

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.

There was a moment of silence for the commemoration of 9/11/01

In the Matter of Minutes of the Lake County Council for August 14, 2012.

Dernulc made a motion, seconded by Bilski to defer the 8-14-12 minutes of the Lake County Council to 10-9-12. All voted "Yes". Motion carried 7-0.

**ORDINANCE NO 1352**

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>Center Township Assessor</u> 1200		
43240 Telephone	\$ 650.00	\$ 650.00
43510 Utilities	\$ 600.00	\$ 600.00
<u>Jail</u> 3100		
41140 Protective Service	\$122,442.84	No Action Taken
<u>Sheriff</u> 0500		
42210 Petroleum Products	\$250,000.00	No Action Taken
<u>Commissioners</u> 2900		
41250 Unemployment Compensation( <b>Reduction</b> )	<b>-\$ 1,250.00</b>	<b>-\$ 1,250.00</b>
Gambling Adm Tax Fund 196		
<u>Public Defender</u> 4002		
43190 Other Professional Service	\$ 90,000.00	\$ 90,000.00
<u>Sheriff</u> 0500		
42210 Petroleum Products	\$250,000.00	\$250,000.00
L.C. Fairgrounds Non-Reverting Fund 131		
<u>Fairgrounds</u> 2920		
42410 Other Supplies	\$ 5,000.00	\$ 5,000.00
SAPS Fund 143		
<u>Superior Court Criminal</u> 4000		
43190 Other Professional Service	\$ 24,000.00	\$ 24,000.00
L.C. Animal Shelter Non-Reverting Fund 163		
<u>Animal Control</u> 3200		
41220 FICA	\$ 500.00	\$ 500.00
41260 Workman's Comp	\$ 165.00	\$ 165.00
42250 Health Care & Lab Care	\$ 2,000.00	\$ 2,000.00
43620 Equipment Repair(CNL)	\$ 2,000.00	\$ 2,000.00
43995 Other Service & Charges	\$ 12,000.00	\$ 12,000.00
Sheriff's Sale Program & Service Fee Fund 289		
<u>Sheriff</u> 0500		
41336 Lateral Pay	\$ 13,000.00	\$
13,000.00		
41370 Holiday Pay	\$ 2,000.00	\$ 2,000.00
Sheriff Commissary Payroll Pass-Thru Fund 332		
<u>Sheriff</u> 0500		
41100 Overtime	\$ 6,000.00	\$ 6,000.00
41336 Lateral Pay	\$ 6,000.00	\$
6,000.00		
41370 Holiday Pay	\$ 4,000.00	\$ 4,000.00
L.C. Sheriff Violence Intervention Program Fund 333		
<u>Sheriff</u> 0500		
Create All New Lines		

41160	Office & Clerical	\$ 28,000.00	\$ 28,000.00
41390	Supplemental Pay	\$ 3,000.00	\$ 3,000.00
41220	FICA	\$ 2,372.00	\$ 2,372.00
41230	PERF	\$ 3,010.00	\$ 3,010.00
41260	Workman's Comp Deduction	\$ 105.00	\$ 105.00
42410	Other Supplies	\$ 19,300.00	\$ 19,300.00
43190	Other Professional Service	\$ 10,000.00	\$ 10,000.00
43234	Travel/Other	\$ 2,500.00	\$ 2,500.00
44420	Office Machines	\$ 6,560.00	\$ 6,560.00

## 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>Sheriff 0500</u>		
From: 001-41140 Protective Service	\$ 80,000.00	\$ 80,000.00
To: 001-41100 Overtime	\$ 80,000.00	\$ 80,000.00
<u>Sheriff 0500</u>		
L.C. Multi-Agency Task Force Fund 182		
From: 182-44490 Other Equipment	\$ 500.00	
To: 182-41260 Workman's Comp Deduction	\$ 500.00	\$
500.00		
<u>Sheriff 0500</u>		
Sex & Violent Offender Fund 275		
From: 275-42110 Office Supplies	\$ 100.00	
275-44490 Other Equipment	\$ 2,000.00	\$ 2,000.00
To: 275-44420 Office Machines	\$ 2,100.00	\$ 2,100.00
<u>Sheriff 0550</u>		
ARRA/JAG Dept 0550 JAG Grant Fund 262		
From: 262-41190 Part-Time	\$ 1,581.78	
262-42410 Other Supplies	\$ 4,643.22	
To: 262-41220 FICA	\$ 500.00	\$ 500.00
262-41230 PERF(CNL)	\$ 1,000.00	\$ 1,000.00
262-41390 Supplemental Pay	\$ 4,725.00	\$ 4,725.00
<u>Sheriff 1007</u>		
JAG 2011 Grant Dept JAG Fund 262		
From: 262-41190 Part-Time	\$ 8,756.34	
262-42410 Other Supplies	\$ 27,300.00	
To: 262-41220 FICA	\$ 1,800.00	\$ 1,800.00
262-41230 PERF(CNL)	\$ 3,500.00	\$ 3,500.00
262-41390 Supplemental Pay(CNL)	\$ 30,756.34	\$ 30,756.34
<u>Surveyor 0600</u>		
From: 001-41190 Part-Time	\$ 52.00	
To: 001-41356 Section Corner Payment	\$ 52.00	\$ 52.00
<u>Circuit Court 3800</u>		
From: 001-43630 Maint & Service Contr	\$ 5,000.00	
To: 001-43922 Per Diem Petit Jurors	\$ 5,000.00	\$
5,000.00		
<u>Assessor 0900</u>		
From: 001-43190 Other Professional Service	\$ 3,000.00	
To: 001-43910 Dues & Subscriptions	\$ 3,000.00	\$ 3,000.00
<u>Public Works 2950</u>		
From: 001-43620 Equipment Repair	\$ 1,750.00	
To: 001-42310 Equipment Repair Parts	\$ 750.00	\$ 750.00
001-42410 Other Supplies	\$ 1,000.00	\$ 1,000.00
<u>Commissioners 2900</u>		
From: 001-41250 Unemployment Comp Ded	\$ 82,500.00	
To: 001-41230 PERF	\$ 78,000.00	\$ 78,000.00
001-43976 Patients & Inmates	\$ 4,500.00	\$ 4,500.00
<u>Criminal Courts 4000</u>		
From: 001-43190 Other Professional Service	\$ 5,000.00	
To: 001-41331 Court Reporter Per Diem	\$ 5,000.00	\$ 5,000.00
<u>Jail 3100</u>		
From: 001-41120 Professionals	\$ 30,000.00	
001-41140 Protective Services	\$ 132,500.00	
To: 001-41100 Overtime	\$ 130,000.00	\$ 130,000.00
001-41329 Board Member Per Diem	\$ 2,500.00	\$ 2,500.00

001-42230 Clothing	\$ 15,000.00	\$ 15,000.00
001-43188 Employment Testing	\$ 15,000.00	\$ 15,000.00

Prosecutor 0800

Pre-Trial Diversion Fund 135

From: 135-42110 Office Supplies	\$ 200.00	
To: 135-41260 Workmen's Comp Deduction	\$ 200.00	\$ 200.00

Prosecutor 0800

Infraction Deferral Fund 104

From: 104-43910 Dues & Subscriptions	\$ 700.00	
To: 104-41260 Workman's Comp Deduction	\$ 400.00	\$ 400.00
104-41334 Bond Court Per Diem	\$ 300.00	\$ 300.00

Election & Registration 2100

From: 001-43150 Consultant Fees	\$ 10,000.00	\$ 10,000.00
001-43310 Printing	\$ 20,000.00	\$ 20,000.00
001-43730 Property Rental	\$ 5,000.00	\$ 5,000.00
To: 001-43145 Legal Services	\$ 10,000.00	\$ 10,000.00
001-43210 Freight & Express	\$ 5,000.00	\$ 5,000.00
001-43235 Travel-Mileage	\$ 10,000.00	\$ 10,000.00
001-43320 Advertising	\$ 10,000.00	\$ 10,000.00

Highway 5060

County Bond Improv Fund 352

From: 352-42390 Repair & Maint Suppl	\$500,000.00	
To: 352-43630 Maint & Serv Cont	\$500,000.00	\$500,000.00

Auditor 0200

Auditor's Incentive Fund 193

From: 193-41390 Other Professional Serv	\$ 1,400.00	
To: 193-41260 Workman's Comp Deduction	\$ 1,400.00	\$ 1,400.00

Dated this 11<sup>th</sup> day of September, 2012

Adopted this 11<sup>th</sup> day of September, 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

General Fund 001

Center Twp Assr(\$1,250)	Niemeyer	Franklin	All voted "Yes" to approve. Motion carried 7-0.
--------------------------	----------	----------	--

Jail(\$122,442.84) NO ACTION TAKEN.

Sheriff(\$250,000) NO ACTION TAKEN

Commissioners(\$- <b>1,250</b> )	Franklin	Bilski	All voted "Yes" to approve the reduction. Motion carried 7-0.
----------------------------------	----------	--------	--

Gambling Adm Tax Fund 196

Public Defender(\$90,000)	Cid	Bilski	All voted "Yes" to approve. Motion carried 7-0.
---------------------------	-----	--------	--

Sheriff(\$250,000)	Cid	Bilski	All voted "Yes" to approve in Fund 196. Motion carried 7-0.
--------------------	-----	--------	--

L.C. Fairgrounds Non-Reverting Fund 131

Fairgrounds(\$5,000)	Niemeyer	Bilski	All voted "Yes" to approve. Motion carried 7-0.
----------------------	----------	--------	--

SAPS Fund 143

Superior Court Criminal(\$24,000) Repay Franklin All voted "Yes" to approve. Motion carried 7-0.

L.C. Animal Shelter Non-Reverting Fund 163

Animal Control(\$16,665) Repay Bilski All voted "Yes" to create 1 new line item and approve. Motion carried 7-0.

Sheriff's Sale Program & Service Fee Fund 289

Sheriff(\$15,000) Cid Bilski All voted "Yes". Motion Carried 7-0.

Sheriff's Commissary Payroll Pass-Thru Fund 332

Sheriff(\$16,000) Cid Franklin All voted "Yes". Motion Carried 7-0.

L.C. Sheriff Violence Intervention Program Grant Fund 333

Sheriff(\$74,847) Cid Bilski All voted "Yes" to create All new line items, and approve. Motion carried 7-0.

Transfer

Made motion seconded

Sheriff(\$80,000) Cid Franklin All voted "Yes". Motion Carried 7-0.

Sheriff(\$500) Cid Bilski All voted "Yes". Motion Carried 7-0.

Sheriff(\$2,100) Cid Bilski All voted "Yes" to create New line items and approve. Motion carried 7-0.

Sheriff(\$6,225) Cid Franklin All voted "Yes" to create New line item, and approve the transfer. Motion carried 7-0.

Sheriff(\$36,056,34) Cid Bilski All voted "Yes" to create New line items & approve. All voted "Yes". Motion carried 7-0.

Surveyor(\$52) Repay Cid All voted "Yes". Motion Carried 7-0.

Circuit Court(\$5,000) Cid Franklin All voted "Yes" to approve Motion carried 7-0.

Assessor(\$3,000) Niemeyer Bilski All voted "Yes" to approve. Motion carried 7-0.

Public Works(\$1,750) Franklin Repay All voted "Yes". Motion to Approve carried 7-0.

Commissioners(\$82,500) Franklin Bilski All voted "Yes". Motion to Approve carried 7-0.

Criminal Court(\$5,000) Repay Franklin All voted "Yes" to approve. Motion carried 7-0.

Jail(\$162,500) Niemeyer Bilski All voted "Yes" to approve. Motion carried 7-0.

Prosecutor(\$200) Franklin Repay All voted "Yes" to approve. Motion carried 7-0.

Prosecutor(\$700) Franklin Bilski All voted "Yes" to approve. Motion carried 7-0.

Election & Registration(\$35,000) Franklin Bilski All voted "Yes" to approve. Motion carried 7-0.

Highway(\$500,000) Franklin Repay All voted "Yes" to approve. Motion carried 7-0.

Auditor(\$1,400) Cid Franklin All voted "Yes" to approve. Motion carried 7-0.

In the Matter of Revised 144 for Sheriff, Jail, County Court Div III.

Re: Sheriff – Cid made a motion, seconded by Repay to defer to 10-9-12. All voted "Yes". Motion to defer carried 7-0.

Re: Sheriff – Cid made a motion, seconded by Franklin to approve. All voted "Yes". Motion carried 7-0.

<u>Rev 144 – Fund 333</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
16xxx-001 Project Director	-0-	\$28,000	\$28,000

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

<u>Rev 144 – 262-0550</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39002-001 Supplemental Pay	-0-	\$4,200	\$4,200

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

<u>Rev 144 – 262-1007</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39002-001 Supplemental Pay	-0-	\$23,800	\$23,800

Re: Jail – NO ACTION TAKEN.

Re: County Court Div III – Repay 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>
15527-001 Chief Probation Officer	\$54,011	-0-	-\$54,011
15528-005 Probation Officer	-0-	\$29,268	\$24,743

In the Matter of Ord 1342B – Regarding Vacant Positions for 2012 – Sheriff

001-0500-16402-001 Administrative Assistant – Per Ord#1342B-1, NO ACTION TAKEN.

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

333-050-16xxx-001 Project Director – Per Ord#1352B-1, NO ACTION TAKEN

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

262-0550-39002-001 Supplemental Pay (Effective 8-27-12) – Per Ord 1351B-1, NO ACTION TAKEN.

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

262-1007-39002-001 Supplemental Pay (Effective 8-27-12) Per Ord 1351B-1 – NO ACTION TAKEN.

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

001-0500-16664-002 Warrant Clerk Civil Division – Per Ord 1351B-1 – NO ACTION TAKEN.

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

001-3150-12700-001 Lt. Of Operations – Per Ord 1351B-1 – NO ACTION TAKEN.

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

001-3100-13254-001 Records Coordinator – Per Ord 1351B-1 – NO ACTION TAKEN.

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

- 001-3100-14405-001 Correctional Sergeant
- 001-3100-14404-005 Correctional Officer
- 001-3100-14404-012 Correctional Officer
- 001-3100-14404-043 Correctional Officer
- 001-3100-14404-064 Correctional Officer
- 001-3100-14404-066 Correctional Officer
- 001-3100-14404-074 Correctional Officer
- 001-3100-14404-119 Correctional Officer
- 001-3100-14404-144 Correctional Officer
- 001-3100-12715-001 Crisis Stabilization Tech

Per Ord#1351B-1 – NO ACTION TAKEN.

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

001-3100-14404-131 Correctional Officer – Per Ord#1351B-1 NO ACTION TAKEN.

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

001-3100-14404-159 to 177 Correctional Officers (18 new Positions) – per Ord#1351B-1 – NO ACTION TAKEN.

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

104-0800-16696-005 Support Staff III  
001-0800-16695-006 Support Staff II  
Per Ord#1351B-1 – NO ACTION TAKEN.

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

001-0100-16723-001 Deputy I  
001-0100-16724-011 Deputy II  
Per Ord#1351B-1 – NO ACTION TAKEN.

In the Matter of Ord#1342B – Regarding Vacant Positions for County Court Div III.

001-4050-15528-005 Probation Officer – per Ord#1351B-1 –NO ACTION TAKEN.

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

001-0300-16060-001 Certification/Liquor Clearance – Crown Point – per Ord#1351B-1 – NO ACTION TAKEN.

In the Matter of Resolution Honoring Megan Cantu – Recipient of the National Girl Scout Gold Award.

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

**RESOLUTION NO. 12-85**

**RESOLUTION HONORING MEGAL CANTU  
RECIPIENT OF THE NATIONAL GIRL SCOUT GOLD AWARD**

**WHEREAS,** MEGAN CANTU, a senior at Crown Point High School, with ten continuous Years in Girl Scouts, earned the Girl Scout Bronze Award in 2007 and the Girl Scout Silver Award in 2009; and

**WHEREAS,** MEGAN CANTU also received the American Legion’s Gold Award Girl Scout of The Year Scholarship Achievement Award and she was selected in the 1<sup>st</sup> District, Then recognized as State winner at the Department Convention in Indianapolis; and

**WHEREAS,** one hundred and eighteen high school students recently earned Girl Scouts of the U.S.A.’s most prestigious national honor, the Girl Scout Gold Award; and

**WHEREAS,** MEGAN CANTU received her Girl Scout Gold Award, after completing seven requirements, including a significant community service project.

**NOW, THEREFORE, LET IT BE RESOLVED THAT THE** Lake County Council honors MEGAN CANTU as the recipient of the National Girl Scout Gold Award; 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 MEGAN CANTU.

**DULY ADOPTED** by the Lake County Council, this 11<sup>th</sup> day of September, 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 Proclaiming September as Childhood Cancer Awareness Month.

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

**RESOLUTION NO. 12-86**

**RESOLUTION PROCLAIMING  
SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH**

**WHEREAS,** an estimated 13,500 children are diagnosed with cancer every year in the United

States alone; and

**WHEREAS,** childhood cancer occurs regularly, randomly and spares no ethnic group, Socioeconomic class, or geographic region; and

**WHEREAS,** one-half of all chemotherapies used for children’s cancers are over 25 years old and research and development for new drugs from pharmaceutical companies comprises 60% of funding for adult cancer drugs and close to zero for childhood cancers; and

**WHEREAS,** the National Cancer Institute spends 96% of its budget on adult cancers and only 4% of its budget on children’s cancers; and

**WHEREAS,** In order to help the northwest Indiana Cancer Kids Foundation (NICK) implement county wide activities to create awareness and raise funds, the Lake County Council desires to proclaim September as Childhood Cancer Awareness Month.

**NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:**

That the Lake County Council declares September as Childhood Cancer Awareness Month in Lake County.

**SO RESOLVED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 Approving a Temporary Cash Loan from the Non-Reverting RICO Seizure Fund No. 141 to the Violence Intervention Program (VIP) Fund, No. 333 in the amount of \$6,000.00.

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

**RESOLUTION NO. 12-87**

**RESOLUTION TO APPROVE TEMPORARY LOAN FROM THE RICO SEIZURE FUND, FUND NO. 141 TO THE VIOLENCE INTERVENTION PROGRAM FUND, FUND NO. 333**

**WHEREAS,** I.C. 36-1-8-4(a) provides that the Lake County Council may by resolution Approve temporary loans from one fund in the County to another fund in the County in need of money for cash flow purposes; and

**WHEREAS,** the Violence Intervention Program Fund is in need of Six Thousand (\$6,000.00) Dollars to finance operating expenses of this new grant program until reimbursements from Geminus Corporation are received; and

**WHEREAS,** there is sufficient money on deposit in the Rico Seizure Fund, Fund No 141, to loan Six Thousand (\$6,000.00) Dollars to the Violence Intervention Program Fund.

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

That the Lake County Council approves the loan of Six Thousand (\$6,000.00) Dollars from the Rico Seizure Fund, Fund No. 141 to the Violence Intervention Program Fund, Fund No. 333. that the loan shall bear no interest and shall be repaid to the Rico Seizure Fund, Fund No. 141 on or before December 31, 2012 pursuant to I.C. 36-1-8-4(a)(3).

**SO RESOLVED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2012.**

JEROME A. PRINCE, President

CHRISTINE CID

MICHAEL C. REPAY

DANIEL E. DERNULC  
RICK NIEMEYER

ELSIE FRANKLIN  
TED F. BILSKI

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Sheriff to pay 2008, 2009, 2010, and 2011 Jail invoices with 2012 funds – 001-3100-43120 in the amount of \$32,538.89

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

**RESOLUTION NO. 12-88**

**RESOLUTION PERMITTING LAKE COUNTY SHERIFF  
TO PAY OUTSTANDING 2008,2009,2010 AND 2011  
JAIL INVOICES/DEBTS FROM THE 2012 BUDGET**

**WHEREAS,** the Sheriff's Department of Lake County is currently operating in the 2012 Budget; and

**WHEREAS,** the following invoices/debts were incurred in the Budget years of 2008,2009,2010 and 2011 have not been paid:

<u>001-3100-43120</u>	<u>Medical &amp; Hospital</u>
Cardiovascular Clinics	\$ 1,703.16
Chest Disease Associates	\$ 434.43
Crawford Avenue Anesthesia	\$ 2,200.00
Dalal Medical Group	\$ 379.15
David Gross	\$ 108.00
Dynamic Foot & Ankle	\$ 354.00
H & H Health Specialist	\$ 951.76
Jones Ent. Inc	\$ 112.67
Lake Imaging	\$ 9.94
Methodist Cardiographic	\$ 12.58
Methodist Hospital S/L	\$17,154.03
Nephrology Assocs.	\$ 429.16
Northwest Emergency	\$ 346.83
Northwest Radiology Serv	\$ 122.12
Oral Surgery Group	\$ 1,148.63
Otho Pediatric	\$ 506.40
P.R. Unni Medical	\$ 844.37
Rupesh Shah	\$ 384.98
Sunti Medical Corp	\$ 1,045.27
Surgical Assocs.	\$ 3,534.11
William J. Pierce	<u>\$ 757.30</u>
	\$32,538.89

**WHEREAS,** the Sheriff's Department desires to pay the above jail invoices/debts due.

**NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:**

That the Lake County Sheriff's Department shall pay from its 2012 Budget the following jail invoices/debts incurred in the calendar years 2008, 2009, 2010, and 2011 as follows:

<u>001-3100-43120</u>	<u>Medical &amp; Hospital</u>
Cardiovascular Clinics	\$ 1,703.16
Chest Diseases Associates	\$ 434.43
Crawford Avenue Anesthesia	\$ 2,200.00
Dalal Medical Group	\$ 379.15
David Gross	\$ 108.00
Dynamic Foot & Ankle	\$ 354.00
H & H Health Specialist	\$ 951.76
Jones Ent. Inc	\$ 112.67
Lake Imaging	\$ 9.94
Methodist Cardiographic	\$ 12.58
Methidist Hospital S/L	\$17,154.03
Nephrology Assocs	\$ 429.16
Northwest Emergency	\$ 346.83
Northwest Radiology Sdrv	\$ 122.12
Oral Surgery Group	\$ 1,148.63
Otho Pediatric	\$ 506.40

P.R. Unni Medical	\$ 844.37
Rupesh Shah	\$ 384.98
Sunti Medical Corp	\$ 1,045.27
Surgical Assocs	\$ 3,534.11
William J. Pierce	\$ 757.30
	<u>\$32,538.89</u>

**SO RESOLVED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 Proclaiming September as Hunger Action Month.

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

**RESOLUTION NO. 12-89**

**RESOLUTION PROCLAIMING  
SEPTEMBER AS HUNGER ACTION MONTH**

**WHEREAS,** hunger and poverty are issues of grave concern in Lake County, Indiana and the United States; and

**WHEREAS,** Lake County is committed to take steps to raise awareness about the need to combat hunger in every part of our County and to provide additional resources that citizens of Lake County need; and

**WHEREAS,** Lake County is committed to educating people about the role and importance of food banks in addressing hunger and raising awareness of the need to devote more resources and attention to hunger issues; and

**WHEREAS,** in the most recent Map the Meal Gap Study done by Feeding America there are over 108,000 people in Lake and Porter Counties going hungry at some point during the year; and

**WHEREAS,** food banks across the country, will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community.

**NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:**

That the Lake County Council declares September as Hunger Action Month in Lake County.

**SO RESOLVED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2012.**

JEROME A. PRINCE, President

CHRISTINE CID  
DANILE E. DERNULC  
RICK NIEMEYER

MICHAEL C. REPAY  
ELSIE FRANKLIN  
TED F. BILSKI

Members of the Lake County Council

Cid said that the Commissioners agreed that during the month of September, Northwest Indiana Food Bank will provide receptacles in all of the County buildings, and donations will be appreciated.

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

Dernulc made a motion, seconded by Niemeyer to defer to 10-9-12. All voted "Yes". Motion to defer carried 7-0.

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

NO ACTION TAKEN.

In the Matter of Ordinance Repealing and Rescinding the Ordinance Establishing the Lake County Regional Transportation Authority Ordinance No 1222A and Ordinance Renaming the Regional Transportation Authority as the Lake County Regional Bus Authority Ordinance No 1222A-1.

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

Cid said that she asked that this be placed on the agenda because the RTA has no funding, yet they are continuing to pay a Director who now has no duties, so that is the purpose of this because she doesn't believe someone should be paid when they have no duties.

She said that at the study session, they asked Attorney Szarmach to research this to see if maybe this would handle that, or if it's done by the State.

Attorney Szarmach said that the Transportation Authority is established by Ordinance, by the County Council, and typically any kind of Department can be also abolished by the County Council, for example the City Courts. City Courts are established by the City Council, fiscal body, and they can also be abolished by the City Council, and it's the same here. In fact, in the Statutes, there is a section where a County or Municipality can, opt to withdraw from the Authority, by mere resolution, so it kind of supports the general law that you can abolish the same way you create.

Szarmach wanted to send a copy of the Statute to everyone to look at before they do Second Reading, but with regard to the issue of whether you can abolish it, I would say 100% yes, at this point, unless something else comes up with that, he said, he didn't find anything.

Attorney Szarmach said there is a line in one of the sub-paragraphs about once you abolish it after 2009, you can't bring it back, so he would like to look at it, and have the Council look at it too, and have the Council look at it too.

Niemeyer said he is a representative of the Council on the Board, and he said the Board is still paying personnel, they have laid off almost all of their personnel, except Mr. Brown. They have moved their office to a smaller facility at the Merrillville complex, Town Hall. He just wanted to make the Council aware of what they have done.

Franklin asked what is the purpose of hanging on, when everywhere they've gone, there is no funding to allow them to continue to operate? Franklin said she has looked at one thing, GPTC is an operation that is operating, and this group has not been able to really get anything off the ground but, a half of a program, and most of the monies that have been spent, have been in salaries, not so much as in services, so why not abolish it.

Niemeyer said that he is just trying to give the report, since he is the Council representative on that, but part of the rationale was that there's Grants that are 30-50 days behind. There is still money coming in, there is money that has to be paid out, to honor Contracts, and there are bills to be paid, so the Board' rationale was to try to stay until August, or September to clean all of that stuff up, and look again, at the end of September of renewing Mr. Brown' contract. At this point the Board felt like there is financial stuff that somebody needed to be there at that time.

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

In the Matter of the Lake County Attrition Incentive Ordinance.

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

Cid said that she is asking for First Reading on this because she would like the Council members to read it, and give some input. She said this Ordinance, what it does, if there is a department that has a vacancy, they can eliminate that vacancy, 50% right now, according to the way it's written, 50% can go back to the general fund, and 50% the officials can use to increase salaries at different wages, for example, the lowest person, \$21,000 - \$31,000 would receive the higher increase. The highest salary of course would receive the lowest increase, so she would like the Council to review this because she would like to implement this at the next meeting.

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

In the Matter of Ordinance Repealing and Rescinding the Ordinance Regarding Vacant Positions for 2012, Ordinance No. 1342B.

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

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

Repay 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 1342B-1**

**AMENDMENT TO ORDINANCE NO. 1342B,  
REPEALING AND RESCINDING  
THE ORDINANCE REGARDING VACANT  
POSITIONS FOR 2012, ORDINANCE NO. 1342B**

**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. 36-2-5-15 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,** on December 13, 2011, the Lake County Council adopted Ordinance No. 1342B, the Ordinance Regarding Vacant Positions for 2012; and

**WHEREAS,** the Lake County Council now desires to rescind and repeal Ordinance No. 1342B.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

That the Lake County Ordinance Regarding Vacant Positions for 2012, Ordinance No. 1342B, is hereby rescinded and repealed.

**SO ORDAINED** THIS 11<sup>th</sup> day of September, 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 Regarding the Payment of County Benefits to an Employee Vacating a County Position.

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

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

Repay 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. 1352A**

**ORDINANCE REGARDING THE PAYMENT OF COUNTY  
BENEFITS TO AN EMPLOYEE VACATING A COUNTY POSITION**

**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. 36-2-5-15 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,** throughout the budget year County employees vacate County positions; and after termination of employment certain benefits and withholding (benefits) including but not limited to wages, vacation pay, federal, state and county withholding, etc. based on employment with the County, are due and owing; and

**WHEREAS,** the Lake County Council desires that all Lake County offices and departments are restricted

from hiring an employee to fill the vacancy until the benefit and Various withholding due are paid in full.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

1. That throughout the budget year County employees vacate County positions; and after termination of employment certain Benefits and withholding (benefits), including but not limited to Wages, vacation pay, federal, state and county withholding, etc. based On the employment with the County are due and owing.
2. That all Lake County offices and departments are restricted from hiring an employee to fill the vacancy until the benefits due the employee vacating the position, and due various entities, are paid in full.
3. That the Lake County Payroll Department/Lake County Data Processing shall notify the respective Lake County office And/or department when the benefits due to the employee Vacating the position are paid in full.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 a Lake County Multi-Agency Task Force Fund Ordinance, Fund No. 182; for the Lake County Sheriff

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. 1352B  
LAKE COUNTY MULTI-AGENCY TASK FORCE FUND,  
FUND NO 182, 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 Council desires to create the Lake County Multi-Agency Task Force Fund, Fund No. 182 for the deposit of funds received from the Indiana Criminal Justice Institute's Edward Byrne Memorial Justice Assistance Grant and to be used for the purpose of operating expenses of the Lake County Drug Task Force.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

1. That the Lake County Council now establishes the Lake County Multi-Agency Task Force Fund, Fund No. 182, a non-reverting fund,

established for the deposit of funds received from the Indiana Criminal Justice Institute's Edward Byrne Memorial Justice Assistance Grant and to be used for the purpose of operating expenses of the Lake County Drug Task Force.

- 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 Lake County Multi-Agency Task Force Fund, Fund No. 182, subject to appropriation by the Lake County Council, or as otherwise provided by law.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 Map Generation Fee for the Lake County Board of Elections and Registration Ordinance, Ordinance No. 1241B.

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

**ORDINANCE NO. 1241B-3**

**ORDINANCE AMENDING THE MAP GENERATION FEE  
FOR THE LAKE COUNTY BOARD OF ELECTIONS  
AND REGISTRATION ORDINANCE, ORDINANCE NO. 1241B**

**WHEREAS,** on July 8, 2003, the Lake County Council adopted the Ordinance Establishing An Electronic Map Generation Fee for the Lake County Board of Elections and Registration, Ordinance No. 1241B; 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:**

FEE SCHEDULE

Copies	.10 per page
Campaign Finance Manuel	\$10.00
Candidates Guide	\$ 5.00
Public Officials Directory	\$ 5.00
Poll Books	\$ 6.00 per precinct
Mailing Labels/Excel format only	\$ .50 per precinct plus \$1.00 per CD
Walking List/PDF format only	\$ .50 per precinct plus \$1.00 per CD

**INSERT:**

FEE SCHEDULE

Copies	.10 per page
Campaign Finance Manuel	\$10.00
Candidates Guide	\$ 5.00
Public Officials Directory	\$ 5.00
Poll Books	\$ 6.00 per precinct
Mailing Labels/Excel format only	\$25.00
Walking List/PDF format only	\$ .50 per precinct plus \$1.00 per CD with a maximum charge of \$100.00

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 for the Lake County Sheriff.

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. 1342D-5**

**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.

- 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
  - d. Corrections Qualified Mental Health Professional (OMHP) 24.00/hr
  - e. Corrections Qualified Mental Health Professional Candidate (QMHP-C) 17.00/hr
  - e. Corrections Qualified Mental Health Staff (QMHS) 10.50/hr.

**INSERT:**

Section III.

- 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

d.	Corrections Qualified Mental Health Professional (QMHP)	24.00/hr.
e.	Corrections Qualified Mental Health Professional Candidate (QMHP-C)	17.00/hr.
f.	Corrections Qualified Mental Health Staff (QMHS)	10.50/hr.
g.	Clerks	10.00/hr
h.	Maintenance	10.00/hr.

**SO ORDAINED** THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 Pre-Trial Diversion Fund, Fund No 135, a Non-Reverting Fund for the Lake County Prosecutor.

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

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

Franklin 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. 1352C**

**ORDINANCE ESTABLISHING THE  
PRE-TRIAL DIVERSION FUND,  
FUND NO. 135. 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 Council pursuant to I.C. 33-37-8-7 desires to create a Pre-Trial Diversion Fund, Fund No. 135 for the deposit of funds collected pursuant to I.C. 33-37-4-2 be used for the purposes as set forth in I.C. 33-37-8-67.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

1. That the Lake County Council now establishes the Pre-Trial Diversion Fund, Fund No. 135, a non-reverting fund, Established for the deposit of funds collected Pursuant to I.C. 33-37-4-1( c ) to be used for the purposes As set forth in I.C. 33-37-8-6.
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 Pre-Trial Diversion Fund, Fund No. 135, subject to appropriation By the Lake County Council, or as otherwise provided by law.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 2012.**

JEROME A. PRINCE, President

CHRISTINE CID  
DANIEL E. DERNULC  
RICK NIEMEYER

MICHAEL C. REPAY  
ELSIE FRANKIN  
TED F. BILSKI

Members of the Lake County Council

In the Matter of Ordinance Establishing the Infraction Deferral Fund, Fund No. 104, a Non-Reverting Fund for the Lake County Prosecutor.

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 Repay to Suspend Rules. All voted "Yes". Motion to Suspend Rules carried 7-0.

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

**ORDINANCE NO. 1352D**

**ORDINANCE ESTABLISHING THE  
INFRACTION DEFERRAL FUND  
FUND NO 104, 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 Council pursuant to I.C. 33-37-8-6 desires to create an Infraction Deferral Fund, Fund No. 104 for the deposit of funds collected pursuant to I.C. 33-37-4-2 to Be used for the purposes set forth in I.C. 33-37-8-6.

**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

1. That the Lake County Council now establishes the Infraction Deferral Fund, Fund No. 104, a non-reverting fund, Established for the deposit of funds collected Pursuant to I.C. 33-37-4-2 to be used for the purposes As set forth in I.C. 33-37-8-6.
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 Infraction Deferral Fund, Fund No. 104, subject to appropriations By the Lake County Council, or as otherwise provided by law.

**SO ORDAINED THIS 11<sup>TH</sup> DAY OF SEPTEMBER, 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 Ordinance # 2376.

Niemeyer made a motion, seconded by Dernulc to approve to amend the Unincorporated Lake County Zoning Ordinance No. II, County of Lake, State of Indiana, more specifically, Section 2.2, Definitions and Section 9.0 Supplementary Regulations to make provisions for Development Plans under Indiana Code 36-7-4-1400, on First Reading. All voted "Yes". Motion carried 7-0.

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

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

**ORDINANCE# 2376  
OF THE COUNTY OF LAKE**

**AN ORDINANCE TO AMEND** the Unincorporated Lake County Zoning Ordinance No. II, County of Lake, State of Indiana, more specifically, Section 2.2, Definitions and Section 9.0 Supplementary Regulations to make provisions for Development Plans under Indiana Code 36-7-4-1400.

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

**INSERT:** Section 2.2 Definitions

Site Development Plan - means the specific plan for the development of real property that requires administrative review and approval by the Commission under the 1400 series of IC 36-7-4 prior to the issuance of a Building & Zoning Permit, includes a site development plan, satisfies the development requirements specified in the zoning ordinance regulating the development, and contains any plan documentation and supporting information required by the zoning ordinance.

ALTA Survey or ALTA/ACSM Survey or Plat of Survey - is a boundary survey prepared to a set of minimum standards that have been jointly prepared and adopted by the American Congress on Surveying and Mapping and the American Land Title Association with the goal of promoting uniformity in survey information. Additionally, an ALTA Survey includes improvements, easements, rights-of-way, and other elements impacting the ownership of land.

**INSERT:** Section 9.0 Supplementary Regulations. Section 9.11

Site Development Plans.

A. Applicability.

Site Development Plans shall be required in all commercial, industrial, and multi-family residential (over 4-units) zoning district classifications. These zoning districts include R5, B-1, B-2, B-3, HS-1, 1-15-2, PO, M-1, M-2, PUD, PIC, and CDD.

In addition, Site Development Plans shall be required for any Variance of Use or Special Exception regardless of the zoning district classification where such Variance of Use or Special Exception involves any non-residential development.

Site Development Plan approval shall be required prior to the issuance of any Building and Zoning Permit.

Site Development Plan Review shall be conducted exclusively by the Commission consistent with the provisions of I.C. 36-7-4-1400.

B. Site Plan Review As Part Of Other Petition

When an application for any use requires approval of a zone change, special exception, variance of use, subdivision, or any planned development; or includes any development, redevelopment; or

other application requiring a public hearing containing an associated site plan, such associated site plan shall not be interpreted in lieu of Site Development Plan review under this Section.

#### C. Application.

A petitioner shall submit an application for Site Development Plan review pursuant to adopted filing deadlines on forms approved by the Commission, signed by the owner of the petitioned property (if the petitioner is someone other than the property owner, a power-of-attorney shall accompany the application), containing a copy of the deed for the property involved, the required filing fee, and any other required supporting information or documentation to the appropriate Planning Staff. Supporting information shall include, but not be limited to the following (the Planning Staff or the Commission may request additional supportive information, which shall be provided by the petitioner):

##### 1. Summary Statement

A summary statement of the characteristics and operation of the development. The statement shall include any written commitments being made or having been required regarding the Site Development Plan.

##### 2. Site Description

A general description of the site and its ownership including:

- a. the name, address, telephone number, and e-mail address of the applicant,
- b. the name, address, telephone number, and e-mail address of any land surveyors, engineers, or other professionals responsible for the Site Plan design,
- c. the name, address, telephone number, and e-mail address of the primary contact individual for the application (it shall be indicated if the primary contact person is the applicant or contracted design professional),
- d. the legal description of the subject property and common address of the site, and
- e. the proposed name of the development (if applicable).

##### 3. Vicinity Map

A vicinity map showing and clearly identifying the subject property and showing all land within 500 feet of the subject property. The location map should identify the current zoning and use of all property within 500 feet of the subject property.

- a. The vicinity map shall also show all property which is contiguous to the subject property that is owned and/or otherwise controlled by the owner or developer of the subject property.
- b. A conceptual drawing describing the future development of all contiguous holdings described in 154.03.05(C)(1) above shall be provided by the applicant upon the request of the Planning Director and/or the body conducting the public hearing. At a minimum the conceptual drawings shall include a description of general driveways and access points, general land uses, general lot arrangements, and general drainage conditions and plans.

##### 4. Property Survey

An ALTA survey prepared by a land surveyor licensed by the State of Indiana, and drawn to a scale of not more than 1 inch = 100 feet, including the following:

- a. the boundary line and dimensions of the subject property;
- b. all structures (specifically indicating any structures recognized as notable, contributing, or outstanding by the Indiana Historic Sites and Structures Inventory, or listed on the National Register of Historic Places and/or Indiana Register of Historic Sites and Structures);
- c. topography interpolated from USGS sources and/or otherwise meeting the requirements of the Planning Director (provided topographic information should tie into horizontal and vertical control points);
- d. significant wooded areas and other isolated trees;
- e. 100-year floodplain and 100-year floodway boundaries and elevations;
- f. public and private streets (including street names), rights-of-way, and easements;
- g. building setback and any build-to lines;
- h. all known drainage areas, tiles, pipes, and structures;
- i. utility services (including water, fire hydrants, sanitary sewers, storm water drainage, and other utilities);

- j. street accesses;
- k. any other paved or otherwise improved areas; and,
- 1. all land within 200 feet of the property lines of the subject property.

#### 5. Site Plan

A site plan, drawn to a scale of not more than 1 inch = 100 feet, and bearing the seal of a professional engineer or land surveyor registered in the State of Indiana clearly showing all proposed aspects of the property and all features relevant to the site development plan, including:

- a. setbacks and buffers;
- b. topography (including elevation contour lines at 2 foot intervals);
- c. structures (including buildings, fences, and walls);
- d. all structure heights, dimensions, and floor areas, materials, and style of improvements;
- e. Building coverage;
- f. Building separation;
- g. areas of outdoor storage;
- h. permanent dumpsters and trash areas;
- i. locations dimensions, and design features (including all curb radii, tapers, and parking space dimensions) of road accesses, interior drives, parking spaces and ramps for the disabled, parking lots, loading docks or areas, sight visibility triangles, interior sidewalks, and vehicle and pedestrian circulation (all public road access shall be subject to any additional requirements of the Lake County Highway Department);
- j. open spaces, recreational spaces, landscaping, and landscaped areas;
- k. locations of public and private utilities;
- l. water meter clean out locations and elevations and top of casting elevations;
- m. sanitary sewer invert elevations;
- n. the location, width, and purpose of all easements;
- o. the use of each structure and the amount of parking allocated for those uses;
- p. public improvements including sidewalks, street trees, and right-of-way dedications; and
- q. locations for temporary uses, such as seasonal sales areas;

#### 6. Landscaping Plan

A landscaping plan drawn by a—an Indiana registered engineer, land surveyor or landscape professional, drawn to a scale of not more than 1 inch = 100 feet, and showing the following:

- a. required and proposed landscaping in buffer yards and street trees;
- b. existing and proposed elevation contour lines at 2 foot intervals (or otherwise meeting the requirements of the Planning Director);
- c. 100-year floodplain and 100-year floodway boundaries and elevations;
- d. existing and proposed public and internal sidewalks and other pedestrian ways,
- e. the size and spacing of the plantings at the time of installation and the species proposed to be used to meet the requirements of this Ordinance; and
- f. all existing trees and vegetation to be preserved, and the driplines for such trees (in which no construction activity shall occur).

#### 7. Sign Plan

A sign plan showing the location, height, method of illumination (if any) and dimension of all permanent signs and indications of appropriate locations, heights, and sizes of any temporary signs.

#### 8. Drainage Plan

A site drainage plan bearing the seal of a professional engineer registered in the State of Indiana including all calculations required by the Planning Director. The drainage plan shall include the following:

- a. all natural streams, regulated drains, and watercourses;
- c. ll marshes, wetlands, and wooded areas;
- d. all drainage area features as described in the drainage calculations; and,
- e. compliance with the Lake County Stormwater Management & Clean Water Regulations Ordinance.

9. Traffic Management Plan that includes:

- a. management of traffic in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community;
- b. that the design and location of any proposed street and roadway access points minimize safety hazards and congestion;
- c. that the capacity of adjacent streets and roads is sufficient to safely and efficiently accept traffic and movements that will be generated by the new development;
- d. that the entrances, streets, and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments;
- e. if requested by the Lake County Highway Department to verify the plan incorporates the above design features in the most favorable way possible, a traffic impact analysis to assess the effects that the proposed development's traffic will have on the transportation network in the community. The study preparer shall be an associate (or higher) member of one or more professional transportation related organizations, particularly the Institute of Transportation Engineers (ITE) or the Transportation Research Board (TRB).

10. Lighting Plan

A site lighting plan, drawn to a scale of not more than 1 inch = 100 feet, showing the type and location of all exterior lighting fixtures.

11. Construction Plan

A site construction plan, drawn to a scale of not more than 1 inch = 100 feet, showing:

- a. proposed erosion and sediment control measures;
- b. the location of any proposed construction trailer and worker parking;
- c. the location, height, and dimensions of any temporary construction-related signage;
- d. any temporary site accesses to be used during construction;
- e. any temporary utility connections; and
- f. the location of any stockpiles of dirt, construction materials, and construction waste dumpsters or storage areas.

12. Consolidation of Plans

The above required plans, including the site, landscaping, sign, traffic management, drainage, lighting, and construction plans may be consolidated into one or more separate drawings depending on the complexity of any project.

Plans shall be created so that they clearly, easily, and readily provide access to all required information. Individual plans shall not contain so much information that they become cluttered and difficult to read. Since this is more of a subjective decision, the Commission shall be the final entity to determine whether the plan(s) need to be redrawn for a better understanding of their content.

D. Fees

Fees for Site Development Plan review shall be two hundred dollars (\$200) plus twenty-five dollars (\$25) per acre or any portion thereof. The maximum fee for Site Development Plan review shall not exceed the cost to convene the Commission combined with the processing fees



Bilski made a motion, seconded by Repay to recess until 1:00P.M.The Council meeting was recessed until 1:00 for a 2013 Budget Workshop.

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

\_\_\_\_\_  
President, Lake County Council

ATTEST:

\_\_\_\_\_  
Peggy Holinga Katona,  
Lake County Auditor