clark Middle School Dance Team, for capturing first place in Junior High Elite Hip Hop and Junior High Ensemble at the State Finals of the Indiana High School Dance Team Association competition; 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 the CLARK MIDDLE SCHOOL DANCE TEAM.

DATED THIS 14TH DAY OF JUNE, 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 Board of Commissioners to pay a 2010 Government Center invoice with 2011 funds - 001-3030-43620 Equipment Repair in the amount of \$49.99.

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

RESOLUTION NO. 11-59

**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>001-3030-43620</u>	<u>Equipment Repair</u>
Tri-Electronics	\$49.99

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

<u>001-3030-43620</u>	<u>Equipment Repair</u>
Tri-Electronics	\$49.99

SO RESOLVED THIS 14TH day of June, 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 Board of Commissioners to pay a 2010 Government Center Invoice with 2011 funds – 001-3030-43620 Equipment Repair in the amount of \$150.50.

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

RESOLUTION NO. 11-60

**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>001-3030-43620</u>	<u>Equipment Repair</u>
-----------------------	-------------------------

Nilfisk-Advance \$150.50

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>001-3030-43620</u>	<u>Equipment Repair</u>
Nilfisk-Advance	\$150.50

SO RESOLVED THIS 14TH day of June, 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 Board of Commissioners to pay a 2010 Government Center invoice with 2011 funds – 001-3030-43620 Equipment Repair in the amount of \$118.30.

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

RESOLUTION NO. 11-61

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>001-3030-43620</u>	<u>Equipment Repair</u>
Ploog Engineering Co.	\$ 118.30

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>001-3030-43620</u>	<u>Equipment Repair</u>
Ploog Engineering Co.	\$ 118.30

SO RESOLVED THIS 14TH day of June, 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 Board of Commissioners to pay 2010 Government Center Invoices with 2011 funds – 001-3030-43620 Equipment Repair in the amount of \$445.14.

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

RESOLUTION NO. 11-62

**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>001-3030-43620</u>	<u>Equipment Repair</u>
Anagnos Door Inc.	\$ 445.14

WHEREAS, the Lake County Council desires to pay the above invoice/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>001-3030-43620</u>	<u>Equipment Repair</u>
Anagnos Door, Inc.	\$ 445.14

SO RESOLVED THIS 14TH DAY OF June, 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 Board of Commissioners to pay 2010 Government Center invoices with 2011 funds – 001-3030-43620 Equipment Repair in the amount of \$667.28.

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

RESOLUTION NO. 11-63

**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>001-3030-43620</u>	<u>Equipment Repair</u>
Mechanical Concepts, Inc	\$ 667.28

WHEREAS, the Lake County Council desires to pay the above invoice/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>001-3030-43620</u>	<u>Equipment Repair</u>
Mechanical Concepts, Inc	\$ 667.28

SO RESOLVED THIS 14TH DAY OF JUNE, 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 Extending the Payment of a transfer Between Funds (Temporary Loan)
Pursuant to I.C. 36-1-8-4(b) Exempt Debt Service Fund 322.

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

RESOLUTION NO. 11-64

**RESOLUTION TO EXTEND THE PAYMENT OF A TRANSFER BETWEEN
FUNDS (TEMPORARY LOAN) PURSUANT TO I.C.36-1-8-4(b)
(EXEMPT DEBT SERVICE FUND/322)**

- WHEREAS,** I.C. 36-1-8-4(a) provides for the transfer of funds for a prescribed period, to a fund in need of money for cash flow purposes from another fund; and
- WHEREAS,** I.C. 36-1-8-4(a)(3) provides that the amount so transferred must be returned to the fund from which it was transferred at the end of the prescribed period: and
- WHEREAS,** I.C. 36-1-8-4(b) further provides that if the fiscal body of the political subdivision determines that an emergency exists that requires an extension of the prescribed period of transfer, the prescribed period may be extended for up to six (6) months beyond the budget year of the year in which the transfer occurs; and
- WHEREAS,** on November 25, 2008, the Lake County Council pursuant to I.C. 36-1-8-4(a) approved the following transfers of funds for a period not to exceed December 31, 2009; to-wit:
- \$5,500,000.00 from the Health Insurance Reserve #26514 to the County Bond Fund #320/County Bond Redemption Fund # 322 now known as Exempt Debt Service Fund # 322.
- WHEREAS,** on November 10, 2009, by Resolution No. 09-96 the Lake County Council pursuant to I.C. 36-1-8-4(a) extended the repayment date of the temporary loans and transfer approved on November 25, 2008 by Resolution No. 08-154 be extended to June 30, 2010; and
- WHEREAS,** on June 8, 2010, by Resolution No. 10-65, the Lake County Council pursuant to I.C. 36-1-8-4(a) extended the repayment date of the temporary loans and transfer to December 31, 2010; and
- WHEREAS,** on October 12, 2010, by Resolution No. 10-87, the Lake County Council pursuant to I.C. 36-1-8-4(a) extended the repayment date of the temporary loans and transfer to June 30, 2011; and
- WHEREAS,** the Lake County Council, the fiscal body of Lake County, finds that an emergency exists and insufficient tax revenues exist to repay the above temporary transfers on or before June 30, 2011.

NOW, THEREFORE, LET IT BE RESOLVED by the Lake County Council that the Repayment date of the temporary loans and transfer approved on October 12, 2010 by Resolution No. 10-87 be extended to December 31, 2011, pursuant to I.C. 36-1-8-4(a) as follows:

\$5,500,000.00 from the Health Insurance Reserve #26514 to the County Bond Fund #320/County Bond Redemption Fund #322. now known as Exempt Debt Service Fund #322.

SO RESOLVED THIS 14TH DAY OF JUNE, 2011.

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 Treasurer to pay a 2010 invoice with 2011 funds – 235-0300-43190 Other Professional Services in the amount of \$80,777.12

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

RESOLUTION NO. 11-65

**RESOLUTION PERMITTING THE LAKE COUNTY
TREASURER TO PAY AN
OUTSTANDING 2010 INVOICE/DEBT FROM THE 2011 BUDGET**

WHEREAS, the Lake County Treasurer’s Office 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>235-0300-43190</u>	<u>Other Professional Service</u>
Ostojic and Stanish	\$ 80,777.12

WHEREAS, the Treasurer desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expense shall be paid from
The Lake County Treasurer’s 2011 Budget:

<u>235-0300-43190</u>	<u>Other Professional Service</u>
Ostojic and Stanish	\$ 80,777.12

SO RESOLVED THIS 14TH DAY OF June, 2011.

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Sheriff to pay a 2010 invoice with 2011 funds – 239-0500-43620 Equipment Repair in the amount of \$22,480.95

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

RESOLUTION NO. 11-66

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

WHEREAS, the Lake County Sheriff 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>239-0500-43620</u>	<u>Equipment Repair</u>
MasterCraft Marine	\$ 21,115.00
Aero Marine Services	\$ 1,365.95
	\$ 22,480.95

WHEREAS, the Sheriff 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 Sheriff's 2011 Budget:

<u>239-0500-43620</u>	<u>Equipment Repair</u>
MasterCraft Marine	\$ 21,115.00
Aero Marine Services	<u>\$ 1,365.95</u>
	\$ 22,480.95

SO RESOLVED THIS 14TH day of June, 2011.

TED F. BILSKI, President

CHRISTINE CID
ELSIE FRANKLIN
JEROME A. PRINCE

DANIEL E. DERNULC
RICK NIEMEYER

Members of the Lake County Council

In the Matter of Resolution permitting the Lake County Sheriff to pay a 2010 invoice with 2011 funds – 001-0500-42210 Petroleum Products in the amount of \$348.57.

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

RESOLUTION NO. 11-67

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

WHEREAS, the Lake County Sheriff 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>001-0500-42210</u>	<u>Petroleum Products</u>
City of East Chicago	\$ 348.57

WHEREAS, the Sheriff 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 Sheriff's 2011 Budget:

<u>001-0500-42210</u>	<u>Petroleum Products</u>
City of East Chicago	\$ 348.57

SO RESOLVED THIS 14TH DAY OF June, 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 Sheriff to pay a 2010 invoice with 2011 funds- 001-0500-43620 Equipment Repair in the amount of \$275.00.

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

RESOLUTION NO. 11-68

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

WHEREAS, the Lake County Sheriff 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>001-0500-43620</u>	<u>Equipment Repair</u>
Gateway	\$ 275.00

WHEREAS, the Sheriff 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 Sheriff's 2011 Budget:

<u>001-0500-43620</u>	<u>Equipment Repair</u>
Gateway	\$ 275.00

SO RESOLVED THIS 14TH DAY OF June, 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 Treasurer to pay a 2010 invoice with 2011 funds-235-0300-43190 Other Professional Services in the amount of \$95,000.00.

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

RESOLUTION NO. 11-69

**RESOLUTION PERMITTING THE LAKE OUNTY
TREASURER TO PAY AN
OUTSTANDING 2010 INVOICE/DEBT FROM THE 2011 BUDGET**

WHEREAS, the Lake County Treasurer's Office 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>235-0300-43190</u>	<u>Other Professional Services</u>
Ostojic and Stanish	\$95,000.00

WHEREAS, the Treasurer desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expense shall be paid from the Lake County Treasurer's 2011 Budget:

<u>235-0300-43190</u>	<u>Other Professional Services</u>
Ostojic and Stanish	\$95,000.00

SO RESOLVED THIS 14TH DAY OF JUNE, 2011.

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 Sheriff to pay a Jail 2010 invoice with 2011 funds – 001-3100-42240 Household & Institution Supplies in the amount of \$657.11.

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

RESOLUTION NO. 11-70

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

WHEREAS, the Sheriff’s Department of Lake County is currently operating in the 2011 Budget; and

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

<u>001-3100-42240</u>	<u>Household & Institution Supplies</u>
HP Products	\$ 657.11

WHEREAS, the Sheriff’s Department desires to pay the above Jail invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Sheriff’s Department shall pay from its 2011 Budget the following Jail invoices/debts incurred in the calendar year 2010 as follows:

<u>001-3100-42240</u>	<u>Household & Institution Supplies</u>
HP Products	\$ 657.11

SO RESOLVED THIS 14TH DAY OF JUNE, 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 Sheriff to pay 2010 invoices with 2011 funds – 001-0500-42110 Office Supplies in the amount of \$596.84

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

RESOLUTION NO. 11-71

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

WHEREAS, the Lake County Sheriff 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>001-0500-42110</u>	<u>Office Supplies</u>
Adams Remco	\$ 37.95
Quality Impression	\$ 83.93
Gateway	<u>\$474.96</u>
	\$596.84

WHEREAS, the Sheriff desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOW:

That the following 2010 expenses shall be paid from the Lake County Sheriff’s 2011 Budget:

<u>001-0500-42110</u>	<u>Office Supplies</u>
Adams Remco	\$ 37.95
Quality Impression	\$ 83.93
Gateway	<u>\$474.96</u>
	\$596.84

SO RESOLVED THIS 14th DAY OF JUNE, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHALE C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Establishing a Public Defender Board and Department for the Juvenile Division and County Division of the Lake Superior Court.

Niemeyer said that we are looking at establishing a joint Board through an ordinance to look at the Public Defender' department, in the Court Division, Juvenile Division, and the County Court Division, and seeing what the case load is there. What can we do better to try to either realign it, do things different there with personnel, do we have the right number of personnel, do we have too many, not enough, with their case load. How many hours a week are they working ? Those types of things was the idea of the resolution to bring forward, not to submit a plan at this point, because I don't have the ability to submit a plan exactly what the Courts need. I really believe this needs to be looked at, and that's what the Ordinance is going to do, is look at this and have discussion as far as what we can do. Niemeyer said one of my big concerns, since I've taken office is all of the Public Defenders we have working for us and working part-time hours, getting full benefits. He said that our self insurance plan, is costing us a lot of money. If we can look at re-doing this, and trying to do something different here to save the taxpayer' money, make the system work better. He said it's the intent of the Ordinance, that I looked at, what I submitted with the help of Councilman Repay and Dernulc, in looking at the Ordinance, was not as far as reconstructing the Judicial system, without the dialogue. So that's why that Ordinance is there, it's up for discussion today, and First Reading.

Bilski said there is a correction in the Ordinance, as the way it reads in your book, and I will turn it over to Attorney Szarmach to allow the adjustments to be made on the appointments.

Attorney Szarmach said the one in your book is the first draft, and there is a new draft, it's just one paragraph on page 2, Section 3A. Number 1 and 2 are the same, that's "One member appointed by the Council, One member appointed by the Board of Commissioners. Number 3, The Chief Judge of the Lake Superior Court would be eliminated because they have no criminal jurisdiction. Instead, Number 3 would have 2 members appointed by the majority vote of the Judges of the County Divisions, and then Number 4 would be 1 Judge appointed by the Juvenile Court Judge.

Niemeyer said Attorney Szarmach let him know about the amendments, and I agree with it..

Niemeyer made a motion, seconded by Repay to establish a Public Defenders Board and Department for the Juvenile Division and County Division of the Lake Superior Court, as it stands, on First Reading with the amendments as presented by Attorney Szarmach.

Franklin said that she is assuming the only thing we are doing here today, is establishing a Board, so that that Board would be in place to work with the Judges in order to understand the workings of the Public Defender' office. Franklin asked is that what we're doing?

Dernulc answered, yes, but we are just going First Reading, I would assume. So that nothing is going to be done today.

Repay said it's not only a Board that's going to work with the Judges, it's actually a Board that's, in part, made up of appointees by the Judges, so it's not even, work with them, they are part of it.

Niemeyer said that is actually the intent of the ordinance.

Bilski said I notice that we do have our Judges present, if you'd like to stand up and identify yourselves, for the record.

Judges who were present were:

Judge Julie Cantrell, Lake County Superior Court, County Div. III
Judge Schiralli, Lake County Superior Court County Div I
Judge Shelia Moss, Lake County Superior Court County Div II.
Mary Beth Bonaventura, Juvenile Court Judge

Judge Bonaventura said I asked Attorney Szarmach would the Judges be able to appoint Judges to the Board, and I would like to make sure that's clarified, for the record, the answer to that question.

Attorney Szarmach answered, yes.

Judge Sheila Moss said that you have us at a disadvantage. The copy of the Ordinance that I have specifically says that no Elected Officials, no employees of the State or the County are allowed to sit on this Board. She said that it's under Section 3-D. Actually there are 2 D's , so it's under Section 3-DD. It reads, "except for the combined members of the Board appointed by the Lake County Council or the Lake County Board of Commissioners, no Board member may hold any elected or salary public office or an office in a political office organization. No Combined Board member may be an employee of the State or of a political subdivision of the State".

Judge Moss said, that excludes the Judges.

Attorney Szarmach said I think it was the intent, in talking with John Dull, who put this together, the intent is to allow Judges to sit on this Board. That's probably part of ...

Judge Moss said that's what the intent is, but what is it saying?

Attorney Szarmach said that's why it's a First Reading so you can make that adjustment. He said you could delete E.

Councilman Repay said I think that's the intent, and the sponsor says that's the intent, those members of the committee say that's the intent.

Judge Moss said my intent is to have a position on this Board.

Repay said but I don't necessarily want to delete " E", at this time, and I don't want to necessarily debate "E", but that's the intent. We can pass it on First Reading and go on and make those changes for the next...

Judge Schiralli said a copy of the Ordinance that I saw mentioned a specific State Statute that you were attempting to create a Board under. Is that what you're still trying to do, or are you trying to form a Committee between the Council and the Courts to discuss this. The Courts have always cooperated with the Council, we are very cognizant of the financial situation. Over the last few years, we have fully cooperated with the Council on budgetary issues, and we will continue to do so, however, there is, in my mind at least, some confusion as to what this ordinance does. I think by mentioning a Board, that Board to me, is a Board that you are forming a Board, pursuant to State Statute, and to me, that is somewhat confusing in trying to create a second Board, however, if you're talking about forming a Committee to create dialogue, as Judge Cantrell is saying, like the Jail Oversight Committee, that's a different matter, so for the purpose of clarification what...(inaudible)

Councilman Repay said the question was the intent of the Ordinance, and I think I can speak...

Bilski said it was the law that was mentioned, and I would ask that our Attorney address that first.

Attorney Szarmach said that under I.C. 33-40-7-1, at this point in time, you can not create a Board for misdemeanants in the County Courts, in the Juvenile Court at all. That's why we have 2 readings. Between this, and the Second Reading, a lot of this will be changed. The intent right now is to create some type of Board, with a majority Judge appointments to come to some kind of agreement. Attorney Szarmach also said well, it's a learning experience, a lot of the Councilmen do not know what your case load is, how many hours you need, what type of cases you have, how many Jury trials you have, what a Jury trial costs. This will be an educational committee, I think for everybody, and I think it's important that it gets established, and by Second Reading, a lot of the items that really don't fit, or should not legally be in there, will be out.

Repay said I think obviously intent and law sometimes have to face each other which is why we have these readings. I will tell you that the intent was not to form a study committee, much like the Jail Oversight Committee. That was not the intent. The intent was to create a Board with obviously educational input from the Judges and their participation with regard to what is required of staffing, but the intent is to create a Board which can determine what is needed, and accomplish what is needed, and not an Oversight, or advisory committee. Like I said, that's what the intent was. I will defer to Attorney Szarmach on what the legal opportunities are with that, but that's the intent so as we move forward, this is not something that we want to ram through. This is an open discussion about the Ordinance, it's a thing that's in process, but I don't want anybody to be unclear about what our intent was. Our intent was to,

more than anything else, our intent was to reduce the participation in the insurance. You could say that, but can I pass that in the form of an ordinance, no, I have to go through the legal procedures in order to do that.

Judge Bonaventura said I wanted to say that if that's the intent, and I think that Attorney Szarmach was getting at this too, is that I would caution you about creating a Board similar to the one that exists in Criminal Court because what comes with that will be requirements by the State of Indiana to make sure that we have x amount of Attorneys to represent x amount of defendants in all cases, and what happens is that your budget will explode because what we're going to find is that we probably need more lawyers, at least in Juvenile Court, I can't speak for the others, but I think what will happen is because there are certain standards that the Supreme Courts will set as to case loads for lawyers, as it relates to their clients. What I think we want to do is to study how many lawyers do we need, and once we get under that Board, whatever it is under that enabling statute, we are going to be required, just like we are in the Probation Department. We are required to have so many Probation Officers, and they get raises, which, everybody whistles at, every time the Probation Department gets a step increase, pursuant to statute, whether they've earned it or not. It's what's in the law.

Judge Bonaventura said so I would say that I get what your intent is, but I think that if this truly a study, it's time for us to figure out what it is, how many we have, how many cases we have, we should hold off on the creation of that Board that's created under that Statute, because it's going to make us do things that maybe we didn't want to do. Marion County is a perfect example. Marion County Juvenile Court, I was just there last week, they have double our people. They have about a million people. We have 500,000. I have 7 part-time lawyers, they have 17 full-time lawyers, and 26 part-time lawyers in the Juvenile Court. Even if they have double of what we have, should they have that many? So what I'm saying is we need to really be careful about creating a Board that's going to require us to have numbers that, at this point would really blow up our budget. So I think if we're going to study it, let's study it before we rush into creating something that we really can't stick with.

Bilski said I want to make it duly noted that under the law, we can not create this Board, based on Council advise, create the Board under that Statute, can not be done based on our legal opinion from the Council' Attorney. Bilski said I want that point noted, for the record, based on Attorney Szarmach' recommendation.

Niemeyer said that I think we're getting away from the intent here. My intent is that we have way too many part-time people on the County health benefits, and their plans. I'm not questioning so much, the salaries you're paying your lawyers, and your defenders, and what you're using, and who you're using. They are very capable people, they are very good lawyers, but the idea is 33 attorneys working part-time schedules, getting full benefits, that's the issue of looking at the ordinance, if the issue came out tomorrow that they said no, we don't want health insurance anymore, the salaries are not what's on the line in this thing. It's the benefit package that goes with it. Let's address what we're trying to address here, the participation in the self-insurance program, where it started from. I have to yield to you on the number of attorneys you need in your case load and stuff, that's what you do, but they are working part-time schedule, part-time hours and they should not be getting all of the benefits of the regular county workers.

Judge Moss said I would like to tell you a story here, basically to tell you the background of this Court. I'm speaking of the County Court Division, I am the Senior Judge of the County Courts. I have been pro-active regarding budgetary concerns with this Council, and with the previous Council. We not only work with Saturday Bond Court, but one of our members came up with the idea of a Saturday Bond Court. I will let you know that our Public Defenders, and Magistrates give their services on that Saturday Bond Court without additional pay, basically for the concern of the Jail, and the Jail staffing program.

Most of cases that are heard on these mornings are from the Cities and Towns of Lake County, who has the second largest population in our Jail, but we're hearing those cases without argument, without complaints.

We've worked with the Jail Oversight Committee, we've worked with the Defendant monitoring units administered by ICU, we do everything we can to get the population of the Jail under the necessary numbers so that you guys won't get sued.

We've been working with the Sheriff, each Sheriff that comes up every time. We voluntarily, reduce the number of defendants housed in the Jail by drafting guidelines, and using the Book and Release Program, for the Book and Release Program for the Sheriff of Lake County.

The County Divisions are one of the few offices that generate funds that are payable directly to the general fund. Not only do we pay money to the general fund, but also to the Clerk, and to the Prosecutor, one of the few offices that bring money into the County. My Division, Division II, my efforts contributed almost \$900,000 in 2009 to the general fund, not mentioning the Prosecutor, or the Clerk. Over \$1 million dollars in 2010 to the general fund, not the Prosecutor or the Clerk, but they get the same amount by the way. So that takes the money out of the general fund. The reliance on the general fund is not as great because of our efforts.

The language of the proposed ordinance, and I understand that this is the First Reading, but excuse me if I don't understand the way you work. I understand the Courts, that's what I'm paid for, that's what I'm charged with. The language of the proposed ordinance does not support the Council's assertion to the Judges that this was simply a fact finding committee that would work with the Judges to craft a department that would work for all. The language suggest administrative framework that has already been established not contemplated, established as part of the ordinance.

The members of the Committee do not include the Judges of the Courts, the Officials most intimately aware of the needs to the Courts, as well as the regulations that would be required under State Law, should this current (inaudible) be accepted.

Most importantly and last, but not least constitutional rights of all defendants, that must be the Court's greatest concern. The number of cases heard by the Courts, as well as the number of those defendants requiring Public Defenders has risen substantially in the last few years. Given the state of the economy, and the number of under employed, and unemployed citizens, this is not a time to reduce the proper ranks of attorneys. These citizens in the County Courts are for the most part good productive members of society. They are people's neighbors, relatives, and may I add, for the most part, taxpayers. These are not murderers, these are someone that got pulled over for DUI, public intoxication, disorderly conduct, small, if not insignificant crimes, but crimes that everybody knows someone that has been before a court on. For the most part, this will be their only contact with the Courts. To decide that they are not as much in need of representation, at this point, I think would be a wrong signal to send.

Judge Cantrell added that we have to be cognizant that if we are lowering the number of Public Defenders, or the amount of representation that the Public Defenders' clients receive, that's going to be additional litigation, there's going to be additional appeals, probably more Jury trials, and more people staying in the Jail longer than they would have had we had proper Public Defender staff.

We are talking about increased Jury costs, increased Jail costs, increased lawsuit costs, and increase costs of indigent appeals. That may all happen if this doesn't get considered very specifically by the people who you are putting on this Board with the ability not to have just forced on us without consultation.

I just want you to consider that in your creating this Board as well

Bilski said, if I could add something real quick I think we need to go back one step to the motion ...Judge Schiralli asked if he could speak.

Judge Schiralli said, I wholeheartedly agree with my colleagues, everything they said, I wholeheartedly agree with. To expand on what Judge Moss said, I have figures that are what our Division generates, not just from her Court, but from the 3 County Division Courts, located in Crown Point. These do not include the figures of the Juvenile Court, or the Court in Hammond, but those to the State, our 3 Courts, over \$3 million dollars is returned to the State. These are figures that came from the Lake County Clerk's Office that we submit downstate. Over \$3 million dollars to the State alone, almost \$3 million to the County, and over \$600,000 dollars to the City and Town Courts. These figures also do not include the money that we raise through supplemental Probation fees that we have agreed to supplement salaries to our Court personnel. These are funds that are not at the taxpayers' expense, they are paid for by defendants that come through the Courts. Also, we have Alcohol programs that are further paid for, not by the taxpayers, but by defendants. Because we have Public Defenders who represent defendants, we are able to move these cases through the Court. If we are not able to move these cases through the Court, the amount of money that we raise is going to drastically drop, and this money is actually funding our Courts. We are doing more than our fair share.

Now, when you consider this Ordinance, if I'm understanding you Councilman Bilski, and your Attorney Mr. Szarmach correctly, if you do not have authority to create this Board, why use that word in whatever Ordinance you are proposing? Why not use the word Committee, and delete any reference to any State Statute, if you can't do it anyway, and the Ordinance that I saw makes reference to State Statute, and the word Board, so if you're saying you can't do it, why put it in there?

Bilski said I understand everything that the Judges have said here, and I agree. What I think first in that motion for this, and is asking for this ordinance, we need to make amendments to this because we have two conflicts, and I understand Councilman Repay's objective, and the other objective but this has to be exploratory and input. There is no plan out there to cut or look, it should be viewed upon, in my opinion, as exploratory, to sit down with the Judges, and I think Attorney Szarmach put it very clear that it should be of an educational benefit to all of us so we understand the workings of the Court.

That's what I would be looking at, but as for the actual legal end of it, before I turn it over to Councilman Dernulc, I would ask Ray to address that issue again because I think Councilman Niemeyer, it is going to come back to where we have to know the limitations of this Board and whether or not we opt to remove "Item D" completely out of this right now if you are going to call for the vote.

Dernulc said this is just a First Reading so it could all be amended at another time.

Bilski said I think to keep it at a comfortable level, to move forward into the Second Reading, it would be nothing to have a friendly amendment to omit Item D, Section DD as Judge referred to completely out of it, but also to state in there as Judge Schiralli said, that this is a Committee, not a Board.

Attorney Szarmach said, I think you can create a Board pursuant to Home Rule. However you can not create this Board with the reimbursement program pursuant under 33-40-7-1 because that Statute specifically says we can't. And it's clear as a bell, you can not do that, but we could create a Board with, under Home Rule, that has certain powers and duties. Now take a look at Page 5, Section 7, the very last paragraph of the Ordinance, and it says, "Nothing in this Ordinance shall be deemed to abridge the authority of any Judge from appointing counsel for a person entitled to representation at public expense under the Constitutions and Laws of the United States and the State of Indiana".

I think that's, I don't know, with the end product, which is, this is not going to be the end product okay. That gives the Judges some protection, you got 3 votes on the Board, and the intent is, as stated by Councilman Repay, to have a Board determining certain factors, positions, responsibilities, not (inaudible) the authority of the Judge or Public Defender system. I don't know what we're going to end with, but I think this is a start, and this is the place to start. I've explained to everybody too, there are 3 branches of Government here. There's the Judicial Branch, the Executive Branch, and the Legislative Branch, we are just the Legislative Branch we can not perform executive functions, nor can we perform judicial functions. So I think what will come out of this is something that will be good for the County, and will be good for everyone. But this is just the start. I didn't write this, and I didn't get it until Thursday, from John Dull to make comments on it, and I've got some comments, and I have some more comments, and suggestions, but at this point and time, everything you bring up is a logical step in going forward with something we can put together.

Councilman Repay said, to add to that, and Attorney Szarmach was not there, but the intention was to create this Board, but not intending to necessarily, we understood that in creating this Board, we were not going to get reimbursement from the State through this Board, and at some future point, the idea was that if we were to apply, or if we could apply, and I don't know the intricacies of the merging, or the potential merging, but that could potentially happen, and we could potentially get reimbursement, if we met the guidelines of the State, but no matter whether we did, or didn't, we could still realize some savings in going this route. I would just say, just to close it all off, as far as I'm concerned, that we would like to pass it on First Reading, we would like to refer it to our Committee, and we would like to have a discussion about it for the next month, and see what we can come up with, but we would like to pass it on First Reading.

Dernulc said I agree with what Bilski said about a friendly amendment, I just have a question for the Judges, what are your thoughts if the healthcare was taken from the Public Defenders?

Judge Schiralli said, it seems like, at this point you are singling out our Division of the Court who produces the most money, and who has the most cases, and has given the most back. I mean if you're going to look at healthcare, why is it just Public Defenders, in our Division, not even in the other Divisions, why aren't we looking at...

Councilman Dernulc interjected, Judge trust me, it's not.

Councilman Dernulc ... again, going back to my question, where do you think, I mean would you....then Dernulc acknowledged Judge Cantrell

Judge Cantrell interjected, I think that it's something that could be put on the table, I think it's something that could be discussed with the people who have these doubts. I know that there are a few that have pre-existing conditions that would not be able to get health insurance anywhere else, but I think it's something that we should be concerned with making sure that they all can receive healthcare elsewhere before we took it away from them.

Dernulc said, again that's because of the risk.

Judge Cantrell said, I totally understand the risk. I am cognizant of the risk, and I told you last week, that this is system we inherited. None of us created it, none of us chose it, this is how it was when we took over the Courts. It's something that could be discussed, I don't know that we can get into that right now (many conversations going on at the same time).

Dernulc said, absolutely not. We have to defer to our committees.

Judge Moss said I just want to piggyback on what the Judge said, with regard to our Public Defenders on how would they feel about losing their health insurance. My Public Defenders make \$11,000 dollars. Other Public Defenders make (inaudible, microphone picked up someone else speaking at the same time). Judge Moss said, we reduced their money because the Council asked us to, and I felt it was easier to..., well, not easier, but most fair to reduce the salaries of those who have other jobs, than to reduce my full-time salary. Some Judges have lawyers who make more, some make less, but I'd like to point out that we are not the only ones with people with health insurance that work part-time. There are people on Contract, with health insurance.

Councilman Dernulc said please let us know who because I never heard that.

Judge Moss said, take a look at your budget, you will see them.

Cid said, just to make a correction.

Bilski said Council lady Franklin was next.

Franklin said, I agree with the Judges when they talk about, first of all, they were not consulted to even talk about this issue until it was reduced to paper. I've always felt that any Elected Official, or Department Head should be included in decisions that we are going to bring to this floor, as it relates to a Contract, or an Ordinance, to hear what they have to say, especially since we are not attorneys, and we don't know anything about their case loads.

Secondly, you are absolutely correct when you're talking about insurance, yes we do have people that are on Contract, that are on the insurance. So in all fairness, when we are talking about reducing the cost of insurance, then we need to look at all of them instead of sitting here singling out this group of people, look at all of them. This is something that from day one,(inaudible)

Cid said I wanted to just correct Judge Moss that we did not tell you to lower their salaries, we told you to lower your bottom-line.

Judge Moss said, and that's what I did.

Cid said you made the choice what to do.

Judge Moss said, and I said that. I didn't say that you told us to lower their salaries. I said that I decided to lower the salaries of those that had other jobs.

Cid said you said the Council told you, but anyway just to make that clarification that you made that decision on your own.

We are not picking just on you, but this insurance is something that we do need to look at, and to say that we are just picking on this, is not true. This came about as soon as the law changed, that you will be retained, instead of elected, and because there was talk about being able to be more efficient, being able to make cost cuts, and I think this is probably where it was maybe not spoken, but that this is one of the areas that the cost cutting may have been able to be found in. So I think that's why, and as far as, we are looking at those who have contracts, and insurance. That's why Attorney Bushemi doesn't have insurance today because we didn't give him the Contract with insurance, so it's not just picking on one group. We are a fiscal body, and we have to look at cost savings measures. Our employees haven't had raises in a long time, they work hard, we're cutting their benefits every time we do a budget session, we're cutting their benefits, and not giving them anything in return, and we do have to look at those who already have a nice salary outside the County, and then, maybe reducing those people's benefits, so we're not picking on you, and all the things you're bringing to the table, are things that need to be discussed, and I think they could be discussed under this Board, and that's what we want, to bring everybody to the table.

Prince said just a couple of points of clarity, Judge, and I understood, what happened initially, there were 2 Documents that were going out. One that was a memo, if you will, published by someone that everybody knows now, and that got confused with the Ordinance, and I think that actually took precedence because there were some really stringent recommendations in there. Let me just say, right off to bat, everyone on this body knows that none of those recommendations, or most of them couldn't even be adhered to, even if we wanted to, so let's just kind of throw that aside because no one is trying to just attack the Civil Division, as it's been suggested, we're looking at the Insurance Program overall, but there is absolutely sentiment on this body that this thing should have the brakes put on it, and to bring you all to the table, which is where the dialogue went Thursday. I thought, at that point Thursday, that we kind of made some headway.

Prince said, let me just ask one question, and hopefully it would kind of bring all of this.. would the Judges agree, and I'm almost certain you will, because you have in the past, to just work with us to try to find some solutions in the future to make County Government more solvent, and that's essentially it?

There may be some other motivation somewhere, you know, here and there but, this is a body, and we are going to act as a body, and I assure you that once it's all said and done, and now that things have kind of slowed down, with all of us working together, I'm certain that we can come out with the best possible product.

Judge Cantrell said, and we've always done that. Prince said, that's what I said, absolutely. Judge Cantrell said, and that's why I said on Thursday if you would have come to us and said "can we sit down and talk about this, can we do this". We really felt bullied by the person who wrote that memo. Prince said, absolutely. (everybody begins talking at the same time.)

Bilski said at this point, I'm going to restate what I think is, and ask for confirmation from Councilman Niemeyer who has the motion on the floor, that we will move this forward knowing good and well that this is going to be re-worked by our Attorney, with the Committee, in conjunction with the Judges that are involved in this to come to a resolution to form the Committee to explore and educate this in advance. If it is not accomplished by July 12, 2011, then we will simply defer to the following month.

Bilski also said, you have my commitment, as a Councilman that is my intent to move this thing, not to shove this through, but to get a starting point here, that is my commitment to the Judges, and I believe that Councilman Dernulc just agreed, Councilman Prince just, and I'm reiterating what he just said, and I'm sure Council lady Franklin who said that as well. With that being said, I think we've all had an opportunity to explain, everybody understands the concerns, we have a motion on the floor, and a second.

All voted "Yes", except Franklin, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

Bilski said to the Judges that we will be looking forward to getting to the Committee, and everybody working together, working with Attorney Szarmach to create the language.

Judge Scharilli said that the Judges will also be looking forward to working with the Committee.

Dante said the pivotal, key issue here, is health insurance. It's going to be pivotal. It's coming, you can hear those footsteps. That's what it boils down to, health insurance.

******Later on, during the meeting, Councilwoman asked the Chair to register her late vote as "No". Motion to approve Ordinance Establishing a Public Defender Board and Department for the Juvenile Division and County Division of the Lake Superior Court on First Reading carried 5-yes, 1-no, 1-absent.*******

In the Matter of Ordinance establishing the Scope of Health Benefits for Newly Created Positions and Non-Bargaining Unit New Hires after June 14, 2011 and Existing Employees as of June 14, 2011..

Repay made a motion, seconded by Dernulc to approve.

Cid made a motion to defer. Motion to defer dies for lack of a second.

Cid asked if they could make a friendly amendment to not include item 2 in First Reading.

After further discussion, Cid made a motion, seconded by Franklin to defer to 7-12-11. All voted "Yes" to defer, except Dernulc, "No". Bilski was "absent". Motion to defer carried 5-yes, 1-no, 1-absent.

In the Matter of Ordinance Establishing Eligibility for Health Benefits.

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

Attorney Szarmach explained that this ordinance sets the eligibility, who can get health insurance, not the benefits themselves, starting in January 1, 2012. That's part-time/full-time status.

Franklin asked is she is assuming that the 2 ordinances are mirroring to each other?

Attorney Szarmach answered, no. The first Ordinance, establishes the scope of the health Benefits – deductibles, that type of thing. Paragraph 2, existing County Employees who are existing County employees with health insurance, paragraph 3,4,5,6, and 7, is for new hires after today, that's number 8.

Number 9 defines establishing eligibility, based on either full-time, and it defines a full-time employee, that type of thing, so number 8 has to do with numbers, what your deductible is going to be, that type of thing, after a certain date, and number 9 is who can get it starting again, January 1, 2012, not July 14th.

Franklin asked with this ordinance that just passed will then establish where the new fees can go into..

Attorney Szarmach answered, no, number 9 has nothing to do with fees, and deductible, and benefits. It has who can get it, who can get the insurance at all. Starting again, this is for January 1st, 2012.

All voted "Yes", except Bilski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

In the Matter of Ordinance Establishing a Fee Schedule for the Lake County Health Department – Second Reading.

Dernulc made a motion, seconded by Cid to approve on Second Reading.

Niemeyer said I voted against First Reading on this because it seems like the fee structure is hitting the small restaurants from \$50 to \$150, from \$75 to \$250. Niemeyer said, at the time, they just don't need it

right now in their business. It seems like the bigger ones are either being held steady, or declining a little bit. I look at the swimming pool inspections, they're going up 300%, so those are the things I think are bad timing for these things, I don't disagree with them, I think it should have been looked at a long time ago, and it wasn't, for the fees, but at this time I could not support the fee structure as it's presented.

Franklin said I just wanted to make sure that I'm understanding my colleague. She asked Niemeyer if he was saying that we should not increase these fees at this time? Niemeyer answered, yes because I just stated that the small restaurants, and any business, right now in this County, government, small business, big business are facing tough times, so now we're increasing their fee structure of what they have to pay into operate a business. The other ordinance we've been doing increasing fees and stuff have been through the Sheriff Department, and stuff, you getting into trouble with, that you have to pay because you've gotten yourself into that position. Now we're starting to create a fee on top of people that do business everyday that must pay these fees, we're increasing stuff at times that they can not pay it, their business is down 10,20,30%, and we're increasing the fees, so that's my objection right now to increasing any fees right now for they have to do these things to do business. They've got enough right now.

Franklin said my last comment about that is at some point we're going to have to raise the fees to support these different departments, and the fees help support the departments. We raise taxes for the homeowners for those that at least can afford it, so we do it. Franklin said, I don't understand where these businesses should be exempt. She used for example Weights and Measures who goes around to all the big businesses to take care of these pumps and scales. Without fees, that department would be drastically in trouble, because we don't have the money to give them to do, what they really need to do. Then we turn around and send them back out, if they find something is wrong, these fees help take care of their staff. We raise folks taxes, and we can't raise fees, that is making no sense.

Prince added one point to that by saying he agrees with everything Franklin says, with the exception of the fact that we don't raise taxes, from a technical perspective.

All voted "Yes", except Repay, and Niemeyer, "No". Bilski was "absent". Motion to approve on Second Reading carried 4-yes, 2-no, 1-absent..

ORDINANCE NO. 1336A

**ORDINANCE ESTABLISHING THE
LAKE COUNTY HEALTH DEPARTMENT FEES**

WHEREAS, I.C. 36-2-3.5-3 provides that the Lake County Council is the fiscal and legislative body for Lake County, Indiana; and

WHEREAS, I.C. 36-2-3.5-5 provides that the Lake County Council shall pass all ordinances, orders, Resolutions and motions for the government of the County in the manner prescribed by I.C. 36-2-4, et.seq.; and

WHEREAS, I.C. 36-1-3-8(a)(8) provides that the Lake County Council may establish reasonable fees for certain County services; and

WHEREAS, the Lake County Council desires to establish the Lake County Health Department Fee Schedule for services provided by the Lake County Health Department.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

- 1. That the Lake County Council hereby establishes the Lake County Health Department Fee Schedule as follows:

<u>Food Safety</u>	<u>Fee</u>
Annual Food Service Permit, 1-4 employees	\$150.00
Annual Food Service Permit, 4-9 employees	\$210.00
Annual Food Service Permit, 10-14 employees	\$240.00
Annual Food Service Permit, 15-19 employees	\$270.00
Annual Food Service Permit, 20-24 employees	\$300.00
Annual Food Service Permit, 25-29 employees	\$320.00
Annual Food Service Permit, 30-34 employees	\$350.00
Annual Food Service Permit, 35-39 employees	\$380.00
Annual Food Service Permit, 40-44 employees	\$400.00
Annual Food Service Permit, 45-49 employees	\$430.00
Annual Food Service Permit, 50 + employees	\$460.00
Annual Food Market Permit	\$110.00
Temporary Permit	\$10.00/day (maximum \$30.00 per event)
Mobile Unit Permit	\$ 70.00

Partial Year Operation Permits – If such application for a new establishment is

made between the first day of July and the thirty-first day of December of any year, the applicant shall pay to the Lake County Health Department, a fee equal to fifty (50%) percent of the respective fee on the foregoing scale. Such existing food service establishments which operate four or less consecutive months during any one calendar year shall pay a fee equal to one-third of the regular annual license fee. Such food service establishments which operate more than four but less than six consecutive months during any one calendar year shall pay a license fee equal to one-half of the regular annual license fee.

Renewal Fees – Every person operating an Annual Food Service or Annual Food Market with a permanent location shall pay annually to the Lake County Health Department a renewal fee in accordance with the foregoing scale between the first day of January and the first day of March of each year. If said renewal fee is not paid on or before the first day of March of each year then the permit is void. Such establishment may resume operation only after securing a permit from the Lake County Health Department and paying a fee in the amount double that of the regular fee for the renewal of the license.

Food Service Violation Re-Inspection \$ 80.00

Environmental

Residential-new on-site wastewater disposal permit-trench type \$125.00
 Residential-repair on-site wastewater disposal permit-trench type \$110.00
 Residential-new on-site wastewater disposal permit-mound type \$200.00
 Residential-repair on-site wastewater disposal permit-mound type \$ 35.00
 Commercial-new on-site wastewater disposal permit-trench type \$135.00
 Commercial-new on-site wastewater disposal permit-mound type \$250.00
 Commercial-repair on-site wastewater disposal permit-mount type \$ 35.00

Well water sample collection fee \$ 20.00

Public Swimming Pools

Annual Non-Tax Supported Swimming Pool Permit \$2180.00
 Seasonal Non-Tax Supported Swimming Pool Permit \$ 670.00

Public Health Nursing

Adult (travel) immunizations-administration fee \$ 10.00
 Copy of immunization record \$ 2.00

Vital Records

Certified Birth Certificate \$ 10.00
 Certified Death Certificate \$ 10.00
 Paternity Affidavit \$ 15.00
 Birth Certificate Name Change \$ 15.00

2. That all fees collected shall be placed in the Lake County Health Department Fund.
3. This Ordinance hereby rescinds and repeals the fee portions of Ordinance Nos. 20,23, 27, 993B, 1224.

SO ORDAINED THIS 14TH DAY OF JUNE, 2011.

CHRISTINE CID
DANIELL E. DERNULC

ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Establishing the Lake County Recorder’s Perpetuation Fund, Fund No. 179, a Non-Reverting Fund.

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

Cid made a motion, seconded by Repay to Suspend Rules. All voted “Yes”, except Bilski, “absent. Motion carried 6-yes, 1-absent.

Cid made a motion, seconded by Niemeyer to approve on Second Reading. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

ORDINANCE NO. 1336B

**ORDINANCE ESTABLISHING THE LAKE COUNTY
RECORDER'S PERPETUATION FUND, FUND NO 179, 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, effective July 1, 2011, One (\$1.00) Dollar of the Two (\$2.00) Dollar County Identification Security Protection Fee for recording or filing a document shall be deposited in a Recorder's Records Perpetuation Fund, Fund No. 179; and

WHEREAS, pursuant to I.C. 36-2-7-10, the County Recorder may use any money in this Fund without appropriation for the preservation of records and the improvement of record keeping systems and equipment.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Recorder's Records Perpetuation Fund, Fund No. 179, A non-reverting fund, is established for the deposit of One (\$1.00) Dollar of the Identification Security Protection Fee charged for recording a document pursuant To I.C. 36-2-7.5-6 and for deposit of revenue received pursuant to I.C. 36-2-7-10(d). The Fund shall be administered by the Recorder and used for the preservation of records and the improvement of record keeping systems and equipment.
2. Any money remaining in the fund at the end of the year Shall not revert to any other fund but continues in the Recorder's Perpetuation Fund.

SO ORDAINED THIS 14TH DAY OF JUNE, 2011.

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 Creating a County Elected Officials Training Fund, a Non-Reverting Fund.

Cid made a motion, seconded by Repay to approve on First Reading. All voted "Yes", except Bilski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

Cid made a motion, seconded by Repay to Suspend Rules. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

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

ORDINANCE NO 1336C

**ORDINANCE ESTABLISHING THE LAKE COUNTY
ELECTED OFFICIALS TRAINING 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, effective July 1, 2011, Fifty (\$.50) Cents of the Two (\$2.00 Dollar County Identification Security Protection Fee for recording or filing a document shall be deposited in a County Elected Officials Training Fund in addition to any other sources required or permitted by law pursuant to I.C. 36-2-7-19(c); and

WHEREAS, pursuant to I.C. 36-2-7-19, the money in this Fund shall be used solely to provide training of County elected officials required by I.C. 36-2-11-2.5, I.C. 36-2-12-2.5 and other similar laws.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the County Elected Officials Training Fund, a non-reverting fund, is established for the deposit of Fifty (\$.50) Cents of the Identification Security Protection Fee charged for recording a document pursuant to I.C. 36-2-7.5-6. Money in this Fund shall be used solely to provide training of County elected officials required by I.C. 36-2-11-2.5, I.C. 36-2-12-2.5 and other similar laws.
2. That money in the Fund shall be used to provide training for the following elected officials in the following amounts:

a. Surveyor	18%
b. Clerk	41%
c. Recorder	41%
3. 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.
4. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the County Elected Officials Training Fund.

SO ORDAINED THIS 14TH DAY OF JUNE, 2011.

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 Establishing the Lake County Identification Security Protection Fund, a Non-Reverting Fund.

Cid made a motion, seconded by Repay to approve on First Reading. All voted "Yes", except Bilski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

Cid made a motion, seconded by Repay to Suspend Rules. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

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

ORDINANCE NO. 1336D

**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, effective July 1, 2011, fifty cents (\$.50) cents of the Two (\$2.00) Dollar County Identification Security Protection Fee for recording or filing a document shall be deposited in a County Identification Security Protection Fund; and

WHEREAS, pursuant to I.C. 36-2-7.5-11, 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 Fifty Cents (\$.50) Cents of the Identification Security Protection Fee charged for recording a document pursuant to I.C. 36-2-7.5-6. 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.
- 4, This Ordinance hereby rescinds and repeals Ordinance No. 1269B.

SO ORDAINED THIS 14TH DAY OF JUNE, 2011.

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 Creating an Enhanced Access Fund for the Lake County Recorder.

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

Cid made a motion, seconded by Repay to Suspend Rules. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

All voted "Yes" to approve on Second Reading, except Bilski. Motion carried 6-yes, 1-absent.

ORDINANCE NO. 1336E

**ORDINANCE ESTABLISHING THE
LAKE COUNTY RECORDER'S
ENHANCED ACCESS 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, under the authority provided by I.C. 5-14-3-3.6(c)(2) the Lake County Recorder and Lake County Commissioners have entered into a contract with a third party to provide enhanced access to recorded document index information and to recorded document images that are public records on file and under the legal authority of said Recorder; and

WHEREAS, I.C. 5-14-3-3.6(e) and I.C. 5-14-3-8(h) permit the assessment of a reasonable fee for the provision of such enhanced access to public records; and

WHEREAS, I.C. 5-14-3-8.3 requires the County fiscal body to adopt an ordinance to establish an Enhanced Access Fund into which the enhanced access fees received by the Recorder shall be deposited.

NOW, THEREFORE, LET IT BE ORDAINED as follows:

1. That the Lake County Recorder's Enhanced Assess Fund, a non-reverting fund is hereby established to receive those fees received by the Recorder for the above-described provisions of enhanced public access to public records under said Recorder's charge.
2. That the Fund shall be a dedicated Fund and the monies Deposited therein shall be used (i) for the replacement, improvement, and expansion of capital expenditures in the Lake County Recorder's Office, and/or (ii) for the reimbursement of operating expenses incurred in providing enhanced access to public information by the Lake County Recorder's Office.
3. 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.
4. Any money remaining in the Fund at the end of the year Shall not revert to any other fund but continues in the Lake County Recorder's Enhanced Access Fund.

SO ORDAINED THIS 14TH DAY OF JUNE, 2011.

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 Establishing a Juvenile Interstate Transportation Fund for the Juvenile Court – A Non-Reverting Fund.

Repay made a motion, seconded by Cid to approve on First Reading. All voted "Yes", except Bilski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

Repay made a motion, seconded by Franklin to Suspend Rules. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

Repay made a motion, seconded by Franklin to approve on Second Reading. All voted "Yes", except Bilski, "absent". Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO 1336F

**ORDINANCE ESTABLISHING THE
JUNENILE INTERSTATE TRANSPORTATION 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, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or resolution transfer money from one fund to another; 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, effective July 1, 2011, I.C. 11-13-4.5-1.5 establishes a new Interstate Compact for Juveniles which provides that Indiana will be a member of the National Interstate Commission for Juveniles made up of the compact administrators from various states; And

WHEREAS, pursuant to I.C. 11-13-4.5-4 and Indiana delinquent child on probation who applies To be transferred out of state under the interstate compact for juveniles shall pay an Application fee of One Hundred Twenty-Five (\$125.00) Dollars; and

WHEREAS, the Lake County Council desires to create the Juvenile Interstate Transportation Fund, a non-reverting fund for the deposit of the application fee received from juveniles on probation who apply to be transferred out of state under the Interstate compact for juveniles.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Juvenile Interstate Transportation Fund is hereby Established for the deposit of the application fee of One Hundred Twenty-Five (\$125.00) Dollars from juveniles on probation who apply to be transferred out of state under the interstate compact for juveniles.
2. That the Fund shall be a non-reverting fund and any monies in the Fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.
3. That fifty percent of the application fee shall be deposited In the Juvenile Interstate Transportation Fund and the remaining Fifty percent shall be transmitted to the Indiana Judicial Center.

SO ORDAINED THIS 14TH DAY OF JUNE, 2011.

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 Ordinance Establishing the Distribution of Monies from the Lake County Commissioners Tax Certificate Sales, Ordinance No 1333A

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

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

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

ORDINANCE NO 1333A-1

**ORDINANCE AMENDING THE ORDINANCE
ESTABLISHING THE DISTRIBUTION OF MONIES
FROM THE LAKE COUNTY COMMISSIONERS
TAX CERTIFICATE SALES, ORDINANCE NO. 1333A**

WHEREAS, on March 30 2011, the Lake County Council adopted the Ordinance Establishing the Distribution of Monies from the Lake County Commissioners Tax Certificate Sales, Ordinance No. 1333A; and

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Ordinance Establishing the Distribution of Monies From the Lake County Commissioners Tax Certificate Sales, Ordinance No. 1333A, shall be amended as follows:

DELETE:

8. That from the monies annually deposited in the Commissioners' Tax Sale Fund No. 385, the following maximums shall be transferred each Calendar year to the indicated fund:
 - a. Up to \$236,000.00 to the Auditor's Incentive Fund.
 - b. Up to \$240,000.00 to the Treasurer's Incentive Fund.
 - c. Up to \$100,000.00 to the Recorder's Incentive Fund.
 - d. Up to \$100,000.00 to the Commissioners' Incentive Fund
9. That after the transfers to the respective funds of the monies as required by paragraph 8, the Lake County Council shall appropriate the following sums of money to the indicated funds:
 - a. Up to \$236,000.00 to the Auditor's Incentive Fund.
 - b. Up to \$240,000.00 to the Treasurer's Incentive Fund.
 - c. Up to \$100,000.00 to the Recorder's Incentive Fund.
 - d. Up to \$100,000.00 to the Commissioners' Incentive Fund.
10. That the balance of the monies in Commissioners' Tax Sale Fund No. 385 at any time after the annual transfer of the initial \$676,000.00 shall not be transferred or used for any purpose other than by action of the Lake County Council through transfer and/or appropriation.

INSERT:

8. That from the monies annually deposited in the Commissioners' Tax Sale Fund No. 385, the following maximums shall be transferred each calendar year to the indicated fund:
 - a. Up to \$236,000.00 to the Auditor's Incentive Fund.
 - b. Up to \$240,000.00 to the Treasurer's Incentive Fund.
 - c. Up to \$100,000.00 to the Recorder's Incentive Fund
 - d. Up to \$250,000.00 to the Commissioners' Incentive Fund.
9. That after the transfers to the respective funds of the monies as required by paragraph 8, the Lake County Council shall appropriate the following sums of money to the indicated funds:
 - a. Up to \$236,000.00 to the Auditor's Incentive Fund.
 - b. Up to \$240,000.00 to the Treasurer's Incentive Fund.
 - c. Up to \$100,000.00 to the Recorder's Incentive Fund.
 - d. Up to \$250,000.00 to the Commissioners' Incentive Fund.

10. That the balance of the monies in Commissioners' Tax Sale Fund No. 385 at any time after the annual transfer of the initial \$826,000.00 shall not be transferred or used for any purpose other than by action of the Lake County Council through Transfer and/or appropriation.

SO ORDAINED THIS 14TH DAY OF JUNE, 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 Establishing an County Offender Transportation Fund – a Non-Reverting Fund.

Repay made a motion, seconded by Cid to approve on First Reading. All voted "Yes", except Bilski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

Repay made a motion, seconded by Niemeyer to Suspend Rules. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

Repay made a motion, seconded by Niemeyer to approve on Second Reading. All voted "Yes", except Bilski, "absent". Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO 1336G

ORDINANCE ESTABLISHING THE COUNTY OFFENDER TRANSPORTATION 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, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or Resolution transfer money from one fund to another; 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, effective July 1, 2011, pursuant to I.C. 11-13-4.5-4 an Indiana offender on probation or parole who applies to be transferred out of state under the interstate compact for adult supervision shall pay an application fee of One-Hundred Twenty-Five (\$125.00) Dollars ; and

WHEREAS, the Lake County Council desires to create the County Offender Transportation Fund, a non-reverting fund, for the deposit of the application fee received from offenders on probation or parole who apply to be transferred out of state under the interstate compact for adult offender supervision.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the County Offender Transportation Fund is hereby established for the deposit of the application fee of One Hundred Twenty-Five (\$125.00) Dollars from offenders on probation or parole who apply to be transferred out of state under the interstate compact for adult offender supervision.
2. That the Fund shall be a non-reverting fund and any monies in the fund at the end of the fiscal year shall remain in the Fund and not revert to the General Fund.
3. That fifty percent of the application fee shall be deposited

date with his rabies shots. The vet bill so far is over \$500 for treatment of multiple infected wounds. It's been a month now and the cat is still under the care of the vet for these wounds.

A couple of years ago the neighbor maintaining the cat colony was bit by one of his feral cats. The cat died the next day. When the neighbor found out that the Lake County Health Department would only test the head of the cat for rabies he opted to take rabies shots instead of getting the cat tested. Both my next door neighbor and I have grandchildren who visit regularly and whereas I know that cats are not usually the carriers of rabies if one of the children were bitten by one of these feral cats that child would still have to have rabies shots as there are so many cats that come over we wouldn't be sure which cat was the one that needed to be tested. Our gardens are used as litter boxes by these cats and that carries a risk from parasites that carries toxoplasmosis;

Saturday, a woman who works at the no kill cat shelter in Michigan City was visiting my home. We walked over to the house with the cat colony where in about thirty seconds she had counted 21 feral cats in the yard. At one time we counted 40 cats and kittens.

The cats are often sick, inbred and some have been found dead on our property or my neighbors. Both my neighbor next door and I are cat owners and care about the cats. I have found homes for two of the kittens that wandered over from the colony and I have adopted two, one that had a herpes virus and cost over \$400 including a visit to a Purdue othomologist for treatment.

We have made numerous complaints to this neighbor. He says he will stop feeding the cats or that he is taking them someplace else but the numbers tell a different story and I don't think dumping them on someone else solves the problem. I have given him a live animal trap and two cat carriers to help him. We care about these cats but the situation is out of control.

Female cats can reach sexual maturity between five and nine months of age. They can have litters numbering 4 to 6 kittens up to six times a year. One female cat and her offspring could produce between 100 and 400 cats by the end of seven years." Cats can bear litters throughout their life span. Killing these cats, won't solve the problem, other cats will fill the void. Feral cats unless captured as kittens are not readily adoptable as they are not socialized.

After reading many ordinances enacted into code in Indiana and other states the most recommended by Humane Societies is the TNR, Catch, Neuter and Return. A maintained TNR Colony will over a period of time be greatly reduced. Also, farmers are likely to provide a home for these cats that are fixed, knowing they will not reproduce.

In fact, when I had a mother cat move in to my property I worked to socialize her and the kittens, had them fixed and the kittens were accepted by Buckley Homestead. I work in a library and the cats inspired us to make coloring book about the cats "Kitties of Buckley Homestead" as a fundraiser.

My hope is that the council will consider passing a Feral Cat Colony ordinance such as the ones I present to you. Grants have been given to Humane Societies, one for \$75,000 in the Louisville area by Pet Smart for the sterilization of 2000 cats. Perhaps a maker of cat food products such as Purina would help in this effort.

As it stands now we, as neighbors, have no monetary recourse for the damage these cats cause, and no ability to deal with the health hazards they present and no solution that is positive for the cats, unless there is an ordinance to help us.

Nell Fabish
16509 Morse St.
Lowell, Indiana 46356

Ms Fabish said that she would like the Council to consider passing a Feral Cat County Ordinance in Lake County.

Councilman Prince told Ms.Fabish that she could leave the information with Councilman Niemeyer.

Wayne Weitbrock said that it's not only cats, it's dogs, it's pigs, it's feral that run wild. You see it in Cities. He asked the Council to look through the ordinance and see what you can do with it because it is a problem in some places. They cause problems.

Repay said he is on the Animal Control Committee, and he looks forward to reading and hopefully learning about it, and hopefully we can come up with something to address the problems that need to be addressed.

Motion was made and seconded to recess.

In the Matter of Lake County Wind Farm – Michigan Energy.

Andy Paterson of Michigan Energy gave a presentation and said that they are looking at Eagle Creek Township as the location of a wind farm.

Dan Blaney, an Attorney from Morocco, IN who represents the farmers in Eagle Creek Township was present.

Mr. Jim Presmeske asked questions about wind charts.

No Action was taken on matter.

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

