

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 November 22, 2011

Prince made a motion, seconded by Cid to defer the minutes to 1-10-12. All voted "Yes". Motion to defer carried 7-0.

ORDINANCE NO. 1342

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>Emergency Management</u> 3500		
42220 Garage & Motors	\$ 3,155.16	No Action
<u>Work Release</u> 3150		
42210 Office Supplies	\$ 2,521.38	\$ 2,521.38
42220 Garage & Motors	\$ 12,664.67	\$ 12,664.67
42230 Clothing	\$ 4,892.30	\$ 4,892.30
42240 Household & Institutional Supplies	\$ 4,749.25	\$ 4,749.25
42410 Other Supplies	\$ 2,800.00	\$ 2,800.00
43620 Equipment Repair	\$ 8,761.00	\$ 8,761.00
43920 Food & Lodging	\$ 14,942.18	\$ 14,942.18
ARRA Grant Fund 282		
<u>Sheriff</u> 0500		
43630 Maintenance & Service	\$ 17,057.39	\$ 17,057.39
County Elected Officials Training Fund 286		
<u>Recorder</u> 0400		
43231 Travel-Registration	\$ 75.00	\$ 75.00
43235 Travel-Mileage	\$ 170.00	\$ 170.00
<u>Clerk</u> 0100		
Create All New Line Items		
43231 Travel-Registration	\$ 150.00	\$ 150.00
43232 Travel-Meals	\$ 100.00	\$ 100.00
43233 Travel-Lodging	\$ 1.00	\$ 1.00
43234 Travel-Trans/Other	\$ 1.00	\$ 1.00
43235 Travel-Mileage	\$ 145.00	\$ 145.00
Adult Probation Adm Fund 245		
<u>L.S. Court Div IV</u> 4070		
41390 Supplemental Pay	\$ 1,310.00	\$ 1,310.00
Disproportional Minority Grant Fund 366		
<u>Juvenile Detention Center</u> 4200		
43232 Travel/Meals(CNL)	\$ 841.00	\$ 841.00
Commissioners Incentive Fund 242		
<u>Government Center</u> 3030		
41260 Workman's Comp	\$ 1,500.00	\$ 1,500.00

TRANSFER OF FUNDS CERTIFICATE

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

	Requested	Approved
<u>Emergency Management</u> 3500		
From: 001-43920 Food & Lodging	\$ 100.00	
To: 001-43235 Travel & Mileage	\$ 100.00	\$ 100.00
<u>Highway</u> 5011 & 5013		
County Highway Fund 102		
From: 102-5011-43240 Telephone	\$ 5,000.00	\$ 5,000.00
102-5011-43510 Utilities	\$ 35,000.00	\$ 35,000.00
102-5013-41270 Group Insurance Other	\$ 14,000.00	\$ 14,000.00
To: 102-5011-43190 Other Professional Serv	\$ 5,000.00	\$ 5,000.00
102-5011-43610 Building & Structure	\$ 10,000.00	\$ 10,000.00
102-5011-43630 Maint & Serv Contr	\$ 4,000.00	\$ 4,000.00
102-5013-42210 Petroleum Products	\$ 35,000.00	\$ 35,000.00
<u>County Court Div IV</u> 4070		
From: 001-41120 Professionals	\$ 275.00	
To: 001-41150 Paraprofessionals	\$ 275.00	\$ 275.00
<u>County Court Div IV</u> 4070		
Adult Probation Admin Fund 245		
From: 245-41230 PERF	\$ 55.00	
To: 245-41220 FICA	\$ 55.00	\$ 55.00
<u>Sheriff</u> 0500		
Justice Assistance Grant Fund 262		
From: 262-42410 Other Supplies	\$ 1,000.00	
To: 262-41220 FICA	\$ 1,000.00	\$ 1,000.00
<u>Sheriff</u> 0500		
Commissary Pass Thru Fund 332		
From: 332-41339 Clothing Allowance	\$ 2,000.00	\$ 2,000.00
332-41370 Holiday Pay	\$ 1,000.00	\$ 1,000.00
To: 332-41140 Protective Service	\$ 3,000.00	\$ 3,000.00
<u>Sheriff</u> 0500		
From: 001-41190 Part-Time	\$ 10,000.00	
001-41193 Compensation Board Member	\$ 550.00	
001-41370 Holiday Pay	\$ 19,000.00	
To: 001-42210 Petroleum Products	\$ 550.00	\$ 550.00
001-41336 Lateral Pay	\$ 29,000.00	\$ 29,000.00
<u>Jail</u> 3100		
From: 001-41120 Professionals	\$ 10,160.00	
001-41140 Protective Services	\$ 25,000.00	
To: 001-41100 Overtime	\$ 35,000.00	\$ 35,000.00
001-41110 Officials & Administrators	\$ 160.00	\$ 160.00
<u>Detention Center</u> 4200		
From: 001-43120 Medical & Hospital Service	\$ 6,881.00	
To: 001-42240 Household & Inst Suppl	\$ 2,881.00	\$ 2,881.00
001-43620 Equipment Repair	\$ 4,000.00	\$ 4,000.00
<u>Circuit Court Clerk</u> 0100		
From: 001-43232 Travel-Meals	\$ 150.00	
001-43233 Travel-Lodging	\$ 61.52	
001-43234 Travel-Tran/Other	\$ 300.00	
001-43235 Travel-Mileage	\$ 106.20	
001-43420 Insurance	\$ 256.00	
To: 001-42110 Office Supplies	\$ 873.72	\$ 873.72
<u>Prosecutor</u> 0800		
Infraction Deferral Fund 104		
From: 104-41331 Court Reporter Per Diem	\$ 100.00	
To: 104-41334 Bond Court Per Diem	\$ 100.00	\$ 100.00
<u>Government Center</u> 3030		
Commissioners Incentive Fund 242		
From: 242-41190 Part-Time	\$ 1,700.00	
To: 242-41220 FICA	\$ 1,700.00	\$ 1,700.00
<u>Commissioners</u> 2900		
From: 001-41160 Office & Clerical	\$ 450.00	
To: 001-41110 Officials & Administrators	\$ 450.00	\$ 450.00

	Requested	Approved
<u>Commissioners 2900</u>		
From: 001-41250 Unemployment Compensation	\$ 12,050.00	
To: 001-41220 FICA	\$ 10,845.00	\$ 10,845.00
001-41230 PERF	\$ 1,205.00	\$ 1,205.00
<u>Auditor 0200</u>		
From: 001-43233 Travel-Lodging	\$ 3,000.00	
001-43235 Travel-Mileage	\$ 2,000.00	
001-43630 Maintenance & Service	\$ 5,000.00	
To: 001-43145 Legal Services	\$ 10,000.00	\$ 10,000.00
<u>Auditor 0200</u>		
Dormant Fund Transfers		
From: 228 Court Improvement Grant	\$ 267.65	
To: 001 General Fund	\$ 267.65	\$ 267.65
From: 268 Public Works Recycling Grant	\$ 9.45	
To: 001 General Fund	\$ 9.45	\$ 9.45
From: 269 Juvenile Center Grants Fund	\$ 3.68	
To: 001-General Fund	\$ 3.68	\$ 3.68
<u>Auditor 0200</u>		
Auditor's Tax Incentive Fund 193		
From: 193-41230 PERF	\$ 100.00	
To: 193-41260 Workman's Comp	\$ 100.00	\$ 100.00
<u>Public Defender 4002</u>		
From: 001-43190 Other Professional Service	\$ 4,915.00	
001-43235 Travel-Mileage	\$ 1,000.00	
001-43620 Equipment Repair	\$ 250.00	
001-43630 Maintenance & Serv Contr	\$ 1,750.00	
To: 001-41331 Court Reporter Per Diem	\$ 7,915.00	\$ 7,915.00
<u>Public Defender 4002</u>		
Supplemental Public Defender Fund 405		
From: 405-42130 Law Books	\$ 25,000.00	
To: 405-43190 Other Professional Serv	\$ 25,000.00	\$ 25,000.00
<u>County Court Div III 4050</u>		
SAPS Fund 143		
From: 143-41190 Part-Time	\$ 300.00	
To: 143-41260 Workman's Comp Ded	\$ 300.00	\$ 300.00
<u>Coroner 0700</u>		
From: 001-41100 Overtime	\$ 2,500.00	
001-41150 Paraprofessional	\$ 5,000.00	
001-41190 Part-Time	\$ 4,000.00	
001-41339 Clothing Allowance	\$ 1,100.00	
To: 001-42110 Office Supplies	\$ 5,000.00	\$ 5,000.00
001-42255 Pathology Supplies	\$ 4,000.00	\$ 4,000.00
001-42390 Other Repair & Maintenance	\$ 1,100.00	\$ 1,100.00
001-43190 Other Professional Service	\$ 2,500.00	\$ 2,500.00
<u>Coroner 0700</u>		
Coroner Facility Fee Fund 273		
From: 273-41260 Worker's Comp Deduction	\$ 200.00	
To: 273-41220 FICA	\$ 200.00	\$ 200.00
<u>County Court Div II 4040</u>		
SAPS Fund 143		
From: 143-41230 PERF	\$ 120.00	
To: 143-41260 Workman's Comp	\$ 120.00	\$ 120.00
<u>Public Works 2950</u>		
From: 001-42210 Petroleum Products	\$ 36.44	
001-42230 Clothing	\$ 222.00	
001-42390 Other Repair & Maintenance	\$ 23.38	
001-42410 Other Supplies	\$ 358.30	
001-43620 Equipment Repairs	\$ 438.59	
001-43919 Laundry & Cleaning	\$ 150.00	
To: 001-42310 Equipment & Repair Parts	\$ 1,228.71	\$ 1,228.71
<u>Election & Registration 2100</u>		
From: 001-41110 Officials & Administrators	\$ 4,135.20	
To: 001-41329 Board Members Per Diem	\$ 4,135.20	\$ 4,135.20
<u>Ross Township Assessor 1700</u>		
Reassessment Fund 237		
From: 237-41190 Part-Time	\$ 7,500.00	
237-41220 FICA	\$ 1,500.00	
237-41230 PERF	\$ 2,500.00	
To: 237-44420 Office Machines	\$ 3,500.00	\$ 3,500.00
237-44490 Other Equipment	\$ 8,000.00	\$ 8,000.00

	Requested	Approved
<u>Fairgrounds</u> 2920		
Non-Reverting Fairground Fund 131		
From: 131-43235 Travel-Mileage	\$ 300.00	
131-43910 Dues & Subscriptions	\$ 300.00	
To: 131-42410 Other Supplies	\$ 600.00	\$ 600.00
<u>Parks</u> 5155		
Parks & Recreation Fund 107		
From: 107-43330 Photo & Blueprinting	\$ 6,750.00	
107-43710 Equipment Rental	\$ 2,000.00	
To: 107-43420 Insurance	\$ 8,750.00	\$ 8,750.00
<u>Parks & Recreation</u> 5156		
Parks & Recreation Fund 107		
From: 107-43190 Other Professional Service	\$ 1,000.00	
107-43310 Printing	\$ 13,300.00	
107-43320 Advertising	\$ 1,000.00	
107-43630 Maint/Service Contr	\$ 20,000.00	
To: 107-43420 Insurance	\$ 35,300.00	\$ 35,300.00
Parks & Recreation Fund 107		
From: 107-44310 General Properties	\$ 90,000.00	
107-44490 Other Equipment	\$ 20,000.00	
To: 107-44110 Land	\$110,000.00	\$110,000.00
<u>Parks & Recreation</u> 5156		
Parks & Recreation Fund 107		
From: 107-41260 Workman's Comp	\$ 771.00	
To: 107-41110 Officials & Administrators	\$ 771.00	\$ 771.00
<u>Council</u> 3700		
2011 Insurance Year End Transfers		
From: 001-3700-41240 Group Insurance	\$1,350,000.00	
To: Fund 514 Non-Reverting Self Ins Health Fund	\$1,350,000.00	\$1,350,000.00
From: 001-3700-41260 Workman's Comp	\$ 233,315.00	
To: Fund 514 Non-Reverting Self Ins Health Fund	\$ 233,315.00	\$ 233,315.00
From: 001-3700-43420 Insurance	\$ 338,500.00	
To: Fund 541 Non-Reverting Liability Self Ins Fund	\$ 338,500.00	\$ 338,500.00
From: 105-5130-43420 Insurance	\$ 5,000.00	
To: Fund 541 Non-Reverting Liability Self Ins Fund	\$ 5,000.00	\$ 5,000.00
From: 196-3700-41240 Group Ins Deduction	\$1,000,000.00	
To: Fund 514 Non-Reverting Self Ins Health Fund	\$1,000,000.00	\$1,000,000.00
<u>Auditor</u> 0200		
From: 001-43232 Travel-Meals	\$ 1,000.00	
001-43620 Equipment Repairs	\$ 3,000.00	
001-43910 Dues & Subscriptions	\$ 1,000.00	
To: 001-43145 Legal Services	\$ 5,000.00	\$ 5,000.00
<u>Council</u> 3700		
From: 001-44420 Office Machines	\$ 3,200.00	
To: 001-42220 Garage & Motors(CNL)	\$ 3,200.00	\$ 3,200.00
<u>LS Court County Div II</u> 4040		
From: 001-41210 Longevity	\$ 2,480.00	
To: 001-41140 Protective Service	\$ 2,480.00	\$ 2,480.00
<u>Criminal Court</u> 4000		
From: 001-41110 Officials & Admin	\$ 649.00	
001-41160 Office & Clerical	\$ 706.00	
001-41190 Part-Time	\$ 1,537.00	
001-41210 Longevity	\$ 3,481.00	
To: 001-41120 Professionals	\$ 6,373.00	\$ 6,373.00
<u>Juvenile Court</u> 4100		
From: 001-41331 Court Reporter Per Diem	\$ 7.00	
To: 001-41332 Court Appeals Per Diem	\$ 7.00	\$ 7.00
<u>Clerk</u> 0100		
Website Maintenance Fund		
From: 256-41190 Part-Time	\$ 95.00	
To: 256-41260 Workman's Comp	\$ 95.00	\$ 95.00
<u>Jail</u> 3100		
Misdemeanant Co Jail Housing Fund 152		
From: 152-41160 Office & Clerical	\$ 103.00	
To: 152-41260 Workman's Comp	\$ 103.00	\$ 103.00
<u>Animal Control</u> 3200		
From: 001-41150 Paraprofessional	\$ 65.00	
To: 001-41110 Officials & Administrators	\$ 65.00	\$ 65.00

	Requested	Approved
<u>Surveyor 0600</u>		
MS-4 Fund 264		
From: 264-41190 Part-Time	\$ 420.00	
To: 264-41390 Supplemental Pay	\$ 420.00	\$ 420.00
<u>Clerk 0100</u>		
From: 001-41110 Officials & Admin	\$ 1,471.00	
001-41150 Paraprofessionals	\$ 1,396.00	
001-41160 Office & Clerical	\$ 4,553.00	
001-41190 Part-Time	\$ 1,236.00	
To: 001-42110 Office Supplies	\$ 8,656.00	\$ 8,656.00

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 13th day of December, 2011.

Adopted this 13th day of December, 2011.

NAY

AYE

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

Members of the Lake County Council

ATTEST:
Peggy Holinga Katona,
Lake County Auditor

Additional

	Made motions	seconded	
<u>General fund 001</u>			
Emergency Mngmt(\$3,155.16)	NO ACTION TAKEN.		
Work Release(\$51,330.78)	Dernulc	Prince	All voted "Yes". Motion to approve carried 7-0.
ARRA Grant Fund 282			
Sheriff(\$17,057.39)	Cid	Dernulc	All voted "Yes". Motion to approve carried 7-0.
<u>County Elected Officials Training Fund 286</u>			
Recorder(\$245)	Cid	Prince	All voted "Yes". Motion to Approve carried 7-0.
Clerk(\$397)	Repay	Prince	All voted "Yes", to approve And create all new line items,except Cid, "abstain". Motion to approve Carried 6-yes, 1-abstention.
<u>Adult Probation Adm Fund 245</u>			
L.S. Court Cty Div IV(\$1,310) (See Footnotes)	Cid	Prince	All voted "Yes". Motion To approve carried 7-0.
<u>Disproportional Minority Grant Fund 366</u>			
Juvenile Detention Center(\$841)	Prince	Franklin	All vote "Yes to create new Line item, and approve. Motion Carried 7-0.
<u>Commissioners Incentive Fund 242</u>			
Government Center(\$1,500)	Repay	Prince	All voted "Yes". Motion to Approve carried 7-0.

Footnotes

Re: County Court Div IV(\$1,310) – Cid made a motion, seconded by Prince to approve in the Adult Probation Adm Fund 245. Cid explained that this is an Auditor' request, it is not an additional

supplemental pay that she is approving, and it has already been approved by the Council. All voted "Yes". Motion carried 7-0.

Transfers

	Made motion	seconded	
Emergency Mngmt(\$100)	Niemeyer	Prince	All voted "Yes" to approve. Motion carried 7-0.
Highway(\$54,000)	Franklin	Niemeyer	All voted "Yes" to approve. Motion carried 7-0.
Div IV(\$275)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Div IV(\$55) Adult Prob Adm Fund 245	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Sheriff(\$1,000) Justice Assistance Grant Fund 262	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Sheriff(\$3,000) Commissary Pass Thru Fund 332	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Sheriff(\$29,550)	Cid	Dernulc	All voted "Yes" to approve. Motion carried 7-0.
Jail(\$35,160)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Detention Center(\$6,881)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Clerk(\$873.72)	Franklin	Repay	All voted "Yes" to approve, Except Cid, "abstain". Motion Carried 6-yes, 1-abstention.
Clerk(\$95) Website Maint Fund 256	Franklin	Prince	All voted "Yes" to approve, Except Cid, "abstain". Motion carried 6-yes, 1-abstention.
Clerk(\$8,656) (See Footnotes)	Bilski	Franklin	All voted "Yes" to approve, Except Cid, "abstain". Motion to Approve carried 6-yes, 1-abstention.
Prosecutor(\$100) Infraction Deferral Fund 104	Franklin	Prince	All voted "Yes" to approve. Motion carried 7-0
Government Center - Commissioners' Incentive Fund 242(\$1,700)	Repay	Prince	All voted "Yes" to approve. Motion carried 7-0.
Commissioners(\$450)	Franklin	Prince	All voted "Yes" to approve. Motion carried 7-0.
Commissioners(\$12,050) (See Footnotes)	Franklin	Repay	All voted "Yes" to approve. Motion carried 7-0.
Auditor(\$10,000)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Auditor – Dormant Funds(\$280.78)	Cid	Prince	All voted "Yes" to approve the Transfer into the general fund. Motion carried 7-0.
Auditor – Tax Incentive Fund 193(\$100)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Auditor(\$5,000)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Public Defender(\$7,915) (See Footnotes)	Cid	Repay	All voted "Yes" to approve. Motion carried 7-0
Public Defender-Suppl Public Defender Criminal fund 405(\$25,000)	Cid	Franklin	All voted "Yes" to approve. Motion carried 7-0.
County Court Div III(\$300) SAPS Fund 143	Repay	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Coroner(\$12,600)	Prince	Franklin	All voted "Yes" to approve,

			Except Cid, "absent". Motion to Approve carried 6-yes, 1-absent.
Coroner- Coroner Facility Fee Fund 273(\$200)	Prince	Cid	All voted "Yes" to approve. Motion carried 7-0.
County Court Div II – SAPS Fund 143(\$120)	Franklin	Prince	All voted "Yes" to approve, except Repay, "absent". Motion carried 6-yes, 1-absent.
County Court Div II(\$2,480)	Franklin	Prince	All voted "Yes" to approve, except Repay, "absent". Motion carried 6-yes, 1-absent.
Public Works(\$1,228.71)	Franklin	Niemeyer	All voted "Yes" to approve. Motion carried 7-0.
Election & Registration (\$4,135.20)	Franklin	Prince	All voted "Yes" to approve. Motion carried 7-0.
Ross Twp Assr(\$11,500)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Fairgrounds(\$600)	Niemeyer	Prince	All voted "Yes" to approve. Motion carried 7-0.
Parks & Rec(\$8,750) Fund 107	Dernulc	Prince	All voted "Yes" to approve. Motion carried 7-0.
Parks & Rec Fund 107(\$35,300)	Dernulc	Prince	All voted "Yes" to approve. Motion carried 7-0.
Parks & Rec(\$110,000) Parks Fund 107	Dernulc	Prince	All voted "Yes" to approve. Motion carried 7-0.
Parks & Rec(\$771) Parks & Rec Fund 107	Dernulc	Prince	All voted "Yes" to approve. Motion carried 7-0.
Council – Insurance Year End Transfers Fund 514 Non-Reverting Self Ins Health Fund(\$1,350,000)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Fund 514 Non-Reverting Self Ins Health Fund(\$233,315) (See Footnotes)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Fund 541 Non-Reverting Liability Self Ins Fund (\$338,500)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Fund 541 Non-Reverting Liability Self-Ins Fund(\$5,000)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Fund 514 Non-Reverting Self Ins. Health Fund(\$1,000,000)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Auditor(\$5,000)	Cid	Prince	All voted "Yes" to approve. Motion carried 7-0.
Council(\$3,200) (See Footnotes)	Niemeyer	Dernulc	All voted "Yes" to approve Creating new line item and the transfer.
Criminal Court(\$6,373)	Repay	Prince	All voted "Yes" to approve. Motion carried 7-0.
Juvenile Court(\$7.00)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0
Surveyors(\$420)	Prince	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Jail Misdemeanant Fund 152 Jail(\$103)	Cid	Prince	All voted "Yes". Motion to approve Carried 7-0.
Animal Control(\$65)	Repay	Prince	All voted "Yes" to approve. Motion carried 7-0.

Footnotes

Re: Clerk(\$8,656) – Dernulc made a motion, seconded by Bilski to add a transfer from the Clerk to the agenda. All voted "Yes", except Cid, "abstain". Motion to add to agenda carried 6-yes, 1-abstention. Bilski made a motion, seconded by Franklin to approve the transfer. All voted "Yes", except Cid, "abstain". Motion to approve carried 6-yes, 1-abstention.

Re: Commissioners(\$12,050) – Franklin made a motion, seconded by Prince to approve. All voted “Yes”. Motion carried 7-0.

Repay made a motion, seconded by Prince to rescind the previous actions taken. All voted “Yes” to rescind. Motion carried 7-0.

Franklin made a motion, seconded by Prince to reconsider this item, 15-B. All voted “Yes”. Motion to reconsider carried 7-0.

Franklin made a motion, seconded by Repay to add 15B, as amended to the agenda. All voted “Yes”. Motion carried 7-0

Franklin made a motion, seconded by Repay to approve the transfer in the amount of \$12,050.00 from 001-41250 Unemployment Compensation, **TO:** 001-41220 – FICA in the amount of \$10,845, and **TO:** 001-41230 – PERF in the amount of \$1,205. All voted “Yes”. Motion carried 7-0. No Action was taken on 001-43810 – TAW Interest in the amount of \$36,000.

Re: Public Defender(\$7,915) – Cid made a motion, seconded by Franklin to approve the transfer in the general fund, From: 43190 Other Professional Service - \$4,963, 43235 – Travel-Mileage -\$1,000, 43620 Equipment Repair - \$250, 43630 – Maintenance & Service Contracts - \$1,750 To: 41331 – Court Reporter Per Diem a total of \$11,963.. All voted “Yes”. Motion to approve carried 7-0.

Cid made a motion seconded by Franklin to re-visit the Public Defender. All voted “Yes”. Motion carried 7-0.

Cid made a motion, seconded by Repay to amend the amount of the transfer From: 43190 – Other Professional Services to the amount of \$4,915 and to amend the total amount into 41331 – Court Reporter Per Diem to \$7,915. All voted “Yes”. Motion to approve carried 7-0.

Re: Council – 2011 Insurance Year End Transfers – Prince made an amended motion, seconded by Dernulc to approve transferring from 001-3700-41260 – Workman’s Comp to the amended amount of \$233,315 to Fund 514 Non-Reverting Self Ins Health Fund. All voted “Yes”. Motion carried 7-0.

Re: Council(\$3,200) – Niemeyer made a motion, seconded by Dernulc to approve.

Niemeyer amended his motion that the transfer, in the Council’ budget, in the amount of \$3,200 should be from 44420 Office Machines to 44220 – Garage & Motors, and create new line item. Dernulc seconded the motion. All voted “Yes”. Motion carried 7-0.

No Action to be taken on item 4-A on the Agenda as a result of this action.

In the Matter of Revised 144 for Jail, and Lake County Court Div I.

Cid made a motion, to approve eliminating the (2) Qualified Mental Health Professionals, positions 12615-001, and 12615-003, and approve 12615-002 Qualified Mental Health Professional, from \$45,920 to \$55,120 for a difference of \$5,200. Prince seconded the motion.

Franklin said that’s a raise, and I keep telling you that I’m not going to approve a raise.

Prince said and I felt exactly like Councilwoman, and so did everyone else, in this particular situation it’s not stated that maybe we shouldn’t change the title. This is a promotion, which is essentially to get more money, so it’s a raise. This isn’t our taking a particular position and raising it, it’s just putting this guy in a different position, correct?

Did you also say you needed this one filled today?

Mr. Ray answered, yes,

Prince also asked and this is a promotion for this guy, right?

Mr. Ray said he’s been Acting Supervisor.

Prince said, he’s been Acting, but he is going to be compensated.

Franklin asked is he going to quit if he doesn’t get this?

Mr. Ray answered he is a licensed primary care provider, he is more interested in caring for people, than he is..

Franklin said, that’s my point. If he’s not ready to walk, or hand you his resignation, because he does not get this, because if that’s the case, then we should be advertising today to get him replaced.

Repay said I am not going to approve a raise, I can’t vote for that.

Bilski said as a friendly amendment, I would offer that at this point, we take the \$5,000 dollar pay raise out of the picture. You make a second motion on creating a new position, unfunded at this time, Qualified Mental Health Supervisor, if that title is palatable to what you’re looking for, and then we fund/transfer at the beginning of the year to fill that position. The Sheriff can present us with a job description, to give everybody the opportunity to see what this job is going to do, and whether or not it would warrant the increase to \$55,120. That would be my suggestion. Take No Action on the 12615-002, all the way down to the Stabilization Techs, and after they do the reduction of the \$99,840, then you would also make a motion to create a new position of 12615-xxx, Qualified Mental Health Supervisor, unfunded for

2012, which would simply show the Sheriff that we are willing to move forward on this and let's have an opportunity to discuss it in January for 2012. I think that would be a fair friendly amendment.

Cid said my friendly amendment at this time, is to take action on the first two, reducing the first two positions. Prince seconded the motion. All voted "Yes on the amendment". Motion carried 7-0.

All voted "Yes" on the motion to eliminate positions 12615-001, Qualified Mental Health Professionals, and 12615-003 Qualified Mental Health Professionals @ \$49,920. Motion carried 7-0.

<u>Rev 144 – Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12615-001 Qualified Mental Health Professionals	\$49,920	-0-	-\$49,920
12615-003 Qualified Mental Health Professionals	\$49,920	-0-	-\$49,920.

Bilski said that what we need to do, and my suggestion to the Sheriff is to submit the paper work for the January 10, 2012 Council meeting, position advertise a revised 144, and the creation of a new position of 12615-002 Qualified Mental Health Supervisor.

Attorney Szarmach explained that they could adopt a 144 without advertising it, but if you're going to approve any money to appropriate it, to fund it, you've got to advertise that.

Attorney Szarmach said everybody knows what they want to do, but he suggests that they don't do anything today with position 002.

NO ACTION was taken on 12615-002 Qualified Mental Health Professional, and NO ACTION was taken on 12623-001 through 12623-007 Crisis Stabilization Tech, the 8 remaining revised 144's for the Jail.

Re: Franklin made a motion, seconded by Prince to approve for Lake County Court Div I All voted "Yes". Motion carried 7-0.

<u>Rev 144 – Fund 143</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
15528-004 Probation Officer	\$29,500	-0-	-\$29,500
15xxx-001 Prob. Asst/Prob Off	-0-	\$29,500	\$29,500

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

Cid made a motion, seconded by Dernulc to approve filling the vacant position of 001-0500-14408-002 Court Security. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Positions for 2011 – Sheriff

Cid made a motion, seconded by Dernulc to approve filling the vacant position of 001-0500-14408-003 – Court Security. All voted "Yes". Motion carried 7-0.

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

Cid made a motion, seconded by Prince to approve filling the vacant position of 001-0500-16664-002 Warrant Clerk Civil Division. All voted "Yes". Motion carried 7-0.

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

Cid made a motion, seconded by Dernulc to approve filling the vacant positions of 001-3100-12610-001 – Administrative Coordinator, and 001-3100-12620-001 Crisis Stabilization Lead.

Sheriff Buncich said this is a reorganization of our Mental Health Department to comply with the Federal Government and the Department of Justice.

He also said that there are individuals in the Mental Health Ward of our Jail, who have no business being on the fourth floor. They do not belong in a Jail, they belong in an institution, and we have finally begun the process again of going to the Circuit Court to have them committed to an institution to get them out of the Jail into a State institution where they belong.

Mr. Kenneth Ray said he came here in March, 2010 at the request of the Dept of Justice, as a contractor for the DOJ. He said that this is a civil rights case. It's nothing more, it's nothing less. He said this is a Civil Rights case where Lake County was found by the United States Department of Justice, and later in concurrence with the report that I wrote, violating the civil rights of people, in the Lake County Jail. He said it's not pointing fingers at anybody, it's just that people who were in Lake County Jail, civil rights were being violated, in all areas of the Jail. He said when he came in, he saw some momentum, and he saw a strong desire on the part of everybody to fix it. Since then we has been working extremely hard, and he

has been negotiating with the Dept of Justice, on behalf of the County to obtain concessions, and mitigate some of the financial impact and some of the other problems.

He said this Plan is to address what the Dept of Justice found in their last visit. They were here in September, and gave us the report in November. You have a summary of my report. He said that in 9 months, Lake County has taken 99 violations of Civil Rights, and reduced it down to 23. Mr. Ray said right now, the 4th floor is literally over-crowded with mentally ill, and infectious disease. He said they are struggling to try to find capacity in the jail, to place the mentally ill properly and deliver them services. He spoke about a "model" and said that it was nothing different from what the Council previously approved, except it is fine-tuned to reduce your costs, to reduce your health care liability, to increase your coverage, and to be sure that you have at least the same clinical supervision you have to have.

He referred to page 16 and wanted to draw the Council' attention to that page. He explained that the Medical program remains substantially out of compliance. He said that everywhere that they see "red" in this report, they should translate that as violating civil rights. That's how the Dept of Justice reads that.

He wanted the Council to look at page 17, and explained that the Mental Health Compliance, five of the seventeen are now left in non-compliance, which is a direct result of the actions that the Council took previously to authorize mental health program. He said before that, and before it was implemented, it was all "red".

He said that there are also areas that have to be dealt with, not only do we have to get things out of non-compliance, but stop violating civil rights.

Mr. Ray referred to page 18. He said connected to Mental Health, is suicide prevention, which is what brought the Department of Justice in, to begin with because there were 6 suicides within a couple of years and that is way above the national average of the Jail.

He said if you look at suicide prevention, there is one area that's left in non-compliance. All the rest are either in partial compliance, or full-compliance. Mr. Ray said that this was the issue that brought the Dept. of Justice in, this is also the issue that has brought some civil rights litigation to the County.

He said the Dept of Justice said to implement this new Plan, that we propose to you to provide the coverage necessary because of the high number of mentally ill inmates, and the high number of people on suicide watch, and we will be done.

He also said the Dept. of Justice does not tell you what to pay people. What they said is implement the Plan, as proposed , because going from \$10.50 to \$11.50 for the Crisis Counselor is exactly what you were paying Edgewater for a high school GED.

Mr. Ray said what he has learned is what gets us out of non-compliance is an adequate program that's sustainable, meaning that you are able to keep and attract qualified and competent staff. He said \$11 dollars an hour is exactly what you were paying Edgewater for high-school diplomas to do this work, which the federal order prohibits it. So we moved it to comply with the Federal order, meaning that the minimum requirement was that they had to have at least a Bachelor's degree in the health experience, or be a licensed Psychologist Counselor, to provide licensed health care. He said the 50 cents an hour was only recommended to get to that level of sustainability so that the program would be sustainable, paying exactly what you paid Edgewater, but for the higher level of qualifications required.

He said you are not giving a pay raise to the licensed Psychologist. She is being promoted into a supervisor position that's open, so you are not giving a pay raise. It's simply filling that position.

Prince said he is speaking about item 9A on the agenda, and there is actually a raise in item 9B for one of those guys that you just spoke of.

Prince said a lot has happened in the last year, but the key issue here is that there are a couple of conflicting things going on, one is the majority of the members here are under the impression that it isn't funded, so that's absolutely one thing that we have to clear up, because we can't approve it without the funding being there.

Prince said to Mr. Ray that everything that you said sounded vaguely familiar, in terms of the mechanisms in which we were going to use but every conversation I've had in the last 3 days suggest that these positions aren't funded.

Prince said the other issue is that there are some conflicting statements between what was said last week, and what we're hearing today, and one of them, probably the most salient one, is the issue of what these people are going to be paid. It was suggested Thursday that the raise was recommended by DOJ, and Prince said, we are not going to make a big issue of that. Prince said I'm not prepared to move on it today, I don't want to delay this anymore, we've got the DOJ issue, but because largely, the issue of the funding, which would be the most primary one, and quite frankly it's an impediment, at this point.

Bilski said I think that's a valid point, and he thinks what they need is a recap on the funding source when we're put in a situation, we did have to make appropriations to fund Edgewater, so there is funding that was used for that.

Bilski said maybe Dante could give us a re-cap on where the appropriation came from for mental health, and the reform that took place, and how we did that in early 2011.

Dante explained that we're cutting budgets. He said, it started in budget deliberations 2011. He said the partnership that we initiated here, not the Sheriff. We know something was amiss, and here we are cutting budgets 15% across the board, except for the Jail. DOJ is coming in, Mr. Ray is around, we are starting with the 42-page document. All of a sudden we realize, we don't know what it is, but let's put \$900,000 dollars in the "bucket". Let's relieve them of the 15% cut, and give them \$900,000 dollars. We don't know what it's for, but let's just take the risk, and ask the other departments to contribute a share of the \$900,000 so that we can "plow" it in as a preventative maintenance measure, we don't know what this document is, approved, in.

Right around January/2011 Dante said he was hearing from the Commissioner' office that we got costs to uphold the standards, or implement the standards of Mr. Ray, or the document that has now been published from the Feds sometime in late 2011, and we've got to start hiring folks and Mental Health professionals, and Mr. Ray and I got wind that that was being paid out of Liability Insurance Reserve. I put a stop to it, absolutely not. He said we have to absolutely have the Sheriff' staff stand up on this thing, which he did. We said we have to get a handle on this thing, financially. John was saying I don't know who is paying for this. The Commissioners are saying we've got to do this. We were sitting here with \$900,000 dollars in the budget laying around here, and I said stop. We've got to get this stuff together, and Warden, you were there, your team was there, and indeed in May of 2011 we packaged an appropriation request, for various items, which are being paid out of, by the way, liability insurance reserves.

We bring it front and center in May. \$1.9 - \$2 million dollars worth of stuff. Edgewater is in there, Doctors that are in there, all kinds of visible stuff in there. Jail recovery plan, number one, first stage, right.

This is temporary, this will only last through the end of the year.

This is contractual. A month or two later, the Sheriff says, I've got a better way to handle this, I don't like this Contractual stuff, I want to go with my own people' stuff combination, kind of stuff, and I'm just paraphrasing what John said. I'm going to take this stiphen, and I'm going to move it out of the 300 series and I'm going to start creating positions. No problem at all, the Councilmen approve it, the money is there, we look at insurance, we're okay; however, once again, through 2011, the funding doesn't exist for 2012, we've got to get on Jail recovery, and I think I've said that many many times.

We bring everybody back to 2011, original. We have some problems here with the Jail recovery, problems with the health insurance, and we've got some problems possibly with the Sheriff being out of control, but other than that, as long as we get 90% collections, we should be able to maintain that, but we've got these three outliers, and I call them, in terms of issues.

Council approves the budgets at the 2011 level, both Sheriff, Jail, and everyone else. But the positions that we approved carried forward because we couldn't take them out because what are we going to do if we indeed don't get a plan in place by December 5th, in which the payroll starts for 2012. We're going to have 12 people jammed up into a zero per cent funding mechanism, we're really going to "screw" this thing up. So we bring back the funding for 2011, without the stiphen from insurance, cut the positions carried forward, and that could create chaos, and that's where we're at today. The Jail recovery, Phase II, right there just nipping at us to do something, and that's where we're at, at this very moment. So financially, I try to make it as easy as possible, but there's 18 month in our face, it's an issue, it's not overwhelming, it looks like about \$2 million bucks before any additional Correctional Officers, it looks like about \$2 million bucks that we've got to get at.

Bilski said that's what's in front of us today. We do have to figure do we make that appropriation, but the important fact is, we did make a commitment to continue this Plan for Mental Health, and we have to continue in 2012, for the reasons that Mr. Ray has just explained.

Bilski said we have to address Phase II of the Jail Recovery Plan, that's what's in front of us today, I believe.

Dante said, it really is. They are pushing is from a policy end, of course a operational end, we're pushing from a fiscal end. Budgets are pushing the issue.

Niemeyer said we basically have to stay the course somehow, and we have to find some financing to get this program going. I'm not in favor of anything, at this point, until we have a funding mechanism in place how it's going to work, but until I see a plan on how we're going to fund this, and where it's going to come from, and we sit down and look at all of this. I'm very leery of doing anything today.

Mr. Ray wanted to clarify that not taking any action today, signals to the Dept of Justice and because there's a 2012 appropriation in Mental Health, which is about \$400,000, that Lake County intends to not only, not stop violating the Civil Rights of the inmates, but they go backwards.

Repay said I am asking for the floor, that is (inaudible) valid, or correct, and I won't accept it. If the DOJ wants to know what the Council feels, the DOJ can read the minutes of our Council meeting. The DOJ can set foot in this building, and see exactly what the Council... When you say that the DOJ says that we need to remove these 2 Qualified Mental Health professionals at a tune of fifty grand a piece, and assign that salary to other people, otherwise the DOJ is going to assume that we don't care?

If the DOJ wants to know if I care, they can ask, if they want to know if this Council cares, they can be here, and I want to say one more thing. You know, the Council approved these positions, back in May, April, whatever it was, and we did it at your suggestion, then it was like, you know, "the house is burning down", type of situation, we need this it's dire. And I'll tell you what, a lot of us, myself, I'll just speak for myself. I was not comfortable with it, at all. I said let's go towards another contract, let's go for some other form of taking care of this, let's think things through completely. I sat in the DOJ meetings in Executive Sessions, and one comment that was made by one of the Attorney' was "you've managed to do this with a great quickness". "You've managed to come from non-compliance in the partial, and full compliance, very very quickly". And one of his fears was sustainability. Can this be sustained? Are we, and this goes right to the heart of this matter, we need a plan, we need a policy, we need something that can be sustained. We don't need to have, continually have reactionary situations, which is what this is. You need to fill your Administrative Coordinator, you need to fill a Crisis Stabilization Lead. I understand that. We don't want to under-staff you. But if they are saying you don't need these 2 Qualified Mental Health Professionals, then don't fill the position, and if they are telling you that the Crisis Stabilization Tech needs to make \$20 more dollars a week in order to comply with the Department of Justice, then I'd call them out on that, and I would like to see them come forward..

Mr. Ray said, I just told you, that's not true, they didn't say that.

Mr. Ray said please remember that I work for you guys, and I'm defending you with the Department of Justice,(inaudible)

Repay said sometimes it doesn't feel like that Ken.

Mr. Ray said I'm trying to explain things as clear as I can. I've been toe to toe with these guys about these issues to get concessions that are very serious with the Federal Judge who could say no to you, but they said yes to you because we kept working on this thing. This is not reactionary.

Let me clarify some things, first, they are not saying the model that you're looking at, the amendment, is fine-tuning it to address the concerns of the Council. They are not getting rid of it the licensed people, they are simply changing, getting rid of the 2 full-timers, to give you back some insurance liability that you wanted off, but the part-timers are still going to have to come in as Licensed Prevention.

Repay said, you are calling them part-timers, but they are full-time positions, in the insurance.

Mr. Ray said the 2 positions that are being cut in the model, are the Licensed Psychologists, that are getting insurance

Repay said the Crisis Stabilization Tech is getting insurance as well, right?

Mr. Ray said when you say the two.

Repay said well, I'm talking about the whole thing right?

Mr. Ray said that's what I'm talking about too. Yes this model literally addresses specifically all of these concerns, and I explained to the Department of Justice, not only that you have financial problems here, but you have to have a model that will more closely fit the needs that have been identified, but not keep robbing Peter to pay Paul. That's why we added the part-time piece.

Dernulc asked where is the part-time piece?

Mr. Ray said you wouldn't see it, because it's not on here, it's on the model that was submitted. This is the reorganization to be able to provide the part-time piece. That was the original letter that the Sheriff sent you.

Bilski said this is the plan that's in front of us, coupled with the part-time. The question still comes back to us Dante, this plan itself, whether you find it acceptable or not, whether you find that this is the model that we're going to move forward with to appease the Department of Justice. The funding mechanism, whether you do it differently, if you eliminate the 57 hour increase, take that out of the picture to continue to fund these positions, Dante. To continue to move forward with this model, how are we going to do that?

Dante said can temporarily, you have (inaudible), built into the budget, and they have appropriations so that will last until the appropriation runs out.

Bilski asked, which would be approximately when?

Dante said, oh in that fund, would probably have, if the Sheriff shifts stuff around, he would probably have, we've got a probably a \$2 million dollar hole in this thing here, so you would probably have all the way until mid-year.

Bilski said, and then at that point, we would have to make up, we would have to find money somewhere to get you to the end of 2012.

Dante said, right, and that issue has been there since January 1st of 2011. It's been there.

Bilski said I understand the proposal, I understand that this is to make PhD. Grad students for these positions trying to make that position to \$11/hr to make it more attractive to be sustainable.

Bilski said there are multiple questions here, one is, do we have faith in the program, and the Plan that's been presented to us? But more than that, I still go back to saying this is Phase II of the Jail "bailout". How are we going to continue it on? Dante just informed us the existing Plan gets us to mid-year. We still, as a Council have to figure out a way, whether it is through a Contract, and eliminating this Plan, or to sustain this Plan, we still have to fund it.

Cid said to me this shows that what we did in not contracting, and instead making these employees, this compliance level that we are now at, shows that this has worked, and I understand what Ken Ray is saying, that this is now fine-tuning it. This is a cost-savings for us, I believe also, in agreement with Mr. Bilski, we are going to have to fund these positions at some time. We do need mental health care in the Jail. You have to have it. We're going to have to fund it. It is going to have to be Phase II. I know that we don't see the dollars for that today, but eventually we are going to have to do that. This is saving you, if you add it up, we are eliminating two \$49,920 dollar positions, and to add the insurance into that, that's another \$2,800, that's \$127,840 dollars. They are only asking for \$12,310 dollars more of that, leaving \$115,000 dollars, so this is a cost savings. Any other Official that would come before you, you would commend them on finding some cost savings. So I understand it's not funded yet, but it is a cost savings to us, the program is working, and that's why we don't need three Mental Health Professionals, we only need one now.

Bilski said in conjunction with Council lady Cid was saying , and I have a quick question. Under the Stabilization Techs, approximately how many hours a week? Are those 40 hours a week jobs?

Mr. Ray said there are seven, with the new model, there are seven in employee hours. (it's hard to hear Mr. Ray, he isn't speaking into the microphone).

Dernulc asked what positions, we're cutting these two up here, so you want to reduce our liability on the the health, by two. Dernulc asked, these were also contracted out by Edgewater, correct?
(Inaudible - Can't hear the answer, other people talking at the same time)

Niemeyer commented to Ken that saying your report back to the DOJ is going to be that we're going backwards, and Niemeyer said that's a very unfair statement because we're looking, like crazy to find finances for this stuff, and we've done it in 2011, and we know we've got to look for it in 2012, and for that kind of, I don't know if it's a threat, or anything else, but that's not true. We're not going backwards, we're doing the best we can here, trying to find money and I think any Councilman that's sitting here just wants to know how we're going to fund these, we're not going to take it away from somebody else' department because they've already cut as far as they can cut, so we just want to know how we're going to fund this, and get something in our mind how it's going to be funded, going into 2012, not anymore than that, like you said, this thing is not going to go away, and we know what we've got to do here, so making that statement, we're not going to go backwards.

Mr. Ray apologized, and said I would not do that. I'm trying to buy time every time I send the DOJ a report, and now they require it monthly. He said my comment in the report was that you are working on identifying sources of funding for Correction Officers, and I left it at that.

Repay asked, when you said we, who were you referring to, the Council, or the Sheriff and Council?

Mr. Ray answered, the Sheriff and the Council. It's always a "we".

Repay said, I want to make sure that the Sheriff is included in looking for funding, and we're not looking for funding outside in the other offices in the County.

Mr. Ray said I write the report so they understand that it's always been our working together, and not apart, to solve the solution.

Bilski said, and we are only partially funded on this entire deal, Phase II, call it what you want, mid-year in 2012.

The Sheriff said we have spent hundreds of hours since January 1st on this Jail compliance issue. He said we are burdened with it, and when I say "we", I mean you and I. We have to perform, we have to do what is necessary, and I think that we have been working together, in a very professional, and cooperative manner, and that's what I intend to do in the future, to work together, otherwise we're not going to solve it. The Sheriff said we've got to find a mechanism here somewhere. He applauds the Council for what they've done, and their cooperation.

Franklin said we understood from day one, when all of this came about. Franklin said we have worked along with the Commissioners trying to make sure that all of these issues were addressed. We have talked about appropriations, we don't have all of the money to complete the Plan, and Franklin asked how are we going to sit here and appropriate something that we don't have?

Franklin said when we talk about increases, I understand that we're talking about a reorg, but, we've also sat here with these other departments that needed to do the exact same thing for their staff. I don't care if they've done it for the DOJ, or whoever, but this is what they wanted to do, and some of our Council members voted against it, but today we want to push this through. I think that we need to make sure of what we're doing here. I am all for supporting you, and giving so that this department is brought up to code, as to where it's supposed to be. Franklin said I am emphatically against giving anybody a raise, it's a raise, and I don't care what you want to call it, a reorg, whatever you want to call it, it's a raise, and I'm against it, but anything else that I can do to continue to help you to bring this department in compliance, I am willing to do that, without the raises.

Prince said the issue of the 50 cents raise isn't really the issue. It's whether we can fund this, or not, so I just say let's do something concisely all at the same time. I think a deferral would be in order.

Bilski said everyone knows we have to have this Plan in place. How we continue to fund it in 2012 is going to take Council hours, cooperation from the Sheriff, this Council, and our Financial Advisor to figure out what do we do because we are in a position where we have un-funded mandates again, and that's exactly what this is, and it doesn't change in anything else that we've done. This is another mandate where our back is against the wall, we know we have to have this Plan in place, we know we have to make these corrections. We don't have the funding for it and it's a mandate, that we have to figure out how to fund it for the balance of 2012.

Cid said I understand the other Council members concerns about saying there are not appropriations yet for these positions, but if we don't, we are already beginning 2012 payrolls, and by saying you're not going to fund it, and that's where Ken Ray is saying you're going backwards because then you're saying then we need to get rid of these positions, there'll be no funding for them, so we need to eliminate these, and we can't do that, that would be moving backwards, this is part of our Agreement.

Bilski said that Dante did say that we did the "bailout" on this. There is revenue there to take us into 2012 to cover these positions for the first payroll in January. That is not the issue, at this point, what we're saying is, we are going to, once we get to Item 9-B, on the agenda, is to approve the elimination, and the 50 cents raise, which equates to \$99,840.00 will not be granted.

Mr. Ray asked the Council are you saying that you are approving the "Model" that was proposed to you, by the Sheriff, in this letter, except for the pay raises?

Repay said we're not saying any of that, what we're saying is we are allowing you to eliminate those 2 positions, we're allowing you to, if you want to present that in the form of a Resolution or something, then we can say that, otherwise we're not saying any of that.

Bilski said in item 9-A, the Administrative Coordinator has been taken care of, the Crisis Stabilization Lead has, we have gone with the overall plan with the elimination of the 2 Qualified Mental Health, we are not agreeing to the pay raises at this time, we need the residual savings of the \$99,840 dollars to look into after the first of the year to continue to fund this program, and that's our starting point. That's what I'm saying.

Attorney Szarmach said that what you should do today, is give him the structure he wants today, which is eliminating the first two, do nothing with the rest, and in the future, and I don't know if it's next month, or somewhere down the road, we will do something maybe with the salaries, but the structure you want is to eliminate the first two.

Mr. Ray said the only salary position that he encourages the Council to take action on today is the Clinical Supervisor, so we can fill that position.

Cid said I don't see that title here. Cid asked is it the one at \$55,120?

Mr. Ray said 12615-002, that's it.

Bilski asked is that person in position now?

Mr. Ray said they are currently acting as Supervisor, but they are not....

Cid said that's why he keeps saying, they want a Clinical Supervisor at \$55,120. That's what he wants.

After further discussion, All voted "Yes" to approve filling the vacant positions of 001-3100-12610-001 Administrative Coordinator, and 001-3100-12620-001 Crisis Stabilization Lead carried 7-0.

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

Cid made a motion, seconded by Franklin to approve filling the vacant position of 001-3100-14404-097 Correctional Officer. All voted "Yes". Motion carried 7-0.

In the Matter of Ordinance 1330C – Regarding Vacant Positions for 2011. – Superior Court Civil

Franklin made a motion, seconded by Prince to approve filling the vacant positions of 001-3900-14410-003 Chief Bailiff, and 001-3900-16670-003 Secretary. All voted "Yes", except for Cid, "absent". Motion to approve carried 6-yes, 1-absent.

In the Matter of Ordinance 1330C – Regarding Vacant Positions for 2011 – Coroner.

Prince made a motion, seconded by Franklin to approve filling the vacant position of 001-0700-15126-003 Medical/Legal Death Investigator. All voted "Yes", except Cid, "absent". Motion to approve carried 6-yes, 1-absent.

In the Matter of Ordinance 1330C – Regarding Vacant Positions for 2011. – County Court Div II.

Franklin made a motion, seconded by Prince to approve filling the vacant position of 001-4040-14401-002 Bailiff. All voted "Yes", except Repay, "absent". Motion to approve carried 6-yes, 1-absent.

In the Matter of Ordinance 1330C – Regarding Vacant Positions for 2011 – Courthouses

Repay made a motion, seconded by Prince to approve filling the vacant position of 001-3000-18813-001 Janitor – Hammond. All voted "Yes". Motion carried 7-0.

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

Franklin made a motion, seconded by Prince to approve filling the vacant positions of 001-0850-15706-009 Case Worker II, and 001-0850-15706-009 Case Worker II, and 001-0850-15707-002 Case Worker III. All voted "Yes" to approve. Motion carried 7-0.

In the Matter of Councilmanic Appointments – Common Construction Wage Committee for
City of Lake Station
Town of Merrillville
Town of New Chicago
Town of St. John

Prince made a motion, seconded by Dernulc to defer to 1-10-12. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Councilmanic Appointments – Garner Scholarship Committee (2).

Dernulc said that he and Cid are on this Committee, and they have not been part of who receives this. Dernulc said that he did receive information from Mr. Blanchard, and thanked him for that.

Repay made a motion to retain Christine Cid and Dan Dernulc to the Garner Scholarship Committee. Franklin seconded the motion.

Cid made a motion, seconded by Dernulc to close the nominations, and approve retaining Cid and Dernulc to the Garner Scholarship Committee.

Cid said she thinks Attorney Szarmach needs to look into this because it's her understanding that they have, this University doesn't even consider the Council' input anymore, so we need to understand how they made those changes. She said we need a legal opinion on whether we meet because what's the sense of our representation if we don't have a say anymore in this scholarship. Cid said she will give Attorney Szarmach the paper work that she received because she has made several phone calls, and doesn't get a return phone call.

Dernulc said he also received a gentleman' name, and he will be giving him a call and if he doesn't return the call, then we can go to another level.

All voted "Yes" to approve Christine Cid and Dan Dernulc to the Garner Scholarship. Motion carried 7-0.

In the Matter of Councilman & Citizen Appointments – Lake County Redevelopment Commission. (2)

Repay nominates Elsie Franklin, and John Brezik. Prince seconded the nomination.

Cid made a motion, seconded by Dernulc to close the nominations.

Repay made a motion, seconded by Prince to approve Elsie Franklin and John Brezik, as re-appointees to the Lake County Redevelopment Commission. All voted "Yes". Motion carried 7-0.

In the Matter of Citizen Appointments – Alcoholic Beverage Board (1R)

Dernulc made a nomination to retain Alma White to the Alcoholic Beverage Board. Niemeyer seconded the nomination.

Prince made a motion to close the nominations, seconded by Dernulc. All voted "Yes".

Dernulc made a motion, seconded by Prince to approve, Alma White to the Alcoholic Beverage Board carried 7-0.

In the Matter of Citizen Appointments – County Property Tax Assessment Board of Appeals (1R)

Niemeyer made a motion to re-appoint Vern Vierk to the County Property Tax Assessment Board of Appeals. Prince seconded the motion.

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

Dernulc made a motion, seconded by Prince to approve Vern Vierk to the County Property Tax Assessment Board of Appeals. All voted "Yes". Motion carried 7-0.

In the Matter of Citizen Appointments – Domestic Violence Fatality Review Team – Direct Service Provider

Cid made a motion to nominated Diane Walker for Direct Service Provider. Prince seconded.

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

Cid made a motion, seconded by Prince to approve Diane Walker. Motion carried 7-0.

In the Matter of Citizen Appointments – Defense Attorney

NO ACTION TAKEN.

In the Matter of Citizen Appointment County Child Fatality Review Team – Fire Department Representative (1).

Repay nominated Brian Taylor to fill out the remainder of the term. Franklin seconded the nomination.

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

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

In the Matter of 2011 Addendum to Contract – Lake County Council and Fraternal Order of Police Chris Anton Lodge # 125, the Lake County Police Association #72 AFL/CIO (Affiliates of the Indiana F.O.P. Labor Council, Inc.)

Cid made a motion, seconded by Franklin to approve.

Cid explained that the Lake County Council has contracted with the Merit Police Officer' union, and negotiations were held last year. Cid said the Committee agreed on this Addendum, and then the Union took it to their members, and they voted on it, and you will see that they have already signed the Addendum, and the next step is for this Council to approve this Addendum for funding for 2012, and 2013. Cid said that two of the main items were that last year the Officers agreed to a reduction in the proficiency pay, so that the Sheriff' budget could come in line, and this year we have agreed to give them revert back to it being funded at 100%. Also the Contract calls for a total of 108 Police Officers, and we have agreed to funding of 102 Police Officers. Cid said all of this, of course, funding will have to be, and it states in the Contract, and she believes it states here, Item 3B you can see, the Union, "Subject to the Council' right to lay off employees pursuant to Article 29 of the 2009-2010 Collective Bargaining Agreement minimum staffing level for 2012-2013 shall be 102 Police Officers, with 5 of those officers funded from the Sheriff's Commissary fund. The Sheriff shall have until June 1st, 2012 to achieve full staffing."

Cid said she wants to mention the Officers also increased their portion of funding, their Merit Retirement, they were paying 4%, and they increased that, their portion would be 6%, and they have agreed to continue their 6%.

Repay asked do we have a level of what funded? We don't have 102 funded positions right now do we?

Cid said all of these new fee funds that we have created, positions will be funded out of those fee funds. That is where the funding will come from. Cid said, we understand there's a certain level only in the general fund, five from Commissary, and the others that were unfunded for this year, will be funded through fee funds.

Dernulc said I am in favor of this, but my biggest concern was funding. You are saying that you will fund it to where there will not be any burden to the general fund right?

The Sheriff answered, correct.

Attorney Szarmach said if you look at the addendum, 3-b, it's all subject to the Council' right to lay off employees pursuant to Article 29 in the original Contract, which has to do with finding the money to appropriate the funded positions.

Attorney Szarmach said to always go back to that Article 29 of the original agreement.

Repay asked would that equal a right to not fill a position, in other words, as well?

Attorney Szarmach answered, if you can, pursuant to that Article, not find the money anywhere, you can not fund it, and the Sheriff would then have to lay that person off.

Dernulc asked, we are reducing head count, by six, from the original contract, but you would still be able to provide the same level of service, correct?

The Sheriff answered, we are doing it with 93 right now.

Cid said our Contract was in agreement of 108, we didn't fill all of those positions.

Franklin asked, is that with the understanding, if funding was there?

The answer was correct. Bilski said currently there's 96 Officers, and its all based on funding, and how these funds come in, whether or not how we fund the positions.

Niemeyer said he just wanted to make sure that he understands that if these positions can not be funded by the new fee structure, then they will not be filled.

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

2011 ADDENDUM TO CONTRACT

The Lake County Council and Fraternal Order of Police Chris Anton Lodge #12, the Lake County Police Association #7 AFL/CIO (Affiliates of the Indiana F.O.P. Labor Council, Inc.) hereby agree to the following:

1. The parties entered a collective bargaining agreement that was in effect from January 1, 2009 to December 31, 2010. For purposes of this addendum, that agreement will be referred to as the "2009-2010 Collective Bargaining Agreement".
2. The 2009-2010 Collective Bargaining Agreement and its accompanying addendum expire on December 31, 2011. A copy of the 2010 addendum is attached hereto as Exhibit A.
3. The parties agree to extend the existing 2009-2010 Collective Bargaining Agreement, as modified by the terms of Exhibit A, subject to the following amendments, from January 1, 2012-2013:
 - a. The reduction in proficiency/specialty pay by 50% as reflected in Ex. A, is rescinded as of December 31, 2011. Therefore, beginning on January 1, 2012, employees will receive 100% proficiency/specialty pay as set forth in the 2009-2010 Collective Bargaining Agreement.
 - b. The Union agrees to maintain the continued concession of police officers as reflected in Ex. A (22.d) for the period of 2012-2013. Subject to the Council's right to lay off employees pursuant to Article 29 of the 2009-2010 Collective Bargaining Agreement, the minimum staffing level for 2012-2013 shall be 102 Police Officers, with 5 of those officers funded from the Sheriffs Commissary fund. The Sheriff shall have until June 1st, 2012 to achieve full staffing.
4. The parties agree that in the event Lake County employees receive a pay raise in 2012-2013, all Merit Police Officers shall receive equal or greater compensation than such pay raise.
5. The changes contained in paragraph 3 and 4 above shall be subject to a public vote of the Council and approval by the union membership.
6. Language change in Article 1 Section 1.1 as follows:
Strike the words – [excluding employees in "upper level policy making position" as defined by Indiana State Statute.]
Insert the words – [excluding the Sheriff and Chief of Police]
7. Language change in Article 13 Section 13.1 as follows:

Add the sentence at the end of the Section – Officers holding the ranks of Sheriff, Chief of Police, Deputy Chief of Police, Commander and Deputy Commander are excluded from this section.

*The intent of 6 and 7 is to clarify that all members below the rank of Chief of Police are covered by the Collective Bargaining Agreement but the Command Staff Ranks of Sheriff, Chief, Deputy Chief, Commanders and Deputy Commanders are excluded from overtime.

SIGNATURE PAGE

The Fraternal Order of Police Chris Anton Lodge #125, the Lake County Police Association Local #72 AFL-CIO, the Indiana Fraternal Order of Police Labor Council, Inc., and the County Of Lake, by and through their duly authorized representatives, intending to be legally bound, now Sign this agreement this 21st of December, 2011.

LAKE COUNTY COUNCIL

LAKE COUNTY COMMISSIONERS

By : Ted Bilski 12-13-11
President Councilman
By: Christine Cid 12-13-11 Councilwoman
By: Dan Dernulc 12-13-11 Councilman
By: Rick Niemeyer 12-13-11 Councilman
By: Elsie Franklin 12-13-11 Councilwoman
By: Jerome Prince 12-13-11 Councilman
By: Michael Repay 12-13-11 Councilman
By: Anthony Overholt Counsel for Lake County
By: Ray Szarmach Counsel for Lake County Council

By: Roosevelt Allen, Jr. Commissioner
President
By: Frances DuPey Commissioner
By: Gerry Scheub Commissioner
UNION/FOP
By: Robert Klasner FOP President
By: Dan Murchek LCPA President
By: John Kitchen FOP Secretary
By: Robert Arnold LCPA Secretary
By: Robert Imborek, FOP Labor

In the Matter of Lease Need Approval – Hangar Space for the Lake County Sheriff at the Griffith Airport, Griffith, IN 46319

Cid made a motion, seconded by Prince to approve the lease need for hangar space. All voted “Yes”. Motion carried 7-0.

In the Matter of Resolution Permitting the Office of Public Defender to pay 2009 invoices with 2011 funds – 405-4002-43232 Travel-Meals in the amount of \$95.00; 405-4002-43233 Travel-Lodging in the amount of \$219.96 and 405-4002-43235 Travel-Mileage in the amount of \$154.00 for a total of \$468.96.

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

RESOLUTION NO. 11-96

RESOLUTION PERMITTING THE OFFICE OF THE PUBLIC DEFENDER TO PAY OUTSTANDING 2009 INVOICES/DEBTS FROM THE 2011 BUDGET

WHEREAS, the Office of the Public Defender, is currently operating in the 2011 Budget; and

WHEREAS, the following invoices/debts incurred in the Budget year of 2009 have not been paid:

<u>405-4002-43232</u> T. Edward Page	<u>Travel-Meals</u> \$ 95.00
<u>405-4002-43233</u> T. Edward Page	<u>Travel-Lodging</u> \$ 219.96
<u>405-4002-43235</u> T. Edward Page	<u>Travel-Mileage</u> \$ 154.00

WHEREAS, the Lake County Council desires to transfer funds and pay the above invoices/debts Due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2009 expenses shall be paid from the Office of the Public Defender’s 2011 Budget:

<u>405-4002-43232</u> T. Edward Page	<u>Travel-Meals</u> \$ 95.00
<u>405-4002-43233</u> T. Edward Page	<u>Travel-Lodging</u> \$ 219.96

405-4002-43235
T. Edward Page

Travel-Mileage
\$ 154.00

SO RESOLVED THIS 13TH DAY OF DECEMBER, 2011.

TED F. BILSKI, President

CHRISTINE CID
DANIEL E. DERNULC
RICKM NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

Members of the Lake County Council

In the Matter of Resolution Approving the Extension of a Temporary Loan from the Supplemental Juvenile Fund No. 144 to the Disproportional Minority Contract Project Grant Fund for the Lake County Juvenile Center Dept 4200.

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

RESOLUTON NO. 11-97

RESOLUTION TO EXTEND THE PAYMENT OF A TRANSFER BETWEEN FUNDS (TEMPORARY LOAN) PURSUANT TO I.C.36-1-8-4(b) (DISPROPORTIONAL MINORITY CONTRACT PROJECT GRANT FUND FOR THE LAKE COUNTY JUVENILE CENTER DEPT. 4200)

WHEREAS, I.C. 36-1-8-4(a) provides for the transfer of funds for a prescribed period, To a fund in need of money for cash flow purposes from another fund; and

WHEREAS, I.C. 36-1-8-4(a)(3) provides that the amount so transferred must be returned to The fund from which it was transferred at the end of the prescribed period; and

WHEREAS, I.C. 36-1-8-4(b) further provides that if the fiscal body of the political subdivision Determines that an emergency exists that requires an extension of the prescribed Period of transfer, the prescribed period may be extended for up to six (6) months Beyond the budget year of the year in which the transfer occurs; and

WHEREAS, on May 10, 2011, by Resolution No. 11-50, the Lake County Council pursuant to I.C. 36-1-8-4(a) approved the following transfers of funds for a period not to exceed December 31, 2011; to-wit;

\$8,000.00 from the Supplemental Juvenile Fund, Fund No. 144 to the Disproportional Minority Contract Project Grant Fund for the Lake County Juvenile Center Dept. 4200; and

WHEREAS, the Lake County Council, the fiscal body of Lake County, finds that this is a Reimbursable grant; and reimbursement from the Criminal Justice Institute should Be made prior to June 30, 2012; and

WHEREAS, Pursuant to I.C. 36-1-8-4(B) The County Council finds that an emergency exists That requires the extension of the prescribed period for six months to June 30, 2012.

NOW, THEREFORE, LET IT BE RESOLVED by the Lake County Council that the repayment date Of the temporary loan and transfer approved on May 10, 2011 by Resolution NO 11-50 be extended To June 30, 2012, pursuant to I.C. 36-1-8-4(b) as follows:

\$8,000.00 from the Supplemental Juvenile Fund, Fund No. 144 to the Disproportional Minority Contract Project Grant Fund for the Lake County Juvenile Center Dept. 4200.

SO RESOLVED THIS 13TH DAY OF DECEMBER, 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 Reducing Certain Funds to Balance the 2012 Lake County Budget.

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

RESOLUTION NO. 11-98

**RESOLUTION TO REDUCE
CERTAIN FUNDS TO BALANCE THE 2012 LAKE COUNTY BUDGET**

WHEREAS, pursuant to I.C. 36-2-3.5-3, the Lake County Council is the fiscal and legislative Body of Lake County, Indiana; and

WHEREAS, pursuant to I.C. 36-2-5-1, et. seq., the Lake County Council is required to adopt an Ordinance each year to establish the budget for Lake County Government (Budget Ordinance), which was adopted for the year 2012 on September 26, 2011; and

WHEREAS, the budget adopted on September 26, 2011 was a balanced budget and was Forwarded to the Department of Local Government Finance pursuant to Indiana State Law; and

WHEREAS, on November 22, 2011, the Lake County Council adopted Ordinance No. 1341E Establishing the Sheriff's Pension Trust Fund, a Non-Reverting Fund, Fund No. 287, In part for the deposit of money for each verified claim submitted by the Lake County Sheriff under, I.C. 33-37-7-11, which is estimated at \$567,000.00 for 2012 (Exhibit "A"); and

WHEREAS, pursuant to I.C. 33-37-7-11(c) the money deposited in the Lake County Pension Trust Fund shall be paid from the fund established by I.C. 33-37-7-4, the General Fund 001 – Fines and Forfeitures 4103; and

WHEREAS, the reduction of \$567,000.00 in the General Fund 001 – Fines and Forfeitures 4103 In order to fund the Sheriff's Pension Trust Fund, without a corresponding Reduction In the 2012 budget, results in a budget which is not balanced; and

WHEREAS, in order to adopt a balanced budget for Lake County, Indiana for 2012 the Lake County Council desires the following reductions in the respective budgets:

REDUCTIONS:

General Fund 0101 – Fines and Forfeitures 4103	\$567,000.00
General Fund 0101 – County Sheriff 0005-Merit Retirement 41235	\$567,000.00

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council in order to balance the County Budget for Lake County for 2012 makes the following reductions:

REDUCTIONS:

General Fund 0101-Fines and Forfeitures 4103	\$567,000.00
General Fund 0101-County Sheriff 0005 -Merit Retirement 41235	\$567,000.00

DATED THIS 13TH DAY OF DECEMBER, 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

Ordinance #1341E – Ordinance Establishing the Lake County Sheriff’s Pension Trust Fund, A Non-Reverting Fund, Fund No. 287 is attached to Resolution No. 11-98 as “Exhibit A”

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

Niemeyer made a motion, seconded by Prince to defer to 1-10-12. All voted “Yes”. Motion to defer carried 7-0.

In the Matter of Ordinance Amending Ord. 1183D – Requiring Project Labor Agreements for Lake County Government Construction Projects.

NO ACTION TAKEN.

In the Matter of Ordinance Amending Lake County Sheriff’s Eviction Fee Ordinance No. 1305A.

NO ACTION TAKEN.

In the Matter of Ordinance Creating the Sheriff’s Eviction Fee Fund – a Non-Reverting Fund.

NO ACTION TAKEN.

In the Matter of Ordinance Creating the Petty Cash Fund for 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.

In the Matter of Ordinance Requiring Project Labor Agreements for Lake County Government Construction Projects.

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

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

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

ORDINANCE NO. 1342A

ORDINANCE REQUIRING PROJECT LABOR AGREEMENTS FOR LAKE COUNTY GOVERNMENT CONSTRUCTION PROJECTS

WHEREAS, Project Labor Agreements have proven to be of economic benefit to property owners, including states and their subdivisions, for their construction, alteration or repair projects (including any closely interrelated series of projects); and

WHEREAS, Project Labor Agreements facilitate the timely and efficient completion of such Projects by (a) making available a ready and adequate supply of highly trained and skilled craft workers, (b) permitting public and private owners and contractors and subcontractors to accurately determine project labor costs at the outset and to establish working conditions for all construction crafts for the duration of such Projects, (c) allowing for the negotiation of specialized terms and conditions which, because of the particular circumstances relating to a specific project, may be required for the effective construction of the project, and (d) providing a negotiated commitment which is a legally enforceable means of assuring labor stability and labor peace over the life of such Projects; and

WHEREAS, the Government of Lake County, Indiana is dedicated to obtaining an economic benefit to its community and its citizens, while at the same time ensuring that its Projects have a ready and adequate supply of highly trained and skilled craft workers, understands the need to accurately determine Project labor costs at the outset and to insure that decent working conditions exist for the working people who supply their labor on its Projects and desires to assure labor stability and labor peace on its Projects; and

WHEREAS, there are economic and quality of life benefits to be gained from and protected by Project Labor Agreements by our citizens and our community; and

WHEREAS, the United States Supreme Court on March 8, 1993 issued its unanimous decision in Building and Construction Trades Council of the Metropolitan District upholding the legality of the

"Boston Harbor Project Agreement" which documents the legal basis for the instant action;
and

WHEREAS, the Indiana Public Construction Act, I.C. 36-1-12, et. seq., allows the use of Project Labor Agreements by political subdivisions of the State of Indiana when the political subdivision is the owner of property upon which a construction project will take place;
and

WHEREAS, the Lake County Board of Commissioners is the executive body for Lake County and executes all contracts, except as otherwise provided by law, where Lake County, Indiana, or any of its agencies, departments, boards, commissions, or any other County entity with a property interest is the owner or lessee of the property upon which the construction projects takes place; and the Lake County Council is the fiscal and legislative body of Lake County, Indiana and is responsible for funding county construction projects; and

WHEREAS, the Lake County Board of Commissioners and the Lake County Council desires that Project Labor Agreements be used in all construction projects where Lake County, Indiana, or any of its agencies, departments, boards, commissions, or any other County entity with a property interest is the owner of the property upon which the construction takes place (or lessee or the beneficiary or a separate corporation which is created to perform construction, alteration or repair work for the benefit of Lake County, Indiana or any of its agencies or departments

and this Community) although the County Council of the County of Lake, Indiana recognizes that there may be circumstances where in the case of an individual project the benefits of proceeding without a Project Labor Agreement may substantially exceed the benefits of proceeding with such an agreement, in which case a written report shall be prepared by the specific department involved in such project and such report submitted to the Lake County Board of Commissioners, for its consideration and decision; and further desires, as expressed herein, that all Project Labor Agreements covering Lake County, Indiana, owned, utilized or leased property be negotiated by and through the local labors unions representing experienced and skilled construction workers.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. It is the policy, as expressed herein, of the Board of Commissioners of Lake County, Indiana, to provide for the negotiation of mutually acceptable Project Labor Agreements with local labor unions representing experienced and skilled construction workers covering construction, alteration or repair work, where Lake County, Indiana, or any of its agencies, departments, boards, commissions, or any other County entity with a property interest is the owner or lessee of the property upon which the construction takes place (or lessee or the beneficiary or a separate corporation which is created to perform construction, alteration or repair work for their benefit).

2. All solicitation for bids issued by the Board of Commissioners of Lake County, Indiana, or any of its agencies, departments, boards, commissions, or any other County entity with a property interest (or a corporation created to benefit Lake County) in construction, alteration or repair shall, except as otherwise provided herein, including the following language:

"Each successful bidder and any and all levels of subcontractors, regardless of tier, as a condition of being awarded a contract or subcontract, will agree to abide by the provisions of the (INSERT NAME OF PROJECT)_Project Labor Agreement as executed and effective _____, _____, by and between the Project Manager and/or Construction Manager authorized to negotiate and enter into such a Project Labor Agreement on behalf of Lake County, Indiana or any of its agencies or departments (or a corporation created to benefit the said entity in construction, alteration or repair) and the local labor unions representing experienced and skilled construction workers and will be bound by the provisions of that Agreement in the same manner as any other provision of the contract."

3. Any "instructions to Bidders" or like document for a Public Works Project by the Lake County, Indiana, shall, except as otherwise provided herein, include the following language:

"The general contract (and all independent subcontracts, i.e., subcontracts not included within a general contract and regardless of tier) will be awarded to the lowest responsible and responsive bidder complying with the conditions and requirements provided in these Instructions, the bids forms and other bid documents. A responsible and responsive bidder is a bidder demonstrably possessing the skill, ability and integrity necessary to faithfully perform the work called for by the contract, based upon a determination of competent workmanship and financial soundness in accordance with Indiana Code 36-1-9-3 or any successor statute. An eligible bidder is a bidder who is not debarred from bidding under any applicable law, and which shall certify that it is able to furnish labor that

can work in harmony with all other elements of labor employed

on the project. In the interests of such harmony, the long-term supply of skilled labor, and to provide a legally enforceable means of assuring labor stability and labor peace over the life of the project, each successful bidder and any and all levels of subcontractors, regardless of tier, as a condition of being awarded a contract or subcontract, shall be required to enter into a Project Labor Agreement for the (INSERT NAME OF PROJECT) Project with local labor unions representing experienced and skilled construction workers for the development and construction of the Project, and will be bound by the provisions of that Project Labor Agreement in the same manner as any other provision of the contract."

4. That the Lake County Board of Commissioners of Lake County, Indiana, and its agencies, departments, boards, commissions, or any other County entity with a property interest, retains their inherent authority to adopt means to enforce compliance by any contractor or subcontractor, regardless of tier, with the provisions of any Project Labor Agreement entered into on its behalf.

5. That this Ordinance rescinds and replaces Ordinance No 1183D

SO ADOPTED THIS 13th day of December, 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 Regarding Vacant Positions for 2012. – Second Reading.

Prince made a motion, seconded by Repay to approve on Second Reading.

Cid said I would also like to include Correctional Officers, and Merit Officers to be exempt, especially the Correctional Officers because I think it will show the DOJ that we want to fully comply...

Attorney Szarmach explained this isn't terminating, this just means they have to come here to get approval to fill the vacancy

Cid said we are excluding Caseworkers, we're excluding Attorneys employed by the Prosecutor' Office, I don't know if that's because of statute. The only two I know are Item a, and Item b that are by statute, then the other two shouldn't be exempt either. Why are we making exceptions?

Prince said I added item "d" to this new ordinance. The last two were added, the different departments offered supplemental justification, for instance I can speak to "Item d". IV-D obviously is the Program that collects the child support, and they have been having some difficulties with keeping people in there and enhancing their collections.

Repay added it's also non-general fund.

Repay said it's to amend it again in January, and he said he has some ideas for the Ordinance that he would like to look to change in January, but I think that this kind of meets the criteria, we need something for the end of the year.

Bilski said that this was simply just to carry us through the end of the year, and start fresh in the 1st of the year.

Franklin said she had discussions with Lisa, who explained that that department is so inundated with work, trying to keep up the pace. It's about productivity. Franklin said I support the issue of them not having to come before us for those salaries for persons who work in that office.

Franklin said, with the Collective bargaining, I was under the impression, maybe I'm wrong, was that in the contract there were x amount of officers that had to be hired in those position. Franklin said I don't see a big turnover of our Merit Officers, but it is in those Correction Officers. They do have a turnover, and that's because of the pressures from that job, as well, so why are we putting the Merit Officers when we are negotiating a contract with them for x amount of staff? Franklin said, I don't understand.

Cid said that's exactly why they should be put in here. We haven't denied any positions for Correctional Officers.

Prince said the motion stands.

All voted "Yes", except Cid, "No". Motion to approve on Second Reading carried 6-yes, 1-no.

ORDINANCE NO. 1342B

ORDINANCE REGARDING VACANT POSITIONS FOR 2012

WHEREAS, I.C. 36-2-5-3 directs the Lake County Council to establish and fix the number and payment schedules of county officers, deputies and other employees in Lake County Government; and

WHEREAS, I.C. 36-2-5-13 provides that the compensation or number of county deputies and employees may be changed at any time on the application of the County fiscal body; and

WHEREAS, the funding of County government has been reduced by State and Federal mandates, regulations and laws, specifically, H.B. 1001; and

WHEREAS, throughout 2012 certain approved positions in Lake County Budget will become vacant and if not immediately filled the respective appropriations will revert to the operating balance of the County General Fund for 2012.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That in order to obtain an operating balance for the Lake County Budget for 2012 all County offices and departments are restricted from hiring new employees, or current Lake County employees, to fill presently vacant full-time positions and full-time positions which may become vacant during 2012.
2. Notwithstanding paragraph one, this Ordinance shall not apply to the following:
 - a. Positions controlled by mandate (Indiana Trial Rule 60.5), positions required by State or Federal Law, or by a Grant, provided the officeholder inform the council of such hiring requirement with support documents citing the mandate order, State or Federal Law, or Grant requirement.
 - b. Position of Chief Deputy, if allowed by statute.
 - c. Attorneys Employed by the Lake County Prosecutor's Office as Deputy Prosecuting Attorneys.
 - d. Caseworkers employed by the Lake County Prosecutor's Office in the IV-D Program.
3. Notwithstanding paragraph one, an officeholder may petition the Lake County Council to fill a vacated position for good cause.
4. That for the purpose of this Ordinance, the term "vacancy" does not include the transfer of employees from positions where the employees are being laterally transferred to different positions (exchange positions), **and the net result of the transfers is revenue neutral.**

SO ORDAINED THIS 13TH DAY OF DECEMBER, 2011.

TED F. BILSKI, President

MICHAEL C. REPAY
ELSIE FRANKLIN
JEROME A. PRINCE

DANIEL E. DERNULC
RICK NIEMEYER

Members of the Lake County Council

In the Matter of Lake County Mileage Rate Ordinance for 2012.

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

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

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

ORDINANCE NO. 1342C

LAKE COUNTY MILEAGE RATE ORDINANCE FOR 2012

WHEREAS, the Lake County Council establishes the mileage rate for County employees entitled to expenses for use of their vehicles; and

WHEREAS, the Lake County Council desires to reflect the mileage rate established by the Federal government for its employees; and

WHEREAS, the Federal mileage rate established for the year 2012 is fifty-five and a half (.55.5) cents per mile.

NOW, THEREFORE, LET IT BE ORDAINED that the Lake County Council does hereby establish the rate of fifty-five and a half (.55.5) cents per mile for County employees entitled to receive mileage expenses for use of their vehicles for the year 2012.

SO ORDAINED this 13th day of December, 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 Lake County Part-Time Employees Pay Rate Ordinance for 2012.

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

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

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

ORDINANCE NO. 1342D

**LAKE COUNTY PART-TIME EMPLOYEES
PAY RATE ORDINANCE FOR 2012**

WHEREAS, Lake County employs individuals on a part-time basis in order to provide services to the citizens of Lake County and State of Indiana; and

WHEREAS, the Lake County Council desires to establish a schedule of payment for Lake County part-time employees;

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

SECTION 1. A part-time employee is a person who works a portion of the regular daily or monthly schedule, or is not assigned to fill a permanent position created by the Lake County Council, or State or Federal Law.

SECTION II. All part-time employees not covered by the following list shall be paid a minimum rate of \$7.25 per hour, except that part-time employees designated by an individual officeholder or department head as semi-professional may be paid a maximum rate of \$8.00 per hour. The establishment of such a rate shall be at the discretion of the individual officeholder or department head, provided however, that all levels of hourly pay so established must be at fifty cent intervals, unless otherwise provided.

SECTION III. Notwithstanding Section II, the following apply for part-time and hourly named people, at the discretion of the officeholders:

- 1. Surveyor (part-time) \$15.00/hr.

	2. Calumet/St. John Township Assessor Auditor positions	25.00/hr.
	3. Co. Ass'r (Board of Appeals)	12.00/hr.
	4. Township Assessor/Lake County Assessor Real Estate Deputy	10.00-12.00/hr.
	5. Hobart Township Assessor Real Estate Field Person	10.00-12.00/hr.
6.	Township Assessors & County Assessors Positions for reassessment duties:	
a.	Data Entry Personnel	10.00 - 12.00/hr.
	Field Personnel I	10.00 - 12.00/hr.
	Field Personnel II	12.00 - 14.00/hr.
b.	Supervisor/Coordinator	13.00 - 15.00/hr.
c.	Project Director	15.00 - 17.00/hr.
d.	Clerical Personnel	10.00 - 12.00/hr.
e.	Photographer	10.00 - 12.00/hr.
7.	a. Ass't Attys. on contract with the Lake County Council, Lake County Board of Commissioners, Superior or County Courts, or any other dept. of County Government (This section does not apply to salaried attorneys hired under a position established by the Lake County Council, or attorneys who contract at a different rate approved by the Lake County Council and the Lake County Board of Commissioners)	90.00/hr.
	b. Attorneys for the Lake County Council or Lake County Board of Commissioners, who are employed as local bond counsel or involved in special litigation for Lake County, Indiana and approved by the Board of Commissioners or County Council	150.00/hr.
8.	Co. employed Medical Doctors & Dentists	75.00/hr.
9.	Prosecutor's Office:	
a.	Deputy Prosecutors	7.25 - 20.00/hr.
b.	Adult Protective Services Invest.	7.25 - 12.00/hr.
c.	Semi-prof. law clerks, paralegals, all other investigators	7.25--10.00/hr.
d.	Secretary	7.25--10.00/hr.
e.	Administrative Personnel	10.00-25.00/hr.
10.	Health Dept.	
a.	Clerk	10.00-12.75/hr.
b.	Special Projects Coordinator	15.00/hr.
c.	LHMF Pool & Beach Monitor/Lab Technician	20.00/hr.
d.	Seasonal Vector Control Technician	8.00-12.50/hr.
e.	Part-Time Instrument Chemist	13.50/hr.
f.	TB Outreach Assistant	16.00/hr.
11.	Parks & Rec.	
a.	Skilled craft:	7.25 - 14.00/hr. at .15 cent increments
	Painter	
	Mechanic	
	Equipment Operator	
	Carpenter	
	Groundskeeper	
	Electrician	
b.	Technical:	7.25 - 14.00/hr. at .15 cent increments
	Bookkeeper	
	Interpretive Educator	
	CAD Operator	
	Computer Operator/Programmer	
	Concession Manager	
	Merchandise Manager	
	Lifeguard	
c.	Security:	
	Off Duty Police Officers	16.00 - 25.00/hr.
d.	Professional:	
	Assistant Manager	7.25 - 14.00/hr.
	Landscape Architect	at .15 cent increments
	Planner	

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| 12. | Election Board | |
| | a. Clerk | 10.50/hr. |
| | b. Seasonal Voting Machine Mechanics | 7.25 - 10.00/hr. |
| 13. | Weights & Measures Dept. | |
| | a. County Inspector | 12.00/hr. |
| | b. Secretary & Technicians | 8.00 - 9.50/hr. |
| | c. Administrative Assistant | 10.46/hr. |
| 14. | Lake County Council | |
| | Secretary | 7.25 - 13.50/hr. |
| 15. | Coroner: | |
| a. | Investigator/Photographer I | 12.00/hr. |
| b. | Investigator/Photographer II | 12.00/hr. |
| c. | State Certified Medicolegal Death
Investigators | 12.00/hr. |
| 16. | Lake County Community Development
(Weatherization Program) | |
| | a. Work Crew | 7.25 - 10.00/hr. |
| | b. Management, Carpenter | 10.00 - 16.00/hr. |
| 17. | Lake Superior Court, County Division,
Room No. 2 | |
| | Clerk | 10.00/hr. |
| 18. | Lake Superior Court, County Div. 3 | |
| | a. Probation monitor | 10.00/hr. |
| | b. Court Reporter | 10.00/hr. |
| | c. Bailiff | 10.00/hr. |
| | d. Secretary/receptionist | 10.50/hr. |
| 19. | Lake Superior Court - County Division IV | |
| | Court Clerk | 10.00/hr. |
| 20. | Lake Superior Court, Civil Division | |
| | a. Resource Director | Up to a maximum of \$15.00/hr. |
| | b. Court Reporter | Up to a maximum of \$15.00/hr. |
| | c. Secretary/Office Manager | Up to a maximum of \$15.00/hr. |
| | d. Bailiff | Up to a maximum of \$15.00/hr. |
| | e. Law Clerks | 15.00/hr. |
| 21. | Lake Superior Court, Juvenile Division | |
| | CASA technicians | 13.00/hr. |
| | CASA Assistant Director | 57.00/hr. |
| | Registered Nurse | 9.00/hr. |
| | Probation Officer/12428-001 | 14.7969/hr. |
| | Probation Officer/12428-018 | 24.2344/hr. |
| | Probation Officer/12428-024 | 21.3894/hr. |
| | Probation Officer/12428-031 | 19.4459/hr. |
| 22. | Lake County Juvenile Center | |
| | Psychologist
(maximum 9 hrs. per week) | 40.43/hr. |
| 23. | Lake Superior Court, Criminal Division | |
| | a. Probation Officer | 14.00/hr. |
| | b. Off Duty Police Officer | 22.00/hr. |
| | c. Court Administrator | 20.00/hr. |
| 24. | Lake Circuit Court | |
| | a. Care Provider | 10.00/hr. |
| | b. Law Clerks | 12.00/hr. |
| | c. Doctor of Psychology | .75.00/hr. |
| | d. Clinician (with Master's Degree in
Family Therapy) | |
| 25. | Clerk of Circuit Court | |
| | Clerk/Part-Time | 15.00/hr. |
| 26. | Public Defender's Office | |
| | a. Law Clerks | 14.00/hr. |
| | b. Paralegals | 14.00/hr. |
| | c. Investigator | 14.00/hr. |
| 27. | Lake County Emergency Management
Coordinator/Project Impact Grant | 12.00-15.00/hr |
| 28. | Board of Commissioners | |
| | a. Comm's Assistant for Commissioner
Real Estate Tax Sales | 10.50/hr. |
| | b. Purchasing Assistant | 8.00-12.00/hr |
| 29. | Lake County Sheriff's Department | |
| | a. Bookkeeper | 12.00-15.00/hr. |
| | b. Radio Dispatcher | 12.00-15.00/hr. |
| | c. EMT | 12.00-15.00/hr. |
| 30. | Lake County Public Works Dept. | |
| | Sign Technician | 10.79/hr. |

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| 31. | Lake County Recorder
Deputy Recorders | 10.00-15.00/hr. |
| 32. | Lake County Fairgrounds
a. Maintenance Employees
b. Grounds Keeper
(Major Equipment Operator) | 8.50/hr.
8.00-12.00/hr. |
| 33. | Lake County Highway Dept.
Engineer Intern | 12.50-14.00/hr. |
| 34. | Lake County Soil and Water Cons Dist.
Secretary | 7.25-11.00/hr. |
| 35. | Auditor's Office
a. Accounting Clerks
b. Administrative Personnel | 7.25-10.00/hr.
11.00-15.00/hr. |
| 36. | Treasurer's Office
Administrative Personnel | 8.00-12.00/hr. |

SECTION IV. A. In the event any part-time employee of Lake County, Indiana, cannot continue a work assignment due to weather conditions, the employee shall be relieved from the assignment for the balance of the work day and be paid only for the actual time incurred working on the assignment.

B. In the event any part-time employee of Lake County, Indiana reports for work and is unable to begin work due to weather conditions the employee shall be relieved for the work day, and be paid for two hours.

SO ORDAINED THIS 13TH DAY OF DECEMBER, 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 SCAAP(State Criminal Alien Assistance Program) for the Lake County Jail – A Non-Reverting Fund.

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

Cid made a motion, seconded by Franklin 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. 1342E

ORDINANCE ESTABLISHING THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FOR THE LAKE COUNTY JAIL 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 Bureau of Justice Assistance has awarded the Lake County Sheriff/Jail the sum of \$5,800.00 for the State Criminal Alien Assistance Program; and

WHEREAS, that pursuant to the Bureau of Justice Assistance the State Criminal Assistance Program funds shall be used for construction, training/education for offender or training for corrections officers to help manage offender population; and

WHEREAS, the Lake County Council desires to establish the State Criminal Alien Assistance Program Fund, a non-reverting fund.

NOW, THEREFORE, LET IT BE ORDAINED as follows:

1. That the Lake County Jail's State Criminal Alien Assistance Fund, a non-reverting fund is hereby established for deposit of funds awarded by the Bureau of Justice Assistance.
2. That the Fund shall be a dedicated Fund and the monies deposited therein shall be used pursuant to the State Criminal Assistance Program use of Funds List:
 - (i) Construction
Construction for inmate housing, inmate programs, prison industries in ADA compliance
 - (ii) Training/education for offender
Specific trade employment skills
GED testing
Job preparedness
 - (iii) Training for corrections officers to help manage offender population. Bi-lingual language skills
Less than lethal technology training
Diversity training.
3. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the Fund, except as otherwise provided by law.
4. Any money remaining in the Fund at the end of the year shall not revert to any other fund but continues in the Lake County Jail's State Criminal Alien Assistance Fund.

SO ORDAINED THIS 13TH DAY OF DECEMBER, 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 Lake County Self Insurance Ordinance, Ordinance No. 992C-39.

Prince made a motion, seconded by Repay to approve on First Reading. All voted "Yes".
Cid asked which cost centers are currently participating?
Mr. Blanchard said the general fund is the biggest. Parks, Health, Community Corrections, every non-reverting user fund that has a full-time position in that fund.

Motion to approve on First Reading carried 7-0.

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

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

ORDINANCE NO. 992C-39

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

WHEREAS, on May 9, 1989 the Lake County Council adopted the Lake County Self Insurance Ordinance;

WHEREAS, the Lake County Council now desires to amend Ordinance No. 992C-3. NOW,

THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That Ordinance No. 992C-3 be amended as follows:

**SECTION IV. EMPLOYEE ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE
EMPLOYEE BENEFIT PROGRAM**

D. Cost Center Contributions for Health Care.

E. DELETE:

1. Effective January 1, 2011, costs center contributions for health care are hereby established at \$575.00 per pay period for each full-time position, single or family, effective date January 1, 2011.
2. That the \$575.00 per pay period contribution shall be made by all offices, departments and agencies that have full-time employees.

INSERT:

1. Effective January 1, 2012, costs center contributions for health care are hereby established at \$585.00 per pay period for each full-time position, single or family, effective date January 1, 2012.
2. That the \$585.00 per pay period contribution shall be made by all offices, departments and agencies that have full-time employees.

SO ORDAINED THIS 13th DAY OF December, 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 Plan Commission Ordinance # 2352.

Niemeyer made a motion, seconded by Prince to approve Plan Commission Ordinance on First Reading. Niemeyer explained that this ordinance is updating Ordinance 2336 to come in line with new maps that will come out in January/2012, and to make sure that we are in accordance with that.

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 Plan Commission Ordinance on Second Reading. All voted "Yes". Motion to approve on Second Reading carried 7-0.

**ORDINANCE # 2352
OF THE COUNTY OF LAKE**

AN ORDINANCE TO AMEND the **ORDINANCE FOR FLOOD HAZARD AREAS OF UNINCORPORATED LAKE COUNTY, INDIANA**, also known as Ordinance No. 2336, County of Lake, State of Indiana, more specifically, Article 2 - Definitions; Article 3 - General Provisions, Section B - Basis for Establishing Regulatory Flood Data; and, the Table of Contents, to make provisions for changes to the definition of a Special Flood Hazard Area, changes for the basis of establishing regulatory flood data, and associated corrections to the table of contents.

BE IT ORDAINED by the County Council of the County of Lake, State of Indiana that the ORDINANCE FOR FLOOD HAZARD AREAS OF UNINCORPORATED LAKE COUNTY, INDIANA, also known as Ordinance No. 2336, be amended as follows:

DELETE: Article 2 - Definitions.

Special Flood Hazard Area (SFHA) means those lands within the jurisdictions of unincorporated Lake County subject to inundation by the regulatory flood. The SFHAs of unincorporated Lake County are generally identified as such on the Unincorporated Lake County Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated September 2, 1981. (These areas are shown on a FHBM or FIRM as Zone A, AE, AI- A30, AH, AR, A99, or AO).

INSERT: Article 2 - Definitions.

Special Flood Hazard Area (SFHA) means those lands within the jurisdictions of the County subject to inundation by the regulatory flood. The SFHAs of the County are generally identified as such on the Lake County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated January 18, 2012. (These areas are shown on a FHBM or FIRM as Zone A, AE, AI- A30, AH, AR, A99, or AO).

DELETE: Article 3 - General Provisions, Section B - Basis for Establishing Regulatory Flood Data.

This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

- (1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs of unincorporated Lake County shall be as delineated on the 100 year flood profiles in the Flood Insurance Study of unincorporated Lake County dated March 2, 1981 and the corresponding Flood Boundary and Floodway Map prepared by the Federal Emergency Management Agency and dated September 2, 1981.
- (2) The regulatory flood elevation, floodway, and fringe limits for each of the remaining SFHAs delineated as an "A Zone" on the FIRM of unincorporated Lake County Areas prepared by the Federal Emergency Management Agency and dated September 2, 1981 shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.
- (3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

INSERT: Article 3 - General Provisions, Section B - Basis for Establishing Regulatory Flood Data.

This ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

- (1) The regulatory flood elevation, floodway, and fringe limits for the studied SFHAs of Lake County shall be as delineated on the one percent annual chance flood profiles in the Flood Insurance Study of Lake County and Incorporated Areas, dated January 18, 2012 and the corresponding Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated January 18, 2012.
- (2) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of Lake County, delineated as an "A Zone" on the Lake County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated January 18, 2012 shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.
- (3) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural

