

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in special session at this time, for the purpose of considering Budget for Year 2013, 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.

OPEN: Public Comments, Council Discussions and Actions

Repay made a motion, seconded by Franklin to add into Juvenile' Data \$86,900 for a total of \$124,650 into Cumulative Cap Fund 651.

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

Niemeyer said that he would rather not do anything with the Assessor's budget until they have a dialogue with Mr. Adams.

Niemeyer made a motion, seconded by Dernulc to not do anything with the Assessor' budget until they have a dialogue with Hank.

NO ACTION TAKEN.

Franklin asked if the Assessor decides that he doesn't want to give any recommendations, would the Council just make a decision?

The answer was yes, and Prince said that we have the authority to do it.

Dante said that by law, they have to pay him the courtesy to have recommendations.

Dante said that we should probably have it by next meeting.

Cid said that she would like to see something in writing to him advising him that this is the deadline, and if we don't hear anything from him by then, then we would consider that to be no recommendation from you.

Dante said we've already sent him a letter.

Prince said he doesn't think it's necessary to send him another letter. He has had 2 requests for situations similar to this last year, and the law actually gives the authority to continue the process. He can't hold the process up.

Niemeyer said you're right, because he knows what is going on.

Repay said we are not obligated by law to give him, he is obligated by law to give recommendations, that's as I understood.

Prince said, and to go along with that, we are not obligated to be bound by recommendations as well.

Dante said an e-mail will go out to him within the hour.

Bilski made a motion, seconded by Cid to lower the Commissioner' budget, Dept 2900 new combined E-911 Fund from \$11,586,463 and reduce to \$900,000, keeping the \$900,000 in 399-2900-43995.

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

Dante said that when we rolled back the funds on the tax operating funds, not the user fee funds, the tax based funds had a couple of re-organizations. The Sheriff wanted a new title, the Jail wanted to re-title. I think the Parks wanted to re-title, and Dante said he punches them in, as long as they are net zero.

He wanted confirmation that that is acceptable, and that's been the practice, and that's what occurred, so that when you roll back Dante is allowing re-organizations that are reasonable.

Dante said Probation Officers are not in there just yet. He said that Probation Officers, once we get to that point, will cost, right now, about \$100,000 dollars in the general fund to take care of Probation Officers.

He said in that \$100,000, there are some Probation Officers, in Departments that are going down, and some that are going up.

He said that Division III, and Bob Bennett want to use part of their surpluses, because they are going down, to spread around to their departments, so the issue here is, do we allow re-organizations that allow the departments to shift our Probation Officers their surpluses around, or do we apply that surplus toward overall Probation Officers to offset the overall incremental costs?

Dante said that's an interesting question, and he wants to see how the Council wants to approach that re-organization that would affect Probation Officers.

Bilski said that overall Mr. Bennett speaks for the Juvenile Court, for that end of it so he has to be working in conjunction with Judge Bonaventura correct?

Dante said of course. He takes direction from Judge Bonaventura.

Bilski said, in my opinion, we would allow them to do the way they've worked it out, why would we want to go the other way?

Dante said because the surpluses from the other departments can go to offset the \$100,000 dollars costs in the general fund.

Dante asked do you want to use the surpluses on the departments that have gone down to offset that cost, or do you want them flow over into incremental increases/re-organizations?

Bilski answered, that would be a residual savings because they are getting that cost by, then asked, is there a manpower reduction, is there a position being eliminated to help?

Dante said they are doing it by, in Division III, eliminating a Chief Probation Officer at a high salary, and they are taking the initiative to lower that to a lower paying salary, so they've incurred savings by changing the title.

Dante said that Division III is different than Juvenile. Juvenile went down because they must have some new people in there. Division III is retiring someone. They are taking a Chief off, and converting that to a Probation Officer.

Repay said this is a \$100,000 obligation because of the State Statute for something that has to do with Probation Officers right? An we are going to have to do this in 2013?

Judge Cantrell said the State has a mandatory salary, based on the number of years every Probation Officer has worked. It goes up at different incremental levels, and it just kind of depends on randomly when these people are hitting these different levels. Judge Cantrell said she has two that are going up because they will have 15 years. Her Chief Probation Officer retired, and she hired somebody new, and it's a \$24,000 dollars difference.

Repay asked so this isn't a new thing, this is just a projected jump because of the age of all of our Probation Officers?

Dante said and they did receive a 2% increase as well, so when you take a look at the incremental increases, or lowering, you have title changes, add the 2% in. You are coming up with a net of about \$100,000 dollars that I'm asking you for to build into the budget, which we haven't done; however when we allowed the re-organization to go forward, do we allow something like this to roll forward in re-organizations, or do we nab the \$24,000 and apply it to the \$100,000 dollars offset?

Bilski asked in that particular department, does that rolling that back into that department addressing the furlough issue?

Dante answered the furloughs are in Juvenile Court.

Bilski asked by them rolling that money back in there, would that help them out at all?

Dante answered, their budgets are square. Juvenile is a different budget, that's Detention.

Juvenile Court has the furlough, not the Juvenile Detention. This is in the Juvenile Detention, the Probation Officers. Dante asked, and could you apply it to that, you could.

Bilski said that he would agree and he thinks they are on the right track on taking that and applying that \$100,000 dollars, but he also wants to remind you that a year ago we amalgamated groups and made reductions through amalgamated groups, so we can't forget what we've done in the past.

Dante said consistency should be the rule.

Repay asked Dante what does he think consistency would mean for this?

Dante answered, re-organizations, re-orgs that are zero to a budget.

Dante said the Indiana Conference of Judicial, he would like to call it a Conference, they are going to dictate. That committee is going to dictate, not the Judges.

Dante said if we do nothing, what happens is that the surplus stays, and gets applied to the Probation Officers increase.

Repay made a motion, seconded by Bilski that our previous instructions, with regards to re-organizations apply to Probation Officers as well.

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

Dante mentioned in reference to fund 283, he would like the Council to approve the total of \$50,514.00 for the whole amount of appropriations in that fund.

Cid has a concern about a big request for computers, and she felt that that cost should come from this fund because that is what the law says that this money should be used for, the maintenance and upgrading of E-filing system.

Cid wanted the amount of that request for computers that apply to this upgrade of E-filing, and she would like to have that in there before even considering giving the supposedly one-time bonuses again. Cid said that is her concern, and she doesn't see that information here. She would like to know how much is for the equipment, for the upgrade from the cum cap request, and how much is the total in bonuses.

Dante said the first thing that has to be checked here is can we even use this fund for computer purchases. He thought the Judges, last year, supplemental pay, part-time, overtime.

Repay said the question that needs to be answered before anything else is, is there excess money available to be used for anything? If there is excess, what should it go to?

Dante said that the excess' are in the column called Council recommended. The total dollar amount, by fund, is already there, and the total is \$50,514. He said have the excesses, they are \$3,160 from Circuit Court, they are \$37,704 by Civil Court, and so on. He said it totals \$50,514.00 Dante said he thought they could only use it for this stuff.

Mark Pearman said there are a number of issues going on here. He said last year it was stated that they were going to ask for this money every year on an on-going basis, depending on funding. They asked for it for 2012, they had every intention of coming back and asking for it in 2013, depending on the funding, that's number one.

Mark said that number 2, there is no money for 2013. He said that he made it very clear to all of the Judges in November, that there would be no money for this supplemental pay for fund 283 this year because the money is committed. Not that there isn't money there, but the money is committed for 2013 to support e-filing. Mark said there is support development going on, there's replacement of server, there are a number of things that are going on. He said the County Court stepped up and instituted e-filing in their civil dockets, which is now bringing in more money. We just started in July. So there is more money coming in, but it hasn't had a chance to accumulate. We don't know where we'll be for 2013.

Mark said, so the Judges knew in November that there was going to be no money for supplemental pays for 2013. The excess we are talking about is the excess money that is in 2012. There is money that you gave them last year for 2012 that hasn't been spent. That's the money that Dante is talking about, that's the excess. So that money is there, and what I believe, they are intending to do, is take whatever is left for 2012, whether it be \$1,000 dollars out of the \$17,000 that they originally got, or whether it's \$17,000 which they didn't spend, move and use it for next year because they are not getting that \$300,000 total, so they want to use the excess from 2012 in 2013 for whatever is left over.

Mark said that this money for fund 283 was only supposed to be used for supplemental pay. It wasn't to be used for travel, it wasn't supposed to be used for office supply, nor food. It was supposed to be used for salaries, and eventually for overtime.

He said the money for fund 256, which is the Web Maintenance Fund, that money is defined only for upgrades of e-filing, support, upgrades, purchase of hardware. Those type of things.

Dante said that Judge Pera has to make the call, he has taken on the stewardship of this fund.

Repay asked is this \$50,514 is money that was appropriated in 2012?

Dante answered, right, that was either appropriated, or came in extra, or unused, that's the residual coming forward for 2013. They have it earmarked. They know it's coming forward.

Repay asked, if it doesn't get appropriated, it goes back into the fund, it's taken out of the account?

Dante answered, that's correct and the supplemental pays go bye bye. It just stays in the fund.

Mark said that Judge Pera's intention was to allow the Court to use the money for next year, that's remaining this year's balance. Because in his estimation, it was put there for supplemental pays, a lot of departments get supplemental pays, they would take that money out and not allow them to use the full amount of money that they were appropriated in 2012, they want to roll it over into 2013.

Mark said that he recommends that they speak with Judge Pera, to get that directly from him, but that's his intention electing to use it for next year, the amount that they have, that would be his recommendation.

Dante said he is unclear where we are leaving this fund.

Prince said until you are clear as to how to expose this fund, we probably shouldn't take any action.

Cid wanted Attorney Szarmach to look up the Statute, and see what these funds can be used for, for 256, and 283.

Dante said he will zero it out until he hears otherwise, because we have time.

George Van Til said instead of requesting \$315,000 for Cum Cap, which they've received for a number of years, he requested \$584,500. He said at the last meeting, there were some comments about that, so he went back and cut \$30,000 of that amount, so his request is now \$554,500. He wanted to specify the importance of this. It's for the maintenance of their computer system, their GIS, which includes the opportunity this year to work with the State who is paying for the bulk of the aerial photography. He said they are going to have to put in \$63,000 dollars to make that good. He said if we don't do that this year, then we lose out, on that ability to enhance that, and make it the best it can be.

He said the Township Assessors, at about \$30,000 a piece to bring them into the property system that is now in place. It has been done for one Township Assessor already.

He said a third item is a drainage project that can not be done through the Drainage Board because it's a non-regulated drain, but it's one of the most important in the County. The Hart Ditch, which drains Calumet Township, Highland, Griffith, much of Schererville, some of St. John, Munster, and so on. That's a 13-year project that we're trying to finish this year. He said we need about \$200,000 dollars for that. He said we really need to finish that. He said that Munster pays 60% of that, and they have the money next year. He said they pay 60%, we pay 40%. He said we've put in significantly over \$1 million dollars into that, over the last 13 years, and we really need to finish that up. This has to do with flood control, and bank control for the Little Calumet River. He said we are looking at \$554,500, which is more than last year, because of the lack of E-911 funds. He said that because of the steepness of the ditch, every day that you leave it alone, it will cost you more, and Munster may not have that money meant to do the 60%/40% in the future.

If we don't do the aerial stuff this coming year with the State, we're going to lose out on that quality, and I'm convinced that if we hook the Assessors into the land-based systems, they can be more effective and efficient, and ultimately cost less money for reassessment.

He said we've cut \$30,000 dollars, that's 5%, and I hope you don't cut any more, when you look at Cumulative Capital.

Bilski said that Cum Cap is what it is. We are going to be faced with looking at a Bond anyway. He asked Dante if he would suggest adding this type of cost into the overall Bond issue?

Dante answered, if you're set on your commitment and posture in Cum Cap, it's now a Sheriff thing, and it's now a computer thing, and that's become for a number of years, you have no choice other than to go to debt on this, You'd be forced into a debt situation on this.

The next meeting will be held on September 17, 2012, at 10:00 A.M., which is the First Reading of the 2013 Budget.

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.

ATTEST:

President, Lake County Council

Peggy Holinga Katona,
Lake County Auditor