

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, and July 12, 2011.

Prince made a motion, seconded by Repay to approve the Minutes of the June 14, 2011 Lake County Council meeting, and July 12, 2011 Lake County Council Meeting. All voted "Yes", except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.

President Bilski explained, for the record that Council lady Franklin is absent because one of her immediate family members has taken ill, and that our thoughts and prayers are with her at this present time.

ORDINANCE NO. 1338

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>Public Defender</u> 4002		
43190 Other Professional Service	\$200,000.00	No Action
Gambling Adm Tax Fund 196		
<u>Superior Court Criminal</u> 4000		
43920 Food & Lodging(CNL)	\$ 50,000.00	\$ 50,000.00
<u>Data</u> 3600		
43240 Telephone	\$ 53,429.70	\$ 53,429.70
43995 Other Services & Charges	\$ 21,022.00	\$ 21,022.00
<u>Public Defender</u> 4002		
43190 Other Professional Service	\$200,000.00	\$200,000.00
<u>Superior Court Civil Division</u> 3900		
43920 Food & Lodging	\$ 12,000.00	\$ 12,000.00
Cum Cap Dev Fund 651		
<u>Public Defender</u> 4002		
43190 Other Professional Service	\$200,000.00	No Action
SAPS Fund 143		
<u>Superior Court Criminal</u> 4000		
41240 Group Ins Deduction	\$ 15,000.00	\$ 15,000.00
43190 Other Professional Service	\$ 25,000.00	\$ 25,000.00
L.C. Animal Shelter Non-Reverting Fund 163		
<u>Animal Control</u> 3200		
41190 Part-Time(CNL)	\$ 40,000.00	\$ 40,000.00
41220 FICA(CNL)	\$ 3,070.00	\$ 3,070.00
43995 Other Services & Charges	\$ 6,930.00	\$ 6,930.00
Lake Circuit & Superior Courts Excess Internet Access Fee Fund 283		
<u>Superior Court Civil</u> 3900		
41220 FICA	\$ 5,355.00	WITHDRAWN
41230 PERF	\$ 7,525.00	WITHDRAWN

41390	Supplemental Pay	\$70,000.00	WITHDRAWN
43920	Food & Lodging	\$16,800.00	WITHDRAWN

Child Support IV-D/FSSA Fund 297

<u>IV-D Court</u> 3951			
41220	FICA(CNL)	\$ 8,500.00	WITHDRAWN
41230	PERF(CNL)	\$ 12,000.00	WITHDRAWN
41240	Insurance(CNL)	\$ 23,020.00	WITHDRAWN

Exempt Debt Service Fund 322

<u>Juvenile Court</u> 4100			
44500	Construction & Reconstruction	\$ 1,745.00	\$ 1,745.00

Disproportional Minority Contract Project Fund 366

<u>Detention Center</u> 4200			
Create All New Line Items			
41160	Office & Clerical	\$ 1.00	\$ 1.00
41190	Part-Time	\$ 1.00	\$ 1.00
41220	FICA	\$ 982.00	\$ 982.00
41230	PERF	\$ 1,187.00	\$ 1,187.00
41240	Group Ins Deductions	\$ 1.00	\$ 1.00
41327	DMC Project Per Diem	\$12,832.00	\$ 12,832.00
42110	Office Supplies	\$ 150.00	\$ 150.00
42120	Lit, Education, Info, Ref Material	\$ 1.00	\$ 1.00
42410	Other Supplies	\$ 1.00	\$ 1.00
43140	Special Projects	\$ 1.00	\$ 1.00
43231	Travel-Registration	\$ 500.00	\$ 500.00
43233	Travel-Lodging	\$ 500.00	\$ 500.00
43234	Travel-Trans/Other	\$ 2,000.00	\$ 2,000.00
43235	Travel-Mileage	\$ 1,000.00	\$ 1,000.00
43995	Other Services & Charges	\$ 1.00	\$ 1.00
44420	Office Machines	\$ 1.00	\$ 1.00

Major Moves Construction Fund 550

<u>Local Roads & Streets</u> 5060			
43640	Local Roads & Streets	\$800,000.00	\$800,000.00

Transfers

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>St. John Township Assessor</u> 1800		
2005 Reassessment Fund 237		
From: 237-41100 Overtime	\$ 94,044.00	
To: 237-41190 Part-Time	\$ 87,360.00	\$ 87,360.00
237-41220 FICA	\$ 6,684.00	\$ 6,684.00
<u>Public Defender</u> 4002		
From: 001-41120 Professionals	\$ 7,000.00	
001-43190 Other Professional Service	\$ 50,000.00	
To: 001-41190 Part-Time	\$ 7,000.00	\$ 7,000.00
001-41331 Court Reporter Per Diem	\$ 50,000.00	\$ 50,000.00
<u>County Court Div III</u> 4050		
From: 001-43955 Official Bonds	\$ 500.00	
To: 001-43233 Travel-Lodging	\$ 500.00	\$ 500.00
<u>Work Release</u> 3150		
From: 001-41120 Professionals	\$ 10,000.00	
To: 001-41100 Overtime	\$ 10,000.00	\$ 10,000.00
<u>Commissioners</u> 2900		
From: 651-44500 Construction & Reconstruction	\$ 20,000.00	

To: 651-44490 Other Equipment	\$ 20,000.00	\$ 20,000.00
<u>Commissioners 2900</u>		
From: 001-43982 Change of Venue	\$ 10,000.00	
To: 001-43630 Maintenance & Service	\$ 10,000.00	\$ 10,000.00
<u>Commissioners 2900</u>		
Hermits Lake Sewer User Fee Fund 356		
From: 356-43630 Maintenance & Service	\$ 18,000.00	
To: 356-43620 Equipment Repair	\$ 15,000.00	\$ 15,000.00
356-43995 Other Services & Charges	\$ 3,000.00	\$ 3,000.00
<u>Courthouses 3000</u>		
From: 001-43610 Building & Structure	\$ 35,000.00	
To: 001-43630 Maintenance & Service	\$ 35,000.00	\$ 35,000.00
<u>Government Center 3030</u>		
From: 001-42390 Other Repair & Maint Suppl	\$ 10,000.00	
To: 001-43190 Other Professional Service	\$ 10,000.00	\$ 10,000.00
<u>Government Center 3030</u>		
From: 001-43610 Building & Structure	\$ 20,000.00	
To: 001-43630 Maintenance & Service	\$ 20,000.00	\$ 20,000.00

and that such transfer does not necessitate expenditure of more money than was set out in detail in the budget as finally approved by the Department of Local Government and Finance.

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

Dated this 9th day of August, 2011

Adopted this 9th day of August, 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	
<u>General fund 001</u>			
Public Defender(\$200,000)	No Action Taken		
<u>Gambling Adm Tax Fund 196</u>			
Superior Ct Criminal(\$50,000)	Repay	Cid	All voted "Yes" to approve, and create a new line item, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Data(\$74,451.70)	Repay	Prince	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Public Defender(\$200,000) approve and (see footnotes)	Cid	Prince	All voted "Yes" to create a new line item, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Superior Ct Civil Div(\$12,000)	Prince	Cid	All voted "Yes" to approve & create new line item, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.

Cum Cap Dev Fund 651

Public Defender(\$200,000) No Action Taken

SAPS Fund 143

Superior Ct Crim(\$40,000) Repay Prince All voted "Yes" to approve, except Franklin, "absent". Motion 6-yes, 1-absent.

L.C. Animal Shelter Fund 163

Animal Control(\$50,000) Repay Prince All voted "Yes" to approve and Create 2 new line items, except Franklin, "absent". Motion carried 6-yes, 1-absent.

Lake Circuit & Superior CourtsExcess Internet Access Fee Fund 283

Superior Court Civil(\$99,680) WITHDRAWN

Child Support IV-D/FSSA Fund 297

IV-D Court(\$43,520) WITHDRAWN

Exempt Debt Service Fund 322

Juvenile Court(\$1,745) Dernulc Prince All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.

Disproportional Minority Contract Project Fund 366

Detention Center(\$19,159) Dernulc Prince All voted "Yes" to approve, and create all new line items except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.

Major Moves Construction Fund 550Local Roads & Streets(\$800,000) Prince Cid All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
(see footnote)Footnotes

Re: Public Defender(\$200,000) – Cid made a motion, seconded by Prince to create a new line item, and approve in Gambling Adm Tax Fund 196.

Dernulc said that this seems like an ongoing issue, and what they need to do is try to find places to find money to put this in the budget so they don't have to come in front of the Council for items like that, and asked Dante if there is a possibility that that can happen?

Dante said that the strategy that we have right now for the budgets is that they stay within their current appropriations, which doesn't include the \$200,000, so right now as it stands, either they are going to have to find it next year, or not incur this cost, one of the two. The second thing is they have to find it, or we have to find it during the budget process for next year in the amalgamated group, or some other amalgamated group. Dante said they are saying, "well, we don't know". Dante said I'm saying that I've heard it reoccurring, I don't know, and it's a reoccurring issue.

Dante asked "do you set up a reserve"? The only thing I can think of right now is do we set up a reserve, just in case? But as a reserve, we're going to have to take it away from some other unit, which may not even occur, so that's the dilemma, do we create a reserve for something that may not occur and cause hard work someplace else. Those are the tough choices there before you, and this is one of them.

Dernulc asked, we can't do anything of course today?

Dante answered, no we can't. This is an ongoing issue, that's why we are even debating it at this point in time. It's a larger issue.

Bilski said, for the record, he would like someone from the Public Defender' office to explain how this is out of control because they can't determine whether or not, if death penalty cases are actually going to occur or not, or how many.

Marvin, from the Public Defenders Office explained that there is no way they can project when the Prosecutor, or when a crime is going to be committed, whether or not the Prosecutor is going to file death. He could file death next year on 3 cases. We just don't know. We have no control over how many, or if a death penalty is going to be filed.

Bilski said what we have to do is what Dante suggested, and anticipate a certain amount, and we are just going to have to address those issues as they come forward. There's really not a whole lot we can do with these death penalty cases.

Prince said in the past, the Public Defender' Office has attempted to set aside a particular amount, but because of the uncertainty of when, where, and how, it's just something that we will have to address,

moving forward, but Prince doesn't want anyone to think that the Public Defenders Office has been negligent, in at least contemplating the possibility of it, it's just how much do you do.

David, from the Public Defender' Office, said they tried to budget for this for 2011, but they reverted back to the previous year levels, so it was anticipated, and that's why we are here now.

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

Re: Local Roads & Streets(\$800,000) – Prince made a motion, seconded by Cid to approve.

Repay pointed out that a portion of Major Moves Construction fund 550 was a lot less than a lot of counties because a big chunk of that went to a non elected body, the RDA.

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

Transfers

	Made motion	seconded	
<u>St. John Twp Assr</u> 2005 Reassessment Fund 237(\$94,044)	Prince	Dernulc	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Public Defender(\$57,000)	Cid	Prince	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
County Court Div III(\$500)	Repay	Cid	All voted "Yes", to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Work Release(\$10,000)	Dernulc	Prince	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Commissioners(\$20,000)	Niemeyer	Dernulc	All voted "Yes" to approve, transfer in fund 651, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Commissioners(\$10,000)	Niemeyer	Prince	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Commissioners Hermits Lake Sewer User Fee Fund 356(\$18,000)	Niemeyer	Dernulc	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Courthouses(\$35,000)	Dernulc	Niemeyer	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Govt Center(\$10,000)	Repay	Prince	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.
Govt Center(\$20,000)	Repay	Prince	All voted "Yes" to approve, except Franklin, "absent". Motion to approve carried 6-yes, 1-absent.

In the Matter of Revised 144 for Superior Court Civil, and Juvenile Court.

Re: Superior Court Civil - WITHDRAWN

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

<u>Rev 144 – 001 – Eff Oct. 2011</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12428-010 Probation Officer	\$51,387	\$56,527	\$5,140

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

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-3800-16670-001 Secretary. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Ord#1330C – Regarding Vacant Positions for 2011 – Prosecutor IV-D.

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-0850-15707-009 Caseworker III. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Ord#1330C – Regarding Vacant Positions for 2011 – Calumet Twp Assessor.

Prince made a motion, seconded by Repay to approve filling the vacant positions of 001-1000-16556-001 Field Deputy Clerk I, and 001-1000-16556-003 Field Deputy Clerk I. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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 001-3100-14404-101 Correction Officer. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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 001-3100-18809-004 Cook. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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 001-3100-14404-005 Correction Officer. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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 001-0500-17703-002 Mechanic. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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 001-0500-14403-004 Radio Communications. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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 001-3150-12715-004 Custody Officer. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

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

Prince made a motion, seconded by Cid to approve filling the vacant position of 001-0900-13153-006 Deputy. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Citizen Appointments – Lake County Library Board (1).

Repay nominated Martha Ross of St. John as an appointment for the Lake County Library Board.

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

Repay made a motion, seconded by Niemeyer to approve the appointment of Martha Ross to the Lake County Public Library Board. All voted “Yes”, except Franklin, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Lake County Auditor – Gateway Computer System.

Discussion/Action

NO ACTION TAKEN.

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 Prince to defer to 9-13-11. All voted “Yes” except Franklin, “absent”. Motion to defer carried 6-yes, 1-absent.

In the Matter of Ordinance Establishing the Lake Dalecarlia Grant Fund – a Non-Reverting Fund.

Niemeyer explained that this is a Grant received by the Lake Dale property owners in the amount of \$1,830,000.00 for repair of the 2 dams in Lake Dalecarlia. This is a match of the County, \$160,000, of which \$50,000 will come from Drainage Board, and \$50,000 from MS-4, and \$60,000 from the Homeowners Association.

Kimberly Baker, the Certified Grant Administrator for the project. She said they need a fund set up so that the Indiana Auditor’ Office can deposit the grant funds into, and they have an account that the local match can be put into as well, because the County is required to write all of the expenses out of this account.

Dan Gardner, MS-4 Coordinator in the Surveyor’ Office said that this project has been a collaborative effort with the Commissioners, Commissioner Scheub, and Surveyor Van Til. He said they are fortunate to be able to leverage significant OCRA funds. This would put the dam at Lake Dalecarlia back in compliance. It currently went out of compliance after the 2008 floods, so it is necessary there, as well as providing significant benefits. Mr. Gardner said \$100,000 dollars is being committed, \$50,000 from Drainage, and \$50,000 from the MS-4 fund, as the governmental match, and they are working closely with the Commissioners to make this successful, and Councilman Niemeyer.

Jean Anderson, Treasurer of the Lake Dalecarlia Property Association, who stated that they are committed to the \$60,000 dollars match, and whenever it is required that the check be sent, the check will be available after their meeting next Monday, (August 15, 2011).

Dante said about 20 years ago, the drainage fund was dysfunctional, about \$100,000 dollars a year. Dante said that the drainage fund is within your maximum levy, so it increases your general fund balance. Dante also said that this body built it to about \$2.6 million, allowing and affording all of these nice maneuvers, so Dante said the Council should take credit for this because they were the ones who built the drainage fund up from about \$100,000 dollars to about \$1.6 million per year.

Niemeyer added that the \$50,000 match from the Drainage Board comes from the Kankakee Basin funding, it’s County money.

Blanchard said that there is a hidden advantage to doing this. They had a silt problem with Lake Dale, and it’s been cleaned up and maintained the assessed values of all of the homes in that area, with the beautiful lake that’s out there. That’s what the real draw is. Once this work is done on the dams, it will help prevent the silt from forming in the lake, and actually ruining the lake. Blanchard added, it’s good for the unincorporated area of the County

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

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

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

ORDINANCE NO. 1338A

**ORDINANCE ESTABLISHING THE LAKE DALECARLIA
GRANT FUND, A NON-REVERTING FUND**

WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to Promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds, within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, the Lake County Commissioners are sponsoring a grant for the Lake Dalecarlia Property Owners Association through the Indiana Office of Community and Rural Affairs (OCRA); and

WHEREAS, the grant award received from OCRA is \$1,830,000.00 with a local match Contribution of \$160,000.00 to complete essential repairs to two dams located On Lake Dalecarlia; and

WHEREAS, the Lake County Council desires to create the Lake Dalecarlia Grant Fund.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake Dalecarlia Grant Fund
A non-reverting fund, is established for the deposit of
A grant award received from OCRA of \$1,830,000.00
With a local match contribution of \$160,000.00
To be used to complete essential repairs to two dams
Located on Lake Dalecarlia.
2. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal
Body shall appropriate all money to be paid out of the
Fund, except as otherwise provided by law.
3. Any money remaining in the fund at the end of the year
Shall not revert to any other fund but continues in the
Lake Dalecarlia Grant Fund.

SO ORDAINED THIS 9TH DAY OF AUGUST, 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 Parking Regulations at the Lake County Government Complex in Crown Point, Indiana.

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

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

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

ORDINANCE NO. 1338B

**ORDINANCE ESTABLISHING THE PARKING
AREAS FOR THE LAKE COUNTY GOVERNMENT COMPLEX**

WHEREAS, the Board of Commissioners of Lake County has provided for the assignment of handicap parking, reserved parking, fire lanes, no parking zones, and public parking spaces for the control of traffic in the parking lots and roadways in and around the Lake County Government Complex; and

WHEREAS, the parking procedures and regulations are continuously being violated and ignored to the considerable inconvenience of the general public and the personnel of the Lake County Government Complex; and

WHEREAS, the Lake County Board of Commissioners and Lake County Council desire to establish by Ordinance areas for handicap parking, reserved parking, fire lanes, no parking areas and public parking, and provide for procedures to enforce the parking procedures and regulations.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That areas for handicap parking, reserved parking, Fire lanes, no parking areas, reserved parking for Television crews covering public hearings and meetings, Public parking and roadways in and around the Lake County Government Complex are now established by The parking map of the Lake County Government Complex, attached as Exhibit "A".
2. That each area shall have a clearly visible sign designating the type of parking, if any, allowed in the area as provided by the parking map, Exhibit "A". All cars parked in violation of the area map are illegally parked cars.
3. The owner or operator of a vehicle of an illegally parked car at the Lake County Government Complex, shall be notified in writing on a form to be provided by the County. In case such owner or operator shall not be in possession of, present or in charge of such vehicle, the posting of such notice or the attachment thereof to a conspicuous place on such vehicle shall be deemed a sufficient notice of such violation.
4. The Lake County Police may order any vehicle Illegally parked according to the Lake County Parking Map to be towed at the request of the Building Manager.
5. That the owners or operators of illegally parked vehicles Shall be responsible for payment of all towing costs and fines.
6. That the Lake County Police Department shall enforce the provisions of this Ordinance.
7. That this Ordinance rescinds and repeals Ordinance No. 1113A.

SO ORDAINED THIS 9TH DAY OF AUGUST, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
JEROME A. PRINCE

MICHAEL REPAY
RICK NIEMEYER

Members of the Lake County Council

In the Matter of Plan Commission Ordinance # 2346.

Ned, from Plan Commission explained that this is a request for a landscaping business, and the BZA unanimously recommended denial, and forwarded an unfavorable recommendation based on the finding that the petitioner did not prove a hardship in order to acquire the variance of use, and based on the fact that there's other existing zoning that would accommodate a landscape business in the county.

Niemeyer made a motion, seconded by Dernulc to deny Plan Commission Ordinance # 2346.

Ned said that there are some neighbors present who would agree with the BZA, and with the Council' motion to deny.

All voted "Yes" to deny, except Franklin, "absent". Motion to deny carried 6-yes, 1-absent.

**ORDINANCE # 2346
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 unfavorably 07/20/2011).

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

VARIANCE OF USE owned and petitioned by **RICK ELLSWORTH** to allow a landscaping business in an R-2 (One-Family Zone) on the following described property:

Council is suppose to do, and they are supposed to implement regulations, and that's what they are still working on. Attorney Szarmach said so I think you might have a situation where you have no recommendation, with an asterisk as to why you have no recommendation.

Dante said but we have to articulate the fund, and the unit of government where we make no recommendation. We have to have it in the minutes that indeed the Council made no recommendation on that fund, and that levy.

Attorney Szarmach said the problem with that is, it's not a 10 minute process.

Attorney Szarmach said there is no procedure, you have to make a non-binding recommendation, and it has to be at a public meeting, and that's it. He said your procedure is up to you.

Attorney Szarmach commented that there are only two Counties in Indiana, Lake County, and St. Joe in which the County Council is not only the fiscal, but also the Legislative body. That was an experiment in 1981, with the Home Rule Statute, and the experiment has worked pretty well.

Attorney Szarmach said I see this, the recommendation process as an experiment as well, and they are looking here to see how is this going to work, in case they are going to do a Uni-Gov type of legislation for the area, and you are writing your own rules. You are writing the rules that some County Council 10 years from now may be using to make decisions for all of the Cities and Towns.

Raymond Fletcher, a citizen, who gets around in his wheelchair made comments in reference to Mr. Lampkins, from GPTC who provided transportation for him so he could attend the Council meeting. He also commended the Council on the fine work that they are doing, and encouraged them to keep up the good work.

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