

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 June 14, 2011 Lake County Council Meeting.

Prince made a motion, seconded by Cid to defer to 8-9-11. All voted "Yes". Motion to defer carried 7-0.

ORDINANCE NO. 1337

Section 1. Be It Ordained by the County Council of Lake County, IN., that for the expenses of the County Government and its institutions, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein appropriated, and shall be held to include all expenditures authorized to be made during the year unless otherwise expressly stipulated and provided by law.

| | Appropriation Requested | Appropriated |
|--|----------------------------|----------------------|
| General Fund 001 | | |
| <u>Council</u> 3700 | | |
| 41240 Health Insurance | \$112,125.00 | \$112,125.00 |
| 41260 Workman's Compensation | \$ 9,750.00 | \$ 2,883.00 |
| <u>Commissioners</u> 2900 | | |
| 41230 PERF | \$ 43,500.00 | \$ 43,500.00 |
| <u>Jail</u> 3100 | | |
| 43630 Maintenance & Service(Reduction) | -\$158,508.00 | -\$158,508.00 |
| Animal Control S.N.A.P. Fund 156 | | |
| <u>Animal Control</u> 3200 | | |
| 43995 Other Services & Charges | \$ 7,000.00 | \$ 7,000.00 |
| L.C. Animal Shelter Non-Reverting Fund 163 | | |
| <u>Animal Control</u> 3200 | | |
| 43995 Other Services & Charges | \$ 3,000.00 | \$ 3,000.00 |
| 44490 Other Equipment | \$ 1,000.00 | \$ 1,000.00 |
| HAVA Title III Voting System Fund 263 | | |
| <u>Election & Registration</u> 2100 | | |
| 44420 Office Machines(CNL) | \$100,000.00 | \$100,000.00 |
| 44490 Other Equipment(CNL) | \$260,347.22 | \$260,347.22 |
| Sheriff's SIG Grant Fund 270 | | |
| <u>Sheriff</u> 0500 | | |
| 43190 Other Professional Service | \$ 2,000.00 | \$ 2,000.00 |
| 43630 Maintenance & Service | \$ 12,085.25 | \$ 12,085.25 |
| Lake Circuit & Superior Courts Excess Internet Access Fee Fund 283 | | |
| <u>Superior Court Civil</u> 3900 | | |
| Create All New Line Items(Amended) | | |
| 41220 FICA | \$ 5,355.00 | Defer to 8-9-11 |
| 41230 PERF | \$ 7,825.00 | Defer to 8-9-11 |
| 41390 Supplemental Pay | \$ 70,000.00 | Defer to 8-9-11 |
| 43920 Food & Lodging | \$ 16,800.00 | Defer to 8-9-11 |
| Juvenile Interstate Transportation Fund 348 | | |
| <u>Juvenile Court</u> 4100 | | |
| 43995 Other Services & Charges(CNL) | \$ 1,000.00 | \$ 1,000.00 |

Election & Registration Sec 101 HAVA Fund 363

| | | |
|---|----------------------|--------------|
| <u>Election & Registration</u> 2100 | | |
| 44490 | Other Equipment(CNL) | \$400,000.00 |
| | | \$400,000.00 |

TRANSFER

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>Center Township Assessor</u> 1200 | | |
| From: 001-43233 | Travel/Lodging | \$ 23.56 |
| 001-43234 | Travel Trans/Other | \$ 14.00 |
| 001-43910 | Dues & Subscriptions | \$ 19.62 |
| 001-43955 | Official Bonds | \$ 12.00 |
| To: 001-42110 | Office Supplies | \$ 69.18 |
| | | \$ 69.18 |
| <u>Coroner</u> 0700 | | |
| From: 001-42115 | Photography | \$ 500.00 |
| To: 43232 | Travel/Meals | \$ 500.00 |
| | | \$ 500.00 |
| <u>Election & Registration</u> 2100 | | |
| 001-41196 | Election Day Workers | \$ 7,000.00 |
| To: 001-41333 | Election Workers Per Diem | \$ 7,000.00 |
| | | \$ 7,000.00 |
| <u>Circuit Court Clerk</u> 0100 | | |
| Clerk's Record Perpetuation Fund 194 | | |
| From: 194-44410 | Furniture & Fixtures | \$ 5,000.00 |
| 194-44420 | Office Machines | \$16,000.00 |
| 194-44490 | Other Equipment | \$22,852.00 |
| To: 194-41190 | Part-Time | \$ 40,000.00 |
| 194-41220 | FICA | \$ 3,852.00 |
| | | \$ 3,852.00 |
| <u>Jail</u> 3100 | | |
| From: 001-42260 | Jail Inmate Clothing Allowance | \$ 16,000.00 |
| To: 001-42410 | Other Supplies | \$ 16,000.00 |
| | | \$ 16,000.00 |
| <u>Sheriff</u> 0500 | | |
| Sheriff's SIG Grant Fund 270 | | |
| From: 270-41220 | FICA | \$ 153.00 |
| 270-41230 | PERF | \$ 250.00 |
| 270-41390 | Supplemental Pay | \$ 2,697.00 |
| To: 270-43630 | Maintenance & Service Contr | \$ 3,100.00 |
| | | \$ 3,100.00 |
| <u>Sheriff</u> 0500 | | |
| From: 001-43330 | Photo/Blueprinting | \$ 20,000.00 |
| To: 001-42220 | Garage & Motors | \$ 10,000.00 |
| 001-42410 | Other Supplies | \$ 10,000.00 |
| | | \$ 10,000.00 |
| <u>L.C. Drug Task Force</u> 0582 | | |
| Non-Reverting Property Seizure Fund 145 | | |
| Create 2 New Line Items | | |
| From: 145-0582-43995 | Other Services & Charges | \$ 90.00 |
| To: 145-0582-41230 | PERF | \$ 9.00 |
| 145-0582-41331 | Court Reporter Per Diem | \$ 81.00 |
| | | \$ 81.00 |
| <u>Park & Recreation</u> 5156 | | |
| Parks & Recreation Fund 107 | | |
| Create New Line Item | | |
| From: 107-41193 | Compensation Board Members | \$ 7,500.00 |
| To: 107-41329 | Member Per Diem | \$ 7,500.00 |
| | | \$ 7,500.00 |
| <u>Health Department</u> 5131 | | |
| Health Department Tobacco Settlement Fund 296 | | |
| Create New Line | | |
| From: 296-41140 | Protective Services | \$ 25,412.00 |
| To: 296-41190 | Part-Time | \$ 25,412.00 |
| | | \$ 25,412.00 |
| <u>Highway Department</u> 5011 | | |
| County Highway Fund 102 | | |
| From: 102-5013-41270 | Group Insurance | \$ 6,000.00 |
| 102-5017-41180 | Service/Maintenance | \$ 90,000.00 |
| 102-5017-41220 | FICA | \$ 6,800.00 |
| 102-5017-41230 | PERF | \$ 8,300.00 |
| 102-5017-41270 | Group Insurance | \$ 30,000.00 |
| To: 102-5011-43630 | Service & Maintenance Cont | \$ 2,000.00 |
| 102-5013-42210 | Petroleum Products | \$110,000.00 |
| 102-5013-42220 | Garage & Motors | \$ 15,000.00 |
| 102-5013-43620 | Equipment Repair | \$ 10,000.00 |
| | | \$ 10,000.00 |

| | | | |
|--------------------------|--------------------|-------------|-------------|
| 102-5017-42410 | Other Supplies | \$ 4,100.00 | \$ 4,100.00 |
| <u>Public Works 2950</u> | | | |
| From: 001-42410 | Other Supplies | \$ 3,000.00 | |
| To: 001-41210 | Longevity | \$ 60.00 | \$ 60.00 |
| 001-42210 | Petroleum Products | \$ 2,940.00 | \$ 2,940.00 |

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 12th day of July, 2011.

Adopted this 12th day of July, 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 Motion | seconded | | |
| Council(\$115,008) (See Footnotes) | Cid | Prince | All voted "Yes" to approve, except Dernulc, and Niemeyer, "No". Motion to approve carried 5-yes, 2-no. | |
| Commissioners(\$43,500) | Franklin | Dernulc | All voted "Yes" to approve. Motion carried 7-0. | |
| Jail(-\$158,508.00) | Cid | Prince | All voted "Yes" to approve, the reduction in the Jail budget, general fund, except Dernulc, and Niemeyer, "No". Motion to approve carried 5-yes, 2-no. | |
| <u>Animal Control S.N.A.P. Fund 156</u> | | | | |
| Animal Control(\$7,000) | Repay | Franklin | All voted "Yes". Motion carried 7-0. | |
| <u>L.C. Animal Shelter Non-Reverting Fund 163</u> | | | | |
| Animal Control(\$4,000) | Repay | Franklin | All voted "Yes". Motion carried 7-0. | |
| <u>HAVA Title III Voting System Fund 263</u> | | | | |
| Election & Reg(360,347.22) | Franklin | Prince | All voted "Yes" to create new line item and approve appropriation. Motion carried 7-0. | |
| <u>Sheriff's SIG Grant Fund 270</u> | | | | |
| Sheriff(\$14,085.25) | Cid | Prince | All voted "Yes" to approve. Motion carried 7-0. | |
| <u>Lake Circuit & Superior Courts Excess Internet Access Fee Fund 283</u> | | | | |
| Superior Court Civil(\$99,680.00) (See Footnote) | Franklin | Prince | All voted "Yes" to defer to 8-9-11, except Repay, Cid, and Niemeyer, "No". Motion to defer carried 4-yes, 3-no. | |

Juvenile Interstate TransportationFund 348

Juvenile Court(\$1,000)

Franklin

Cid

All voted "Yes" to create new
Line item, and approve. Motion
Carried 7-0.Election & Registration Sec 101HAVA Fund 363

Election & Registration(\$400,000)

Franklin

Prince

All voted "Yes" to create

new

(See Footnotes)

line item and approve appropriation.
Motion carried 7-0.Footnotes

Re: Council(\$115,008) – Cid made a motion, seconded by Franklin to approve for a total of \$121,875.

Prince said he thought the numbers changed for 41260 – Workmens Compensation to \$2,883.00.

Cid amended her motion for 41260 – Workman's Comp to be in the amount of \$2,883. Prince seconded the motion. All voted "Yes" to approve, except Dernulc, and Niemeyer, "No". Motion to approve carried 5-yes, 2- no.

Re: Superior Court Civil – Attorney Szarmach said that creating new line items that are not advertised in the 2011 budget, which means that you need $\frac{3}{4}$ majority, which is 6 votes to create the line items, to actually appropriate money into those line items you need only 4 votes.

Franklin made a motion, seconded by Prince to approve.

Cid said I won't be supporting this because this is for raises for Court staff, and I believe that we need to give raises to all county employees, and not just a certain group. It's not that they are not deserving of it, but we have to look at giving all County employees a raise, all of them, not just a certain group. Just because they seem to find the money, through these funds, which some departments don't have these funds. They don't have that liberty, and again, we are just ready to spend money. I could see if the courts wanted to take some of their positions out of the general fund, and maybe fund it with some of these funds, then relieving the general fund to make some of these funds available for the rest of the employees in the County. I might be able to support something like that, and the Food & Lodging, I don't believe that the law intended this money to be allowed for Food & Lodging.

Dernulc said that I am okay with the Food & Lodging component, but I just will not be able to support, at this time, the supplemental pay, along with Perf and Fica.

Niemeyer said to me this is a job performed by a governmental department, that it's part of their duties, and it creates money which is a good system, it creates money back into the fund, but giving mid-year bonuses to workers for doing a job that's part of their description, part of the stuff they are supposed to do everyday, and we need to look at these funds in a total package of what we need to do with them. Some of these departments are able to create, like Cid said, and some departments are not. So I can't support this for supplemental pay at mid-year to give certain individuals a bonus, basically the way I look at it.

Franklin said she would like to withdraw her motion, and defer. Attorney Szarmach said you can make a motion to defer, which takes precedence over the main motion.

Franklin made a motion, seconded by Prince to defer to 8-9-11. All voted "Yes" except Repay, Cid, and Niemeyer, "No". Motion to defer carried 4-yes, 3-no.

Judge Pera said that the Judiciary, over the past 3 years, has cut it's budget by over 30%, in response to the needs of the Council. I hear the comments about supplemental pay, but let me point out to each and every member of the Council I have here in my folder, over 6 pages, dozens, scores of employees in Lake County Government, that have their income supplemented by funds provided by Web Maintenance. This is not unheard of, there is not a department, that I know of that does not in some way, shape, or form supplement their employees. The Courts asks for no greater consideration or anything special by the request that we've made today. In the Civil Division, in an effort to meet the budgetary demands of the Council, we eliminated Juror meals this year, which has caused a great deal of problems in our Court system with Jurors leaving the building, some not coming back, coming back late, disgruntled because they walk through a line, and have Criminal Division Jurors lunches paid for, and the Civil Division not, a very innocuous request of \$16,000 dollars so that we can fund our Juror' lunches for the rest of the year.

Judge Pera said I know that your job is difficult, but I implore you, I can understand the deferral on the supplemental pay, but the very least, reconsider your action you are taking here this morning, with regard to the Juror meals.

Prince said that since I've been on this body, I voted in different manners on supplemental pay. I've always initially thought that's the notion of it because there didn't appear to be any consistent policy. Some are regulated by statute, some are at the liberty, or discretion of the particular officeholder, depending on the funds that are available. In any event, I asked Dante early on to help come up with a way that we could take supplemental pays and include them as part of the general fund. That way, I think in some instances, when we have situations like this, we would at least eliminate the speculation of it being preferential treatment, or something like that. I think at that time in talking with Attorney Szarmach, part of the back drop was that part of them were regulated by State Statutes. Hopefully, as we move forward from today on, we can re-visit that conversation it seems to be a lot of interest and dissention, as it relates to supplemental pay. I would love to head up a committee like that, and try to come up with some realistic approaches to dealing with supplemental pay once and for all, and hopefully we can eliminate some of these issues in the future, and at the very minimum have a consistent policy that applies to everyone.

Judge Paras, Circuit Court Judge said he has no problem with splitting the monies amongst all of the Courts, however; he said he has a problem with the supplemental pay. He has 13 employees, which there is not enough money to go around to all of his employees. The Superior Court employees would be getting supplemental pay, and mine would not, so reallocation has to be a little more fairly distributed, if it's going to be done, so that all of the Court employees, not just certain courts, and other' not. It's the way the money was split up and allocated. Judge Paras said, as far as the food and lodging, I agree with Judge Pera that that is something that is essential.

Bilski asked his colleagues that if Council lady Franklin was to make a motion to reconsider, reconsider her entire proposal, we could go back and create one new line item, which is 43920, which is the food, and make the \$16,800 appropriation into that specific line item, and defer the rest of the motion until August, if that's something they would be so inclined to do, Council lady Franklin could make that motion to reconsider.

Repay said that he believes that in one of their study sessions, we sought a legal opinion on whether that is allowable under the statutes, and our Legal Advisor said that Food & Lodging was not an acceptable expense for that fund, then asked am I wrong?

Attorney Szarmach said I said it would be a stretch.

Repay said I'd prefer not to stretch.

Attorney Szarmach said that the statute, and I think Judge Svetanoff and I agreed on a memorandum that both of us put a memorandum together that you could use this for anything related to supporting the Web. That's people who put information into the Court View, it's people who take information that goes into the Court View system. Unfortunately what's needed is food & lodging, I would have a hard time...

Dernulc said since Repay brought that up, I think we deferred it, we need to talk about this a little bit more. Maybe Attorney Szarmach could look into it.

Cid wanted to respond to Judge Pera' concern about supplemental pay. Cid said that I took a stand this year, and I did not approve any supplemental pay' for anyone, so this has been my stand since the beginning.

Judge Pera said and there was a time the Council encouraged folks to supplement the pay of their employees.

Cid said that was the time I believe, before we had our levies frozen, and talking layoffs.

Judge Pera said that as far as the Circuit Judge' comments are concerned, the method of allocation of these funds were made at a general Judge' meeting in November at which the Circuit Court Judge was present, and voiced no opposition.

Judge Paras said he did not know that the money was going to be used for Supplemental Pay, at that time, or I would have voiced opposition.

The Judges who were present in the County Council meeting today were: Judge Pera, Judge Schneider, Judge Paras, and Judge Svetanoff.

Election & Registration(\$400,000) – Franklin made a motion, seconded by Prince to approve. Dante said as a FYI on these two, they are also asking for these appropriations for the 2012 budget, which is driving them in the red by this amount, so remember that indeed we can't give it to them in 2012. You are giving it to them, this appropriation to them now. They are asking for a duplicate next year as well, which you can't do.

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

Transfer

| | Made motion | seconded | |
|--|-------------|----------|---|
| Center Twp Assr(\$69.18) | Prince | Dernulc | All voted "Yes" to approve. Motion carried 7-0. |
| Coroner(\$500) | Cid | Repay | All voted "Yes" to approve. Motion carried 7-0. |
| Election & Reg(\$7,000) | Franklin | Prince | All voted "Yes" to approve. Motion carried 7-0. |
| Circuit Court Clerk(\$43,852) (Clerk's Record Perpetuation Fund 194) (see footnote) | Franklin | Prince | All voted "Yes" to approve, except Cid, "abstain". Motion carried 6-yes, 1-abstention. |
| Jail(\$16,000) | Cid | Dernulc | All voted "Yes" to approve. Motion carried 7-0. |
| Sheriff(\$3,100) (Sheriff' SIG Grant 270) | Cid | Prince | All voted "Yes". Motion to approve carried 7-0. |
| Sheriff(\$20,000) | Cid | Prince | All voted "Yes". Motion to approve carried 7-0. |
| L.C. Drug Task Force(\$90.00) Non-Reverting Property Seizure Fund 145 | Cid | Prince | All voted "Yes". Motion to Create 2 new line items and approve. Motion carried 7-0. |
| Parks & Recreation(\$7,500) Park Fund 107 | Dernulc | Niemeyer | All voted "Yes". Motion to approve carried 7-0. |
| Health Dept(\$25,412) Health Dept Tobacco Settlement Fund 296 | Dernulc | Prince | All voted "Yes" to create new line item and approve appropriation. Motion carried 7-0. |
| Highway Dept(\$141,100) Highway Fund 102 | Franklin | Repay | All voted "Yes" to approve, except Prince, "absent". Motion to approve carried 6-yes, 1-absent. |
| Public Works(\$3,000) | Franklin | Prince | All voted "Yes" to approve. Motion carried 7-0. |

Footnotes

Re: Circuit Court Clerk (\$43,852) – Franklin made a motion, seconded by Prince to approve.

Dernulc asked Mr. Mike Brown, Clerk if they have a budget in the Perpetuation Fund 194 for 41190 – Part-Time?

Mr. Brown answered, yes, this is part of the Perpetuating Funds, the funds that were given to us, Council approved, but we never moved it into this line. This is from Resolution No. 11-36 which was approved on April 12, 2011. The money is already there, we just need approval to move it in the fund.

Niemeyer asked what is the reason to transfer this money into part-time?

Mr. Brown answered, to pay our part-time employees.

Niemeyer asked for what purpose?

Mr. Brown answered, for the work that they do in the office on a daily basis.

Niemeyer asked is this a new person?

Mr. Brown answered that this is money that we need to pay all of our part-time employees, every one of them.

Niemeyer asked they are already on staff now?

Mr. Brown answered, yes every single part-time person that works for the Lake County Clerk' Office, this is money designed to pay those part-time employees that work there.

Repay said as I understood from the study session, there was a comment about a reduction in help from...

Mr. Brown interjected, a reduction from Work One, then explained that last year we had Work One help us, however; this year Work One' funding was cut June 30th, and they had to release all of their workers unfortunately, so right now we don't have any of them for the rest of the year.

Mr. Brown said that he appreciates the commitment that Work One has with us, and hopefully if their funding is ever re-established, we will re-commit to bringing Work One' people in. They generally work an 8 - week scenario with us, where they are trained and taught some of the things that government does. Mr. Brown also added that Work One pays for everything for those employees.

Franklin added that the \$40,000 dollars that the Clerk is asking to be transferred is not new money. We have already given them this money, they just never transferred it over because of the fact that they had vacancies, and people on sick leave, so those monies were used. Now that that money is running out, they need to transfer this money over.

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

In the Matter of Revised 144 for Superior Court Civil, Jail, and Health Department.

Re: Superior Court Civil – Franklin made a motion, seconded by Prince to defer to 8-9-11. Motion to defer carried 7-0.

Re: Jail – Cid made a motion, seconded by Prince to approve the revised 144 in fund 001, in the Jail, retro to 6-20-11. All voted "Yes", except Repay, Dernulc, and Niemeyer, "No". Motion to approve carried 4-yes, 3-no.

| <u>Revised 144</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|--|----------------|-----------------|-------------------|
| 12615-001 Qualified Mental Health Professional | \$55,120 | \$49,920 | -\$5,200 |
| 12617-001 Qualified Mental Health Professional Certified | \$34,320 | \$35,360 | \$1,040 |
| 12620-001 Qualified Mental Health Team Leader | \$34,320 | \$34,840 | \$ 520 |
| 12623-001 MH/Crisis Stabilization Tech | \$21,320 | \$21,840 | \$ 520 |
| 12623-002 MH/Crisis Stab. Tech | \$21,320 | \$21,840 | \$ 520 |
| 12623-003 MH/Crisis Stab. Tech | \$21,320 | \$21,840 | \$ 520 |
| 12623-004 MH/Crisis Stab Tech | \$21,320 | \$21,840 | \$ 520 |
| 12623-005 MH/Crisis Stab Tech | \$21,320 | \$21,840 | \$ 520 |
| 12623-006 MH/Crisis Stab Tech | \$21,320 | \$21,840 | \$ 520 |
| 12623-007 MH/Crisis Stab Tech | \$21,320 | \$21,840 | \$ 520 |

Re: Health Department – Dernulc made a motion, seconded by Niemeyer to approve. All voted "Yes", except Prince, "absent". Motion carried 6-yes, 1-absent.

| <u>Revised 144 Fund 296</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|-----------------------------|----------------|-----------------|-------------------|
| 14348-001 TB Outreach Asst | \$25,412 | -0- | -\$25,412 |

In the Matter of Ord # 1330C – Regarding Vacant Positions for 2011 – Circuit Court Clerk.

Franklin made a motion, seconded by Prince to approve filling the vacant position of 001-0100-15621-001 Financial Clerk/Deputy 4. All voted "Yes", except Cid, "abstain". Motion to approve carried 6-yes, 1-abstention.

In the Matter of Ord # 1330C – Regarding Vacant Positions for 2011 – Jail.

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-3100-14404-092 – Correction Officer. All voted "Yes". Motion carried 7-0.

In the Matter of Ord#1330C – Regarding Vacant Positions for 2011 – Sheriff.

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-0500-14408-010 Court Security. All voted "Yes". Motion to approve carried 7-0.

In the Matter of Ord # 1330C – Regarding Vacant Positions for 2011 – Work Release.

Dernulc made a motion, seconded by Prince to approve filling the vacant position of 001-3150-16670-001 Secretary. All voted "Yes". Motion carried 7-0.

In the Matter of Ord# 1330C – Regarding Vacant Positions for 2011 – Veterans Service.

Prince made a motion, seconded by Franklin to approve filling the vacant position of 001-2700-16670-001 Secretary. All voted “Yes” to approve. Motion carried 7-0.

In the Matter of Citizen Appointments – Convention & Tourism Bureau

Repay made a motion, seconded by Cid to nominate John Kiernan.

Prince made a motion, seconded by Cid to close the nomination, and approve. All voted “Yes”. Motion to approve John Kiernan, (Democrat), to the Convention & Tourism Bureau carried 7-0.

Repay made a motion, seconded by Niemeyer to nominate Richard Nicpon.

Prince made a motion, to close the nominations and approve Richard Nicpon, (Republican), to the Convention & Tourism Bureau. All voted “Yes”. Motion carried 7-0.

Repay explained that they are subject to a change in Statutes that requires the Council to nominate different individuals from different municipalities, and that’s how we arrived at those names.

In the Matter of Citizen Appointments – County Child Fatality Review Team (3).

Repay made a motion, seconded by Prince to nominate the following:

Coroner – Dr. Tom Philpot

Fire Department – Joseph Kruzan

Certified Social Worker – Clementine DuBose

Repay made a motion, seconded by Niemeyer to close the nominations and approve. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Citizen Nominations – Economic Development Commission – Whiting (1).

Cid nominated Martin Kazmierski.

Prince made a motion, seconded by Cid to close the nominations and approve.

All voted “Yes”. Motion to approve Martin Kazmierski to the Economic Development Commission – Whiting, carried 7-0.

In the Matter of Public Hearing – Dept of Justice, Bureau of Justice Assistance 2011 JAG Grant.

President Bilski opened the Public Hearing.

Linda James was present to answer any questions.

There were no remonstrators present in this matter.

Cid made a motion, seconded by Repay to close the Public Hearing. All voted “Yes”, except Franklin, “absent”. Motion to close Public Hearing carried 6-yes, 1-absent.

In the Matter of Department of Justice Assistance – 2011 JAG Grant for the Lake County Sheriff - \$223,940.00.

Cid made a motion, seconded by Prince to approve the Department of Justice Assistance 2011 JAG Grant for the Lake County Sheriff. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Committee to Study 4/10 schedule for County Employees.

Cid said that she asked permission from the Council to approve a committee to study a 4/10 schedule for County employees.

Dernulc asked if this is just a committee to study?

Cid answered, yes.

Niemeyer asked when you look at this study, he knows that economics is the one thing that we are looking at, but are we looking at the perception of the voters? We would like to look at both at the same time.

Prince commented that whatever committee structure, and Niemeyer just hit it on the head but, that we include everyone, every employee, every Officeholder. I can’t stress enough that this, even though it’s obvious why we are looking at this, for financial reasons. I think we just ought to consider the other ramifications or advantages versus disadvantages, as we move forward with this. That would be my only suggestion, that we try to find a way to include everyone in this particular study.

Cid made a motion, seconded by Repay to create a Committee of (3) Council Members, the Human Resource Director, and 2 employees from the Mediation Panel. All voted “Yes”. Motion carried 7-0

The (3) Council Members are: Christine Cid, Elsie Franklin, and Jerome Prince.
In the Matter of Amending Resolution for the Distribution of Funds for Mental Health for Lake County for 2011, Resolution No. 10-94.

Larry Blanchard said he asked the Council to consider it, just for the record so that based on current legislation that April 1, 2012 would be the starting date to consider the population for distribution of Mental Health funds.

Dernulc said he thought they would hold off on this because of the census being reviewed by the City of Gary.

NO ACTION TAKEN.

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

RESOLUTION NO. 11-72

**RESOLUTION HONORING ANNIE OSTOJIC,
HOOSIER STATE SCIENCE FAIR CHAMPION**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in All academic matters throughout the State and Nation; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in academic 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 academic contests demands; and

WHEREAS, ANNIE OSTOJIC, a third grader at Frank H. Hammond School in Munster won first place for her grade level in the Hoosier Science and Engineering Fair held April 2, 2011 in Bloomington, Indiana; ANNIE advanced to the State competition after winning first place in the Calumet Regional Competition in mid-March.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all Citizens of Lake County extend congratulations and praise to ANNIE OSTOJIC for winning first place for her grade level in The Hoosier Science and Engineering Fair; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to ANNIE OSTOJIC.

DULY ADOPTED by the Lake County Council, this 12th day of July, 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 Resolution Honoring Highland High School’s Aby Madrigal, IHSA STATE Girls Double Tennis Champion

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

RESOLUTION NO. 11-73

**RESOLUTION HONORING HIGHLAND HIGH SCHOOL’S
ABY MADRIGAL, IHSA STATE GIRLS DOUBLE TENNIS CHAMPION**

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

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

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

WHEREAS, ABY MADRIGAL, a sophomore at Highland High School, with her doubles partner, LIZ QUINN, became just the second girls doubles team from the region to win the IHSA State Finals Doubles Tennis Championship with wins of 6-2 and 6-4 over Jasper High School at Indianapolis North Central High School on June 11, 2011; Providing Highland with its first State Championship of any kind since 2003.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to ABY MADRIGAL of Highland High School for capturing the IHSA State Finals Doubles Tennis 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 ABY MADRIGAL.

DULY ADOPTED by the Lake County Council, this 12th day of July, 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 Highland High School's Liz Quinn, IHSA State Girls Double Tennis Champion.

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

RESOLUTION NO. 11-74

**RESOLUTION HONORING HIGHLAND HIGH SCHOOL'S
LIZ QUINN, IHSA STATE GIRLS DOUBLE TENNIS CHAMPION**

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

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

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

WHEREAS, LIZ QUINN, a senior at Highland High School, with her doubles partner, ABY MADRIGAL, became just the second girls doubles team from the region to win the IHSA State Finals Doubles Tennis Championship with wins of 6-2 and 6-4 over Jasper High School at Indianapolis North Central High School on June 11, 2011; providing Highland with its first State Championship of any kind since 2003.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens Of Lake County extend congratulations and praise to LIZ QUINN of Highland High School for capturing the IHSA State Finals Doubles Tennis 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 LIZ QUINN.

DULY ADOPTED BY THE Lake County Council, this 12th day of July, 2011.

TED F. BILSKI, President

CHRISTINE CID

MICHAEL C. REPAY

DANIEL E. DERNULC
RICK NIEMEYERELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution in Memory of Richard G. Galambos – Former Lake County Councilman – 4th District.

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

Mr. Galambos' wife, son, and daughter were present. His daughter thanked the County Council for honoring her father.

Wayne Weitbrock said he worked with Councilman Galambos who inspired Wayne to represent South County and worked they together for the benefit of Lake County.

Franklin said that she admired Mr. Galambos who was a good servant, and it is certainly a big loss to Lake County.

Niemeyer said that Mr. Galambos was a representative for the whole County. He always treated Niemeyer fairly, and Niemeyer said he appreciate the job Mr. Galambos did.

RESOLUTION NO. 11-75**RESOLUTION HONORING RICHARD G. GALAMBOS**

WHEREAS, RICHARD G. GALAMBOS was a native of Hammond, a graduate of Clark High School and Purdue University earning a Bachelor of Science in Chemical Engineering, and was a U.S. Navy veteran; and

WHEREAS, in 1968 RICHARD G. GALAMBOS became a member of the Griffith Town Board; and in 1978 was elected to the Lake County Council representing the Fourth County Council District for 16 years. MR. GALAMBOS was the Council appointment to the Lake County Parks Board where he helped develop Stony Run, Deep River, Lemon Lake, Oak Ridge Prairie and Whihala Beach County Parks; and

WHEREAS, RICHARD G. GALAMBOS continues his call to public service after retiring to Port Charlotte, Florida by volunteering at his church, St. Maximillian Kolbe, acting as a court mediator and Guardian Ad-Litem for the family court system and contributing to a local newspaper editorial column called The Curmudgeons; and

WHEREAS, RICHARD G. GALAMBOS commanded the respect of all who knew him for his dedication, integrity, and hard-work; he was an outstanding civic and community leader, recognized as such by all who worked with him; and

WHEREAS, RICHARD G. GALAMBOS demonstrated in his life and his relations with fellow human beings the highest of ideals and personal commitment to his God and to the betterment of all mankind; and

WHEREAS, the citizens of Lake County have been deeply saddened by the death of RICHARD G. GALAMBOS.

NOW, THEREFORE, LET IT BE RESOLVED THAT:

The Lake County Council hereby recognizes and memorializes the passing of our very dear friend, RICHARD G. GALAMBOS.

A copy of this Resolution shall be spread on the official records of the Lake County Council, and an official copy be delivered to the family of RICHARD G. GALAMBOS.

DULY ADOPTED by the Lake County Council, this 12th day of July, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYERMICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Approving the transfer of \$399,610.00 from the General Fund, Fund 001 to the Voting Systems Cumulative Fund, Fund No 680.

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

RESOLUTION NO. 11-76

**RESOLUTION TO APPROVE TRANSFER OF \$399,610.00
FROM THE GENERAL FUND, FUND NO. 001
TO THE VOTING SYSTEMS CUMULATIVE FUND, FUND NO. 680**

- WHEREAS,** the Lake County Council by Resolution may permit the transfer to a fund from another fund with sufficient money on deposit in the County; and
- WHEREAS,** the General Fund, Fund No. 001 has on hand the sum of \$399,610.00; and
- WHEREAS,** the Lake County Voting Systems Cumulative Fund is the proper Fund to use to purchase additional voting machines; and
- WHEREAS,** the Lake County Council desires to transfer the sum of \$399,610.00 from the General Fund, Fund No. 001 to the Voting Systems Cumulative Fund, Fund No. 680.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$399,610.00 is hereby transferred from the General Fund, Fund No. 001 to the Voting Systems Cumulative Fund, Fund No. 680.

SO RESOLVED THIS 12TH DAY OF JULY, 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 Coroner to pay a 2010 invoice with 2011 funds – 001-0700-43120 Medical & Hospital in the amount of \$552.00.

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

RESOLUTION NO. 11-77

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

- WHEREAS,** the Lake County Coroner'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>001-0700-43120</u> | <u>Medical & Hospital</u> |
| St. Catherine's Hospital | \$ 552.00 |

WHEREAS, the Coroner 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 Coroner's 2011 Budget:

001-0700-43120
St. Catherine's Hospital

Medical & Hospital
\$ 552.00

SO RESOLVED THIS 12TH DAY OF July, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Approving the Transfer of \$300,000.00 from the Website Maintenance Fund No. 256 to the Excess Internet Access Fee Fund No. 283

Franklin made a motion, seconded by Prince to approve.

Cid said I will not be approving this motion. Cid said that I feel, from what I've heard from the Courts is the system is not to par to what they would like, and for that reason they don't want to extend E-filing, so Cid said I think these monies should actually be used to enhance the system so that we can move forward with the E-filing and expand it. Cid said, because that saves the County a lot of money, and is more efficient as well.

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

RESOLUTION NO. 11-78

**RESOLUTION TO APPROVE TRANSFER OF \$300,000.00
FROM THE WEBSITE MAINTENANCE FUND, FUND NO. 256
TO THE EXCESS INTERNET ACCESS FEE FUND, FUND NO. 283**

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

WHEREAS, the Website Maintenance Fund, Fund No. 256 has on hand the sum of \$300,000.00 for the calendar year 2011; and

WHEREAS, the Lake County Council desires to transfer the sum of \$300,000.00 from the Website Maintenance Fund, Fund No. 256 to the Excess Internet Access Fee Fund, Fund No. 283 for the calendar year 2011 only.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$300,000.00 is hereby transferred from the Website Maintenance Fund, Fund No. 256 to the Excess Internet Access Fee Fund, Fund No. 283 for the calendar year 2011 only.

TED F. BILSKI, President

MICHAEL C. REPAY
ELSIE FARNKLIN

DANIEL E. DERNULC
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution permitting the Lake County Sheriff to pay outstanding 2010 Animal Control Invoices/Debts with 2011 funds – 163-3200-43995 Other Services and Charges in the amount of \$1,881.00.

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

RESOLUTION NO. 11-79

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

WHEREAS, the Lake County Sheriff's Animal Control Department 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>163-3200-43995</u> | <u>Other Services and Charges</u> |
| South Suburban Humane Society | \$ 1,881.00 |

WHEREAS, the Lake County Sheriff=Animal Control Department desires to pay the above Invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Sheriff-Animal Control Department shall pay From its 2011 Budget the following invoices/debts incurred in the Calendar year 2010 as follows:

| | |
|-------------------------------|-----------------------------------|
| <u>163-3200-43995</u> | <u>Other Services and Charges</u> |
| South Suburban Humane Society | \$ 1,881.00 |

SO RESOLVED THIS 12TH DAY OF JULY, 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 a Public Defender Board and Department for the Juvenile Division and County Division of the Lake Superior Court. – Second Reading.

Niemeyer made a motion, seconded by Dernulc to defer to 8-9-11. All voted "Yes", except Franklin, "absent". Motion to defer carried 6-yes, 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

NO ACTION TAKEN.

In the Matter of Ordinance Establishing Eligibility for Health Benefits. – Second Reading.

NO ACTION TAKEN.

In the Matter of Ordinance Amending Lake County Self Insurance Ordinance No. 992C-3.

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

Niemeyer said that in the study session he stated that he looked at the existing workers here, and the ability not to give them raises, and the ability has not been there for the last few years, and not going backwards and making this apply to the employees that are already here, but to making sure this applies to new employees only, retroactive to June 14, 2011. Anyone hired after that date, this ordinance would apply to them. Niemeyer just wanted to make sure that the employees that are here understand that at this point, he has not decided to go forward with any premium, or any deductible increases at this time.

Repay said there was lengthy discussion, and he wants to reaffirm that this ordinance doesn't include anything for employees that have been here prior to this date. It's a way to support our current self-insurance fund that's being depleted for a variety of reasons, and so to protect that for existing employees as well as to help the taxpayers

Franklin said we did some moving up and hiring, and what have you. Franklin said my question is a person that's been here, and you are moving that person up from part-time, to full-time. Is this ordinance saying that they fall under that category?

Repay said if they've never had any insurance before.

Bilski said part-time has no perf benefits, they have no benefits whatsoever, so they start at zero with perf, they start at zero with vacation time, everything starts at zero with them. There is no such thing as "grandfathering" in a part-time. That's the whole purpose of part-time.

Franklin said she is asking that question because she received some calls from some departments asking her to ask that question.

Bilski said that that employee currently has no health care benefits so they would have to look at if this is good for them or not, or if they are better off on their spouse' insurance.

Bilski said if they are part-time now, they currently have no benefits, and as far as I know, we have never "granfathered" in anyone under defined benefits, so if you worked 20 years as a part-time employee, and on your 21st year you were hired full-time, you do not have 20 years of time for vacation, you started over as a new employee. That person, if they choose to accept a full-time position, they are guaranteed 40 hours, they are guaranteed benefits now, and they start earning vacation time. The only difference is that their deductibles are slightly higher than the existing employees are.

Cid said that was one of her concerns when she read this ordinance, was someone making only \$20,000. Cid said that she called the Plan Administrator, and this is still a great plan for someone who doesn't have any insurance at all.

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

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

Repay 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. 992C-37

ORDINANCE AMENDING THE LAKE COUNTY SELF INSURANCE ORDINANCE, ORDINANCE NO. 992C-3

WHEREAS, Indiana Code 5-10-8-2.2 and I.C. 5-10-8-2.6 provide that Lake County, as a local unit of government, may provide for group health insurance for its current and retired employees; and

WHEREAS, on May 9, 2989, the Lake County Council adopted the Lake County Self Insurance Ordinance, Ordinance No. 992C-3, which in part established the benefits available to Lake County employees and retired employees covered under the Lake County Group Insurance Employee Benefit Program, known as the "Employee Benefit Program"; and

WHEREAS, the Employee Benefit Program is funded principally from tax revenues which have decreased substantially in the last three years; and

WHEREAS, in order to protect and continue to cover the health insurance benefits for Lake County employees and retired employees it is necessary to amend the Employee Benefit Program.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Self Insurance Ordinance, Ordinance No. 992C-3, be amended as follows:

1. The Employee Benefit Program for new County employees Hired into a full-time position after adoption of this Ordinance will consist of the following:
 - A. The calendar year deductible will be \$1,000.00 single/\$2,000.00 Family;
 - B. The non-network coinsurance will be 60%/40%;
 - C. The non-network out of pocket maximum will be \$5,500.00 single/\$12,000.00 family;
 - D. The emergency room deductible will be \$250.00 if the Employee does not first go to Urgent Care; the deductible Is waived if the employee is admitted to the hospital Directly from the emergency room:

- E. If the employee goes to Urgent Care, the deductible will be \$50.00;
- F. The coinsurance out of pocket expense will be \$2,000.00 single/\$6,000.00 family (non-network out of pocket is \$3,000.00 single/\$9,000.00 family);
- G. There will be no food and lodging benefits;
- H. The employee monthly contributions to the health plan will be \$40.00 single/\$75.00 family;
- I. The deductible for pharmaceutical expenses are as indicated below; mail (90 days) deductible tier refers to the mandatory 90 day mail order plan now in effect for maintenance drug users after filling of their first 30 day prescription:

| <u>Co Pays</u> | <u>Retail (30 days)</u> | <u>Mail (90 days)</u> |
|---------------------|-------------------------|-----------------------|
| Generic | \$ 5.00 | \$ 5.00 |
| Brand Formulary | \$30.00 | \$45.00 |
| Non-formulary Brand | \$45.00 | \$70.00 |

- 2. That the term "new employee" shall include:
 - a. Persons who are not employed by Lake County at the time they are hired to fill a "full-time position" as defined by paragraph three.
 - b. Persons who are currently employed full-time by Lake County, but have declined to participate in the Lake County Benefit Program, and choose after adoption of this Ordinance to be covered by the Lake County Benefit Program.
- 3. The term "full-time position" shall include newly created positions, as well as current positions that are vacant.
- 4. Notwithstanding paragraphs 1, 2, and 3, the above amendments to the Employee Benefit Program shall not change the benefits negotiated in an existing Collective Bargaining Agreement with a Collective Bargaining Unit recognized by Lake County, for "new employees" covered in the Collective Bargaining Agreement.
- 5. This Ordinance and its provisions supersede and replace any other Ordinances enacted by the Lake County Council dealing with the Lake County Employee Benefit Program.
- 6. The changes in the Employee Benefit Program established by this Ordinance shall apply to all new County employees hired on June 14, 2011 and thereafter.

SO ORDAINED THIS 12TH DAY OF JULY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Amending the Lake County Mileage Rate Ordinance for 2011, Ordinance No. 1330A.

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

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

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

ORDINANCE NO. 1330A-1

ORDINANCE AMENDING THE LAKE COUNTY MILEAGE RATE ORDINANCE FOR 2011, ORDINANCE NO. 1330A

WHEREAS, on December 14, 2010, the Lake County Council adopted Ordinance No. 1330A,

Establishing the mileage rate of Fifty-one (.51) cents per mile for County employees
Duly entitled to same; and

WHEREAS, the Federal Government has increased the Federal mileage rate to fifty-five and a half (.55.5) cents per mile effective July 1, 2011.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Council does establish a mileage rate
Of fifty-five and a half (.55.5) cents per mile for County employees
Duly entitled to same. This rate is effective on July 1, 2011.

DATED THIS 12TH DAY OF JULY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Ordinance Amending the Ordinance Establishing a County Child Fatality Review Team, Ordinance No. 1235D.

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

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

Repay 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. 1235D-1

**ORDINANCE AMENDING THE ORDINANCE
ESTABLISHING A COUNTY CHILD FATALITY
REVIEW TEAM, ORDINANCE NO. 1235D**

WHEREAS, on January 14, 2003, the Lake County Council adopted the Ordinance
Establishing a County Child Fatality Review Team; and

WHEREAS, the Lake County Council now desires to amend the Ordinance Establishing a
County Child Fatality Review Team, Ordinance No. 1235D.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

INSERT:

- 6. Any member of the Team shall have the right to appoint a proxy for
Each meeting called by the chairperson pursuant to Section 5.1.
of this Ordinance.

SO ORDAINED THIS 12th DAY OF JULY, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

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

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

Dernulc made a motion, seconded by Prince to Suspend Rules. All voted "Yes, except Franklin, "No"". Motion to Suspend Rules fails. Franklin said she will change her "No" vote to a "Yes" vote in order not to hold up this ordinance. All voted "Yes". Motion to Suspend Rules carried 7-0.

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

ORDINANCE NO. 1330B-4

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

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

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended as follows:

INSERT:

SECTION III.

- | | |
|--------------------------|--------------|
| 11. Health Dept | |
| f. TB Outreach Assistant | \$ 16.00/hr. |

SO ORDAINED THIS 12TH DAY OF JULY, 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 the Lake County Domestic Violence Fatality Review Team.

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

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

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

ORDINANCE NO. 1337A

**ORDINANCE ESTABLISHING THE LAKE COUNTY
DOMESTIC VIOLENCE FATALITY REVIEW TEAM**

WHEREAS, the Lake County Council desires to promote the health, safety, comfort and general welfare of the citizens of Lake County; and

WHEREAS, pursuant to I.C. 36-2-3.5-5, the Lake County Council may adopt all ordinances for the government of Lake County, Indiana; and

WHEREAS, pursuant to I.C. 12-18-8-1, et seq., the Lake County Council may establish a Domestic Violence Fatality Review Team to review deaths resulting from domestic Violence; and

WHEREAS, pursuant to I.C. 12-18-8-1, et seq., the purpose of the Domestic Violence Fatality Review Team is to review deaths resulting from domestic violence to determine if similar future deaths could be prevented and how agencies or resources can be utilized to adequately prevent future deaths due to domestic violence.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

SECTION ONE. DOMESTIC VIOLENCE FATALITY REVIEW TEAM.

There is hereby created a Domestic Violence Fatality Review Team in Lake County, Indiana, Pursuant to I.C. 12-18-8-1, et. seq.

SECTION TWO. PURPOSE.

The Domestic Violence Fatality Review Team shall review deaths resulting from domestic Violence in Lake County, Indiana, as authorized by I.C. 12-18-8-1, et. seq. and to exercise all powers And duties authorized by law.

SECTION THREE. MEMBERSHIP.

A. REQUIRED APPOINTMENTS.

Pursuant to I.C. 12-18-8-10, the Lake County Domestic Violence Fatality Review Team shall consist of the Following eight (8) members, appointed by the Lake County Council:

1. A survivor of domestic violence;
2. A domestic violence direct service provider agency;
3. A representative of law enforcement for the area served By the Lake County Domestic Violence Fatality Review Team;
4. The Prosecuting Attorney or his/her designee from Lake County Indiana;
5. An expert in the field of forensic pathology or coroner or deputy Coroner;
6. A medical practitioner with expertise in domestic violence;
7. A Judge who hears civil or criminal cases;
8. An employee of a child protective services agency

B. ADDITIONAL APPOINTMENTS.

Pursuant to I.C. 12-18-8-11, the Lake County Domestic Violence Fatality Review Team may have the following additional members, Appointed by the Lake County Council, with total team membership Not to exceed 15:

1. A member of the clergy;
2. A representative from a Lake County Government Agency;
3. A representative from the Lake County Health Department;
4. A representative for the Lake County Bar Association;
5. A defense Attorney;
6. An educator
7. A Lake County Probation Officer
8. A representative from the business community;
9. A Lake County Animal Control officer;
10. An Attorney who represents victims of domestic violence;
11. A provider of a batter's intervention program

C. LENGTH OF TERM.

The length of term of all appointments to the Lake County Domestic Violence Fatality Review Team shall be two (2) years. A new member appointed to a position which has been vacated shall complete the vacated term. A member appointed to a position may continue in that position past the appointment period until the new member is appointed to fill the position. The members shall serve with compensation.

SECTION FOUR. CHAIRMAN

- A. Any member of a Lake County Domestic Violence Fatality Review Team may Serve as chairperson. The chairperson shall be elected annually by the members of the Lake County Violence Fatality Review Team at the first meeting of the Fatality Review Team.
- B. The Lake County Domestic Violence Fatality Review Team shall meet at the Call of the chairperson.

- C. The chairperson shall determine the agenda for each meeting.

SECTION FIVE. JURISDICTION.

The Team shall review only those deaths in which the person who commits the act of domestic violence results in death:

- A. Is charged with a criminal offense that results in Final judgment as defined by I.C. 12-18-8-4; or
- B. Is deceased.

SECTION SIX POWERS AND DUTIES.

- A. The Lake County Domestic Violence Fatality Review Team shall do the following:
 - 1. Assist local agencies in identifying and reviewing a homicide Or suicide that results from domestic violence;
 - 2. Develop recommendations for coordinated community prevention and Intervention strategies to prevent future homicide or suicides resulting From domestic violence;
 - 3. Collect data described pursuant to I.C. 12-18-8-14 related to deaths Resulting from domestic violence.
 - 4. The Lake County Domestic Violence Fatality Review Team will perform its Duties in accordance with I.C. 12-18-8-1, et seq., and/or any amendments or Replacement for I.C. 12-18-8-1, et. seq.
- B. The Lake County Domestic Violence Fatality Review Team may develop a protocol to Assist a person who performs an autopsy in:
 - 1. Identifying a victim of domestic violence; and
 - 2. Preparing a written report identifying a person as the Victim of domestic violence and describing the cause of death.
- C. The Lake County Domestic Fatality Review Team shall be operated in conjunction With:
 - 1. A local domestic violence shelter;
 - 2. A domestic violence program; or
 - 3. A domestic violence coordinated community response team.

SO ORDAINED THIS 12TH DAY OF JULY, 2011.

TED F. BILKSI, 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 Highway Ordinance – Establishment and Posting of a 15 Ton Weight Limit – 205th Avenue from Austin Street To Cline Avenue

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

Franklin made a motion, seconded by Niemeyer to Suspend Rules. All voted “Yes, except Prince, “absent”. Motion to Suspend Rules carried 6-yes, 1-absent.

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

ORDINANCE NO. 1337B

ORDINANCE PETITION

FINDING OF FACT

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

205th AVENUE FROM AUSTIN STREET TO CLINE AVENUE

PETITIONED BY LAKE COUNTY HIGHWAY DEPARTMENT

BASED UPON THE FOLLOWING FINDING OF FACT:

- 1) AN ENGINEERING STUDY WAS CONDUCTED BY THE LAKE COUNTY HIGHWAY DEPARTMENT ON **APRIL 8, 2011** UNDER THE DIRECTION OF THE LAKE COUNTY HIGHWAY ENGINEER, AN INDIANA LICENSED PROFESSIONAL ENGINEER IN ACCORDANCE WITH THE INDIANA UNIFORM TRAFFIC MANUAL FOR STREETS AND HIGHWAYS AS REQUIRED BY INDIANA CODE 9-21-3 AND HE HAS DETERMINED THAT A 15TON WEIGHT LIMIT IS **WARRANTED** AT THE ABOVE DESCRIBED LOCATION (S) IN UNINCORPORATED LAKE COUNTY, INDIANA.
- 2) AFTER A REVIEW OF THE LAKE COUNTY HIGHWAY DEPARTMENT BUDGET IT HAS BEEN DETERMINED THAT THE EXPENDITURE OF FUNDS FOR THE PURCHASE AND INSTALLATION OF TRAFFIC CONTROL DEVICES ARE **JUSTIFIED** ACCORDING TO THE ENGINEERING STUDY AND THE INDIANA UNIFORM TRAFFIC MANUAL AT THE ABOVE DESCRIBED ROADS.

NOW, THEREFORE BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE BASED UPON THE ABOVE FINDING OF FACTS PETITION THE LAKE COUNTY COUNCIL OF THE COUNTY OF LAKE TO **ESTABLISH A 15 TON WEITHT** LIMIT ORDINANCE AT THE ABOVE DESCRIBED ROADS.

RECOMMENDED TO THE BOARD OF COUNTY COMMISSIONERS BY:

JOHN BUNCICH
THE LAKE COUNTY SHERIFF
MARCUS MALCZEWSKI 5-16-11
LAKE COUNTY HIGHWAY SUPERINTENDENT
DUANE ALVERSON 5-16-11

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE:

FRANCES DUPEY
COUNTY COMMISSIONER PRESIDENT
ROOSEVELT ALLEN, JR.
COUNTY COMMISSIONER
DATED 6-15-11

ATTACHED ENGINEERING REPORT

TED F. BILSKI
JEROME PRINCE
MIKE REPAY
RICK NIEMEYER
CHRISTINE CID
ELSIE FRANKLIN
COUNTY COUNCIL
7-12-11
COUNTY APPROVAL DATE

In the Matter of Plan Commission Ordinances # 2341, 2342, 2343, 2344, and 2345

Niemeyer made a motion, seconded by Dernulc to approve Plan Commission Ordinance # 2341. All voted "Yes". Motion to approve carried 7-0.

ORDINANCE # 2341 OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a VARIANCE OF USE (Board of Zoning Appeals recommended favorably 06/15-2011)

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

VARIANCE OF USE owned and petitioned by JOHN Z & ELLEN M. HAHUCH to reside in existing home during construction of new home on the following described property:

General Location: Located approximately 3/10 of a mile south of 135th Avenue on the east side of Patterson Street, a/k/a 13541 Patterson Street in Hanover Township.

Legal: Parcel 1: The South 1/2 of the SE 1/4 of the NW 1/4 of Section 29, Township 34 North, Range 9 West of the 2nd P.M. in Lake County, Indiana, except the South 300 feet of the North 385 feet of the West 290 feet thereof.

Parcel 2: The South 1/2 of the North 1/2 of the SE 1/4 of the NW 1/4 of Section 29, Township 34 North, Range 9 West of the 2nd P.M., in Lake County, Indiana, except the West 323 feet thereof.

Parcel 3: An easement for ingress and egress over the South 10 feet of the West 323 feet of the South 1/2 of the North 1/2 of the SE 1/4 of the NW 1/4 of Section 29, Township 34 North, Range 9 West of the 2nd P.M., in Lake County, Indiana, for the use and benefit of Parcel 2 above.

Conditions: Existing home to be demolished 60 days after a

Niemeyer said this Ordinance puts more “teeth” in the abandoned vehicle ordinance. When we have residents in the unincorporated areas, and subdivision in those areas who seem to keep junked vehicles, not licensed properly, and this is going to give a little more “teeth”. The right to ticket these more quickly, instead of red tagging them and going through that process and make it a lot better for the Sheriff’ Department, and the Plan Commission to do a better job on this issue.

Niemeyer made a motion, seconded by Dernulc to approve Plan Commission Ordinance # 2345 on First Reading. All voted “Yes’. Motion to approve on First Reading carried 7-0.

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

Niemeyer made a motion, seconded by Prince to approve on Second Reading. All voted “Yes”. Motion to approve Plan Commission Ordinance # 2345 on Second Reading carried 7-0.

ORDINANCE # 2345 OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Unincorporated Lake County Zoning Ordinance No. II, County of Lake, State of Indiana, more specifically, Section 2.2, Definitions, Section 9.0, Supplementary Regulations; to make provisions for Abandoned Vehicles.

BE IT ORDAINED by the County Council of the County of Lake, State of Indiana that the Unincorporated Lake County Zoning Ordinance be amended as follows:

INSERT: Section 2.2 Definitions

Abandoned Vehicle

Abandoned Vehicle means the following:

1. A vehicle located on public property illegally.
2. A vehicle left on public property without being moved for twenty-four (24) hours.
3. A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
4. A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours.
5. A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.
6. A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.
7. A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days. For purposes of this subdivision, a vehicle covered by a tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible.
 - 7.1. It is prima facie evidence that a vehicle is an Abandoned Vehicle if it remains on private property for more than twenty (20) days and meets anyone of the following:
 - 7.1.1. Does not have lawfully affixed thereto or displayed thereon a current, valid, and unexpired or unencumbered license plate permitting its operation upon public roads, streets, or highways. or is qualified to be but is not carried on the most recent tax records of the Lake County Assessor's Office;
 - 7.1.2. Has broken or missing windows or flat or missing tires and appears to be mechanically inoperable;
 - 7.1.3. Has missing bumpers or fenders or is in any other way partially dismantled or wrecked; or,
 - 7.1.4. Is missing its engine, transmission, differential, or any other parts that would make it mechanically inoperable.
 - 7.2. The fact that the vehicle has a lawfully valid and unexpired license plate permitting its operation upon public roads, streets, or highways, or is being carried on the most recent tax records of the Lake County Assessor's Office, shall not prevent the vehicle from being declared an Abandoned Vehicle.

Vehicle

Vehicle means, a device in, upon, or by which person or property is, or may be, transported or drawn upon a road, street, or highway.

1. Vehicle, does not include the following:
 - 1.1. A device moved by human power.
 - 1.2. A vehicle that runs only on rails or tracks.
 - 1.3. A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
 - 1.4. A fire truck and apparatus owned by a person or municipal division of the state and used for fire protection.
 - 1.5. A municipally owned ambulance.
 - 1.6. A police patrol wagon.
 - 1.7. A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:
 - 1.7.1. Road construction or maintenance machinery.
 - 1.7.2. A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.
 - 1.7.3. Construction dust control machinery.
 - 1.7.4. Well boring apparatus.
 - 1.7.5. Ditch digging apparatus.
 - 1.7.6. An implement of agriculture designed to be operated primarily in a farm field or on farm premises.
 - 1.7.7. An invalid chair.
 - 1.7.8. A yard tractor.
 - 1.7.9. An electric personal assistive mobility device.

INSERT: Section 9.0 Supplementary Regulations 1.

Abandoned Vehicles**1.1. Regulation of Abandoned Vehicles**

- 1.1.1. No individual, partnership, corporation, organization or association of any kind (hereinafter "person") owning, leasing, renting, or otherwise controlling property within the limits of the jurisdiction of unincorporated Lake County, Indiana shall keep, maintain, or allow an Abandoned Vehicle on such property. No one owning, possessing, or having an interest in an Abandoned Vehicle shall place that vehicle on any public or private property in Unincorporated Lake County.
- 1.1.2. No person shall place an Abandoned Vehicle or any portion or part thereof on any public way or place with unincorporated Lake County. Public ways or places shall include any roads, streets, highways, or any associated rights-of-way of any road, street, or highway within the jurisdiction of unincorporated Lake County.

1.2. Impounding Abandoned Vehicles

- 1.2.1. In addition to the Lake County Sheriffs ability under I.C. 9-22-1 et. seq. to regulate Abandoned Vehicles on public or private property, the Lake County Sheriffs Department, with the written authorization of the Lake County Plan Commission under the Unincorporated Lake County Zoning Ordinance, is authorized to remove or have removed any Abandoned Vehicle left at any place, including private property, within Unincorporated Lake County, which reasonably appears to be in violation of this section, or appears to be lost stolen or unclaimed.
- 1.2.2. After written authorization to the Lake County Sheriff, the Lake County Plan Commission will bear the cost of removal of any such Abandoned Vehicle from private property within unincorporated Lake County and shall be entitled to reimbursement from the owner of any such Abandoned Vehicle. Such Abandoned Vehicle shall be impounded until lawfully claimed or disposed of in accordance with the applicable Laws of the State of Indiana.

After the recess, Councilman Dernulc was absent for the presentation. All other Council members were present

In the Matter of Presentation of 2012 Budgets.

Dante said he wanted to give a profile of where we're heading with the 2012 budgets, he does not have the final numbers right now in front of him. He wants the Council to become familiar with the deadlines from the State, and he passed the paper out to each Council member. He said the deadlines for your budgets, which are pretty much driven by the Cities and Towns, Civil Units as well. He said the final deadline for the Council to make a First Reading is, the 21st of October, and November 3rd for the Second Reading.

Dante said those are the absolute last days for your budgets to be adopted, and they allow about 10 days in between because there is an objection period in there.

Dante said the earliest, we're just getting these in, you are looking at the earliest that we can declare our First and Second Reading, probably would be in the area of early to mid August, that would be the earliest.

Bilski said we also have to take into consideration how much time it's going to take the departments to put things together.

Dante said the Council historically like to adopt their budgets around the Cities and Towns Civil units. He said the Civil units will submit their budgets to us around the 16th of September.

Dante said the Council has to make recommendations of the Civil Units by October 17th Dante said that because we parallel the Civil units quite a bit, we are right in the area of late September, early October for our First and Second Reading, if we're going to parallel the Civil Units.

Bilski asked the Council would they like to have that first meeting?

Dante said if we come up with some kind of direction today, a letter goes out within 2 or 3 days, a month after that to actually get everything down to the Auditor's Office, maybe the end of August?

Bilski said maybe the 24th of August? Cid asked are we still having that meeting where meeting where everyone comes and present, or is that necessary?

Attorney Szarmach said that's statutory. You have to hold that meeting, all day, where there come here for 3 minutes to present their budgets. You do not have to have the work sessions.

Bilski asked how about the 17th day of August, and we would start at 8:30 A.M.

Bilski said let's set that date. It's going to be at 8:30 a.m. on Wednesday the 17th day of August. That meeting will probably go to about 4:30, depending we give each person 5 minutes to give their presentation, as we have in the past.

Petalas, the Treasurer asked if those who have smaller budgets could go before the Sheriff?

Bilski said that when they get the schedule, they will schedule the Sheriff for the end of the day because he is the largest department, and most time consuming. Bilski said that is a great idea.

Dante said by that meeting, they should have well in hand what the Council' acceptability range is, and they should be speaking to that.

Bilski asked, why don't we put that out immediately?

Dante said that's what we are here for today.

Bilski said the first real budget meeting could be scheduled for the 24th of August, one week after the presentation meeting, or would you prefer it on the 21st?

Repay asked what are we taking into account, if you're telling me it's going to be a week later?

Bilski said that he is hoping that as we move further with this meeting, everybody will know exactly where they need to be on the 17th of August, and that the real budget process could start on the 24th of August. He said it's going to be a very cut and dry budget time for us, it's very simple, a very simple resolution to you, but allowing them with a bottom line might answer your question directly.

Bilski said he thinks they will have 3 weeks prior, to actually put together their budgets, reorg if they need to, and know exactly where they need to be and it should be no reason that we couldn't get this rolling by the 24th.

Repay asked, when you say rolling, what exactly are you saying?

Bilski said we start approving the budgets.

Attorney Szarmach said the First Reading is usually early September. Second Reading, Final Reading is late September. The meetings from the 17th, for the next 30 days are those work sessions, where you meet very informally.

Bilski said we are not doing that.

Attorney Szarmach said you have to give notice to have those meetings, and what he would do is take a few days to schedule them. You can schedule them and not have them.

Dante said the advertisements have to do with the actions of the Council. You are not going to be taking any actions until later on, the First and Second Readings.

Repay asked what do we need to do on the 24th then?

Bilski said I was proposing a First Reading, and a Second Reading on the 31st.

Niemeyer said he would like some time after they make their presentations, this only accounts for 7 days.

Bilski said he thinks that if they put out the information today...

Dante passed out the 16-line statement. He said this is the advertised, raw request. That's what's before you.

He said you will see, with everything in there, the duplicate advertisement for Public Defenders. The insurance being advertised in the Council' budget, and Commissioners budget.

Dante explained on the last page, with all of the requests in there, you are at \$41,500,000.00 in the red. He said that's what's being advertised.

He said when you bring everybody back to the 2011 budget, line 2's that are not in here, reductions that are going to be coming forward. Dante said he has about \$41 million dollars worth of savings coming back.

Dante said this is built on 90% collections. He said he has about \$41 million dollars worth of "toss outs" that are going to disappear when we roll back to 2011. He said if he has \$41 million dollars worth of "toss outs", you're going to be balanced, is what I'm saying.

Bilski said that what that means to our Department Heads is that our 2011 budget is balanced, and this is really great news because you have a bottom line figure to work with.

Dante said, discount the \$41.5 million dollars, there are all kinds of crazy double entry stuff in there, you back it down to 2011, he has some conservative miscellaneous revenue projections in there which you all know and hear about year after year, we usually find a half million dollars here, a quarter of a million dollars there, a hundred thousand here that I'm unaware of. You have Line 2's that are actually in the max in here. You've got the levies that are actually in the max. What I'm saying is that you've got \$41 million dollars conservatively at 90% worth of savings in this document, so you're balanced.

Now what do you do?

Dante said, before we leave the 16-line statement, for the new Councilmen, we've got tax-based funds in this unit, we've got non-tax based funds in this unit, and we have Capital funds in here. We are now going to migrate to the tax-based funds which is the biggest chunk of your deficit. What we should do within the next week or so, here are funds that have swipes on the top. Those are the funds, in your Committee, you should question why they are negative or deficit.

Dante explained that those funds, with the swipes, that you see in the back, are non tax-based funds that you really need to get together with the Department Heads to find out what's going on with those funds. Dante said they have some financial issues going on in that fund. Dante said it could be because he didn't pick up a miscellaneous revenue projection that they only know about.

Dante said the tax-based funds are balanced.

Dante said the Capital funds are your third component. Dante said we normally take the Capital funds out of the pack, and there are two of them, there is Riverboat, and Cum Cap.

Dante said basically Riverboat is tied up. He said those are the standard and customary costs that we have assigned to Riverboat, and it's routinely in the low \$13 million, and basically and by large, those are commitments, you're balanced at \$13, and you are going to see this \$13.2 million dollars on the Riverboat come back at you because it satisfies our pre-existing commitments.

In Cum Capital, there are also your pre-existing issues. They are Sheriff, Data Processing, and it hasn't been finalized yet, Surveyor is in there, and Dante said he believes we give money to the Commissioners. He said if the Council agrees to that, they are also looking at about \$1.8, or \$1.9 million because the

collections have shrunk in that fund. Dante said that basically your Riverboat and Capital are done. If you agree with this plan.

He said that's the "three-headed" issue that you have before you. We normally take out tax-based funds, and we attack them. We then go to user-fee funds, and attack them, we usually can dispense with them right away, and we take Capital. Dante said those are usually our three approaches that we have here.

Dante said back to the tax based funds, this is what we are trying to accomplish today. It's some indication of what you want to do with this balanced state that we're in.

He went to the 2012 Budget Template, and what this template is suggesting to the Councilmen is, if you want to go forward with this, is to take the current budgets, and amalgamate them, put them into like groupings.

Step 2 is to basically provide for a longevity allowance which is an overhead costs. Longevity actually went down, so there is actually cost relief there. Part of step 2 would be a Probation Officer allowance, whether or not you wanted to give to the Department Heads an allowance for Probation Officer would mean that you are going to pick up the cost of a Probation Officer in your bottom line. That would probably be right around \$100,000.

Dante explained that Step 2 would be, after you are done with Step 1, to build in and start adjusting the base budget for Longevity and Probation Officers, if you wish. If you don't wish, then the Department Heads are going to have to pick up the extra cost, within it's original budget. Dante said we've been picking up the Probation Officers either through their administrative funds, and/or the general fund, all the time. The option here is do you want them to absorb that in their base, or do you want to give them their base, plus. That's what I'm asking you for right now. Dante asked do you want to go with the original with longevity on top of that, which is actually a minus overall, and then a Probation Officer along with, it looks to be about \$100,000 extra, or do you want to say no, we're not going to pick that up, you departments pick that up. Then you're going to come up with a base. Then you will have a base allowance, whatever that budget is.

Cid asked if the 2011 budget brings us at zero? It wipes out the \$41 million?

Dante answered, yes, that's it. So now that you went all the way back to base, and Dante asked for the benefit of the new Councilmen, why do we always go back? Dante explained that it always goes back because all of your finances are based upon the prior years. And since we have no growth quotient, they are the prior years, so you have to build everything back to base.

Your finances underneath this statement, your 16-line statement are back to base, which is 2011.

Bilski suggested that they have Dante submit back to the Department Heads a bottom line figure, and say these are the numbers you have to work with, make it work, and get the budgets back to us by August 17th. You have your 2011 budget, if you want to reorg, do whatever you want, but create a budget, spread the money out how you see fit, get it back to us and make that as part of your presentation?

Cid answered, well I would say no because some departments then are going to be able to give pay increases is what you're saying, and then some still don't have that ability, so I think without pay increases, and I think we need to look for everybody to cut something, even if it's 1% so that we can give everybody in the County a pay increase. Everybody in the County deserves something.

Bilski said I don't think that's an opinion well taken. I don't personally feel that I want to take a point of managing the Clerk's Office, or the Auditor's Office, or the Treasurers' Office. I'm going to say, "here is your money, you're the boss, you're the Elected Official, do what you choose". That's my opinion on it, and I'm only one of seven, but that's my opinion, is to say "here's your bottom line figure, make it work however you have to", we need to move the process forward and get this thing done.

Cid said it's always on us, it will always be, "the Council didn't give the people a raise." It's always back on us.

Bilski said, well the Council isn't giving anybody a raise. I'm of the opinion that I will give each Elected Official a bottom line figure to work with, design, appropriate a budget to work within those guidelines. I've done my due diligence by balancing out this budget, and you guys are going to have to do your thing as well.

Dante asked the Council if they wanted him to build in the on the County' "dime" the cost for Probation Officers, or want to...

Bilski interjected that he is of the opinion, yes, we did it last year.

Dante said we have historically done it, so the answer to that is yes. So your budgets are now going to go up slightly, and so is the deficit, and he will build into the general fund, any general fund stipend for the Probation Officers, it's going to go in, you have just increased your deficit by \$100,000.

Dante asked the Council if they wanted the Health Insurance still under the Council' jurisdiction, or do you want to move it to the Commissioners?

Dante said our budget will shrink from \$24,364,000 to \$658,000. Dante said if you are saying yes to that, we are moving Insurance out of the Council' budget into the Commissioner' budget.

There were several discussions going on at the same time

Dante said if you move the insurance over there, or if you don't move the insurance over there, the bottom line is the same still. You can go either individual, or amalgamated. Dante asked the Council if they wanted to amalgamate these budgets and let them go in groupings, and that's Step 4.

Bilski said he is for individual. He said because we did the amalgamation to get to where they were for 2011, and asked what would be the real purpose of amalgamating in 2012, if they're bottom line is going to be their bottom line, they are going to have to make that work, so Bilski said individual would be just fine, instead of amalgamated.

Cid said that would mean that you are going to allow these bigger departments that have money to... for example, the Coroner could never rearrange to give anybody one extra dollar in pay. Some of these other ones are going to. They are going to find the money, they have special funds, they have everything else, they are going to be able to give their employees an increase. Cid said "that is totally unfair", "totally", "unfair". "Either give all, or give none".

Dante said that it kind of dispenses the individualism thing.

Bilski said I think amalgamation brought us to where we are, it had it's time and place, it was functional, but if we're balanced now, we're balanced now, we just move forward.

Franklin said when we set up these funds, we put it in the hands of the Officeholder'. We told them to move as many people as they could off the general fund budget. Some of them have done that, and they use this money as a subsidy. I don't know how we would even be fighting it. That's there budget. It's just up to them. They need to understand that they have to work within their budget, and I think that that's what they will do. If they don't have the money, they can't hire anybody anyway, and can't give any raises, but the user fee funds, is something that is nationwide now, the encouragement of using user fee funds, to subsidize their general fund, is something that I think we should allow our department heads to do, we've done it, we've done everything that says yes you can use your perpetuating funds, and now we want to stop them from doing that, I just don't understand that.

Bilski said he and Attorney Szarmach were discussing the issue of Insurance, and Bilski said he was wondering what the Council' responsibility was, and realized that they have no responsibility when it comes to that fund. The distribution, and handling the day to day operations that fund is done by the Commissioners. Bilski said he is trying to figure out what role do we play.

Dante said Bilski is right. The financial review of that fund, I always review. We don't handle the day to day stuff.

Dante said look at the amount of dollars that are consumed by grouping of \$110,814,000. He said, look at the consumption of your appropriations by the 2 major groups, Criminal Justice, and the Commissioners who feed Criminal Justice.

Dante said I am coming up with \$48 million dollars plus \$50 million dollars. \$98 million dollars of your \$110 million budget, is in Buildings B and C, and D. That leaves \$12 million dollars or so, for Administrative Offices and Assessors. Not only do these people consume \$98 million dollars, they consume almost all \$84,85, \$86 million dollars of your property tax levy, plus their fees.

Dante said, what I'm saying is this, divorce and get the Administrative Offices out of the General fund completely. Let Buildings B, C and the Board of Commissioners stay in the general fund, and we take a "walk" on the miscellaneous revenues. We're out. They have the overwhelming majority control of your finances, of your costs, of your levy. You're almost at 100% of your levy in Buildings B and C, and the Board of Commissioners. Your administrative offices can almost live off of miscellaneous revenue, without any general fund money. Dante said, you're that close. You might need a little stipend, riverboat probably or get charged \$16, \$17 thousand dollars for Insurance.

Bilski asked would the appropriations still come in front of this body?

Dante answered, of course, but you're approving a separate fund.

He also said it's a concept we should now consider since we now have a balanced budget.

Dante said we were at 92% collections, it went down to 89%, we're having strong collections right now.

Petalas said from the percentages that he's already seen, and the last ones were a couple of weeks ago, and then we were at about 88%.

Dante said when these departments get back to you, you are going to authorize every single transaction, in every single line item. It comes back to you. You're going to have a book with all this detail that equals \$110,800,000 dollars.

Dante said I am in favor of 2 things, number one is radical, part of your descend on your collections is because of the other units. You are tied to them, you are tied to their oversights, their mismanagement, their deficits. You are tied to them all. You are tied to Lake Station, you are tied to Hammond, Gary, East Chicago, Hobart, Griffith. When they have a deficit on their cap, we inherit a part of that. You've just inherited between another million, and a half, to \$2 million dollars worth of deficits, and I'm assuming that it's going to be within the 90%. You have to stop that "blood loss". The only way to stop that blood loss is to get off the property tax, which is a radical move, and replace it with another source of income.

Secondly, get the administrative offices out of the general fund. Let them go on their own, into their own separate fund, based upon user fees. Peggy and John can review how feasible this is. It will probably need a little support from riverboat, before they can go off, 100% on their own.

Dante said that Buildings B and C are trying to get at 100% of your levy, and more. You can't do it. You have to arrest that somehow, or get it under control.

Dante said you have a balanced budget, think about other arrangements.

Bilski asked what actions does Dante want the Council to take today?

Dante said he is going to roll the budget back to 2011.

Niemeyer said as a new Councilman, he is going to be looking at all of these budgets for the first time, and for him to say to roll back to where we were last year is a disadvantage to the new Councilmen because we weren't here last budget session. The 3 new Councilmen need to be more on board to get a "hands on" of what we're doing here. He needs to look at all of this.

Repay said it's a question of timing, and he agrees with Niemeyer, he doesn't want to steam roll through this, if we don't need to. We are talking about a date in November.

Bilski said that we have to remember that once we're done with our budget, we have to address the other taxing units.

Repay said I understand that.

Dante said that's not coming into our financial statement here, that's separate.

Bilski said that those Councilmen who need more time to review can meet with their individual committees, and thoroughly go over your 2011 budget to see if there are additional cuts.

Bilski said that with the Committees, in which he is the Chair, if they give him their 2011 budget, he is ready to "rock and roll", and move on and that's just his opinion with his committees.

Prince said that one thing that is clear is that for the last 3 years, we've cut about \$28 million dollars, and 287 jobs, and that's nothing to "sneeze" at.

We are pretty much at the end of the road as to where we can cut at. He said that he isn't suggesting that the new guys don't take a closer look at everything, but Prince said as Bilski has said, it could probably be done more on an individual basis, or with more conversations with Dante. Prince said that Dante stated at the beginning that we are pretty close to being balanced, and from my perspective, that's the first time I've heard him say that early on in the process, in 3 years.

Bilski said between now, and August 17th, those who choose to schedule meetings with their individual committees, start moving forward with it, immediately to bring them in, and they will make their presentation on the 17th, you will have an additional week after that point, you will have from now until the 17th to meet with your Council chairman, and committee. Make any budget reductions you see fit, or approvals, or you will know exactly where you are.

Bilski asked is that fair enough?

Niemeyer said that's fair enough if you, it depends what committees you're on. If you are not on a lot of committees, there are a lot of committees that I am not on. Niemeyer said he thinks that the 17th and the 24th are too close.

Attorney Szarmach said what you get at the First Reading is usually a rough draft. He said the meeting on August 17th we have to do by State Law. Every department comes up, and they have 3 to 5 minutes give

an overview. Then we usually do the Study Sessions, which is the “nuts and bolts”, we ask why do you need this position, why do you need that position. Then we have our First Reading, about 30 days later, which is a rough draft of the whole budget. Then another 30 days of other meetings, we call them work session meetings, where they are fine-tuned, and the Second Reading is the final draft.

Attorney Szarmach said we do a lot in the work sessions, it's real informal. There is no statutory rush to getting to the Second Reading, which is the final budget, I'm looking at November 1st?

Dante answered yes.

Attorney Szarmach said November 1st is the day that you need to have your Second Reading that's the final draft of the budget for next year. Typically, as any legislative body from Congress down to Town Boards, a lot is done the day before. He explained that in the State, the General Assembly, what you see 2 days before their last day is usually a lot different than what you see on their last day. A lot gets in there, and that's just the process.

Cid said we need to make a decision on what we want to do. Do we want to revert back to 2011, do we want to ask for additional cuts? That's the decision we need to make before they present their August 17th budgets to us.

We need to know what direction we need to give to the Elected Officials. I think that's what some of the new members need time to digest, whether we want to revert back, do we want to ask for more cuts, I think that's the question, and that's what we want the Elected Officials to bring forward to us under that decision. Now if that's now what we're doing, if we're going to just let them submit something, and then afterwards, say no we want you to cut whatever 1, or 2%, then they would have to submit new budgets again.

I don't know which way you want to go.

Bilski said if we are not up front with them today, by the first meeting of the presentations, you are going to get “pie in the sky”. Everybody out there is going to submit a budget to you, at that first meeting with a 10% pay increase across the board for everybody. I've been here a short time, and every year, for the last 5 years, that first time, it's an absolute waste of my time, a waste of taxpayers' time, because everybody comes in with a sheet saying “here, I've got the best department in Lake County, I want a 10% pay raise across the board.” Then we all sit here, say okay that's great, you do have a great department, and then we roll it back to 2011, why even go down that road?

Bilski said I suggested starting on the 17th bottom line. Don't submit anything more than your 2011 budget, or you're wasting all of our time. Then I'm more than willing to compromise and work with the new Council members here. If you need from August 17th till the first or second week in September to go through the process, that's fine, and in that first week of September meeting, we come back in here, and we go to our First Reading. I think we need to be up front and honest with everybody starting right now.

Dante said we're trying to tell them, this is it guys.

Bilski said this is your bottom line. We don't see any new sources of revenue coming our way, unless you can convince the State to unfreeze our levy.

Dante said that's why we went after the Web-Site Maintenance today.

Attorney Szarmach said in most situations, it's going to be 2011, that's what you're going get, but there is going to be with the County Court Judges, probably some internal changes regarding the structure of the Public Defender system. Right now you've got 7 positions in full-time positions with insurance. Are you going to have that by November 1st? What are you going to approve. Are you going to approve the same system/structure you have? There's a lot of options there for the Judges to talk about, and for you to talk about.

Bilski said we need to give Dante direction which is a Public Hearing on August 17, 2011.

Attorney Szarmach said I just think it's wise to have the Second Reading at least towards the end of September, or early October. Don't wait until the last minute.

Dante said the issue is if one budget has a change in it that wasn't advertised, and another budget wasn't advertised and is going to assume it, it will take 6 votes to change it because it wasn't technically advertised. It's going to be a 6 vote issue, not a financial issue.

Dante asked Attorney Szarmach, if a budget is going to change internally, dollar wise it's the same, and they are going to take \$20,000 out of overtime, and put it into contractual services, does it take 6 votes?

Attorney Szarmach said, I would say no. Dante said I thought it does.

Attorney Szarmach said but you've got to have that within the same budget. If you have a budget advertised for say \$1 million dollars, and you've got \$200,000 for Public Defenders, and you want to take

some money out of Travel and make it \$210,000. I don't think that's (inaudible) (several talking at same time).

Attorney Szarmach said to clarify, the 6 vote thing, if you advertise a \$1 million dollars budget and you want \$1.1 million dollars, that requires a 6 vote.

Bilski asked Dante what is your position on amalgamation?

Dante said amalgamation is encouraging people to look beyond their budgets, their own individual budgets.

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

