

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

In the Matter of Minutes of the Lake County Council for June 12, 2012.

Dernulc made a motion, seconded by Franklin to approve the June 12, 2012 minutes of the Lake County Council. All voted "Yes". Motion carried 7-0.

ORDINANCE # 1350

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

	Appropriation Requested	Appropriated
General Fund 001		
<u>Council</u> 3700		
41240 Health Insurance	\$3,125,200.00	Defer to 8-14-12
<u>IV-D Court</u> 3950		
43995 Other Services & Charges	\$ 15,000.00	\$ 15,000.00
<u>Auditor</u> 0200		
41290 Carryover Payroll Expense(Reduction) Gambling Adm Tax Fund 196	-\$ 15,000.00	-\$ 15,000.00
<u>Commissioners</u> 2900		
44310 Improvements(CNL) Cum Cap Dev Fund 651	\$ 46,778.00	\$ 46,778.00
<u>Commissioners</u> 2900		
44310 Improvements	\$ 20,533.00	\$ 20,533.00
44420 Office Machines	\$ 10,000.00	\$ 10,000.00
<u>Fairgrounds</u> 2920		
44310 Improvements(CNL) L.C. Fairgrounds Non-Reverting Fund 131	\$ 45,000.00	\$ 45,000.00
<u>Fairgrounds</u> 2920		
42410 Other Supplies Animal Control SNAP Fund 156	\$ 65,000.00	\$ 20,000.00
<u>Animal Control</u> 3200		
43995 Other Services & Charges(CNL) Sheriff's Grant Fund 239	\$ 8,400.00	\$ 8,400.00
<u>Sheriff</u> 0500		
44490 Other Equipment Excess Internet Access Fee Fund 283	\$ 20,000.00	\$ 20,000.00
<u>Circuit Court</u> 3800		
44420 Office Machines(CNL) L.C. Juvenile Center Accountability Block Grant Fund 367	\$ 600.00	\$ 600.00
<u>Juvenile Detention Center</u> 4200		
Create All New Line Items		
41220 FICA	\$ 2,252.00	Defer to 8-14-12
41230 PERF	\$ 3,269.00	Defer to 8-14-12
41260 Workman's Comp	\$ 1.00	Defer to 8-14-12
41325 Juvenile Per Diem	\$ 28,900.00	Defer to 8-14-12
42110 Office Supplies	\$ 1.00	Defer to 8-14-12
42410 Other Supplies	\$ 1.00	Defer to 8-14-12
43140 Special Projects	\$ 1.00	Defer to 8-14-12
43231 Travel/Registration	\$ 1,500.00	Defer to 8-14-12
43232 Travel/Meals	\$ 2,000.00	Defer to 8-14-12
43233 Travel/Lodging	\$ 2,000.00	Defer to 8-14-12

43234	Travel/TransOther	\$	2,564.00	Defer to 8-14-12
43235	Travel/Mileage	\$	2,500.00	Defer to 8-14-12
43995	Other Services & Charges	\$	1.00	Defer to 8-14-12

L.C. 911 Fund 399

Commissioners 2900

43995	Other Services & Charges(CNL)	\$	410,000.00	\$ 410,000.00
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Auditor 0200

43995	Other Services & Charge(CNL)	\$	663,309.03	\$ 663,309.03
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27th Payroll**General Fund 001****Jail 3100**

41140	Protective Services	\$	77,672.00	\$ 77,672.00
41160	Office & Clerical	\$	8,837.00	\$ 8,837.00
41180	Service/Maintenance	\$	5,127.00	\$ 5,127.00

Work Release 3150

41120	Professionals	\$	27,209.00	\$ 27,209.00
41160	Office & Clerical	\$	874.00	\$ 874.00
41170	Skilled Craft Workers	\$	948.00	\$ 948.00
41180	Service/Maintenance	\$	1,538.00	\$ 1,538.00

Animal Control 3200

41110	Official & Administrators	\$	1,300.00	\$ 1,300.00
41150	Paraprofessionals	\$	971.00	\$ 971.00

Emergency Management 3500

41110	Officials & Administrators	\$	2,649.00	\$ 2,649.00
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Council 3700

41110	Officials & Administrators	\$	11,549.00	\$ 11,549.00
41120	Professionals	\$	5,628.00	\$ 5,628.00
41160	Office & Clerical	\$	1,342.00	\$ 1,342.00

Circuit Courts 3800

41110	Officials & Administrators	\$	1,905.00	\$ 1,905.00
41120	Professionals	\$	3,499.00	\$ 3,499.00
41140	Protective Service	\$	4,858.00	\$ 4,858.00
41160	Office & Clerical	\$	5,740.00	\$ 5,740.00

Superior Court Civil 3900

41110	Officials & Administrators	\$	1,905.00	\$ 1,905.00
41120	Professionals	\$	955.00	\$ 955.00
41130	Technicians	\$	11,766.00	\$ 11,766.00
41140	Protective Services	\$	10,074.00	\$ 10,074.00
41160	Office & Clerical	\$	17,406.00	\$ 17,406.00

Court Administrator 3910

41110	Officials & Administrators	\$	2,236.00	\$ 2,236.00
41160	Office & Clerical	\$	1,096.00	\$ 1,096.00

IV-D Court 3950

41130	Technicians	\$	1,307.00	\$ 1,307.00
41140	Protective Services	\$	2,250.00	\$ 2,250.00
41160	Office & Clerical	\$	925.00	\$ 925.00

Criminal Courts 4000

41110	Officials & Administrators	\$	4,022.00	\$ 4,022.00
41120	Professionals	\$	29,801.00	\$ 29,801.00
41130	Technicians	\$	13,073.00	\$ 13,073.00
41140	Protective Service	\$	12,222.00	\$ 12,222.00
41160	Office & Clerical	\$	13,533.00	\$ 13,533.00

Public Defender 4002

41110	Officials & Administrators	\$	2,060.00	\$ 2,060.00
41120	Professionals	\$	29,635.00	\$ 29,635.00
41130	Technicians	\$	1,307.00	\$ 1,307.00
41140	Protective Services	\$	3,407.00	\$ 3,407.00
41150	Paraprofessional	\$	5,942.00	\$ 5,942.00
41160	Office & Clerical	\$	5,002.00	\$ 5,002.00

Lake Superior Court County Div I 4030

41110	Officials & Administrators	\$	2,874.00	\$ 2,874.00
41120	Professionals	\$	3,673.00	\$ 3,673.00
41130	Technicians	\$	3,353.00	\$ 3,353.00
41140	Protective Services	\$	8,348.00	\$ 8,348.00
41150	Paraprofessionals	\$	4,146.00	\$ 4,146.00
41160	Office & Clerical	\$	3,740.00	\$ 3,740.00

Lake Superior Court County Div II 4040

41110	Officials & Administrators	\$	1,572.00	\$ 1,572.00
41120	Professionals	\$	2,153.00	\$ 2,153.00
41130	Technicians	\$	2,615.00	\$ 2,615.00
41140	Protective Services	\$	6,459.00	\$ 6,459.00

<u>Commissioners 2900</u>		
From: 001-43810 TAW Interest	\$125,000.00	
To: 001-43995 Other Services & Charges	\$125,000.00	\$125,000.00
<u>Commissioners 2900</u>		
From: 651-44490 Other Equipment	\$ 10,000.00	
To: 651-44420 Office Machines	\$ 10,000.00	\$ 10,000.00
<u>Surveyor 0600</u>		
MS-4 Fund 264		
From: 264-41390 Supplemental Pay	\$ 3,101.00	
264-44110 Land Purchase	\$ 18,000.00	
To: 264-41120 Professionals	\$ 1,901.00	\$ 1,901.00
264-41130 Technicians	\$ 1,200.00	\$ 1,200.00
264-43190 Other Professional Service	\$ 18,000.00	\$ 18,000.00
<u>Surveyor 0600</u>		
From: 001-41110 Officials & Administrators	\$ 15,079.00	
To: 001-43190 Other Professional Service	\$ 15,079.00	\$ 15,079.00
<u>Drainage Board 2600</u>		
From: 001-43190 Other Professional Service	\$ 250.00	
To: 001-43320 Advertising	\$ 250.00	\$ 250.00

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

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

Dated this 10th day of July, 2012.

Adopted this 10th day of July, 2012.

NAY

AYE

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

Members of the Lake County Council

ATTEST:
Peggy Holinga Katona,
Lake County Auditor

Additional

	Made motion	seconded	
<u>General fund 001</u>			
Council(\$3,125,200)	Franklin	Bilski	All voted "Yes" to defer to 8-14-12. Motion to defer carried 7-0.
IV-D Court(\$15,000)	Bilski	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Auditor(-\$15,000)	Cid	Bilski	All voted "Yes" to approve the Reduction. Motion carried 7-0.
<u>Gambling Adm Tax Fund 196</u>			
Commissioners(\$46,778)	Franklin	Cid	All voted "Yes" to create new line Item and approve appropriation. Motion carried 7-0.
<u>Cum Cap Dev Fund 651</u>			
Commissioners(\$30,533)	Franklin	Bilski	All voted "Yes" to approve. Motion carried 7-0.
Fairgrounds(\$45,000)	Niemeyer	Dernulc	All voted "Yes" to create new line Item and approve appropriation. Motion carried 7-0.
<u>L.C. Fairgrounds Non-Reverting Fund 131</u>			
Fairgrounds(\$20,000)	Niemeyer	Repay	All voted "Yes" to approve. Motion Carried 7-0.

Animal Control SNAP Fund 156

Animal Control(\$8,400) Repay Cid

All voted "Yes" to create new line item, and approve. Motion Carried 7-0.

Sheriff's Grant Fund 239

Sheriff(\$20,000) Cid Bilski

All voted "Yes" to create new line item And approve the appropriation. Motion carried 7-0.

Excess Internet Access Fee Fund 283

Circuit Court(\$600) Cid Bilski

All voted "Yes" to create new line item, And approve the appropriation. Motion carried 7-0.

L.C. Juvenile Center Accountability Block Grant Fund 367

Detention Center(\$44,990) Bilski Franklin

All voted "Yes" to defer to 8-14-12. Motion to defer carried 7-0.

L.C. 911 Fund 399

Commissioners(\$410,000) Franklin Cid

All voted "Yes" to create new line item, And approve the appropriation. Motion carried 7-0.

Auditor(\$663,309.03) Cid Bilski

All voted "Yes" to create new line item, and approve the appropriation. Motion carried 7-0.

27th Payroll General Fund

(\$1,111,264) Cid Dernulc

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

Transfers

Highway(\$33,890) Made motion Franklin seconded Bilski

All voted "Yes" to defer to 8-14-12. Motion to defer carried 7-0.

Excess Internet Access Fee Fund 283

Circuit Court(\$600) Cid Bilski

All voted "Yes" to create new line item and approve the transfer. All voted "Yes". Motion carried 7-0.

Clerk's Record Perpetuation Fee Fund 194

Clerk(\$8,137.96) WITHDRAWN

Juvenile Court(\$1,000) Bilski Repay

All voted "Yes" to create new line item, and approve. Motion carried 7-0.

Auditor(\$600) Cid Franklin

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

Lake Dale Grant Fund 291

Commissioners(\$100,000) Franklin Cid

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

Commissioners(\$125,000) Franklin Cid

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

Cum Cap Dev Fund 651

Commissioners(\$10,000) Franklin Cid

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

MS-4 Fund 264

Surveyor(\$21,101) Dernulc Bilski

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

Surveyor(\$15,079) Dernulc Bilski

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

Drainage Board(\$250) Bilski Franklin

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

Footnotes:

Re: Auditor(-\$15,000) – Cid made a motion, seconded by Bilski to approve the reduction in fund 001. Bilski said that this is related to Item # 9 on the agenda, IV-D Court. All voted "Yes". Motion to approve the reduction carried 7-0.

Re: Fairgrounds(\$45,000) – Niemeyer made a motion, seconded by Dernulc to create a new line item, and approve the appropriation. Niemeyer explained that this is a repair of one of the old existing buildings out there that is in bad shape. The mortar and bricks need to be replaced. They are going to go out for a bid, and it's something that we need to do. That's what this money is for. All voted "Yes". Motion to approve carried 7-0.

In the Matter of Revised 144 for Sheriff, Highway, Circuit Court, and Surveyor.

Re: Sheriff – Cid made a motion, seconded by Bilski to approve 1 position.

Dante wanted to clarify the conversation that he had with Sheriff Buncich, which was that his deepest reservation, in which the Sheriff was able to address was the fund itself is set up properly, it has money in it to support this position, however; Dante said he is thinking ahead for next year. He said he is seeing a “dark cloud” for next year, you all know the deficit for next year, and this might be a reserve for next year’s offset the reduction. Dante said that was his reservation, and Sheriff Buncich spoke to it.

Sheriff Buncich said they are undergoing a lot of Mandates with the Federal Government, as far as the Jail is concerned. He said they are going to work with the Council to try and cut in every area possible to try to offset these Mandates. He said there isn’t a day that goes by in which they are not meeting with the Consultants. He said the Council will be receiving a report on the Jail, from Mr. Ray. It was filed with the Department of Justice, and we are going into Federal Court for a status hearing in Fort Wayne next month.

Sheriff Buncich said that their prime objective is to get out from under this thing, you are going to save millions of dollars. It took millions of dollars to get us where we’re at now, but once we get there, it’s going to save millions of dollars, which is our objective, but it’s just an ongoing situation.

Repay said that there is no Mandate from any Federal Government Agency that requires us to hire a Police Officer, under the “shaky” financial situation that we’re in. There isn’t a Federal requirement for us to do this, and I don’t think it’s a good policy, I don’t think it’s a good idea for us to do this.

Bilski commented that Repay is correct, in regards to the Department of Justice, but we do have a Collective Bargaining Agreement with the Association, and there are minimum requirements that we need to meet within that Collective Bargaining Agreement, to honor that agreement as far as our obligations, and I would hate for us to end up in an arbitration, and spend more money on an arbitration than we would in this case by just making the position available, and paying it.

Prince said I agree with what both Councilmen Repay and Bilski said, and I guess the only question is, we’ve deferred these 5 positions since January, why is it necessary to fund it now, this one particular position now?

Sheriff Buncich answered I want to make certain that we are able to sustain this, and we are able to sustain this. It comes from Fund 290, which is the Towing & Franchise Fee, and there is sufficient funding, there is a surplus, more than a sufficient surplus to fund one officer. It’s a necessity that I feel that we need to have an additional officer.

Prince said that the only reservation that I would have is related to the health insurance portion, and asked is there enough in that fund to also fund the health insurance portion?

Sheriff Buncich answered there is to pay the health insurance premium also.

Cid said part of the Collective Bargaining Agreement to hire 5, and that would still wouldn’t have brought us up to staffing requirements in the Contract, and there was concern that this was a new fund, new fees, and that we wanted to be cautious and make sure those fees go up, and have sufficient funds in there, and that’s why, from my recall, that’s why we haven’t acted on this, why we continued to defer.

Niemeyer said the concern on the medical thing, which the Sheriff answered, but still the exposure is there for us, since we’re self-insured, so we have a cost that we factor in, with each individual, and one thing we try to eliminate as much as possible, is exposure, but we’re putting exposure back on our payroll here with an extra position. The other thing is the 290 fund has sufficient funds in there now, but as time goes, we’re funding a lot of these positions under funding of towing fees, and different fees out there, whether they are going to be able to sustain those type of things in the future, what do we do if that starts to go the other way? That’s a concern that I have, we have these people hired, but then all of a sudden, we don’t have enough money in those fees to generate enough money for them.

Sheriff Buncich said I’ve taken that into account, and I recognize your concern on that, but he said, again, we watch this on a weekly basis, and if we see that there is a shortage, next budget, if we have to make the cuts, we will make the cuts. Sheriff Buncich said that he would like to point out that starting last year there were several funds such as this, that I proposed, and the Council kindly went along to fund these positions, we are getting the money in, whether it be the fees for the Sheriff’ Sales, the Property, whether it is the Towing and Franchise Fees, I am happy to report that a lot of money is starting to come in on the Ordinances that you were kind enough to pass, pertaining to the Marine Unit. A lot of that money is starting to come in. Sheriff Buncich said they are constantly seeking other areas of funding mechanisms.

Franklin commented that there is an understanding, and she is glad that the Sheriff bought it out, which is, once the money is not there, that those persons on that particular payroll, in that particular fund, will have to be laid off, and we will not be looking for another area to try to put them, but they will have to be paid out

of that fund. Franklin said that she is hopeful that that will continue to be kept in mind, that was part of the stipulation, as it relates to this particular fund.

Dernulc said the issue that he has is that “black cloud” that Mr. Rondelli spoke about, and Dernulc said he had wished that this issue could have been held off until budget time, but he understands that the Sheriff has to do this.

All voted “Yes”, except Repay, Dernulc, and Niemeyer, “No”. Motion carried 4-yes, 3-no.

<u>Revised 144 Fund 290</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
14402-003 Police Officer	-0-	\$41,850	\$41,850

Cid made a motion, seconded by Niemeyer to defer to 8-14-12, the 4 remaining positions. All voted “Yes”. Motion to defer carried 7-0.

Re: Highway – Franklin made a motion, seconded by Bilski defer to 8-14-12. All voted “Yes”. Motion to defer carried 7-0.

Re: Circuit Court – Cid made a motion, seconded by Niemeyer to approve. All voted “Yes”. Motion to approve carried 7-0.

<u>Revised 144 Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16670-003 Secretary	\$27,917	\$30,332	\$ 2,415
16680-001 Secretary/Ofc Mangr	\$32,747	-0-	-\$32,747
16670-004 Secretary	-0-	\$30,332	\$30,332

Re: Surveyor – Dernulc made a motion, seconded by Franklin to approve. All voted “Yes”. Motion carried 7-0.

<u>Revised 144 – Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
11725-001 Mapping & Sur. Adm	\$54,250	\$16,722	-\$37,528
12512-001 Records & Research Spec	\$41,192	\$34,192	-\$ 7,000
12514-001 Mapping Specialist I	\$34,478	\$33,478	-\$ 1,000
12751-001 Information Specialist	\$16,722	\$26,101	\$ 9,379

Re: Surveyor – Dernulc made a motion, seconded by Bilski to approve. All voted “Yes”. Motion carried 7-0.

<u>Revised 144 – Fund 167</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39002-008 Supplemental Pay	\$4,353	-0-	-\$4,353
39002-009 Supplemental Pay	\$17,056	\$21,409	\$4,353

Re: Surveyor – Dernulc made a motion, seconded by Bilski to approve.

Niemeyer stated that on the MS-4 funding, the money is there now, it’s in the budget for 2012. He is okay with the reorganization, but it’s going to be an ongoing discussion in the 2013 budget because Niemeyer feels that there is too much administration costs coming out of the MS-4.

Dernulc wanted to add that this is a reduction in the general fund of over \$20,000 dollars.

Mr. Van Til added that there is no addition in fee funds, and a reduction this year of \$23,718 in the general fund.

Franklin said that she and Dernulc met with the Surveyor’ Office, and she said that promotions were done from within, and he didn’t bring people in making the top salary, he is letting them work up to it, and Franklin said she thinks that’s the way it should be done, and she appreciates that.

All voted “Yes”, except Prince, “absent”. Motion carried 6-yes, 1-absent.

<u>Revised 144 – Fund 264</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12018-001 MS4 H2O Quality Analyst	\$31,110	\$31,811	\$ 701
12019-001 MS4 Field Inspector	\$36,210	\$37,410	\$1,200
13003-001 MS4 Coordinator	\$29,158	\$29,508	\$ 350
13004-001 MS4 GIS/Data Processor	\$33,150	\$34,000	\$ 850

In the Matter of Ord#1342B – Regarding Vacant Positions for 2012. Circuit Court

Cid made a motion, seconded by Franklin to approve filling the vacant position of 001-3800-16670-004 Secretary. All voted “Yes”. Motion carried 7-0.

In the Matter of Ord#1342B – Regarding Vacant Positions for 2012. – Jail

Niemeyer made a motion, seconded by Cid to approve filling the vacant position of 001-3100-14404-151 Correctional Officer. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Ord#1342B – Regarding Vacant Positions for 2012. - Jail

Niemeyer made a motion, seconded by Cid to approve filling the vacant position of 001-3100-12209-001 System Network Manager. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Ordinance 1342B Regarding Vacant Positions for 2012. – Jail

Niemeyer made a motion, seconded by Franklin to approve filling the vacant position of 001-3100-14404-108 Correctional Officer. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Ordinance # 1342B - Regarding Vacant Positions for 2012 – Animal Control.

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

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012 – Criminal Court.

Repay made a motion, seconded by Bilski to approve filling the vacant position of 001-4000-12428-007 Probation Officer. All voted “Yes”, except Niemeyer, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012 – Prosecutor.

Franklin made a motion, seconded by Bilski to approve filling the vacant position of 001-0800-16695-003 Support Staff II. All voted “Yes”, except Niemeyer, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012. – Prosecutor.

Franklin made a motion, seconded by Repay to approve filling the vacant position of 127-0800-11402-002 Administrative Assistant. All voted “Yes”. All voted “Yes”. Motion to approve carried 7-0.

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012. – Courthouse.

Bilski made a motion, seconded by Repay to approve filling the vacant position of 001-3000-18813-002 Janitor. All voted “Yes”, except Niemeyer, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012 – Surveyor.

Dernulc made a motion, seconded by Bilski to approve filling the vacant positions of:

001-0600-11725-001 Mapping & Surveying Administrator
001-0600-12512-001 Records & Research Specialist
001-0600-12514-001 Mapping Specialist I
001-0600-12751-001 Information Specialist
001-0600-12760-001 Field Survey Specialist
001-0600-13708-001 Computer Technician

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

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012. – Surveyor

Dernulc made a motion, seconded by Bilski to approve filling the vacant position of 264-0600-12018-001 H2O Quality Analyst. All voted “Yes”. Motion carried 7-0.

In the Matter of Ordinance # 1342B – Regarding Vacant Positions for 2012 – Ross Township Assessor.

Bilskli made a motion, seconded by Cid to approve filling the vacant position of 001-1700-13463-001 Commercial Deputy. All voted “Yes”. Motion carried 7-0.

In the Matter of Authorizing Preliminary Determination Hearing to Issue Bonds for Proposed 911 Communication Facilities.

Discussion/Action

Bilski made a motion, seconded by Cid to open up for discussion. All voted "Yes". Motion carried 7-0.

Attorney Dull said he sent to the Council two scenarios, and you can see from those scenarios, scenario one, can't meet the statutory deadline, and scenario number two is problematic, in that it probably would be a tax legally, therefore there is no need to discuss the matter of setting for a hearing because (inaudible).

NO ACTION TAKEN.

In the Matter of Resolution Recognizing the Week of July 18-24th as International Neuroblastoma Awareness Week.

NO ACTION TAKEN.

In the Matter of Resolution Approving Temporary Loan from the Health Insurance Reserve Fund/Accrual Fund 26514-4 to the Juvenile Accountability Block Grant Fund, Fund 99367 4200.

Bilski made a motion, seconded by Franklin to defer to 8-14-12. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Honoring Thurman N. Ferree

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

RESOLUTION NO. 12-69

RESOLUTION HONORING THURMAN N. FERREE

WHEREAS, THURMAN N. FERREE, of Highland, Indiana, was elected to the Highland Town Board In 1967, the Lake County Council representing the Fifth County Council District in 1986, The State Senate for the Second District in 1988, and Highland School Board in 1994; he also served on the Highland Sanitary Board;

WHEREAS, THURMAN N. FERREE was a recipient of the Sagamore of Wabash Award, coached Highland Boys Little League and Babe Ruth, Our Lady of Grace 8th Grade basketball, Umpired baseball, and refereed High School Basketball Games; and

WHEREAS, THURMAN N. FERREE commanded the respect of all who knew him for his dedication, Integrity, and hard-work; he was an outstanding civic and community leader, recognized As such by all who worked with him; and

WHEREAS, THURMAN N. FERREE demonstrated in his life and his relations with fellow human beings The highest of ideals and personal commitment to his God and to the betterment of all Mankind; and

WHEREAS, the citizens of Lake County have been deeply saddened by the death of THURMAN N. FERREE.

NOW, THEREFORE, LET IT BE RESOLVED THAT:

The Lake County Council hereby recognizes and memorializes the Passing of our very dear friend, THURMAN N. FERREE.

A copy of this Resolution shall be spread on the official records of the Lake County Council, and an official copy be delivered to the family of THURMAN N. FERREE.

DULY ADOPTED by the Lake County Council this 10th day of July, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL EL DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Honoring Highland High School's Vani Madrigal, IHSAA State Girls Double Tennis Champion.

Cid made a motion, seconded by Dernulc to approve.

Dernulc amended the motion to approve Resolution 12-70, and 12-7, Cid seconded the motion. All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 12-70

**RESOLUTION HONORING HIGHLAND HIGH SCHOOL'S
VANI MADRIGAL, IHSAA STATE GIRLS DOUBLE TENNIS CHAMPION**

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

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

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

WHEREAS, VANI MADRIGAL, a junior at Highland High School, with her doubles partner and Twin sister, ABY MADRIGAL, gave the Trojans their second consecutive girls Tennis doubles State Championship by winning the IHSAA State Finals at Indianapolis North Central High School on June 9, 2012 against Ft. Wayne Bishop Dwenger 6-1 and 6-2.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council and all citizens Of Lake County extend congratulations and praise to VANI MADRIGAL OF highland High School for capturing the IHSAA State Finals Doubles Tennis Championship; and that a copy of this Resolution Be spread on the official records of the Lake County Council, and an Official copy be delivered to VANI MADRIGAL.

DULY ADOPTED by the Lake County Council, this 10th day of July, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Honoring Highland High School's Aby Madrigal, IHSAA State Girls Double Tennis Champion.

Dernulc amended the motion to approve Resolutons 12-70, and 12-71. Cid seconded the motion. All voted "Yes". Motion carried 7-0.

RESOLUTION NO. 12-71

**RESOLUTION HONORING HIGHLAND HIGH SCHOOL'S
ABY MADRIGAL, IHSAA STATE GIRLS DOUBLE TENNIS CHAMPION**

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

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

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

WHEREAS, ABY MADRIGAL, a junior at Highland High School, with her doubles partner and Twin sister, VANI MADRIGAL, gave the Trojans their second consecutive girls Tennis doubles State Championship by winning the IHSAA State Finals at Indianapolis North Central High School on June 9, 2012 against Ft. Wayne Bishop Dwenger 6-1 and 6-1; last season ABY captured Highland’s first doubles State Championship with Liz Quinn.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens Of Lake County extend congratulations and praise to ABY MADRIGAL Of Highland High School for capturing the IHSAA State Finals Doubles Tennis Championship; and that a copy of this Resolution Be spread on the official records of the Lake County Council, and an Official copy be delivered to ABY MADRIGAL.

DULY ADOPTED by the Lake County Council, this 10th day of July, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Honoring Andean High School Softball Team – IHSAA Class 3A State Champions.

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

RESOLUTION NO. 12-72

**RESOLUTION HONORING ANDREAN HIGH SCHOOL
GIRLS SOFTBALL TEAM IHSAA CLASS 3A STATE CHAMPIONS**

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

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

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

WHEREAS, Andean High School through its girls softball team, has captured the IHSAA Class 3A Girls Softball Championship by defeating Edgewood High School 9-2 At Ben Davis High School in Indianapolis, to win their third softball state Championship in school history.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, And all citizens of Lake County who are represented by this August body, extend congratulations and praise to the students, Teachers, coaches and trainers but most particularly to the young Women of the Andean High School Girls Softball Team, the IHSAA Class 3A Softball State Champions and champions always for Lake County.

DATED THIS 10th day of July, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Honoring Andean High School Softball Team Coach – Brooke Baker-Runyon

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

RESOLUTION NO 12-73

**RESOLUTION HONORING BROOKE BAKER-RUNYON
ANDREAN HIGH SCHOOL SOFTBALL TEAM COACH**

WHEREAS, BROOKE BAKER-RUNYON, became the first person to play in a softball state Championship and also coach in one; and

WHEREAS, BROOKE BAKER-RUNYON played for Lake Central High School and led the Indians to championships in 2002, and 2004;

WHEREAS, BROOKE BAKER-RUNYON, in her first year as coach of Andrean High School's Softball Team coached the team to the IHSAA Class 3A State Championship in Indianapolis.

NOW, THEREFORE, LET IT BE RESOLVED THAT THE Lake County Council Honors BROOKE BAKER-RUNYON for her hard work in Coaching the Andrean High School Softball Team to the IHSAA Class 3A State Championship; and that a copy of this Resolution Be spread on the official records of the Lake County Council and An official copy be delivered to BROOKE BAKER-RUNYON.

DULY ADOPTED by the Lake County Council, this 10th day of July, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Honoring Lake Central High School Baseball Team – IHSAA 4A State Champions.

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

RESOLUTION NO. 12-74

**RESOLUTION HONORING LAKE CENTRAL
HIGH SCHOOL BOYS BASEBALL TEAM – IHSAA 4A STATE CHAMPIONS**

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

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

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

WHEREAS, Lake Central High School Boys Baseball Team, captured the IHSAA class 4A Baseball Championship with a 1-0 victory over Indianapolis Roncalli on June 16, 2012 at Victory Field in Indianapolis; winning the School's first baseball state title at its first appearance at State Title Tournament./

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, And all citizens of Lake County who are represented By this august body, extend congratulations and praise To the students, teachers, coaches and trainers but Most particularly to the young men of the Lake Central High School Baseball Team, the IHSAA Class 4A Baseball State Champions; and that a copy of this Resolution be spread On the official records of the Lake County Council and an official Copy be delivered to the Lake Central High School Boys Baseball Team.

DATED THIS 10TH day of July, 2012.

JEROME A PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Permitting Lake County Auditor to pay a 2011 invoice with 2012 funds – 001-0200-43910 Dues & Subscriptions in the amount of \$816.25.

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

RESOLUTION NO. 12-75

**RESOLUTION PERMITTING THE LAKE COUNTY
AUDITOR TO PAY AN
OUTSTANDING 2011 INVOICE/DEBT FROM THE 2012 BUDGET**

WHEREAS, the Lake County Auditor’s Office, is currently operating in the 2012 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2011, has not been paid:

<u>001-0200-43910</u>	<u>Dues & Subscriptions</u>
Indiana County Auditor’s Assoc.	\$ 816.25

WHEREAS, The Lake County Council desires to transfer funds and pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2011 expense shall be paid from
The Lake County Auditor’s 2012 Budget:

<u>001-0200-43910</u>	<u>Dues & Subscriptions</u>
Indiana County Auditor’s Assoc.	\$ 816.25

SO RESOLVED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution transferring \$1,521,192.43 from the Delinquent Collection Fees Fund, Fund No. 235 to the Undervalued and Omitted Property Fund, Fund No. 387.

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

RESOLUTION NO. 12-76

**RESOLUTION TO APPROVE TRANSFER OF \$1,521,192.43
FROM DELINQUENT COLLECTION FEES FUND, FUND NO 235
TO UNDERVALUED AND OMITTED PROPERTY FUND, FUND NO. 387**

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

WHEREAS, the Delinquent Collection Fees Fund, Fund No. 235 has on hand the
Sum of \$1,521,192.43; and

WHEREAS, The Lake County Council desires to transfer the sum of \$1,521,192.43 from
The Delinquent Collection Fees Fund, Fund No. 235 to the Undervalued and Omitted
Property Fund, Fund No. 287 for reimbursement of legal services.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$1,521,192.43 is hereby transferred from
The Delinquent Collection Fees Fund, Fund No 235 to the
Undervalued and Omitted Property Fund, Fund No. 387.

SO RESOLVED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
TED F. BILSKI

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution Transferring \$311,413.77 from the Commissioners Tax Certificate Sale Fund, Fund No. 385 to Collection Expense Reimbursement Fund, Fund No. 386.

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

RESOLUTION NO. 12-77

**RESOLUTION TO APPROVE TRANSFER OF \$311,413.77
FROM COMMISSIONERS TAX CERTIFICATE SALE FUND, FUND NO 285
TO COLLECTION EXPENSE REIMBURSEMENT FUND, FUND NO. 386**

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

WHEREAS, the Commissioners Tax Certificate Sale Fees Fund, Fund No. 385 has on hand the
Sum of \$311,413.77; and

WHEREAS, the Lake County Council desires to transfer the sum of \$311,413.77 from
The Commissioners Tax Certificate Sale Fund, Fund No. 385 to the Collection
Expense Reimbursement Fund, Fund No. 386 for reimbursement of legal services.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$311,413.77 is hereby transferred from
The Commissioners Tax Certificate Sale Fund, Fund No 385 to the
Collection Expense Reimbursement Fund, Fund No. 386.

SO RESOLVED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
TED F. BILSKI

MICHAEL C. REPAY
ELSIE FRANKLIN

In the Matter of Resolution Transferring \$2,049,593.00 from the Collection Expense Reimbursement Fund, Fund 386 to the General Fund 001.

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

RESOLUTION NO. 12-78

**RESOLUTION TO APPROVE TRANSFER OF \$2,049,593
FROM COLLECTION EXPENSE REIMBURSEMENT
FUND, FUND NO. 386 TO GENERAL FUND, FUND NO. 001**

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

WHEREAS, the Collection Expense Reimbursement Fund, Fund No. 386 has on hand the
sum of \$2,049,593.00; and

WHEREAS, the Lake County Council desires to transfer the sum of \$2,049,593.00 from The Collection Expense Reimbursement Fund, Fund No. 386 to the General Fund, Fund No. 001 for reimbursement of legal services.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$2,049,593.00 is hereby transferred from The Collection Expense Reimbursement Fund, Fund No. 386 to the General Fund, Fund No 001.

SO RESOLVED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
TED F. BILSKI

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution Transferring \$1,262,616.09 from the Delinquent Collection Fees Fund, Fund No. 235 to the Collection Expense Reimbursement Fund, Fund No. 386.

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

RESOLUTION NO. 12-79

RESOLUTION TO APPROVE TRANSFER OF \$1,262,616.09 FROM DELINQUENT COLLECTION FEES FUND, FUND NO. 235 TO COLLECTION EXPENSE REIMBURSEMENT FUND, FUND NO. 386

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

WHEREAS, the Delinquent Collection Fees Fund, Fund No. 235 has on hand the sum of \$1,262,616.09; and

WHEREAS, the Lake County Council desires to transfer the sum ob \$1,262,616.09 from The Delinquent Collection Fees Fund, Fund No. 235 to the Collection Expense Reimbursement Fund, Fund No. 386 for reimbursement of legal services.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$1,262,616.09 is hereby transferred from The Delinquent Collection Fees Fund, Fund No. 235 to the Collection Expense Reimbursement Fund, Fund No. 386

SO RESOLVED THIS 10TH DAY OF JULY 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
TED F. BILSKI

MICHAEL C. REPAY
ELSIE FRANKLIN

Members pf the Lake County Council

In the Matter of Ordinance Establishing Eligibility for Health Benefits Effective January 1, 2013.

Dernulc made a motion, seconded by Bilski to defer to 8-14-12. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Amending 1058A – Emergency Telephone System.

Franklin made a motion, seconded by Bilski to defer to 8-14-12. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Amending Ord 1209C – Establishing Payment for Veteran’s Grave Markers.

Bilski made a motion, seconded by Cid to defer to 8-14-12. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Establishing the Juvenile Accountability Block Grant Fund, Fund 99367 4200, A Non-Reverting Fund.

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

In the Matter of Ordinance Amending the Ordinance Establishing the Lake County Elected Officials Training Fund, A Non-Reverting Fund – Ordinance No. 1336C – Second Reading.

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

ORDINANCE NO. 1336C-1

**ORDINANCE AMENDING THE ORDINANCE
ESTABLISHING THE LAKE COUNTY ELECTED OFFICIALS TRAINING FUND,
A NON-REVERTING FUND, ORDINANCE NO. 1336C**

WHEREAS, on June 14, 2011, the Lake County Council adopted the Ordinance Establishing The Lake County Elected Officials Training Fund, a Non-Reverting Fund, Ordinance No. 1336C; and

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

DELETE:

2. That money in the Fund shall be used to provide training for the following elected officials in the following amounts:
 - a. Surveyor 18%
 - b. Clerk 41%
 - c. Recorder 41%

INSERT:

2. That money in the Fund shall be used to provide training for the following elected officials in the following amounts:
 - a. Surveyor 9.84%
 - b. Clerk 22.54%
 - c. Recorder 22.54%
 - d. Auditor 22.54%
 - e. Treasurer 22.54%

SO ORDAINED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

DANIEL E. DERNULC
RICK NIEMEYER

Members of the Lake County Council

In the Matter of Ordinance Establishing the Collection Expense Reimbursement Fund, Fund No. 386 A Non-Reverting Fund.

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

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

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

ORDINANCE NO 1350A

**ORDINANCE ESTABLISHING THE
COLLECTION EXPENSE REIMBURSEMENT FUND,
FUND NO. 386, A NON-REVERTING FUND**

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

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

WHEREAS, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or Resolution transfer money from one fund to another; and

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

WHEREAS, pursuant to I.C. 6-1.1-18-9, the Lake County Council may reappropriate money Recovered from erroneous or excessive disbursements if the error and recovery Are made within the current budget year or refund, without appropriation, money Erroneously received; and

WHEREAS, the Lake County Council desires to create a Collection Expense Reimbursement Fund, Fund No. 386 for the deposit of funds recovered from erroneous or Excessive disbursements made and recovered within the current budget year, To be used for the purpose of either a reappropriation or a refund according to State Law.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake County Council now establishes the Collection Expense Reimbursement Fund, Fund No. 386, a non-reverting fund, Established for the deposit of funds collected Pursuant to I.C. 6-1.1-18-9 to be used for the purposes pursuant to State Law.
2. That appropriations from the fund shall be subject to approval by the Lake County Council, or as otherwise provided by law.
3. Any money remaining in the fund at the end of the year Shall not revert to the General Fund but continue in the Collection Expense Reimbursement Fund, Fund No. 386, Subject to appropriation by the Lake County Council, or as otherwise Provided by law.

SO ORDAINED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Ordinance Establishing the Undervalued and Omitted Property Fund, Fund 387, A Non-Reverting Fund.

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

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

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

ORDINANCE NO. 1350B

**ORDINANCE ESTABLISHING THE
UNDERVALUED AND OMITTED PROPERTY FUND,
FUND NO. 387, A NON-REVERTING FUND**

- WHEREAS,** pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances To promote efficient County Government; and
- WHEREAS,** pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to Be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as Otherwise provided as law; and
- WHEREAS,** pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or Resolution transfer money from one fund to another; and
- WHEREAS,** the Lake County Council desires to establish by ordinance all funds within The County Treasury, from which appropriations and transfers require County Council approval; and
- WHEREAS,** the Lake County Commissioners have entered into a contract with Tax Management Associates for discovery of property undervalued or omitted from Assessment; and
- WHEREAS,** that pursuant to I.C. 6-1.1-36-12, the Lake County Council desires to create an Undervalued and Omitted Property Fund, Fund No. 387 for the deposit of taxes, Including penalties and interest, that result from additional assessments on Undervalued or omitted property collected through the contract with Tax Management Associates.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake County Council now establishes the Undervalued And Omitted Property Fund, Fund No. 387, a non-reverting fund, Established for the deposit of funds collected pursuant to I.C. 6-1.1-36-12 to be used for the deposit of taxes, including Penalties and interest that result from additional assessments On undervalued or omitted property collected through the Contract with Tax Management Associates.
2. That the fund shall remain in existence during the term of the Contract with Tax Management Associates. Distribution shall Be made from the Fund without appropriation only For the following purposes:
 - (A). All contract fees and other costs related to the contract.
 - (B). After payment required by (A.) have been made and the contract has expired, the County Auditor shall distribute all money remaining in the Fund to the appropriate taxing units in the County using the property tax rates of each taxing unit in effect at the time of the distribution.
3. That appropriations from the fund shall be subject to approval By the Lake County Council, or as otherwise provided by law.
4. Any money remaining in the fund at the end of the year Shall not revert to the General Fund but continue in the Undervalued and Omitted Property Fund, Fund No. 387, Subject to appropriation by the Lake County Council, or as otherwise Provided by law.

SO ORDAINED THIS 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Ordinance Amending the Lake County Part-Time Employees Pay Rate Ordinance for 2012, Ordinance No. 1342D.

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

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

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

ORDINANCE NO. 1342D-4

**ORDINANCE AMENDING THE LAKE COUNTY PART-TIME
EMPLOYEES PAY RATE ORDINANCE FOR 2012, ORDINANCE NO. 1342D**

WHEREAS, on January 10, 2012, the Lake County Council adopted the Lake County Part-Time Employees Pay Rate Ordinance for 2012, Ordinance No. 1342D; and

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

DELETE:

Section III.

- 17. Lake Superior Court, County Division,
Room No. 2
Clerk \$10.00/hr

INSERT:

Section III.

- 17. Lake Superior Court, County Division,
Room No. 2
Clerk \$10.00/hr.
Secretary \$12.00/hr.

SO ORDAINED THIE 10TH DAY OF JULY, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN
TED F. BILSKI

Members of the Lake County Council

In the Matter of Plan Commission Ordinances # 2370, 2371, 2372, and 2373.

Niemeyer made a motion, seconded by Dernulc to approve Plan Commission Ordinance # 2370. All voted "Yes". Motion to approve carried 7-0.

**ORDINANCE #2370
OF THE COUNTY OF LAKE**

Ned explained that this request came before the BZA, there were only 2 remonstrators there. Ned explained that the gentleman would like to set up a hot dog stand, actually he has set up a hot dog stand. Ned said that his office stopped by upon inspection, and told him that he needs to come here for the variance. Ned explained that this Commercial property, it's zoned B-3, it's our most liberal business zoning, however; he is not allowed to have a temporary structure there, and he had a truck there that he was selling hot dogs out of.

There were 2 remonstrators at the BZA hearing. One of them was a neighbor who seemed to have more of a problem with this gentleman as a contractor. He had some property that he owns that's adjacent to this where he had stored some windows out of a demolition job that he had done, and they seemed to complain more about him as a contractor, than as a hot dog salesman. Ned said the gentleman was not concerned at all about him selling hot dogs out of a truck. He also had a health permit from the Health Department to do that, but the gentleman was more concerned about him expanding the use.

The next remonstrator came forward, and said that because of the storage of junk,(the windows), on his property, that he shouldn't have anything, and the BZA agreed with more so with the fact of his contracting business, than the fact that he was selling hot dogs out of his truck on U.S. 41.

Mr. Jeff Riley Riley, the Petitioner was present and said that he just wants to sell hot dogs and hamburgers on the corner of Rt. 2 and US 41. He said he gets a lot of business, and a lot of returns. He said, one truck, that's it, that's all he is asking for.

Mrs. Kathleen Henry, who owns the apartment building just north of the corner said she has been there for 18 years, and Mr. Riley' establishment is super-clean. She said she is very happy to have him there, and hopes the Council will approve this.

Another lady also asked the Council to approve this because it's a very favorable thing.

Bilski withdrew his motion, Repay withdrew his second.

Niemeyer made a motion to approve with conditions, and the condition being only 1 unit allowed on the property. Bilski seconded the motion. All voted "Yes". Motion to approve carried 7-0.

**ORDINANCE #2373
OF THE COUNTY OF LAKE**

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to Make provisions for a VARIANCE OF USE (Board of Zoning Appeals recommended unfavorable 06/20/2012).

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

VARIANCE OF USE owned by PARASKEVI KARAKOZIS, TRUSTEE and petitioned by JEFF RILEY to allow a mobile hot dog truck on the following described property:

General Location: Located at the northwest quadrant at the intersection at US 41 (wicker Avenue) and Belshaw Road, a/k/a 20108 Wicker Avenue in West Creek Township.

Legal: Parcel 2: That part of the Southeast Quarter of Section 5, Township 32 North, Range 9 West of the Second Principal Meridian, more particularly described as follows: Commencing at a point 2049.10 feet North of the Southeast corner of said Section 5 (this point being the intersection of U.S. Highway No. 41 and State Road 2); thence Southwesterly along the centerline of said State Road 2, 284 feet; thence North parallel to the East line of the Southeast Quarter of said Section 5, 393 feet; thence in a Northeasterly direction 264.30 feet to a point on the East line of the above said Section 5, which is 313 feet North of the place of beginning; thence South 313 feet to the place of beginning, in Lake County, Indiana.

HEREBY BY THE COUNTY COUNCIL.
 APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 10TH DAY OF JULY, 2012.

Condition: 1 unit on property

MEMBERS OF THE LAKE COUNTY COUNCIL

JEROME A. PRINCE, PRESIDENT

ELSIE FRANKLIN
CHRISTINE CID

DANIEL DERNULC
RICK NIEMEYER

TED F. BILSKI

MIKE REPAY

Public Portion

Pete Mendez, a resident of Hobart, IN had stated that all fees, including Stormwater fees, must be paid by all government entities. He said this is under Indiana Code 36-9-23 Section 24, as well as under Indiana Code 8-1.5.5. He noticed that schools, and other government entities are not paying because they are exempt. He said they are exempt from paying taxes, however, they are not exempt from paying fees.

He said the longer they wait to pay these fees, the larger the fees are going to become, and the harder it is going be to pay them.

He asked a question about a memo from Attorney John Dull, to the City of Lake Station.

Prince told Mr. Mendez that he addressed a few issues that were legal questions, and asked Attorney Szarmach to address this.

Attorney Szarmach addressed the comment with the Dull memo. Attorney Szarmach said that I am the City Attorney for Lake Station. He also said that Attorney Dull represents the Board of Commissioners, and I represent the County Council. We e-mail back and forth everyday, probably too much. Attorney Szarmach said, that particular memo is wrong. We e-mail our ideas and suggestions back and forth, and that memo is not correct. He said that was a memo that was sent to my e-mail, which is a secured site.

Attorney Szarmach said, that memo, you keep bringing up, was about a section of the Lake Station Ordinance that was addressed in a different fashion, so we didn't use that, but when you look at Attorneys' and their correspondence back and forth, their letters back and forth, a lot of what they do is suggestions of "let's try it this way, no, let's try it that way". It's not that anything is not correct, so I hope that answers your question regarding the memo, because that's all I have to answer.

Mr Mendez answered, well, not really because that memo specifically says that it not be put on the tax roll.

Attorney Szarmach answered, it's wrong.

Prince said to Mr. Mendez, this is a portion for public comment, and you have done that, and Attorney Szarmach was kind enough to answer one of your questions. As to that, I don't think you are going to get any other responses. Thank you for coming, and please come back again.

Wayne Weitbrock, a resident of Lowell, IN made comments about the hot dog stand.

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

President, Lake County Council

ATTEST:

County Council

Regular Meeting

July 10, 2012
10:00 A.M.

Peggy Holinga Katona,
Lake County Auditor