

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, and Rick Niemeyer County Councilpersons, together with Ray Szarmach, County Council Attorney. Councilman Ted Bilski was absent.

In the Matter of Minutes for:

- August 14, 2012 – Regular Meeting
- August 29, 2012 – Budget Workshop
- September 4, 2012 – Budget Workshop
- September 11, 2012 – Regular Meeting
- September 11, 2012 – Budget Workshop
- September 17, 2012 – 1st Reading of 2013 Budget
- September 18, 2012 – Budget Workshop
- September 24, 2012 – Non-Binding Review
- September 25, 2012 – Budget Workshop
- October 4, 2012 – Budget Workshop
- October 9, 2012 – Regular Meeting
- October 9, 2012 – 2nd Reading of 2013 Budget

Dernulc made a motion, seconded by Repay to approve all of the minutes. All voted “Yes”, except Bilski, “absent”. Motion carried 6-yes, 1-absent.

ORDINANCE NO. 1354

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>Surveyor</u> 0600		
44510 Other Capital Outlay(CNL)	\$750,000.00	Defer to 12-11-12
<u>Sheriff</u> 0500		
42210 Petroleum	\$ 10,786.96	\$ 10,786.96
42220 Garage & Motors	\$ 13,763.65	\$ 13,763.65
43240 Telephone	\$ 3,427.42	\$ 3,427.42
43620 Equipment Repair	\$ 3,189.95	\$ 3,189.95
43630 Maintenance & Service	\$ 2,944.44	\$ 2,944.44
<u>Work Release</u> 3150		
42110 Office Supplies	\$ 4,915.98	\$ 4,915.98
42210 Petroleum Products	\$ 1,805.69	\$ 1,805.69
42220 Garage & Motors	\$ 7,549.07	\$ 7,549.07
42240 Household & Inst Supplies	\$ 3,815.87	\$ 3,815.87
43620 Equipment Repair	\$ 1,403.68	\$ 1,403.68
43920 Food & Lodging	\$ 6,414.74	\$ 6,414.74
<u>Jail</u> 3100		
42110 Office Supplies	\$ 2,850.73	\$ 2,850.73
42230 Clothing	\$ 395.85	\$ 395.85
42240 Household & Inst Supplies	\$ 3,078.84	\$ 3,078.84
42250 Health Care & Lab Supplies	\$ 964.48	\$ 964.48
42260 Jail Inmate Clothing Allowance	\$ 5,378.74	\$ 5,378.74
43120 Medical & Hospital Service	\$196,098.28	\$ 196,098.28
43190 Other Professional Service	\$ 48,202.00	\$ 48,202.00
43232 Travel-Meals	\$ 511.66	\$ 511.66
43610 Building & Structures	\$ 25,581.76	\$ 25,581.76
43620 Equipment Repair	\$ 8,936.77	\$ 8,936.77
43630 Maintenance & Service Contr	\$ 42,595.82	\$ 42,595.82
43920 Food & Lodging	\$ 948.70	\$ 948.70

		Appropriation Requested	Appropriated
Gambling Adm Tax Fund 196			
<u>Surveyor</u> 0600			
44510	Other Capital Outlay Cum Cap Dev Fund 651	\$750,000.00	Defer to 12-11-12
<u>Surveyor</u> 0600			
44510	Other Capital Outlay Non-Reverting L.C. Fairgrounds Fund 131	\$750,000.00	Defer to 12-11-12
<u>Fairgrounds</u> 2920			
42410	Other Supplies Coroner Facility Fee Fund 273	\$ 6,000.00	\$ 6,000.00
<u>Coroner</u> 0700			
41190	Part-Time	\$ 13,000.00	\$ 13,000.00
41220	FICA	\$ 500.00	\$ 500.00
DUI Task Force Grant Fund 709			
<u>Sheriff</u> 0500			
41100	Overtime	\$ 1,000.00	\$ 1,000.00
41220	FICA	\$ 500.00	\$ 500.00

TRANSFER OF FUNDS CERTIFICATE

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

		Requested	Approved
<u>Sheriff</u> 0500			
Justice Assistance Grant Fund 262			
From:	262-43190 Other Professional Serv	\$ 1,125.00	
To:	262-41220 FICA	\$ 250.00	\$ 250.00
	262-41230 PERF	\$ 100.00	\$ 100.00
	262-41390 Supplemental Pay	\$ 765.00	\$ 765.00
	262-42410 Other Supplies	\$ 10.00	\$ 10.00
<u>Sheriff</u> 0500			
L.C. Multi-Task Force Fund 182			
From:	182-41100 Overtime	\$11,500.00	
To:	182-41190 Part-Time	\$10,000.00	\$10,000.00
	182-41220 FICA	\$ 1,500.00	\$ 1,500.00
<u>Sheriff</u> 0500			
From:	001-41337 Differential Pay	\$ 9,937.00	
	001-41338 Proficiency/Specialty	\$30,000.00	
	001-41339 Clothing Allowance	\$40,000.00	
	001-42210 Petroleum Products	\$10,200.00	
	001-42410 Other Supplies	\$17,000.00	
	001-43188 Employment Testing	\$16,900.00	
	001-43330 Photo & Blueprinting	\$ 5,500.00	
	001-43630 Maintenance & Serv Contr	\$ 9,800.00	
	001-43670 Other Repairs	\$ 5,000.00	
	001-43910 Dues & Subscriptions	\$ 1,000.00	
	001-43919 Laundry	\$ 2,100.00	
To:	001-41110 Office & Administration	\$ 9,520.00	\$ 9,520.00
	001-41130 Technicians	\$ 417.00	\$ 417.00
	001-41190 Part-Time	\$40,000.00	\$40,000.00
	001-41336 Lateral Pay	\$30,000.00	\$30,000.00
	001-42220 Garage & Motor	\$10,000.00	\$10,000.00
	001-42230 Clothing	\$31,900.00	\$31,900.00
	001-43620 Equipment Repair	\$25,600.00	\$25,600.00
<u>Sheriff</u> 0500			
Non-Reverting Property Seizure Fund 145			
From:	145-43620 Equipment Repair	\$40,194.00	
To:	145-44440 Motor Vehicles	\$38,194.00	\$38,194.00
	145-44490 Other Equipment	\$ 2,000.00	\$ 2,000.00
<u>Sheriff</u> 0500			
Sheriff's Sale Program & Service Fee Fund 289			
From:	289-41337 Differential Pay	\$ 5,700.00	
To:	289-41220 FICA	\$ 5,700.00	\$ 5,700.00
<u>County Court Div II</u> 4040			
SAPS Fund 143			
From:	143-44410 Furniture	\$ 700.00	
To:	143-41260 Workman's Comp Deduction	\$ 700.00	\$ 700.00

	Requested	Approved
<u>Hobart Township Assessor 1500</u>		
2005 Reassessment Fund 237		
From: 237-44420 Office Machines	\$ 700.00	
To: 237-44410 Furniture & Fixtures	\$ 700.00	\$ 700.00
<u>Calumet Township Assessor 1000</u>		
From: 001-41130 Technicians	\$ 8,500.00	
To: 001-41160 Office & Clerical	\$ 3,500.00	\$ 3,500.00
001-41350 Assessor Certification	\$ 3,000.00	\$ 3,000.00
001-42110 Office Supplies	\$ 2,000.00	\$ 2,000.00
<u>Calumet Township Assessor 1000</u>		
2005 Reassessment Fund 237		
From: 237-41220 FICA	\$ 700.00	
237-41230 PERF	\$ 300.00	
To: 237-41351 Assessor Per Diem	\$ 1,000.00	\$ 1,000.00
<u>Surveyor 0600</u>		
From: 001-43630 Maintenance & Service Contr	\$ 881.03	
To: 001-43620 Equipment Repair	\$ 881.03	\$ 881.03
<u>Surveyor 0600</u>		
MS-4 Fund 264		
From: 264-41120 Professionals	\$13,650.00	
To: 264-41130 Technicians	\$10,850.00	\$10,850.00
264-41260 Workman's Comp Deduction	\$ 1,100.00	\$ 1,100.00
264-41390 Supplemental Pay	\$ 1,700.00	\$ 1,700.00
<u>Surveyor 0600</u>		
Surveyor's Corner Perpetuation Fund 167		
From: 167-43231 Travel-Registration	\$ 119.00	
To: 167-41390 Supplemental Pay	\$ 119.00	\$ 119.00
<u>Surveyor 0600</u>		
From: 001-41120 Professional	\$12,000.00	
001-43190 Other Professional Service	\$ 149.00	
001-43231 Travel-Registration	\$ 193.00	
001-43234 Travel-Trans/Other	\$ 243.00	
001-43235 Travel-Mileage	\$ 161.00	
001-43330 Photo Blueprinting	\$ 25.00	
001-43910 Dues & Subscriptions	\$ 30.00	
To: 001-41110 Officials & Administrators	\$12,801.00	\$12,801.00
<u>Public Works 2950</u>		
From: 001-41180 Service/Maintenance	\$ 5,100.00	
001-42230 Clothing	\$ 234.00	
001-42390 Other Rep & Maint Suppl	\$ 645.00	
001-42410 Other Supplies	\$ 850.00	
001-43919 Laundry & Cleaning	\$ 100.00	
To: 001-41170 Skilled Craft Workers	\$ 2,600.00	\$ 2,600.00
001-42210 Petroleum Products	\$ 2,500.00	\$ 2,500.00
001-42310 Equipment Repair Parts	\$ 1,829.00	\$ 1,829.00
<u>Highway</u>		
County Highway Fund 102		
From: 102-5011-41240 County Insurance	\$15,000.00	
102-5013-41170 Skilled Craft Workers	\$35,000.00	
102-5017-41170 Skilled Craft Workers	\$25,000.00	
102-5017-41180 Service/Maintenance	\$ 5,000.00	
To: 102-5011-43190 Other Professional Serv	\$ 1,000.00	\$ 1,000.00
102-5013-41180 Service/Maintenance	\$ 300.00	\$ 300.00
102-5013-42210 Petroleum Products	\$50,000.00	\$50,000.00
102-5013-42220 Garage Products	\$15,000.00	\$15,000.00
102-5013-42410 Other Supplies	\$ 5,100.00	\$ 5,100.00
102-5017-41100 Overtime	\$ 6,000.00	\$ 6,000.00
102-5017-41190 Part-Time	\$ 1,600.00	\$ 1,600.00
102-5017-43510 Utilities	\$ 1,000.00	\$ 1,000.00
<u>Center Township Assessor 1200</u>		
2005 Reassessment Fund 237		
From: 237-41230 PERF	\$ 1,200.00	
To: 237-41260 Workman's Comp Ded	\$ 100.00	\$ 100.00
237-42110 Office Supplies	\$ 1,100.00	\$ 1,100.00
<u>Center Township Assessor 1200</u>		
From: 001-43220 Postage	\$ 300.00	
001-43910 Dues & Subscriptions	\$ 170.62	
001-43955 Official Bonds	\$ 12.00	
001-43995 Other Service	\$ 149.00	
To: 001-42110 Office Supplies	\$ 631.62	\$ 631.62

Criminal Court 4000

From: 001-41140	Protective Services	\$13,000.00	
To: 001-41190	Part-Time	\$13,000.00	\$13,000.00

Circuit Court Clerk 0100

From: 001-41160	Office & Clerical	\$26,990.00	
001-43231	Travel-Registration	\$ 380.00	
001-43232	Travel-Meals	\$ 380.00	
001-43233	Travel-Lodging	\$ 1,108.00	
001-43234	Travel-Trans/Other	\$ 980.00	
001-43235	Travel-Trans/Mileage	\$ 831.00	
001-43630	Maint & Serv Contr	\$ 800.00	
001-43995	Other Services	\$ 1,500.00	
To: 001-41190	Part-Time	\$26,990.00	\$26,990.00
001-42110	Office Supplies	\$ 5,979.00	\$ 5,979.00

Circuit Court Clerk 0100

<u>Website Maintenance Fund 256</u>			
From: 256-42410	Other Supplies	\$ 1,240.00	
To: 256-41220	FICA	\$ 1,190.00	\$ 1,190.00
256-41230	PERF	\$ 50.00	\$ 50.00

Commissioners 2900

From: 001-41250	Unemployment Comp Ded	\$16,500.00	
To: 001-43982	Change of Venue	\$16,500.00	\$16,500.00

Commissioners 2900

From: 001-41250	Unemployment Comp Ded	\$15,000.00	
To: 001-43320	Advertising	\$15,000.00	\$15,000.00

Coroner 0700

From: 001-41150	Paraprofessional	\$20,000.00	
To: 001-41100	Overtime	\$10,000.00	\$10,000.00
001-42390	Other Repair & Maint	\$ 3,000.00	\$ 3,000.00
001-43190	Other Professional Service	\$ 6,000.00	\$ 6,000.00
001-44420	Office Machines(CNL)	\$ 1,000.00	\$ 1,000.00

County Assessor 0900

<u>Reassessment 2005 Fund 237</u>			
From: 237-43145	Legal Services	\$ 4,425.00	
To: 237-41220	FICA	\$ 4,425.00	\$ 4,425.00

LADOS Div II 4042

<u>Div II Fund 218</u>			
From: 218-44420	Office Machines	\$ 8,200.00	
To: 218-44410	Furniture & Fixtures	\$ 8,200.00	\$ 8,200.00

LADOS Div I 4032

<u>Div 1 Fund 217</u>			
From: 217-44420	Office Machines	\$ 8,500.00	
To: 217-44410	Furniture & Fixtures	\$ 8,500.00	\$ 8,500.00

Jail 3100

From: 001-41110	Officials & Administrators	\$ 4,000.00	
001-41120	Professionals	\$40,000.00	
001-41140	Protective Services	\$70,000.00	
001-41180	Service/Maintenance	\$13,000.00	
001-41338	Proficiency/Specialty	\$10,000.00	
001-41339	Clothing Allowance	\$20,000.00	
To: 001-41100	Overtime	\$140,500.00	\$140,500.00
001-41190	Part-Time	\$ 10,000.00	\$ 10,000.00
001-41210	Longevity	\$ 5,000.00	\$ 5,000.00
001-41337	Differential Pay	\$ 1,500.00	\$ 1,500.00

Jail 3100

<u>Misdemeanant County Jail Fund 152</u>			
From: 152-41190	Part-Time	\$ 9,805.00	
To: 152-41100	Overtime	\$ 1,000.00	\$ 1,000.00
152-41220	FICA	\$ 1,000.00	\$ 1,000.00
152-41230	PERF	\$ 3,500.00	\$ 3,500.00
152-41260	Workman's Comp Ded	\$ 1,305.00	\$ 1,305.00
152-41370	Holiday Pay	\$ 3,000.00	\$ 3,000.00

Jail 3100

<u>Gambling Adm Tax Fund 196</u>			
From: 196-43190	Other Professional Service	\$120,000.00	
To: 196-42250	Health Care & Lab Suppl	\$ 90,000.00	\$ 90,000.00
196-44420	Office Machines	\$ 30,000.00	\$ 30,000.00

Work Release 3150

From: 001-41120	Professionals	\$ 700.00	
To: 001-41210	Longevity	\$ 700.00	\$ 700.00

	Requested	Approved
<u>Prosecutor 0800</u>		
From: 001-41160 Office & Clerical	\$ 5,000.00	
001-43220 Postage	\$ 300.00	
001-43232 Travel-Meals	\$ 1,000.00	
001-43234 Travel Trans/Other	\$ 600.00	
001-43620 Equipment Repair	\$ 800.00	
To: 001-41190 Part-Time	\$ 5,000.00	\$ 5,000.00
001-43145 Legal Services	\$ 2,700.00	\$ 2,700.00
<u>Prosecutor 0800</u>		
Infraction Deferral Fund 104		
From: 104-42210 Petroleum Product	\$ 2,300.00	
104-43145 Legal Services	\$ 3,000.00	
104-43231 Travel-Registration	\$ 3,000.00	
104-43233 Travel-Lodging	\$ 3,000.00	
104-43910 Dues & Subscriptions	\$ 700.00	
To: 001-43190 Other Professional Service	\$ 12,000.00	\$ 12,000.00
<u>Prosecutor 0800</u>		
VOCA Fund 280		
From: 280-41220 FICA	\$ 50.00	
To: 280-41260 Workman's Comp Ded	\$ 50.00	\$ 50.00
<u>Prosecutor IV-D 0850</u>		
From: 001-41150 Paraprofessional	\$132,824.46	
To: 001-44420 Office Machines	\$132,824.46	\$ 93,331.75
<u>Weights & Measures 2800</u>		
From: 001-43232 Travel-Meals	\$ 220.00	
To: 001-41210 Longevity	\$ 220.00	\$ 220.00
<u>Treasurer 0300</u>		
From: 001-43620 Equipment Repair	\$ 1,500.00	
To: 001-43910 Dues & Subscriptions	\$ 1,500.00	\$ 1,500.00
<u>Treasurer 0300</u>		
From: 001-41160 Office & Clerical	\$ 180.00	
To: 001-41210 Longevity	\$ 180.00	\$ 180.00
<u>Juvenile Court 4100</u>		
From: 001-43630 Maint & Service Contr	\$17,400.00	
To: 001-41210 Longevity	\$ 1,400.00	\$ 1,400.00
001-41331 Court Reporter Per Diem	\$ 3,500.00	\$ 3,500.00
001-41332 Court Appeal Per Diem	\$12,500.00	\$12,500.00
<u>CASA 4150</u>		
From: 001-41190 Part-Time	\$ 2,000.00	
001-43630 Maint & Serv Contr	\$ 4,000.00	
To: 001-42110 Office Supplies	\$ 2,000.00	\$ 2,000.00
001-43235 Travel-Mileage	\$ 4,000.00	\$ 4,000.00
<u>St. John Township Assessor 1800</u>		
From: 001-42310 Equipment & Repair Parts	\$ 600.00	
001-43240 Telephone	\$ 1,000.00	
001-43510 Utilities	\$ 2,500.00	
001-43630 Maint & Service Contr	\$ 1,500.00	
001-43919 Cleaning	\$ 1,000.00	
To: 001-42110 Office Supplies	\$ 5,600.00	\$ 5,600.00
001-43910 Dues & Subscriptions	\$ 1,000.00	\$ 1,000.00
<u>St. John Township Assessor 1800</u>		
Reassessment 2015 Fund 337		
From: 337-41100 Overtime	\$ 6,800.00	
337-41230 PERF	\$ 1,420.00	
337-41260 Workman's Comp Ded	\$ 600.00	
To: 337-41190 Part-Time	\$ 8,820.00	\$ 8,820.00
<u>St. John Township Assessor 1800</u>		
Sales Disclosure Fund 710		
From: 710-43231 Travel-Registration	\$ 800.00	
710-43232 Travel-Meals	\$ 1,000.00	
710-43233 Travel-Lodging	\$ 2,100.00	
710-43234 Travel-Trans/Other	\$ 700.00	
To: 710-44490 Other Equipment	\$ 4,600.00	\$ 4,600.00
<u>Public Defender 4002</u>		
From: 001-43190 Other Professional Service	\$ 430.00	
001-43620 Equipment Repair	\$ 320.00	
001-43630 Maintenance & Serv Contr	\$ 100.00	
To: 001-41210 Longevity	\$ 320.00	\$ 320.00
001-42110 Office Supplies	\$ 530.00	\$ 530.00

<u>Public Defender 4002</u>		
From: 001-43231	Travel-Registration	\$ 960.00
001-43232	Travel-Meals	\$ 940.00
001-43233	Travel-Lodging	\$ 1,150.00
001-43234	Travel-Trans/Other	\$ 1,400.00
001-43235	Travel-Mileage	\$ 2,000.00
To: 001-41331	Court Reporter Per Diem	\$ 6,450.00
		\$ 6,450.00
<u>Public Defender 4002</u>		
Supplemental Public Defender Fee Fund 405		
From: 405-41190	Part-Time	\$ 250.00
405-43190	Other Professional Serv	\$10,000.00
405-44420	Office Machines	\$ 480.00
To: 405-41260	Workman's Comp Ded	\$ 250.00
405-41331	Court Reporter Per Diem(CNL)	\$10,000.00
405-43235	Travel-Mileage	\$ 480.00
		\$ 480.00
<u>Drainage Board 2600</u>		
From: 001-43740	Motor Vehicle Rental	\$ 530.00
To: 001-41390	Supplemental Pay	\$ 530.00
		\$ 530.00
<u>Plan Commission 2400</u>		
From: 001-41120	Professional	\$ 500.00
To: 001-41210	Longevity	\$ 500.00
		\$ 500.00
<u>Council 3700</u>		
From: 001-43145	Legal Services	\$15,000.00
001-43231	Travel-Registration	\$ 3,000.00
001-43232	Travel-Meals	\$ 1,500.00
001-43233	Travel-Lodging	\$ 5,000.00
001-43234	Travel-Trans/Other	\$ 1,000.00
001-43235	Travel-Mileage	\$ 1,000.00
To: 001-43150	Consulting Fees	\$26,500.00
		\$26,500.00
<u>Coroner 0700</u>		
From: 001-41150	Paraprofessionals	\$20,000.00
To: 001-41100	Overtime	\$10,000.00
001-43190	Other Professional Serv	\$ 6,000.00
001-42390	Other Repair & Maint	\$ 3,000.00
001-44420	Office Machines	\$ 1,000.00
		\$ 1,000.00
<u>Coroner 0700</u>		
From: 001-43130	Toxicology Lab	\$ 5,000.00
To: 001-44410	Furniture & Fixtures(CNL)	\$ 5,000.00
		\$ 5,000.00

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

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

Dated this 13th day of November, 2012.

Adopted this 13th day of November, 2012.

NAY

AYE

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

ATTEST:
Peggy Holinga Katona,
Lake County Auditor

Additional

Made motions seconded

General fund 001
Surveyor(\$750,000)

Dernulc Cid

All voted "Yes" to
Defer to 12-11-12, except
Bilski, "absent". Motion to
defer carried 6-yes,

			1-absent
Sheriff(\$34,112.42)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
Work Release(\$25,905.03)	Dernulc	Cid	All voted "Yes" to approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
Jail(\$335,543.63)	Niemeyer	Dernulc	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
<u>Gambling Adm Tax Fund 196</u> Surveyor(\$750,000)	Dernulc	Cid	All voted "Yes" to defer to 12-11-12, except Bilski, "absent" Motion to defer carried 6-yes, 1-absent.
<u>Cum Cap Dev Fund 651</u> Surveyor(\$750,000)	Dernulc	Cid	All voted "Yes" to defer to 12-11-12, except Bilski, "absent" Motion to defer carried 6-yes, 1-absent.
<u>Non-Reverting L.C. Fairgrounds Fund 131</u> Fairgrounds(\$6,000)	Niemeyer	Repay	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
<u>Coroner's Facility Fee Fund 273</u> Coroner(\$13,500)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
<u>DUI Task Force Grant Fund 709</u> Sheriff(\$1,500)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent
	Transfer		
	Made motion	seconded	
Sheriff(\$1,125)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent
Sheriff(\$11,500)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
Sheriff(\$147,437)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
Sheriff(\$40,194)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
Sheriff(\$5,700)	Cid	Franklin	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
County Court Div II(\$700)	Franklin	Repay	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
Hobart Twp Assessor(\$700)	Repay	Niemeyer	All voted "Yes" to approve, except Bilski, "absent" Motion carried 6-yes, 1-absent.
Calumet Twp Assr(\$8,500)	Repay	Franklin	All voted "Yes", except Bilski, "absent". Motion to Approve carried 6-yes, 1-absent
Calumet Twp Assr(\$1,000)	Repay	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Surveyor(\$881.03)	Dernulc	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Surveyor(\$13,650)	Dernulc	Cid	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Surveyor(\$119)	Dernulc	Franklin	All voted "Yes", except

Surveyor(\$12,801)	Dernulc	Franklin	Bilski, "absent". Motion carried 6-yes, 1-absent. All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Public Works(\$6,929)	Franklin	Dernulc	All voted "Yes", except Bilski, and Prince "absent". Motion carried 5-yes, 2-absent.
Highway(\$80,000)	Franklin	Dernulc	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Center Twp Assr(\$1,200)	Repay	Cid	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Center Twp Assr(\$631.62)	Repay	Cid	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Criminal Court(\$13,000)	Repay	Cid	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Clerk(\$32,969)	Franklin	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Clerk(\$1,240) Website Maint Fund 256	Franklin	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Commissioners(\$16,500)	Franklin	Dernulc	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Commissioners(\$15,000)	Franklin	Cid	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Coroner(\$20,000)	Cid	Dernulc	All voted "Yes" to Approve and create new Line item, except Bilski, "absent". Motion carried 6-yes, 1-absent.
County Assessor(\$4,425)	Repay	Dernulc	All voted "Yes" to Approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
Lados, Div II(\$8,200)	Franklin	Repay	All voted "Yes" to Approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
Lados, Div I(\$8,500)	Franklin	Repay	All voted "Yes" to Approve, except Bilski, "absent". Motion carried 6-yes, 1-absent.
Jail(\$157,000)	Niemeyer	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Jail(\$9,805)	Niemeyer	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Jail(\$120,000)	Niemeyer	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Work Release(\$700)	Dernulc	Niemeyer	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Prosecutor(\$7,700)	Franklin	Cid	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Prosecutor(\$12,000)	Franklin	Dernulc	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Prosecutor(\$50)	Franklin	Dernulc	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.

Prosecutor(\$93,331.75)	Franklin	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Weights & Measures(\$220)	Franklin	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Treasurer(\$1,500)	Franklin	Repay	All voted "Yes", except Bilski, "absent" Cid "abstain". Motion carried 5-yes, 1 absent. and 1-abstention.
Treasurer(\$180)	Franklin	Repay	All voted "Yes", except Bilski, "absent", Cid, "abstain" Motion carried 5yes, 1-absent, 1-abstention.
Juvenile Court(\$17,400)	Franklin	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
CASA(\$6,000)	Cid	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
St. John Twp Assr(\$6,600)	Repay	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
St. John Twp Assr(\$8,820) 2015 Reassessment Fund 337	Repay	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
St. John Twp Assr(\$4,600) Sales Disclosure Fund 710 carried	Repay	Cid	All voted "Yes", except Bilski, "absent". Motion 6-yes, 1-absent.
Public Defender(\$850)	Cid	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Public Defender(\$6,450)	Cid	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Public Defender(\$10,730) Suppl Public Def Fee Fund 405	Cid	Repay	All voted "Yes" to approve & create new line item, Except Bilski, "absent". Motion Carried 6-yes, 1-absent.
Drainage Board(\$530)	Dernulc	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Plan Commission(\$500)	Niemeyer	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Council(\$26,500)	Dernulc	Repay	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Coroner(\$20,000)	Cid	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.
Coroner(\$5,000) (see footnotes)	Cid	Franklin	All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.

Footnotes

Re: Coroner(\$5,000) – Cid made a motion, seconded by Franklin to suspend the rules to add an item to the agenda. All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.

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

In the Matter of Revised 144's for Sheriff, and Juvenile Court.

Re: Sheriff – Cid made a motion, seconded by Dernulc to defer to 12-11-12. All voted "Yes", except Bilski, "absent". Motion to defer carried 6-yes, 1-absent.

Re: Juvenile Court – Franklin made a motion, seconded by Repay to approve. All voted “Yes”, except Bilski, “absent”. Motion carried 6-yes, 1-absent.

<u>Rev. 144 – Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12428-026 Probation Officer	\$42,469	\$29,268	-\$13,201

In the Matter of Councilmanic & Citizen Appointments - Lake County Redevelopment Commission

Repay made a motion, seconded by Franklin to defer.

Terry said this needs to be done in November, so the Commissioners can do theirs in December. They have to have a meeting on the first business day of the new year.

Repay rescinded his motion to defer.

Dernulc nominated Elsie Franklin and John Brezik for re-appointment. Cid seconded Cid made a motion, seconded by Dernulc to close the nomination. Dernulc made a motion, seconded by Cid to re-appoint Elsie Franklin and John Brezik to the Lake County Redevelopment Commission. All voted “Yes”, except Bilski, “absent”. Motion carried 6-yes, 1-absent.

In the Matter of Citizen Appointments – East Chicago Library Board (1).

Cid nominated Damon Carpenter for re-appointment to a 4-year term.

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

Cid made a motion, seconded by Dernulc to re-appoint Damon Carpenter to the East Chicago Library Board. All voted “Yes”, except Bilski, “absent”. Motion to approve carried 6-yes, 1-absent.

In the Matter of Lease Need Approval – Center Township Assessor – 213 South Court St, Crown Point, IN, 46307

Repay made a motion, seconded by Franklin to approve the lease need. All voted “Yes”, except Bilski, “absent”. Motion carried 6-yes, 1-absent.

In the Matter of Approval of Cenifax Management Service Four-Year Contract Extension.

Repay made a motion, seconded by Franklin to approve the Cenifax Management Service Four Year Contract Extension.

Dernulc said that he thinks that they have done a good job, but he would hope that the term would be a 2-year term, but if it's the Council' wishes, that's fine.

Mark said since the contract began in 1984, it has usually been a 3 or 4-year contract. He said they are asking for 4-years because they have many long-germ projects going on, such as E-filing for the County, and they feel that a 4-year extension is warranted under those types of conditions..

Cid asked, for clarification, we are approving the extension, but the Commissioners approve the Contract.

Mark said, by County Ordinance, which goes back to the early 90's, the Data Board has to approve it, and make a recommendation to the Council and the Commissioners, then it comes to the Council for their recommendation to the Commissioner, and the Commissioners have the authority to sign. So the next step is to go to the Commissioners.

Attorney Szarmach added that back in 1981, the Home Rules Statute for Lake County, and St. Joe County. The Statute transferred jurisdiction of County Data Processing to the County Council, but we ended up, it needs the approval of the Council before it goes to Commissioners. We have to approve it here before they get it.

All voted “Yes”, except Dernulc, and Niemeyer, “No”. Bilski was “absent”. Motion to approve carried 4-yes, 2-no, 1-absent.

Dante said we need to pause to see what the financial implications of each one of these Bond Ordinances are. There are financial implications due to the administrative ruling of which now Bond Issues, and their repayment is going to come back against our levy, in terms of the distribution loss, dollar per dollar. So we have to take a look at what we're doing, where the bottom line is going to be affected, and what purpose it's there for. The Jail, we all know about the Jail, there are already commitments there.

And this ruling says, if there is a million dollar a year payment for this \$5 million bucks, for 5 years, your distributions next year, will not be 85%, they will be 84%. They will be down dollar for dollar. There has to be a discussion, and awareness on each one of these, and it really gets complicated on the borrowing.

In the Matter of Public Hearing – Notice to Taxpayers of Additional Appropriation in the amount of \$5,000,000.00 to provide funds to pay improvements to the County Jail, including the incidental expenses necessary to be incurred in connection with the issuance of Bonds.

Prince opened up the Public Hearing.

Wayne Weitbrock, of Lowell asked, “do we have any choice?”

He also asked what interest rate we’re looking at.

Blanchard said around 3%, give or take.

Weitbrock said the whole question is if we can’t afford it now, can we afford it in 2013, 2014,, or 15?

Dante said, the trade off is going to be, how far do we go down on the operating side, and as you can see, Mr. Van Til, and a couple of Councilmen are having a real problem with that Drain money.

Repay said there are some specific things that are going to be addressed with this money. You can’t really afford not to do this for a couple of reasons, obviously, the Department of Justice is requiring it. Also, it’s a literal “mess” that needs to be addressed, and if we don’t address it, we’ll have God knows what coming up different pipes and things in the County

Wayne asked, how can we pay for it, we’re going to have the local option?

Dante said you need to be aware of the risk associated with each and every one of these.

Repay made a motion, seconded by Dernulc to close the public hearing. All voted “Yes”, except Bilski, “absent”. Motion carried 6-yes, 1-absent.

In the Matter of Resolution Proclaiming November as Indiana Working Women’s Month and recognizing Sharon Lesniewski as the Recipient of the Working Woman Award.

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

RESOLUTION NO. 12-102

**RESOLUTION PROCLAIMING
NOVEMBER AS INDIANA WORKING WOMEN’S MONTH
AND RECOGNIZING SHARON LESNIEWSKI AS THE
RECIPIENT OF THE WORKING WOMAN AWARD**

WHEREAS, working women of every race, class and ethnicity have made contributions To the growth and strength of the State of Indiana; and

WHEREAS, working women have played a critical economic, cultural and social role In every sphere of life by constituting a significant portion of the labor Force inside and outside of the home; and

WHEREAS, community leaders, county leaders and all citizens should take steps to Recognize all working women within Lake County and the State of Indiana; and

WHEREAS, SHARON LESNIEWSKI, owner and President of Virtual Payment Solutions, is the Recipient of the Indiana Federation of Business Professional Women, Merrillville-Duneland Chapter’s Working Woman Award which is awarded to a working woman That has gone beyond the scope of her job and promoted women’s issues.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council hereby Proclaims November as Indiana Working Women’s Month and Recognizes SHARON LESNIEWSKI as the recipient of the Indiana Federation of Business Professional Women, Merrillville-Duneland Chapter’s Working Woman Award.

SO RESOLVED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Coroner to pay two 2011 invoices in the amount of \$321.00 – 001-0700-43120 Medical & Hospital Services.

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

RESOLUTION NO. 12-103

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

WHEREAS, the Lake County Coroner's Office is currently operating in the 2012 Budget; and

WHEREAS, the following invoice/debt incurred in the Budget year of 2012, have not been paid:

<u>001-0700-43120</u>	<u>Medical and Hospital</u>
St. Catherine Hospital	\$321.00

WHEREAS, the Coroner desires to 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 Coroner's 2012 Budget:

<u>001-0700-43120</u>	<u>Medical and Hospital</u>
St. Catherine Hospital	\$321.00

SO RESOLVED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Second Resolution to Reduce Certain Funds to Balance the 2013 Budget.

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

RESOLUTION NO. 12-104

**SECOND RESOLUTION TO REDUCE
CERTAIN FUNDS TO BALANCE THE 2013 BUDGET**

WHEREAS, pursuant to I.C. 36-2-5-11, the Lake County Council annually adopts the Budget Ordinance and Salary Ordinance for Lake County, Indiana for the Following year; and

WHEREAS, in order to adopt a balanced budget for Lake County, Indiana, 2013, the Lake County Council desires the following reductions in the respective budgets:

LINE 2 REDUCTIONS:

General Fund – Fund No. 001, Lake County Sheriff Budget #0500	\$ 34,112.42
Various Line Items (42210,42220, 43240, 43620, 43630)	
General Fund - Fund No. 001, Lake County Jail Work Release # 3150	\$ 25,905.03
Various Line Items (42110, 42210, 42220, 43620, 43920)	
General Fund - Fund No. 001, Lake County Sheriff #3100	\$335,543.63
Various Line Items (42110, 42230, 42240, 42250, 42260, 43120, 43190)	

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council in order to balance the County Budget for Lake County for 2013 makes the following Line Two reductions:

General Fund - Fund No. 001, Lake County Sheriff Budget #0500 Various Line Items (42210, 42220,43240,43620, 43630)	\$ 34,112.42
General Fund – Fund No. 001, Lake County Jail Work Release # 3150 Various Line items (42110, 42210, 42220, 43620,43920)	\$ 25,905.03
General Fund – Fund no 001, Lake County Sheriff #3100 Various Line Items (42110, 42230, 42240, 42250, 42260, 43120, 43190)	\$335,543.63

DATED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution Extending the Payment of a Transfer Between Funds (Temporary Loan) Pursuant to I.C. 36-1-8-4(b) (Sheriff's VOCA Grant Fund, Fund No. 280-0500).

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

RESOLUTION NO 12-105

RESOLUTION TO EXTEND THE PAYMENT OF A TRANSFER BETWEEN FUNDS (TEMPORARY LOAN) PURSUANT TO I.C. 36-1-8-4(b) (SHERIFF'S VOCA GRANT FUND, FUND NO. 280-0500)

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

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

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

WHEREAS, on February 14, 2012 by Resolution No. 12-29, the Lake County Council pursuant to I.C. 36-1-8-4(a) approved the following transfers of funds for a period not to exceed December 31, 2012; to-wit:

\$35,612.50 from the Health Insurance Reserve Fund, Fund No. 26514-4 to the VOCA Grant Fund, Fund No. 280-0500; and

WHEREAS, the Lake County Council, the fiscal body of Lake County, finds that this is a reimbursable grant; and reimbursement from the Criminal Justice Institute should be made prior to June 30, 1013; and

WHEREAS, pursuant to I.C. 36-1-8-4(b) the County Council finds that an emergency exists That requires the extension of the prescribed period for six months to June 30, 2013.

NOW, THEREFORE, LET IT BE RESOLVED by the Lake County Council that the repayment date of the temporary loan and transfer approved on February 14, 2012 by Resolution No. 12-29 be extended to June 30, 2013, pursuant to I.C. 36-1-8-4(b) as follows:

\$35,61250 from the Health Insurance Reserve Fund, Fund No. 26514-4 to the VOCA Grant Fund, Fund No. 280-0500.

SO RESOLVED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID

MICHAEL C. REPAY

DANIEL E. DERNULC
RICK NIEMEYER

ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Sheriff to pay 2010 & 2011 Jail invoices with 2012 funds in the amount of \$16,732.96 – 001-3100-43120 Medical & Hospital Services.

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

RESOLUTION NO. 12-106

**RESOLUTION PERMITTING LAKE COUNTY SHERIFF TO PAY
OUTSTANDING 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 2010 and 2011 have not been paid:

<u>001-3100-43120</u>	<u>Medical & Hospital Services</u>
Dr. David Gross	\$ 108.00
IDS	\$ 1,549.81
Infectious Disease	\$ 970.00
Methodist Hospital Southlake	\$12,379.43
Northshore Health Center	\$ 547.18
Pulmonary Specialists	\$ 793.56
Dr. Rupesh Shah	\$ 384.98
	<u>\$16,732.96</u>

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 2010 and 2011 as follows:

<u>001-3100-43120</u>	<u>Medical & Hospital Services</u>
Dr. David Gross	\$ 108.00
IDS	\$ 1,549.81
Infectious Disease	\$ 970.00
Methodist Hospital Southlake	\$12,379.43
Northshore Health Center	\$ 547.18
Pulmonary Specialists	\$ 793.56
Dr. Rupesh Shah	\$ 384.98
	<u>\$16,732.96</u>

SO RESOLVED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Over-riding of Board of Commissioners’ Veto of Ordinance 1353A – The Lake County Attrition Incentive Ordinance.

Cid made a motion, seconded by Franklin to defer to 12-11-12. All voted “Yes”, except Bilski, “absent”. Motion to defer carried 6-yes, 1-absent.

In the Matter of Appropriation Ordinance for General Obligation Bond Series 2012B (\$5,000,000)

Repay made a motion, seconded by Franklin to approve on First Reading. All voted “Yes”, except Dernulc, and Niemeyer, “No”. Bilski was “absent”. Motion to approve on First Reading carried 4-yes, 2-no, 1-absent.

In the Matter of Appropriation Ordinance for General Obligation Bond Series 2012C (\$5,000,000)

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

Dante asked Attorney Szarmach if they could make this conditional to where we have a finite budget and a finite fund. Can we say something like that, that indeed these appropriations have to go and be subject to a fund?

Attorney Szarmach said, your "hammer" there is it takes 2 readings. If you don't want to do the Second Reading for whatever reason, you need to get everything done before the Second Reading.

All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on First Reading carried 4-yes, 2-no, and 1-absent.

In the Matter of Appropriation Ordinance for General Obligation Bond Series 2012D (\$10,000,000)

Repay made a motion, seconded by Franklin to approve on First Reading. All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on First Reading carried 4-yes, 2-no, 1-absent.

In the Matter of Ordinance Establishing Eligibility for Health Benefits Effective April 1, 2013. – Second Reading.

Dernulc made a motion, seconded by Niemeyer to approve on Second Reading.

Cid asked if this could be amended, or does it make sense to amend it to read that any new hires as of today, that they receive no insurance? She asked, if one of these positions became vacant, the new person that goes in there now, would receive the insurance?

She was asked, you mean between now and April 1st, yes, they would..

Attorney Szarmach said that you always needed 35 hours to work, to get the insurance, from the original ordinance back 20 years ago.

Attorney Szarmach said you can come back with an amendment in December.

Prince asked Attorney Szarmach if he had any suggested language that he could insert to satisfy everybody?

Attorney Szarmach said the Effective date for presently employed would be April 1, 2013. The effective date for new hires is today. Number 4 would change the effective date for current employees would be April 1, 2013, and the effective date for new hires is today, November 13, 2012. That replaces the old number 4.

All voted "Yes", except Bilski, "absent". Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1354A**ORDINANCE ESTABLISHING ELIGIBILITY FOR
HEALTH BENEFITS EFFECTIVE APRIL 1, 2013**

WHEREAS, pursuant to I.C. 5-10-8-2.2 and I.C. 5-10-8-2.6 Lake County as a local unit of Government may provide for group health insurance for its public safety Employees and other employees; and

WHEREAS, Lake County through the adoption of an ordinance and its Lake County Employee Handbook has defined eligibility for these services; and

WHEREAS, Lake County has several definitions for eligibility for full-time employees; and

WHEREAS, these definitions must be clarified in order to establish who shall be eligible for Health benefits.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That Lake County has the following types of full-time employees as this term relates to eligibility for health care benefits:
 - A. A **regular full-time employee** is an employee who has completed his or her orientation period and who works on

average at least 35 hours or more per week.

1. The overwhelming majority of the full-time employees who work for Lake County, Indiana fall within this classification.
- B. A **regular part-time employee** is an employee who may be paid out Of a regular full-time employee position but who in fact does not work At least 35 hours or more per week.
 1. These are employees who clearly work less than 35 hours per Week but for budget purposes are placed in job classifications Where the salary is based upon working 35 hours per week.
- C. A **statutory full-time employee** is an employee who is paid out of a Regular full-time employee position, who in fact may not work at Least 35 hours per week, but who receives benefits by virtue of Statute, reimbursement agreement with the State or Federal Government, or is an elected or appointed official or judge pursuant to The Indiana Constitution, or statute.
 1. These are employees who may work less than 35 hours per week but for budget purposes are placed in job classifications where the salary is based upon working 35 hours per week but for whom health benefits must be provided by statute or reimbursement funding agreements with the State of Indiana or the Federal government. This includes County elected or appointed officials or judges in a position created by the Indiana Constitution, or State statute.
 2. That for purposes of health care benefits, a **regular full-time Employee** and a **statutory full-time employee** are eligible for health care benefits.
 3. That a **regular part-time employee** is not eligible for health care benefits.
 4. That effective April 1, 2013, the Lake County plan for providing health benefits will not include benefits for regular part-time employees currently employed. The effective date for new employees hired after November 13, 2012 is the date of adoption, November 13, 2012.
 5. That this ordinance and its provisions supersedes any other prior ordinance enacted by the Lake County Council dealing with eligibility for health care benefits.

SO ORDAINED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Amending Lake County Self Insurance Ordinance, Ord No 992C-3

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

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

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

ORDINANCE NO. 992C-40

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

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

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

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

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

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

D. Cost Center Contributions for Health Care.

DELETE:

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

INSERT:

- 1. Effective January 1, 2013, costs center contributions for health care are hereby established at \$685.00 per pay period for each full-time position, single or family, effective date January 1, 2013.
- 2. That the \$685.00 per pay period contribution shall be made by all offices, departments and agencies that have full-time employees.

SO ORDAINED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Ordinance Concerning Holiday Schedule for the Calendar Year of 2013.

Cid made a motion, seconded by Franklin to approve on First Reading, with an amendment to include President’s Day, February 18, 2013. All voted “Yes”, except Bilski, “absent”. Motion to approve on First Reading carried 6-yes, 1-absent.

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

Cid made a motion, seconded by Repay to approve, with the amendment on Second Reading. All voted “Yes”, except Bilski, “absent”. Motion to approve on Second Reading carried 6-yes, 1-absent.

ORDINANCE NO. 1354B

**ORDINANCE CONCERNING HOLIDAY
SCHEDULE FOR THE CALENDAR YEAR OF 2013**

WHEREAS, the Lake County Council pursuant to I.C. 5-10-6-1(b) has authority to establish Legal holidays for employees of Lake County, Indiana, and

WHEREAS, the Lake County Council wishes to establish legal holidays for employees of Lake County.

NOW, THEREFORE, LET IT BE RESOLVED by the Lake County Council that the following Holidays are established for the employees of Lake County, Indiana:

New Year’s Day	January 1 st	Tuesday closed
Martin Luther King, Jr.	January 21 st	Monday closed
President’s Day	February 18 th	Monday closed
Good Friday	March 29 th	Friday closed
Memorial Day	May 27 th	Monday closed
Independence Day	July 4 th	Thursday closed
Labor Day	September 2 nd	Monday closed

Columbus Day	October 14 th	Monday closed
Veterans Day	November 11 th	Monday closed
Thanksgiving Day	November 28 th	Thursday closed
	November 29 th	Friday closed
Christmas Eve	December 24 th	Tuesday closed
Christmas Day	December 25 th	Wednesday closed
New Year's Eve	December 31 st	Tuesday closed
New Year's Day	January 1 st (2014)	Wednesday closed

SO ORDAINED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

In the Matter of Rescinding & Repealing Ordinance 1353B, Adopted on October 9, 2012, the Ordinance Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring Funds to Pay the Cost of Improvements to the County Jail, Together with the Incidental Expenses in Connection therewith and on Account of the Issuance of the Bonds therefore and Appropriating the Proceeds of the Bonds to such Purpose.

Repay made a motion, seconded by Cid to approve on First Reading. All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on First Reading carried 4-yes, 2-no, and 1-absent.

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

Repay made a motion, seconded by Cid to approve on Second Reading. All voted "Yes", Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on Second Reading carried 4-yes, 2-no, 1-absent.

ORDINANCE NO. 1354C

**ORDINANCE TO RESCIND AND REPEAL ORDINANCE NO. 1353B,
ADOPTED ON OCTOBER 9, 2012, THE ORDINANCE AUTHORIZING THE
ISSUANCE AND SALE OF BONDS OF THE COUNTY FOR THE
PURPOSE OF PROCURING FUNDS TO PAY THE COST OF
IMPROVEMENTS TO THE COUNTY JAIL, TOGETHER WITH THE
INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON
ACCOUNT OF THE ISSUANCE OF THE BONDS THEREFORE AND
APPROPRIATING THE PROCEEDS OF THE BONDS TO SUCH PURPOSE**

WHEREAS, the County of Lake, Indiana (County) is authorized by I.C. 36-2-6-18 and all Laws amendatory thereof and supplemental thereto to issue bonds to procure Money to be used in the exercise of the powers of the County; and

WHEREAS, on October 9, 2012, the Lake County Council adopted Ordinance No. 1353B, The Lake County Ordinance Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring funds to Pay the Cost of Improvements to the County Jail, together with the Incidental Expenses in Connection therewith and on Account of the Issuance of the Bonds therefore and Appropriating the Proceeds of the Bonds to such Purpose; and

WHEREAS, the County Council now determines that it is necessary and proper to rescind and repeal Ordinance No. 1353B.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That Ordinance No. 1353B, adopted on October 9, 2012, the Ordinance Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring funds to Pay the Cost of Improvements to the County Jail, together with the Incidental Expenses in Connection therewith and on Account of the Issuance of the Bonds therefore and Appropriating the Proceeds of the Bonds to such purpose is hereby rescinded and repealed.

SO ORDAINED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
ELSIE FRANKLIN

MICHAEL C. REPAY

Members of the Lake County Council

In the Matter of An Ordinance of the County Council of the County of Lake, Indiana, Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring Funds to Pay the Cost of Improvements to the County Jail, Together with the Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds therefore and Appropriating the Proceeds of the Bonds to Such Purpose.

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

Cid asked what is the difference between the Ordinance that was repealed, and this one?

Blanchard answered, the deadline to pay it off has been extended from July 1, 2018, to January 15, 2020. They will be using the proceeds from 2018 Debt Service to pay it off January 15, 2020.

All voted "Yes", except Dernulc, and Niemeyer "No". Bilski was "absent". Motion to approve on First Reading carried 4-yes, 2-no, 1-absent.

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

Repay made a motion, seconded by Franklin to approve on Second Reading. All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on Second Reading carried 4-yes, 2-no, and 1-absent.

ORDINANCE NO. 1354D

AN ORDINANCE OF THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, AUTHORIZING THE ISSUANCE AND SALE OF BONDS OF THE COUNTY FOR THE PURPOSE OF PROCURING FUNDS TO PAY THE COST OF IMPROVEMENTS TO THE COUNTY JAIL, TOGETHER WITH THE INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS THEREFORE AND APPROPRIATING THE PROCEEDS OF THE BONDS TO SUCH PURPOSE

WHEREAS, the County of Lake, Indiana (the "County"), is authorized by INDIANA CODE 36- 2-6-18 and all laws amendatory thereof and supplemental thereto to issue bonds to procure moneys to be used in the exercise of the powers of the County; and

WHEREAS, on September 19, 2012, the Board of Commissioners of Lake County (the "Commissioners") made a preliminary determination to issue bonds for the construction of improvements to the County Jail, and published notice of the preliminary determination on October 1, 2012 in *The Times and Post-Tribune*; and

WHEREAS, the County Council of the County (the "Council") now determines that it is necessary and a proper exercise of the powers of the County to provide funds for the cost of improvements to the County Jail, and incidental expenses in connection therewith in accordance with plans now on file with the County (the "Project"); and

WHEREAS, the Council has determined that the estimated cost of the Project plus capitalized interest, if any, and the incidental expenses necessary to be incurred in connection with the Project and with the issuance of the bonds to finance the Project will be in an amount not to exceed Five Million Dollars (\$5,000,000); and

WHEREAS, the Council finds that there are not sufficient funds available or provided for in existing tax levies with which to pay the total cost of said Project and that it is necessary to authorize the issuance of bonds in an amount not to exceed Five Million Dollars (\$5,000,000) for the purpose of providing funds to be applied to the Project, and that the bonds in such amount should now be authorized;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, THAT:

Section 1. Determination to Proceed; Authorization and Details of Bonds.

(a) The County shall proceed to undertake the Project.

(b) In order to procure funds with which to pay the costs of the Project, including capitalized interest on the bonds, if any, and the costs of issuance of the bonds on account of the Project, the Auditor is authorized and directed to have prepared and to issue and sell the bonds of the County, to be designated as "General Obligation Bonds, Series 2012B," in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) (the "Bonds").

(c) The Bonds shall be sold at a price of not less than 99.25% of the par value thereof, and issued in fully registered form in denominations of \$5,000 or integral multiples thereof, numbered consecutively from 1 upward, dated as of the issue date and shall bear interest at a rate or rates not to exceed four percent (4%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on January 15 and July 15 of each year, commencing on July 15, 2013. Interest on the Bonds shall be calculated according to a 360-day year containing twelve 30-day months. The Bonds shall mature semiannually, or shall be subject to mandatory sinking fund redemption if term bonds are issued, on January 15 and July 15 of each year with a final maturity no later than January 15, 2020, and in such amounts as determined by an Order of the Board of Commissioners of the County (the "Board"). Following the sale of the Bonds, the Board is hereby

authorized and directed to negotiate with the successful purchaser to modify the amortization

schedule based upon the rates bid so as to comply with the level debt service requirements contained in Indiana law.

All or a portion of the Bonds may be issued as one or more term bonds, upon election of the successful bidder. Such term bonds shall have a stated maturity or maturities as determined by the successful bidder or by negotiation with the purchaser, but in no event later than the last serial date of the Bonds as determined in accordance with the above paragraph. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on dates and in the amounts hereinafter determined by the Board.

(d) The Board and the Auditor are authorized and directed to appoint a qualified banking institution to serve as Registrar and Paying Agent (the "Registrar" or "Paying Agent") for the Bonds, which shall be charged with the responsibility of authenticating the Bonds. The Auditor is hereby authorized to enter into such agreements or understandings with such bank as will enable the bank to perform the services required of a Registrar and Paying Agent. The Auditor is further authorized to pay such fees as the bank may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the bond fund established to pay the principal of and interest on the Bonds. Upon agreement between the County and the successful bidder for the Bonds, the Auditor may be designated as the Registrar and Paying Agent, and, in that case, shall be charged with all responsibilities of a Registrar and Paying Agent.

(e) The principal of the Bonds shall be payable at the principal corporate trust office of the Paying Agent. Interest on the Bonds shall be paid by check mailed by first class mail one business day prior to the interest payment date to the registered owner, as of the fifteenth day immediately preceding the interest payment date (the "Record Date"), to the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any

lawful money of the United States of America, which on the date of such payment shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the County kept for that purpose at the corporate trust office of the Registrar by the registered owner or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The County and the Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(g) The Bonds shall bear an original date which shall be their issue date, and each Bond shall also bear the date of its authentication. Bonds authenticated on or before the Record Date immediately preceding the first interest payment date shall be paid interest from the original date. Bonds authenticated thereafter shall be paid interest from the interest payment date to which interest has been paid next preceding the date of authentication of such Bonds unless the Bonds are authenticated after the Record Date and on or before the corresponding interest payment date, in which case interest thereon shall be paid from such interest payment date. If at the time of authentication of any Bond interest is in default thereon, that Bond shall bear interest from the date to which interest has been paid in full.

(h) The Bonds shall be signed in the name of the County by the manual or facsimile signature of the Board, and the seal of the County shall be affixed, imprinted, engraved or otherwise reproduced thereon and attested by the manual or facsimile signature of the Auditor. The Bonds shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon shall have been so executed. Subject to registration provisions, the Bonds shall be negotiable under the laws of the State of Indiana.

(i) The County has determined that it may be beneficial to the County to have the Bonds held by a central depository system pursuant to an agreement between the County and The Depository Trust Company, New York, New York (the "Depository Trust Company") and have transfers of the Bonds effected by book-entry on the

books of the central depository system (the "Book Entry System"). The Bonds may be initially issued in the form of a single authenticated fully registered Bond for the aggregate principal amount of the Bonds. In such case, upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the County and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds including any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the County to make payments of the principal of and interest on the Bonds pursuant to this ordinance. The County and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption and other notices permitted to be given to bondholders with respect to such Bonds; (iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the County's and the Paying Agent's obligations with respect to principal of and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the County of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of CEDE &

CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the County to the Depository Trust Company.

Upon receipt by the County of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the County kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bondholders transferring or exchanging the Bonds shall designate, in accordance with the provisions of this ordinance.

If the County determines that it is in the best interest of the bondholders that they be able to obtain certificates for the fully registered Bonds, the County may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Bonds. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the County and the Registrar to do so, the Registrar and the County will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause the Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the County indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to bondholders by the County or the Registrar with respect to any consent or other action to be taken by bondholders, the County or the Registrar, as the case may be, shall establish a record date for such consent or other

action and give the Depository Trust Company notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

So long as the Bonds are registered in the name of the Depository Trust Company or CEDE & CO. or any substitute nominee, the County and the Registrar and Paying Agent shall be entitled to request and to rely upon a certificate or other written representation from the Beneficial Owners of the Bonds or from the Depository Trust Company on behalf of such Beneficial Owners stating the amount of their respective beneficial ownership interests in the Bonds and setting forth the consent, advice, direction, demand or vote of the Beneficial Owners as of a record date selected by the Registrar and the Depository Trust Company, to the same extent as if such consent, advice, direction, demand or vote were made by the bondholders for purposes of this ordinance and the County and the Registrar and Paying Agent shall for such purposes treat the Beneficial Owners as the bondholders. Along with any such certificate or representation, the Registrar may request the Depository Trust Company to deliver, or cause to be delivered, to the Registrar a list of all Beneficial Owners of the Bonds, together with the dollar amount of each Beneficial Owner's interest in the Bonds and the current addresses of such Beneficial Owners.

Section 2. Redemption of Bonds. The Bonds are not subject to optional redemption prior to maturity.

If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the County, any Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date as stated above.

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate Bond for purposes of redemption. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar.

Notice of redemption shall be mailed to the address of the registered owner as shown on the registration records of the Registrar, as of the date which is forty-five (45) days prior to the date fixed for redemption, not less than thirty (30) days prior to such redemption date, unless notice is waived by the owner of the Bond or Bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the County. Interest on the Bonds so called for redemption shall cease and the Bonds will no longer be deemed outstanding under this ordinance on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price, including accrued interest to the redemption date, on the date so named. Failure to give such notice by mailing, or any defect in such notice, with respect to any Bond shall not affect the validity of any proceedings for redemption of other Bonds.

If the Bonds are not presented for payment or redemption on the date fixed therefor, the County may deposit in trust with the Paying Agent an amount sufficient to pay such Bond or the redemption price, as the case may be, including accrued interest to the date of such payment or redemption, and thereafter the registered owner shall look only to the funds so deposited in trust with the Paying Agent for payment, and the County shall have no further obligation or liability in respect thereto.

Section 3. Sale of Bonds. (a) Prior to the sale of the Bonds, the Auditor shall cause to be published a notice of such sale two (2) times at least one (1) week apart in *The Post-Tribune* and *The Times* or *Crown Point Star*, newspapers published and having general circulation in the County, with the first publication occurring at least fifteen (15) days prior to the sale date and the second publication occurring at least three (3) days prior to the sale date in accordance with INDIANA CODE 5-1-11 and INDIANA CODE 5-3-1. A notice or summary notice of sale may be published in the *Court & Commercial Record* or *The Bond Buyer*, financial journals published in the City of Indianapolis and in the City and State of New York, respectively, at the discretion of the Auditor. In the alternative, the Auditor may cause to be published a notice of intent to sell bonds two (2) times one week apart in *The Post-Tribune* and *The Times* or *Crown Point Star* and *The Court & Commercial Record*. The Council hereby authorizes and approves the publication of such notices which state the purpose for which the Bonds are being issued, the total amount of the Bonds, the maximum rate of interest on the Bonds, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the Auditor, upon advice of counsel deems necessary. The notice shall provide, among other things, that the successful bidder shall be required to submit to the County a certified or cashier's check (or wire transfer such amount as instructed by

the County) not later than 3:30 p.m. (local time) on the next business day following the award. If the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for delivery, or at the time fixed in the notice of sale, then the check and the proceeds thereof shall become the property of the County and shall be considered as its liquidated damages on account of such default.

All bids for the Bonds shall be sealed and shall be presented to the Auditor at her office, and the Auditor shall continue to receive all bids offered until the hour on the day fixed in the notice, at which time and place she shall open and consider the bids. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding four percent (4%) per annum or such lower maximum rate set forth in the notice, and such interest rate or rates shall be in multiples of one-eighth ($1/8$) or one-twentieth ($1/20$) of one percent (1%). The rate bid on any maturity shall be equal to or greater than the rate bid on the immediately preceding maturity. The Auditor shall award the Bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the County, computing the total interest on all of the Bonds to the maturities and adding thereto the discount bid, if any, and deducting therefrom the premium bid, if any. The Auditor shall have full right to reject any and all bids. If no acceptable bid is received at the time fixed in the notice for sale of the Bonds, the Auditor shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising, but during such continuation. no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for such sale in the notice. No conditional bid or bid for less than all of the Bonds will be considered.

Prior to the delivery of the Bonds, the Auditor shall obtain a legal opinion as to the validity of the Bonds from Shanahan & Shanahan LLP, bond counsel, and shall furnish this opinion to the purchaser of the Bonds. The cost of this opinion, the services of the County's Attorney, the services of the Council's Attorney and the services of the County's financial advisor shall be considered as part of the costs incidental to these proceedings and may be paid out of proceeds of the Bonds.

(b) Distribution of an Official Statement (preliminary and final) for the bonds prepared by the County's financial advisor, on behalf of the County, is hereby authorized and approved and the Board or the Auditor are authorized and directed to execute the Official Statement on behalf of the County in a form consistent with this ordinance. The Board or the Auditor is hereby authorized to designate the Official Statement as

nearly final for purposes of Rule 15c2-12, as amended, promulgated by the Securities and Exchange Commission.

(c) If the County's financial advisor certifies to the County that it would be economically advantageous for the County to obtain a municipal bond insurance policy for the Bonds, the County hereby authorizes and directs the Board and the Auditor to obtain such an insurance policy. The acquisition of a municipal bond insurance policy is hereby deemed economically advantageous if the difference between the present value cost of (a) the total debt service on the Bonds if issued without municipal bond insurance and (b) the total debt service on the Bonds if issued with municipal bond insurance, is greater than the cost of the premium on the municipal bond insurance policy.

Section 4. Preparation of Bonds. The Auditor is hereby authorized and directed to have the Bonds prepared, and the Board and the Auditor are hereby authorized and directed to execute the Bonds in the form and manner provided in this ordinance.

Section 5. Form of the Bonds. The form and tenor of the Bonds shall be substantially as follows (all blanks to be properly completed prior to the preparation of the Bonds):

UNITED STATES OF AMERICA
STATE OF INDIANA
LAKE COUNTY

No. R-

\$ _____

GENERAL OBLIGATION BOND, SERIES 2012B

			Authentication	
<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Date</u>	<u>Date</u>	<u>CUSIP</u>
%				

REGISTERED OWNER: PRINCIPAL

AMOUNT:

Lake County, Indiana (the "County"), for value received hereby acknowledges itself indebted and promises to pay, to the Registered Owner (named above) or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, and to pay interest on such Principal Amount to the registered owner of this Bond (as defined below) until the County's obligation with respect to the payment of such Principal Amount shall be discharged, at the rate per annum specified above from the interest payment date immediately preceding the date of authentication of this Bond unless this Bond is authenticated on or before June 30, 2013, in which case interest shall be paid from the Original Date, or unless this Bond is authenticated between the fifteenth day of the month preceding an interest payment date and the interest payment date, in which case interest shall be paid from such interest payment date. Interest shall be payable on January 15 and July 15 of each year, commencing July 15, 2013. Interest shall be calculated on the basis of twelve 30-day months for a 360-day year.

The principal on this Bond is payable in lawful money of the United States of America upon presentation of this Bond at the principal corporate trust office of _____, as Registrar and Paying Agent (the "Registrar" or

"Paying Agent"), in the City of _____ or at the principal corporate trust office of any successor paying agent appointed under the Bond Ordinance defined below. Interest on this Bond shall be paid by check mailed one business day prior to the interest payment date to the registered owner of this Bond at the address as it appears on the registration books kept by the Registrar as of the fifteenth day of the month immediately preceding the interest payment date or at such other address as is provided to the Registrar in writing by the registered owner. All payments on the Bond shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

This Bond is one of an authorized issue of bonds of the County with an aggregate principal amount of \$5,000,000 (the "Bonds") designated "General Obligation Bonds, Series 2012B." The

Bonds are numbered consecutively from R-1 upwards, and are issued pursuant to an ordinance adopted by the County Council of the County of Lake, Indiana (the "County Council"), on October 9, 2012 (the "Bond Ordinance") and in strict compliance with the Indiana Code and all related and supplemental acts as in effect on the issue date of the Bonds, including, without limitation, INDIANA

CODE 5-1-14, INDIANA CODE 36-2-6-18, INDIANA CODE 36-2-6-19 and INDIANA CODE 36-2-6-20 (collectively the "Act"), for the purpose of providing funds to be applied on the Costs of the Project (as defined in the Bond Ordinance), and paying incidental expenses incurred in connection with the issuance of the Bonds. The Bonds and any bonds issued on a parity with the Bonds under the Bond Ordinance are referred to collectively as the "Bonds."

Reference is hereby made to the Bond Ordinance for a description of the rights, duties and obligations of the County, and the owners of the Bonds, the terms and conditions upon which the Bonds are or may be issued and the terms and conditions upon which the Bonds will be paid at or prior to maturity, or will be deemed to be paid and discharged upon the making of provisions for payment therefore. Copies of the Bond Ordinance are on file at the principal corporate trust office of the Registrar. THE OWNER OF THIS BOND, BY ACCEPTANCE OF THIS BOND, HEREBY AGREES TO ALL OF THE TERMS AND PROVISIONS IN THE BOND ORDINANCE.

The Bonds are not subject to optional redemption prior to maturity.

[The Bonds are subject to mandatory sinking fund redemption prior to maturity at a redemption price equal to the principal amount plus accrued interest to the date of redemption on the dates and in the amounts set forth on Exhibit A.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the County and the Registrar at least thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this Bond. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption shall be the principal corporate trust office of the Registrar and Paying Agent unless the County selects another place. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date. Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of mandatory redemption.

This Bond is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, therefor. The County and the Registrar for this Bond may treat and consider the person in whose name this Bond is registered as

the absolute owner for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon. The Registrar shall not be required to register, transfer or exchange any Bond after the fifteenth day of the month immediately preceding an interest payment date on the Bonds until such interest payment date. The Registrar will not be required to (i) register, transfer or exchange any Bond during the period fifteen days next preceding mailing of a

notice of redemption on any Bonds, or (ii) to register, transfer or exchange any Bonds selected, called or being called for redemption in whole or in part after mailing notice of such call.

The Bonds are issuable only in fully registered form in the denomination of \$5,000 principal amount or any integral multiples thereof not exceeding the aggregate principal amount of the Bonds maturing in such year.

If this Bond shall have become due and payable in accordance with its terms or shall have been duly called for redemption or irrevocable instructions to call this Bond or a portion thereof for redemption shall have been given, and the whole amount of the principal of and interest so due and payable on this Bond or portion thereof then outstanding shall be paid or (i) sufficient moneys, or (ii) noncallable, direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) obligations of any state of the United States of America or any political subdivision thereof, the full payment of principal of and interest on which (a) are unconditionally guaranteed or insured by the United States of America, or (b) are provided for by an irrevocable deposit of securities described in clause (ii) and are not subject to call or redemption by the issuer thereof prior to maturity or for which irrevocable instructions to redeem have been given, shall be held in trust for such purpose, and provision shall also have been made for paying all fees and expenses in connection with the redemption, then and in that case this Bond shall no longer be deemed outstanding or an indebtedness of the County.

It is hereby certified, recited and declared that all acts, conditions and things required to be done precedent to and in the execution, issuance, sale and delivery of this Bond have been properly done, happened and performed in regular and due form as prescribed by law, and that the total indebtedness of the County, including the Bonds, does not exceed any constitutional, statutory or local ordinance or ordinance code limitation of indebtedness. The full faith and credit of the County is hereby irrevocably pledged to the punctual payment of the principal of and interest on this bond according to its terms and the County will levy a tax and appropriate funds to pay such principal and interest.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication shall have been duly executed by the authorized representative of the Registrar.

IN WITNESS WHEREOF, The Board of Commissioners of the County of Lake, Indiana, have caused this Bond to be executed by the manual or facsimile signatures of the Commissioners, and attested by the manual or facsimile signature of the Auditor of the County, who has caused the seal of the County to be impressed or a facsimile to be printed on this Bond.

COUNTY OF LAKE, INDIANA

By: Commissioner

By: Commissioner

By: Commissioner

(SEAL)

Attest:

Auditor

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Ordinance.

_____, as Registrar Authorized
Representative

(end of bond form)

Section 6. Defeasance. If, when the Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or a portion thereof for redemption shall have been given, and the whole amount of the principal and the interest so due and payable upon all of the Bonds then outstanding or any portion thereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of taxes to be levied upon all property in the County.

Section 7. Deposit and Application of Bond Proceeds: Surplus to Bond Fund. The Lake County Bond Fund is created hereby (the "Bond Fund"). The Auditor is hereby authorized and directed to deposit proceeds of the Bonds in an amount equal to the capitalized interest on the Bonds, if any, into the Bond Fund. The Auditor is hereby authorized and direct to deposit the balance of the proceeds of the Bonds in a separate fund (the "Construction Fund") to pay for: (1) the cost of the Project and all other costs and expenses incurred in connection with the Project; and (2) costs of issuance of the Bonds. Except as described in this Section, the Construction Fund may not be used for any other purpose. The Construction Fund shall, in accordance with INDIANA CODE 5-13, be deposited, at interest, with the depository or depositories of other public funds of the County, and all interest collected on it belongs to the fund. Any surplus remaining from the proceeds of the Bonds after all costs and expenses are fully paid shall, in accordance with INDIANA CODE 5-1-13, either be paid into and become a part of the County's Bond Fund for the Bonds, or, at the direction of the Board be used by the County to pay debt service on any other outstanding obligations of the County.

Section 8. Appropriation of Proceeds. The proceeds of the Bonds and the interest earnings thereon are hereby appropriated to the cost of Project.

Section 9. Tax Pledge. The full faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and the interest on the Bonds according to their terms. There shall be levied in each year upon all taxable property in the County, real and personal, and collected a tax in an amount and in such manner sufficient to meet and pay the principal of and interest on the Bonds as they become due beginning July 15, 2013, and the proceeds of this tax are hereby pledged solely to the payment of the Bonds. The tax proceeds shall be deposited into the

Bond Fund and used to pay the principal of and interest on the Bonds, when due, together with any fiscal agency charges.

Section 10. Tax Covenants and Representations. In order to preserve the exclusion of interest on the Bonds from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Bonds and the Regulations in effect and applicable to the Bonds on the date of issuance of the Bonds (collectively, "Code") and as an inducement to purchasers of the Bonds, the Council represents, covenants and agrees that:

(a) The Project will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the County or another state or local governmental unit will use more than 10% of the proceeds of the Bonds or property financed by the Bond proceeds other than as a member of the general public. No person or entity other than the County or another state or local governmental unit will own property financed by Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public. unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds. If the County enters into a management contract for the Project, the terms of the contract will comply with IRS Revenue Procedure 97-13, as it may be amended, supplemented or superseded from time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the Bonds.

(b) No more than 5% of the Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(c) The County reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraph (a) above or the private loan test described in paragraph (b) above during the entire term of the Bonds.

(d) No more than 5% of the proceeds of the Bonds will be attributable to private business use as described in (a) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to

any governmental use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(e) The County will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Bonds pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion. The County covenants and agrees not to enter into any contracts or arrangements which would cause the Bonds to be treated as private activity bonds under Section 141 of the Code.

(f) It shall be not an event of default under this ordinance if the interest on any Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

(g) These covenants are based solely on current law in effect and in existence on the date of delivery of such Bonds.

(h) Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal law (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with any Tax Section is unnecessary to preserve the Tax Exemption.

Section 11. Continuing Disclosure. The Board and the Auditor are hereby authorized and directed to complete, execute and attest on behalf of the County a Continuing Disclosure Agreement (the "Agreement") that complies with the requirements of SEC Rule 15c2-12. Notwithstanding any other provisions of this ordinance, failure of the County to comply with the Agreement shall not be considered an event of default under the Bonds or this ordinance.

Section 12. Debt Limit Not Exceeded. The County represents and covenants that the Bonds herein authorized, when combined with other outstanding indebtedness of the County at the time of issuance of the Bonds, will not exceed any applicable constitutional or statutory limitation on the County's indebtedness.

Section 13. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 14. Repeal of Conflicting Provisions. All ordinances, or parts thereof, in conflict with the provisions of this ordinance, are, to the extent of such conflict, hereby repealed or amended.

Section 15. Amendments to Ordinance. This ordinance may, from time to time hereafter, be amended without the consent of the owners of the Bonds, if in the sole discretion of the County Council, such amendment shall not adversely affect the rights of the owners of any of the Bonds.

Section 16. Effective Date. This ordinance shall be in full force and effect immediately upon its passage.

Adopted this 13th day of November, 2012

COUNTY COUNCIL, COUNTY OF LAKE,
INDIANA

JEROME A. PRINCE
ELSIE FRANKLIN
CHRISTINE CID
MICHAEL REPAY

ATTEST:
Peggy Holinga Katona,
Auditor

In the Matter of Ordinance of the County Council of the County of Lake, Indiana, Authorizing the Issuance and Sale of Short Term Notes of the County for the Purpose of Procuring Funds to Pay Operating Costs of the County, Together with the Incidental Expenses in Connection Therewith and on Account of the Issuance of the Notes Therefore and Appropriating the Proceeds of the Notes to Such Purpose (\$5,000,000).

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

Dante explained that this is for the one component of your borrowing program, which a policy hasn't been established. You've established the source, which you're approving right here, but the spending and the allocation, we have not established, so this has got to be a (inaudible), ordinance okay, appropriation, not okay because we haven't allocated it yet.

Repay said we are going to attempt to approve on Second Reading, and we are going to appropriate on First Reading. We still have Committee meetings scheduled for this to discuss procedures on this, and it's something that we are aware of.

Dante said also with this, watch, you've got the appropriation, differentiated from the approval, the source. You are approving the source, but you are not approving the appropriation. Dante cautioned to watch the back end. When you go and borrow, and we have a debt schedule, it's going to take away from our discount, our distributions next year. Dante said again, watch, it must build into this borrowing program, as I recommended, from day one, a position in the borrowing to pay back, and to offset some of the discounting on the distribution. So you actually have to borrow for the potential shortfall of the payment that's due here, that's going to take away from your distribution. Dante said you have to be aware of that.

In that \$5 million dollars of appropriations, you should have an amount for the discounting of the levy removal because of this payment. Dante said he is assuming the levy removal will be about \$1 million dollars a year.

Dante said you must, in your appropriation have an allowance for the discounting on your distributions now.

Dante said, you are now going into the borrowing, this is your first step in.

Blanchard said on the appropriations, just First Reading today, it is written into the Ordinance that this is a funding, even if you have to do 2 readings on the appropriation, the description of what those dollars would go for, is covered, and it's pretty wide, it's capital.

Dante recommends that they go beyond this ordinance, they actually prescribe a budget, we have a fund, and we have a budget, and we have line items in which we know where this went to, otherwise it's going to go into "no mans' land".

All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on First Reading carried 4-yes, 2-no, 1-absent.

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

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

Cid said that I just want to state at this time, I want to answer part of Wayne' question when he asked, is there any other way to do this.

Cid said there is, I know this Council and the Commissioners, we are trying to move forward. I mean a lot of funds have been taken away from the County. House Bill 1902, House Bill 1858, which you know is hurting the homeowners because those dollars from the industry were transferred over to us. The Caps, if we would remove the Caps, we probably wouldn't have this issue. We've eliminated some of the exemptions that are out there, and of course you could do an additional revenue source, so I mean, I think this Council has worked very, very hard, and the Commissioners, in reducing expenses that weren't necessary, and we've done a great job of that, and let's also remember that it's also those other Cities and Towns that aren't living within their Caps that causes a burden to us, and that's why this is also necessary. We just really don't have any other alternative except for maybe closing Building "A", which means no public services for the public. I mean, that's just what it comes to. They wouldn't be able to walk into the building and have the services that they are used to, and entitled to.

Dante said this separation of the bond issue, and keeping the Civil units away from us, and us away from the Civil units, we did that on the levy, and that's what they should have done on the levy from day one. The State is finally coming to a logical and reasonable conclusion. Either you all "melt" together, or we got to keep you separate, and we called it from day one. We cut our levy, no one else did, so we are inhering the operating side. He said now they are coming to their senses on the Bond side because they see us coming.

Repay said that this body, and the body before, and a lot of Council' and Dante have been a part of reductions, and things of that nature. As part of our budget negotiations, a few of us put forth a Plan, which included a lot of things. When you take them piece by piece, they may look draconian, but as a group, which is why I always want to go back to that group, it really does attempt to correct some of those issues that Cid brought up about through legislative action, and we have made cost cutting measures, and there is a component that looks like this, which is a bonding component. It's a package, and I'd like to make sure that we're reminded of that. Not everybody is in favor of all of the components of the package, but I think it looks "prettier" as a package.

Prince said I appreciate you even mentioning the fact of what took place before you, and the other two members were on this body. I've been a member of this Body since 2008, and we came in the door cutting, in fact, for the last 4 years it's been to the tune of about 300 jobs, and a little bit over \$30 million dollars, so when we read the blogs, of people saying those guys are not cutting, it's just not accurate. It's a little hard to defend on a daily basis, but as you suggested, this current Body has taken efforts to address it from a permanent perspective, in addition to all of the actions that have been taken before, and I appreciate all of the actions.

He said, the only question I would have is, Wayne asked the question, is there anything else to do, and, at this point, possibly, there is. I'm not here to say no that there really isn't, but I'm just not hearing a whole lot of suggestions, as to what other alternate routes we could take outside of just a blanket statement of more cutting. The reality is, any additional cutting is going to hit into to much needed services, such as the bridges, that was discussed earlier by the Surveyor.

Niemeyer commented that he understands what this Council has done, and what the County has to do, it just comes to a point whether you agree with where the reductions have been, and if the reductions have come to some departments, across the board that you agree with, and some of my vote has been based on that, it hasn't been based on the Council hasn't done tough action, they had to do what they had to do, but you had to had to agree with what the reductions were coming from, and again I'm not going to harp on the point on the drainage and the bridge fund, those type of things that I was not for. I understand the predicament that we are in, I think it's just whether you agree with the formula or not, and that's where my vote is coming from.

Blanchard said you could have taken another route with the State and done reductions, instead of borrowing. You'd right back here saying, I've already reduced, why do I have to do it again. Blanchard said you inherited it from the other communities. In those taxing districts, if they have a 50% tax cap credit, you got a 50% tax cap credit, where the tax dollars you draw of that taxing district. So you're going to be facing the same \$10,\$12, \$15 million dollar shortfall next year, even if your levy is \$95 million now, you will drop it down to \$80 million this year, for next year, you're going to be facing another \$10, \$12 million again because you're inheriting their tax cap credits. It's a no win situation, and we explained that to Sen. Landske, a couple of years ago.

Dante said it's no longer on the bond side though.

All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on Second Reading carried 4-yes, 2-no, 1-absent.

ORDINANCE NO. 1354E

AN ORDINANCE OF THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, AUTHORIZING THE ISSUANCE AND SALE OF SHORT TERM NOTES OF THE COUNTY FOR THE PURPOSE OF PROCURING FUNDS TO PAY OPERATING COSTS OF THE COUNTY, TOGETHER WITH THE INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE NOTES THEREFORE AND APPROPRIATING THE PROCEEDS OF THE NOTES TO SUCH PURPOSE

WHEREAS, the County of Lake, Indiana (the "County"), is authorized by INDIANA CODE 36- 2-6-18(d) and all laws amendatory thereof and supplemental thereto to issue notes to evidence loans made to procure moneys to be used in the exercise of the powers of the County; and

WHEREAS, the Council has determined that 5% of the County's total tax levy for 2012 (excluding amounts levied to pay debt service and lease rentals) is more than Five Million Dollars (\$5,000,000), and the Council finds that it is necessary to issue notes in an amount not to exceed Five Million Dollars (\$5,000,000), and that the notes in such amount should now be authorized;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, THAT:

Section 1. Determination to Proceed; Authorization and Details of Notes.

(a) The County shall proceed to make loans for not more than five (5) years for the purpose of procuring money to be used in the exercise of the powers of the County and issue notes to evidence and refund those loans.

(b) The Auditor is authorized and directed to have prepared and to issue and sell the notes of the County to be designated as "General Obligation Notes, Series 2012C," in an aggregate principal amount not to exceed Five Million Dollars (\$5,000,000) (the "Notes").

(c) The Notes shall be sold at a price of not less than 99.25% of the par value thereof, and issued in fully registered form in denominations of \$5,000 or integral multiples thereof, numbered consecutively from 1 upward, dated as of the issue date and shall bear interest at a rate or rates not to exceed six percent (6%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on January 15 and July 15 of each year, commencing on July 15, 2013. Interest on the Notes shall be calculated according to a 360-day year containing twelve 30-day months. The Notes shall mature semiannually, or shall be subject to mandatory sinking fund redemption if term,

notes are issued, on January 15 and July 15 of each year from taxes collected over the next five (5) years with a final maturity no later than January 15, 2018, and in such amounts as determined by an Order of the Board of Commissioners of the County (the "Board"). Following the sale of the Notes, the Board is hereby authorized and directed to negotiate with the successful purchaser to modify the amortization schedule based upon the rates bid so as to comply with the level debt service requirements contained in Indiana law.

All or a portion of the Notes may be issued as one or more term notes, upon election of the

successful bidder. Such term notes shall have a stated maturity or maturities as determined by the successful bidder or by negotiation with the purchaser, but in no event later than the last serial date of the Notes as determined in accordance with the above paragraph. The term notes shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on dates and in the amounts hereinafter determined by the Board.

(d) The Board and the Auditor are authorized and directed to appoint a qualified banking institution to serve as Registrar and Paying Agent (the "Registrar" or "Paying Agent") for the Notes,

which shall be charged with the responsibility of authenticating the Notes. The Auditor is hereby authorized to enter into such agreements or understandings with such bank as will enable the bank to perform the services required of a Registrar and Paying Agent. The Auditor is further authorized to pay such fees as the bank may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the note fund established to pay the principal of and interest on the Notes. Upon agreement between the County and the successful bidder for the Notes, the Auditor may be designated as the Registrar and Paying Agent, and, in that case, shall be charged with all responsibilities of a Registrar and Paying Agent.

(e) The principal of the Notes shall be payable at the principal corporate trust office of the Paying Agent. Interest on the Notes shall be paid by check mailed by first class mail one business day prior to the interest payment date to the registered owner, as of the fifteenth day immediately preceding the interest payment date (the "Record Date"), to the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a

depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Notes shall be made in any lawful money of the United States of America, which on the date of such payment shall be legal tender for the payment of public and private debts.

(f) Each Note shall be transferable or exchangeable only upon the books of the County kept for that purpose at the corporate trust office of the Registrar by the registered owner or by its attorney duly authorized in writing, upon surrender of such Note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Note or Notes in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The County and the Registrar and Paying Agent for the Notes may treat and consider the person in whose name such Notes are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(g) The Notes shall bear an original date which shall be their issue date, and each Note shall also bear the date of its authentication. Notes authenticated on or before the Record Date immediately preceding the first interest payment date shall be paid interest from the original date. Notes authenticated thereafter shall be paid interest from the interest payment date to which interest has been paid next preceding the date of authentication of such Notes unless the Notes are authenticated after the Record Date and on or before the corresponding interest payment date, in which case interest thereon shall be paid from such interest payment date. If at the time of authentication of any Note interest is in default thereon, that Note shall bear interest from the date to which interest has been paid in full.

(h) The Notes shall be signed in the name of the County by the manual or facsimile signature of the Board, and the seal of the County shall be affixed, imprinted, engraved or otherwise reproduced thereon and attested by the manual or facsimile signature of the Auditor. The Notes shall be authenticated with the manual signature of an authorized

representative of the Registrar, and no Note shall be valid or become obligatory for any purpose until the certificate of authentication thereon shall have been so executed. Subject to registration provisions, the Notes shall be negotiable under the laws of the State of Indiana.

(i) The County has determined that it may be beneficial to the County to have the Notes held by a central depository system pursuant to an agreement between the County and The Depository Trust Company, New York, New York (the "Depository Trust Company") and have transfers of the Notes effected by book-entry on the books of the central depository system (the "Book Entry System"). The Notes may be initially issued in the form of a single authenticated fully registered Note for the aggregate principal amount of the Notes. In such case, upon initial issuance, the ownership of such Notes shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Notes registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the County and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Notes with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any noteholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Notes including any notice of redemption, or (iii) the payment to any noteholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Notes except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Note evidencing an obligation of the County to make payments of the principal of and interest on the Notes pursuant to this ordinance. The County and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute noteholder of each of the Notes for the purpose of (i) payment of the principal of and premium, if any, and interest on such Notes; (ii) giving notices of redemption and other notices permitted to be given to noteholders with respect to such Notes; (iii) registering transfers with respect to such Notes; (iv) obtaining any consent or other action required or permitted to be taken of or by noteholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and interest on the Notes only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the County's and the Paying Agent's obligations with

respect to principal of and interest on the Notes to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the County of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Note is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and interest on such Notes and all notices with respect to such Notes shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the County to the Depository Trust Company.

Upon receipt by the County of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Notes shall no longer be restricted to being registered in the register of the County kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the noteholders transferring or exchanging the Notes shall designate, in accordance with the provisions of this ordinance.

If the County determines that it is in the best interest of the noteholders that they be able to obtain certificates for the fully registered Notes, the County may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Notes. In such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Notes as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the County and the Registrar to do so, the Registrar and the County will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Notes of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Notes.

If the Notes shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause the Notes to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Notes printed until it shall have received from the County indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to noteholders by the County or the Registrar with respect to any consent or other action to be taken by noteholders, the County or the Registrar, as the case may be, shall establish a record date for such consent or other action and give the Depository Trust Company notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

So long as the Notes are registered in the name of the Depository Trust Company or CEDE & CO. or any substitute nominee, the County and the Registrar and Paying Agent shall be entitled to request and to rely upon a certificate or other written representation from the Beneficial Owners of the Notes or from the Depository Trust Company on behalf of such Beneficial Owners stating the amount of their respective beneficial ownership interests in the Notes and setting forth the consent, advice, direction, demand or vote of the Beneficial Owners as of a record date selected by the Registrar and the Depository Trust Company, to the same extent as if such consent, advice, direction, demand or vote were made by the noteholders for purposes of this ordinance and the County and the Registrar and Paying Agent shall for such purposes treat the Beneficial Owners as the noteholders. Along with any such certificate or representation, the Registrar may request the Depository Trust Company to deliver, or cause to be delivered, to the Registrar a list of all Beneficial Owners of the Notes, together with the dollar amount of each Beneficial Owner's interest in the Notes and the current addresses of such Beneficial Owners.

Section 2. Redemption of Notes. The Notes are not subject to optional redemption prior to maturity.

If any Note is issued as a term note, the Paying Agent shall credit against the mandatory sinking fund requirement for the Notes maturing as term notes, and corresponding mandatory redemption obligation, in the order determined by the County, any Notes maturing as term notes which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Note maturing as a term note so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Notes to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Notes maturing as term notes to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date as stated above.

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate Note for purposes of redemption. If less than an entire maturity is called for redemption, the Notes to be called shall be selected by lot by the Registrar.

Notice of redemption shall be mailed to the address of the registered owner as shown on the registration records of the Registrar, as of the date which is forty-five (45) days prior to the date fixed for redemption, not less than thirty (30) days prior to such redemption date, unless notice is waived by the owner of the Note or Notes redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Notes called for redemption. The place of redemption may be determined by the County. Interest on the Notes so called for redemption shall cease and the Notes will no longer be deemed outstanding under this ordinance on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price, including accrued interest to the redemption date, on the date so named. Failure to give such notice by mailing, or any defect in such notice, with respect to any Note shall not affect the validity of any proceedings for redemption of other Notes.

If the Notes are not presented for payment or redemption on the date fixed therefor, the County may deposit in trust with the Paying Agent an amount sufficient to pay such Note or the redemption price, as the case may be, including accrued interest to the date of such payment or redemption, and thereafter the registered owner shall look only to the funds so deposited in trust with the Paying Agent for payment, and the County shall have no further obligation or liability in respect thereto.

Section 3. Sale of Notes. (a) Prior to the sale of the Notes, the Auditor shall cause to be published a notice of such sale two (2) times at least one (1) week apart in *The Post-Tribune* and *The Times* or *Crown Point Star*, newspapers published and having general circulation in the County, with the first publication occurring at least fifteen (15) days prior to the sale date and the second publication occurring at least three (3) days prior to the sale date in accordance with INDIANA CODE 5-1-11 and INDIANA CODE 5-3-1. A notice or summary notice of sale may be published in the *Court & Commercial Record* or *The Note Buyer*, financial journals published in the City of Indianapolis and in the City and State of New York, respectively, at the discretion of the Auditor. In the alternative, the Auditor may cause to be published a notice of intent to sell notes two (2) times one week apart in *The Post-Tribune* and *The Times* or *Crown Point Star* and *The Court & Commercial Record*. The Council hereby authorizes and approves the publication of such notices which state the purpose for which the Notes are being issued, the total amount of the Notes, the maximum rate of interest on the Notes, the time and place of payment, the terms and conditions on which bids will be

received and the sale made, and such other information as the Auditor, upon advice of counsel deems necessary. The notice shall provide, among other things, that the successful bidder shall be required to submit to the County a certified or cashier's check (or wire transfer such amount as instructed by the County) not later than 3:30 p.m. (local time) on the next business day following the award. If the successful bidder shall fail or refuse to accept delivery of the Notes and pay for the same as soon as the Notes are ready for delivery, or at the time fixed in the notice of sale, then the check and the proceeds thereof shall become the property of the County and shall be considered as its liquidated damages on account of such default.

All bids for the Notes shall be sealed and shall be presented to the Auditor at her office, and the Auditor shall continue to receive all bids offered until the hour on the day fixed in the notice, at which time and place she shall open and consider the bids. Bidders for the Notes shall be required to name the rate or rates of interest which the Notes are to bear, not exceeding six percent (6%) per annum or such lower maximum rate set forth in the notice, and such interest rate or rates shall be in multiples of one-eighth ($1/8$) or one-twentieth ($1/20$) of one percent (1%). The rate bid on any maturity shall be equal to or greater than the rate bid on the immediately preceding maturity. The Auditor shall award the Notes to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the County, computing the total interest on all of the Notes to the maturities and adding thereto the discount bid, if any, and deducting therefrom the premium bid, if any. The Auditor shall have full right to reject any and all bids. If no acceptable bid is received at the time fixed in the notice for sale of the Notes, the Auditor shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising, but during such continuation, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for such sale in the notice. No conditional bid or bid for less than all of the Notes will be considered.

Prior to the delivery of the Notes, the Auditor shall obtain a legal opinion as to the validity of the Notes from Shanahan & Shanahan LLP, note counsel, and shall furnish this opinion to the purchaser of the Notes. The cost of this opinion, the services of the County's Attorney, the services of the Council's Attorney and the services of the County's financial advisor shall be considered as part of the costs incidental to these proceedings and may be paid out of proceeds of the Notes.

(b) Distribution of an Official Statement (preliminary and final) for the notes prepared by the County's financial advisor, on behalf of the County, is hereby authorized and approved and the Board or the Auditor are authorized and directed to execute the Official Statement on behalf of the County in a form consistent with this ordinance. The Board or the Auditor is hereby authorized to designate the Official Statement as nearly final for purposes of Rule 15c2-12, as amended, promulgated by the Securities and Exchange Commission.

Notes are numbered consecutively from R-1 upwards, and are issued pursuant to an ordinance adopted by the County Council of the County of Lake, Indiana (the "County Council"), on

2012 (the "Note Ordinance") and in strict compliance with the Indiana Code and all related and supplemental acts as in effect on the issue date of the Notes, including, without limitation, INDIANA CODE 5-1-14, INDIANA CODE 36-2-6-18, INDIANA CODE 36-2-6-19 and INDIANA CODE 36-2-6-20 (collectively the "Act"), for the purpose of providing funds to be applied to operating costs of the County, and paying incidental expenses incurred in connection with the issuance of the Notes. The Notes and any notes issued on a parity with the Notes under the Note Ordinance are referred to collectively as the "Notes."

Reference is hereby made to the Note Ordinance for a description of the rights, duties and obligations of the County, and the owners of the Notes, the terms and conditions upon which the Notes are or may be issued and the terms and conditions upon which the Notes will be paid at or prior to maturity, or will be deemed to be paid and discharged upon the making of provisions for payment therefor. Copies of the Note Ordinance are on file at the principal corporate trust office of the Registrar. THE OWNER OF THIS NOTE, BY ACCEPTANCE OF THIS NOTE, HEREBY AGREES TO ALL OF THE TERMS AND PROVISIONS IN THE NOTE ORDINANCE.

The Notes are not subject to optional redemption prior to maturity.

[The Notes are subject to mandatory sinking fund redemption prior to maturity at a redemption price equal to the principal amount plus accrued interest to the date of redemption on the dates and in the amounts set forth on Exhibit A.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the County and the Registrar at least thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this Note. The notice shall specify the date and place of redemption and sufficient identification of the Notes called for redemption. The place of redemption shall be the principal corporate trust office of the Registrar and Paying Agent unless the County selects another place. Interest on the Notes so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date. Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate note for purposes of mandatory redemption.

This Note is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of this Note together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or its attorney duly authorized in writing, and thereupon a new fully registered Note or Notes in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, therefore. The County and the Registrar for this Note may treat and consider the person in whose name this Note is registered as the absolute owner for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon. The Registrar shall not be required to register, transfer or exchange any Note after the fifteenth day of the month immediately preceding an interest payment date on the Notes until such interest payment date. The Registrar will not be required to (i) register, transfer or exchange any Note during the period fifteen days next preceding mailing of a notice of redemption on any Notes, or (ii) to register, transfer or exchange any Notes selected, called or being called for redemption in whole or in part after mailing notice of such call.

The Notes are issuable only in fully registered form in the denomination of \$5,000 principal amount or any integral multiples thereof not exceeding the aggregate principal amount of the Notes maturing in such year.

If this Note shall have become due and payable in accordance with its terms or shall have been duly called for redemption or irrevocable instructions to call this Note or a portion thereof for redemption shall have been given, and the whole amount of the principal of and interest so due and payable on this Note or portion thereof then outstanding shall be paid or (i) sufficient moneys, or (ii) noncallable, direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) obligations of any state of the United States of America or any political subdivision thereof, the full payment of principal of and interest on which (a) are unconditionally guaranteed or insured by the United States of America, or (b) are provided for by an irrevocable deposit of securities described in clause (ii) and are not subject to call or redemption by the issuer thereof prior to maturity or for which irrevocable instructions to redeem have been given, shall be held in trust for such purpose, and provision shall also have been made for paying all fees and expenses in connection with the redemption, then and in that case this Note shall no longer be deemed outstanding or an indebtedness of the County.

It is hereby certified, recited and declared that all acts, conditions and things required to be done precedent to and in the execution, issuance, sale and delivery of this Note have been properly done,

happened and performed in regular and due form as prescribed by law, and that the total indebtedness of the County, including the Notes, does not exceed any constitutional, statutory or local ordinance or ordinance code limitation of indebtedness. The full faith and credit of the County is hereby irrevocably pledged to the punctual payment of the principal of and interest on this note according to its terms and the County will levy a tax and appropriate funds to pay such principal and interest.

This Note shall not be valid or become obligatory for any purpose until the certificate of authentication shall have been duly executed by the authorized representative of the Registrar.

IN WITNESS WHEREOF, The Board of Commissioners of the County of Lake, Indiana, have caused this Note to be executed by the manual or facsimile signatures of the Commissioners, and attested by the manual or facsimile signature of the Auditor of the County, who has caused the seal of the County to be impressed or a facsimile to be printed on this Note.

COUNTY OF LAKE, INDIANA

By: Commissioner

By: Commissioner

By: Commissioner

(SEAL)

Attest:

Auditor

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes described in the within mentioned Note Ordinance.

_____, as Registrar
Authorized Representative

(end of note form)

Section 6. Defeasance. If, when the Notes or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Notes or a portion thereof for redemption shall have been given,

and the whole amount of the principal and the interest so due and payable upon all of the Notes then outstanding or any portion thereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Notes issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of taxes to be levied upon all property in the County.

Section 7. Deposit and Application of Note Proceeds. The Lake County Note Fund is created hereby (the "Note Fund"). The Note Fund shall be the debt service fund from which

principal of and interest on the Notes shall be paid from taxes levied, collected and deposited to pay the Notes. The Auditor is hereby authorized and direct to deposit the proceeds of the Notes in a separate fund (the "Operating Fund") to pay for: (1) the cost of operation of the County that cannot be funded from the County's General Fund; and (2) costs of issuance of the Notes. Except as described in this Section, the Operating Fund may not be used for any other purpose. The Operating Fund shall, in accordance with INDIANA CODE 5-13, be deposited, at interest, with the depository or depositories of other public funds of the County, and all interest collected on it belongs to the fund.

Section 8. Appropriation of Proceeds. The proceeds of the Notes and the interest earnings thereon are hereby appropriated to pay costs of exercising the powers of the County.

Section 9. Tax Pledge. The full faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and the interest on the Notes according to their terms. There shall be levied in each year upon all taxable property in the County, real and personal,

and collected a tax in an amount and in such manner sufficient to meet and pay the principal of and interest on the Notes as they become due beginning July 15, 2013, and the proceeds of this tax are hereby pledged solely to the payment of the Notes. The tax proceeds shall be deposited into the Note

Fund and used to pay the principal of and interest on the Notes, when due, together with any fiscal agency charges.

Section 10. Tax Covenants and Representations. In order to preserve the exclusion of interest on the Notes from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Notes and the Regulations in effect and applicable to the Notes on the date of issuance of the Notes (collectively, "Code") and as an inducement to purchasers of the Notes, the Council represents, covenants and agrees that:

(a) The proceeds will be used solely to pay operating costs of the County and will not be used for any private use or purpose. No person or entity other than the County or another state or local governmental unit will use more than 10% of the proceeds of the Notes other than as a member of the general public. No person or entity other than the County or another state or local governmental unit will own property financed by Note proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general

public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Notes.

(b) No more than 5% of the Note proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Note proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Note proceeds.

(c) The County reasonably expects, as of the date hereof, that the Notes will not meet either the private business use test described in paragraph (a) above or the private loan test described in paragraph (b) above during the entire term of the Notes.

(d) No more than 5% of the proceeds of the Notes will be attributable to private business use as described in (a) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any governmental use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(e) The County will not take any action nor fail to take any action with respect to the Notes that would result in the loss of the exclusion from gross income for federal tax purposes on the Notes pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion. The County covenants and agrees not to enter into any contracts or arrangements which would cause the Notes to be treated as private activity notes under Section 141 of the Code.

(f) It shall be not an event of default under this ordinance if the interest on any Note is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Notes.

(g) These covenants are based solely on current law in effect and in existence on the date of delivery of such Notes.

(h) Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the Notes from gross income under federal law (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized note counsel that compliance with any Tax Section is unnecessary to preserve the Tax Exemption.

Section 11. Continuing Disclosure. The Board and the Auditor are hereby authorized and directed to complete, execute and attest on behalf of the County a Continuing Disclosure Agreement (the "Agreement") that complies with the requirements of SEC Rule 15c2-12. Notwithstanding any other provisions of this ordinance, failure of the County to comply with the Agreement shall not be considered an event of default under the Notes or this ordinance.

Section 12. Debt Limit Not Exceeded. The County represents and covenants that the Notes herein authorized, when combined with other outstanding indebtedness of the County at the time of issuance of the Notes, will not exceed any applicable constitutional or statutory limitation on the County's indebtedness.

Section 13. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 14. Repeal of Conflicting Provisions. All ordinances, or parts thereof, in conflict with the provisions of this ordinance, are, to the extent of such conflict, hereby repealed or amended.

Section 15. Amendments to Ordinance. This ordinance may, from time to time hereafter, be amended without the consent of the owners of the Notes, if in the sole discretion of the County Council, such amendment shall not adversely affect the rights of the owners of any of the Notes.

Adopted this 13th day of November, 2012.

COUNTY COUNCIL, COUNTY OF LAKE,
INDIANA

Jerome Prince
Elsie Franklin
Christine Cid
Michael Repay

ATTEST:
Peggy Holinga Katona,
Auditor

In the Matter of An Ordinance of the County Council of the County of Lake, Indiana Authorizing the Issuance and Sale of Bonds of the County for the Purpose of Procuring Funds for the Payment or Reimbursement of Costs of Improvements to the County Facilities , Together with Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds Therefore and Appropriating the Proceeds of the Bonds to Such Purpose (\$10,000,000)

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

Dante asked Blanchard, is this loan, or is this Phase III, or IV, or V?

Blanchard answered, this is payback. This is part of the loan, this is reimbursement.

Dante said this is going to be Part 2 of the loan. There were 3 parts of the loan options that we have. \$5 million is on the books, that's the loan that we just did.

All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on First Reading carried 4-yes, 2-no, 1-absent.

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

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

Dante said again, just like the other, it's got to be in the appropriation mix, a provision for the offset of the lowering of our distributions, because of the payback, whatever that's going to be. \$1 million a year, \$2 million a year, I don't know what it's going to be, it depends upon the term.

All voted "Yes", except Dernulc, and Niemeyer, "No". Bilski was "absent". Motion to approve on Second Reading carried 4-yes, 2-no, 1-absent.

ORDINANCE NO. 1354F**AN ORDINANCE OF THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, AUTHORIZING THE ISSUANCE AND SALE OF BONDS OF THE COUNTY FOR THE PURPOSE OF PROCURING FUNDS FOR THE PAYMENT OR REIMBURSEMENT OF COSTS OF IMPROVEMENTS TO THE COUNTY FACILITIES, TOGETHER WITH THE INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS THEREFORE AND APPROPRIATING THE PROCEEDS OF THE BONDS TO SUCH PURPOSE**

WHEREAS, the County of Lake, Indiana (the "County"), is authorized by INDIANA CODE 36- 2-6-18 and all laws amendatory thereof and supplemental thereto to issue bonds to procure moneys to be used in the exercise of the powers of the County; and

WHEREAS, the County Council of the County (the "Council") now determines that it is necessary and a proper exercise of the powers of the County to provide funds for the cost of improvements to County facilities identified on Exhibit A-Table 1 attached hereto, each costing less than \$2,000,000, and for the reimbursement to the County of the cost of improvements to County facilities identified on Exhibit A-Table 2 attached hereto, and incidental expenses in connection therewith (collectively, the "Projects"); and

WHEREAS, the Council has determined that the total estimated cost of the Projects and the incidental expenses necessary to be incurred in connection with the Projects and with the issuance of the bonds to finance the Projects will be in an amount not to exceed Ten Million Dollars (\$10,000,000); and

WHEREAS, the Council finds that there are not sufficient funds available or provided for in existing tax levies with which to pay for the total cost of said Projects and that it is necessary to authorize the issuance of bonds in an amount not to exceed Ten Million Dollars (\$10,000,000) for the purpose of providing funds for the Projects, and that the bonds in such amount should now be authorized;

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, THAT:

Section 1. Determination to Proceed; Authorization and Details of Bonds.

(a) The County shall proceed to undertake or reimburse the County for the Projects.

(b) In order to procure funds with which to pay or reimburse the costs of the Projects identified on Table 1 and the costs of issuance of the bonds on account of

that portion of the Projects, the Auditor is authorized and directed to have prepared and to issue and sell the bonds of the County, to be designated as "General Obligation Bonds, Series 2012D-1" in an aggregate principal amount of Three Million Five Hundred Thousand Dollars (\$3,500,000) (the "2012D-1 Bonds"). In order to procure funds with which to reimburse the County for the costs of the Projects identified on Table 2 and the costs of issuance of the bonds on account of that portion of the Projects, the Auditor is authorized and directed to have prepared and to issue and sell the bonds of the County, to be designated as "Taxable General Obligation Bonds, Series 2012D-2" in an aggregate principal amount of Six Million Five Hundred Thousand Dollars (\$6,500,000) (the "2012D-2 Bonds" and, together with the 2012D-1 Bonds, the "Bonds").

(c) The Bonds shall be sold at a price of not less than 99.25% of the par value thereof, and issued in fully registered form in denominations of \$5,000 or integral multiples thereof, numbered consecutively from 1 upward, dated as of the issue date and shall bear interest at a rate or rates not to exceed seven percent (7%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semiannually on January 15 and July 15 of each year,

commencing on July 15, 2013. Interest on the Bonds shall be calculated according to a 360-day year containing twelve 30-day months. The Bonds shall mature semiannually, or shall be subject to mandatory sinking fund redemption if term bonds are issued, on January 15 and July 15 of each year with a final maturity no later than January 15, 2020, and in such amounts as determined by an Order of the Board of Commissioners of the County (the "Board"). Following the sale of the Bonds, the Board is hereby authorized and directed to negotiate with the successful purchaser to modify the amortization schedule based upon the rates bid so as to comply with the level debt service requirements contained in Indiana law.

All or a portion of the Bonds may be issued as one or more term bonds, upon election of the successful bidder. Such term bonds shall have a stated maturity or maturities as determined by the successful bidder or by negotiation with the purchaser, but in no event later than the last serial date of the Bonds as determined in accordance with the above paragraph. The term bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on dates and in the amounts hereinafter determined by the Board.

(d) The Board and the Auditor are authorized and directed to appoint a qualified banking institution to serve as Registrar and Paying Agent (the "Registrar" or "Paying Agent") for the Bonds, which shall be charged with the responsibility of authenticating the Bonds. The Auditor is hereby authorized to enter into such agreements or understandings with such bank as will enable the bank to perform the services required of a Registrar and Paying Agent. The Auditor is further authorized to pay such fees as the bank may charge for the services it provides as Registrar and Paying Agent, and such fees may be paid from the bond fund established to pay the principal of and interest on the Bonds. Upon agreement between the County and the successful bidder for the Bonds, the Auditor may be designated as the Registrar and Paying Agent, and, in that case, shall be charged with all responsibilities of a Registrar and Paying Agent.

(e) The principal of the Bonds shall be payable at the principal corporate trust office of the Paying Agent. Interest on the Bonds shall be paid by check mailed by first class mail one business day prior to the interest payment date to the registered owner, as of the fifteenth day immediately preceding the interest payment date (the "Record Date"), to the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any lawful money of the United States of America, which on the date of such payment shall be legal tender for the payment of public and private debts.

(f) Each Bond shall be transferable or exchangeable only upon the books of the County kept for that purpose at the corporate trust office of the Registrar by the registered owner or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The County and the Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(g) The Bonds shall bear an original date which shall be their issue date, and each Bond shall also bear the date of its authentication. Bonds authenticated on or before the Record Date immediately preceding the first interest payment date shall be paid interest from the original date. Bonds authenticated thereafter shall be paid interest from the interest payment date to which interest has been paid next preceding the date of authentication of such Bonds unless the Bonds are authenticated after the Record Date and on or before the corresponding interest payment date, in which case interest thereon shall be paid from such interest payment date. If at the time of authentication of any Bond interest is in default thereon, that Bond shall bear interest from the date to which interest has been paid in full.

(h) The Bonds shall be signed in the name of the County by the manual or facsimile signature of the Board, and the seal of the County shall be affixed, imprinted, engraved or otherwise reproduced thereon and attested by the manual or facsimile signature of the Auditor. The Bonds shall be authenticated with the manual signature of an authorized representative of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon shall have been so executed. Subject to registration provisions, the Bonds shall be negotiable under the laws of the State of Indiana.

(i) The County has determined that it may be beneficial to the County to have the Bonds held by a central depository system pursuant to an agreement between the County and The Depository Trust Company, New York, New York (the "Depository Trust Company") and have transfers of the Bonds effected by book-entry on the books of the central depository system (the "Book Entry System"). The Bonds may be initially issued in the form of a single authenticated fully registered Bond for the aggregate principal amount of the Bonds. In such case, upon initial issuance, the ownership of such Bonds shall be registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company.

With respect to the Bonds registered in the register kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, the County and the Paying Agent shall have no responsibility or obligation to any other holders or owners (including any beneficial owner ("Beneficial Owner")) of the Bonds with respect to (i) the accuracy of the records of the Depository Trust Company, CEDE & CO., or any Beneficial Owner with respect to ownership questions, (ii) the delivery to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any notice with respect to the Bonds including any notice of redemption, or (iii) the payment to any bondholder (including any Beneficial Owner) or any other person, other than the Depository Trust Company, of any amount with respect to the principal of, or premium, if any, or interest on the Bonds except as otherwise provided herein.

No person other than the Depository Trust Company shall receive an authenticated Bond evidencing an obligation of the County to make payments of the principal of and interest on the Bonds pursuant to this ordinance. The County and the Registrar and Paying Agent may treat as and deem the Depository Trust Company or CEDE & CO. to be the absolute bondholder of each of the Bonds for the purpose of (i) payment of the principal of and premium, if any, and interest on such Bonds; (ii) giving notices of redemption and other notices permitted to be given to bondholders with respect to such Bonds; (iii) registering transfers with respect to such Bonds; (iv) obtaining any consent or other action required or permitted to be taken of or by bondholders; (v) voting; and (vi) for all other purposes whatsoever. The Paying Agent shall pay all principal of and interest on the Bonds only to or upon the order of the Depository Trust Company, and all such payments shall be valid and effective fully to satisfy and discharge the County's and the Paying Agent's obligations with respect to principal of and interest on the Bonds to the extent of the sum or sums so paid. Upon delivery by the Depository Trust Company to the County of written notice to the effect that the Depository Trust Company has determined to substitute a new nominee in place of CEDE & CO., and subject to the provisions herein with respect to consents, the words "CEDE & CO." in this ordinance shall refer to such new nominee of the Depository Trust Company. Notwithstanding any other provision hereof to the contrary, so long as any Bond is registered in the name of CEDE & CO., as nominee of the Depository Trust Company, all payments with respect to the principal of and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, to the Depository Trust Company as provided in a representation letter from the County to the Depository Trust Company.

Upon receipt by the County of written notice from the Depository Trust Company to the effect that the Depository Trust Company is unable or unwilling to discharge its responsibilities and no substitute depository willing to undertake the functions of the Depository Trust Company hereunder can be found which is willing and able to undertake such functions upon reasonable and customary terms, then the Bonds shall no longer be restricted to being registered in the register of the County kept by the Registrar in the name of CEDE & CO., as nominee of the Depository Trust Company, but may be registered in whatever name or names the bondholders transferring or exchanging the Bonds shall designate, in accordance with the provisions of this ordinance.

If the County determines that it is in the best interest of the bondholders that they be able to obtain certificates for the fully registered Bonds, the County may notify the Depository Trust Company and the Registrar, whereupon the Depository Trust Company will notify the Beneficial Owners of the availability through the Depository Trust Company of certificates for the Bonds. In

such event, the Registrar shall prepare, authenticate, transfer and exchange certificates for the Bonds as requested by the Depository Trust Company and any Beneficial Owners in appropriate amounts, and whenever the Depository Trust Company requests the County and the Registrar to do so, the Registrar and the County will cooperate with the Depository Trust Company by taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the fully registered Bonds of any Beneficial Owner's Depository Trust Company account or (ii) to arrange for another securities depository to maintain custody of certificates for and evidencing the Bonds.

If the Bonds shall no longer be restricted to being registered in the name of the Depository Trust Company, the Registrar shall cause the Bonds to be printed in blank in such number as the Registrar shall determine to be necessary or customary; provided, however, that the Registrar shall not be required to have such Bonds printed until it shall have received from the County indemnification for all costs and expenses associated with such printing.

In connection with any notice or other communication to be provided to bondholders by the County or the Registrar with respect to any consent or other action to be taken by bondholders, the County or the Registrar, as the case may be, shall establish a record date for such consent or other action and give the Depository Trust Company notice of such record date not less than fifteen (15) calendar days in advance of such record date to the extent possible.

So long as the Bonds are registered in the name of the Depository Trust Company or CEDE & CO. or any substitute nominee, the County and the Registrar and Paying Agent shall be entitled to request and to rely upon a certificate or other written representation from the Beneficial Owners of the Bonds or from the Depository Trust Company on behalf of such Beneficial Owners stating the amount of their respective beneficial ownership interests in the Bonds and setting forth the consent, advice, direction, demand or vote of the Beneficial Owners as of a record date selected by the Registrar and the Depository Trust Company, to the same extent as if such consent, advice, direction, demand or vote were made by the bondholders for purposes of this ordinance and the County and the Registrar and Paying Agent shall for such purposes treat the Beneficial Owners as the bondholders. Along with any such certificate or representation, the Registrar may request the Depository Trust Company to deliver, or cause to be delivered, to the Registrar a list of all Beneficial Owners of the Bonds, together with the dollar amount of each Beneficial Owner's interest in the Bonds and the current addresses of such Beneficial Owners.

Section 2. Redemption of Bonds. The Bonds are not subject to optional redemption prior to maturity.

If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the County, any Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date as stated above.

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate Bond for purposes of redemption. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar.

Notice of redemption shall be mailed to the address of the registered owner as shown on the registration records of the Registrar, as of the date which is forty-five (45) days prior to the date fixed for redemption, not less than thirty (30) days prior to such redemption date, unless notice is waived by the owner of the Bond or Bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the County. Interest on the Bonds so called for redemption shall cease and the Bonds will no longer be deemed outstanding under this ordinance on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price, including accrued interest to the redemption date, on the date so named. Failure to give such notice by mailing, or any defect in such notice, with respect to any Bond shall not affect the validity of any proceedings for redemption of other Bonds.

If the Bonds are not presented for payment or redemption on the date fixed therefor, the County may deposit in trust with the Paying Agent an amount sufficient to pay such Bond or the redemption price, as the case may be, including accrued interest to the date of such payment or redemption, and thereafter the registered owner shall look only to the funds so deposited

in trust with the Paying Agent for payment, and the County shall have no further obligation or liability in respect thereto.

Section 3. Sale of Bonds. (a) Prior to the sale of the Bonds, the Auditor shall cause to be published a notice of such sale two (2) times at least one (1) week apart in *The Post-Tribune* and *The Times* or *Crown Point Star*, newspapers published and having general circulation in the County, with the first publication occurring at least fifteen (15) days prior to the sale date and the second publication occurring at least three (3) days prior to the sale date in accordance with INDIANA CODE 5-1-11 and INDIANA CODE 5-3-1. A notice or summary notice of sale may be published in the *Court & Commercial Record* or *The Bond Buyer*, financial journals published in the City of Indianapolis and in the City and State of New York, respectively, at the discretion of the Auditor. In the alternative, the Auditor may cause to be published a notice of intent to sell bonds two (2) times one week apart in *The Post-Tribune* and *The Times* or *Crown Point Star* and *The Court & Commercial Record*. The Council hereby authorizes and approves the publication of such notices which state the purpose for which the Bonds are being issued, the total amount of the Bonds, the maximum rate of interest on the Bonds, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the Auditor, upon advice of counsel deems necessary. The notice shall provide, among other things, that the successful bidder shall be required to submit to the County a certified or cashier's check (or wire transfer such amount as instructed by the County) not later than 3:30 p.m. (local time) on the next business day following the award. If the successful bidder shall fail or refuse to accept delivery of the Bonds and pay for the same as soon as the Bonds are ready for delivery, or at the time fixed in the notice of sale, then the check and the proceeds thereof shall become the property of the County and shall be considered as its liquidated damages on account of such default.

All bids for the Bonds shall be sealed and shall be presented to the Auditor at her office, and the Auditor shall continue to receive all bids offered until the hour on the day fixed in the notice, at which time and place she shall open and consider the bids. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding seven percent (7%) per annum or such lower maximum rate set forth in the notice, and such interest rate or rates shall be in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%). The rate bid on any maturity of each series shall be equal to or greater than the rate bid on the immediately preceding maturity of that series. The Auditor shall award the Bonds of each series to the highest responsible

and qualified bidder for that series of the Bonds. The highest bidder shall be the one who offers the lowest net interest cost to the County, computing the total interest on all of the Bonds of that series to the maturities and adding thereto the discount bid, if any, and deducting therefrom the premium bid, if any. The Auditor shall have full right to reject any and all bids. If no acceptable bid is received at the time fixed in the notice for sale of the Bonds, the Auditor shall be authorized to continue to receive bids from day to day thereafter for a period not to exceed thirty (30) days, without readvertising, but during such continuation, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for such sale in the notice. No conditional bid or bid for less than all of the Bonds will be considered.

Prior to the delivery of the Bonds, the Auditor shall obtain a legal opinion as to the validity of the Bonds from Shanahan & Shanahan LLP, bond counsel, and shall furnish this opinion to the purchaser of the Bonds. The cost of this opinion, the services of the County's Attorney, the services of the Council's Attorney and the services of the County's financial advisor shall be considered as part of the costs incidental to these proceedings and may be paid out of proceeds of the Bonds.

(b) Distribution of an Official Statement (preliminary and final) for the bonds prepared by the County's financial advisor, on behalf of the County, is hereby authorized and approved and the Board or the Auditor are authorized and directed to execute the Official Statement on behalf of the County in a form consistent with this ordinance. The Board or the Auditor is hereby authorized to designate the Official Statement as nearly final for purposes of Rule 15c2-12, as amended, promulgated by the Securities and Exchange Commission.

(c) If the County's financial advisor certifies to the County that it would be economically advantageous for the County to obtain a municipal bond insurance policy for the Bonds, the County hereby authorizes and directs the Board and the Auditor to obtain such an insurance policy. The acquisition of a municipal bond insurance policy is hereby deemed economically advantageous if the difference between the present value cost of (a) the total debt service on the Bonds if issued without municipal bond insurance and (b) the total debt service on the Bonds if issued with municipal bond insurance, is greater than the cost of the premium on the municipal bond insurance policy.

Section 4. Preparation of Bonds. The Auditor is hereby authorized and directed to have the Bonds prepared, and the Board and the Auditor are hereby authorized and directed to execute the Bonds in the form and manner provided in this ordinance.

Section 5. Form of the Bonds. The form and tenor of the Bonds shall be substantially

as follows (all blanks to be properly completed prior to the preparation of the Bonds):

UNITED STATES OF AMERICA
STATE OF INDIANA
LAKE COUNTY

NO. R-
\$ _____

[TAXABLE] GENERAL OBLIGATION BOND, SERIES 2012D-[1]

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Date</u>	<u>[2] Authentication Date</u>	<u>CUSI</u> <u>P</u>
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REGISTERED OWNER:

PRINCIPAL AMOUNT:

Lake County, Indiana (the "County"), for value received hereby acknowledges itself indebted and promises to pay, to the Registered Owner (named above) or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, and to pay interest on such Principal Amount to the registered owner of this Bond (as defined below) until the County's obligation with respect to the payment of such Principal Amount shall be discharged, at the rate per annum specified above from the interest payment date immediately preceding the date of authentication of this Bond unless this Bond is authenticated on or before June 30, 2013, in which case interest shall be paid from the Original Date, or unless this Bond is authenticated between the fifteenth day of the month preceding an interest payment date and the interest payment date, in which case interest shall be paid from such interest payment date. Interest shall be payable on January 15 and July 15 of each year, commencing July 15, 2013. Interest shall be calculated on the basis of twelve 30-day months for a 360-day year.

The principal on this Bond is payable in lawful money of the United States of America upon presentation of this Bond at the principal corporate trust office of _____, as Registrar and Paying Agent (the "Registrar" or

"Paying Agent"), in the City of _____ or at the principal corporate trust office of any successor paying agent appointed under the Bond Ordinance defined below. Interest on this Bond shall be paid by check mailed one business day prior to the interest payment date to the registered owner of this Bond at the address as it appears on the registration books kept by the Registrar as of the fifteenth day of the month immediately preceding the interest payment date or at such other address as is provided to the Registrar in writing by the registered owner. All payments on the Bond

shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

This Bond is one of an authorized series of bonds of the County with an aggregate principal amount of [\$3,500,000/\$6,500,000] (the "Bonds") designated "[Taxable] General Obligation Bonds, Series 2012D-[1][2]." The Bonds are numbered consecutively from R-1 upwards, and are issued pursuant to an ordinance adopted by the County Council of the County of Lake, Indiana (the "County Council"), on _____, 2012 (the "Bond Ordinance") and in strict compliance with the Indiana Code and all related and supplemental acts as in effect on the issue date of the Bonds, including, without limitation, INDIANA CODE 5-1-14, INDIANA CODE 36-2-6-18, INDIANA CODE 36-2-6-19 and INDIANA CODE 36-2-6-20 (collectively the "Act"), for the purpose of providing funds to be applied on the Costs of the Projects (as defined in the Bond Ordinance), and paying incidental expenses incurred in connection with the issuance of the Bonds. The Bonds and any bonds issued on a parity with the Bonds under the Bond Ordinance are referred to collectively as the "Bonds."

Reference is hereby made to the Bond Ordinance for a description of the rights, duties and obligations of the County, and the owners of the Bonds, the terms and conditions upon which the Bonds are or may be issued and the terms and conditions upon which the Bonds will be paid at or prior to maturity, or will be deemed to be paid and discharged upon the making of provisions for payment therefore. Copies of the Bond Ordinance are on file at the principal corporate trust office of the Registrar. THE OWNER OF THIS BOND, BY ACCEPTANCE OF THIS BOND, HEREBY AGREES TO ALL OF THE TERMS AND PROVISIONS IN THE BOND ORDINANCE.

The Bonds are not subject to optional redemption prior to maturity.

[The Bonds are subject to mandatory sinking fund redemption prior to maturity at a redemption price equal to the principal amount plus accrued interest to the date of redemption on the dates and in the amounts set forth on Exhibit A.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration records of the County and the Registrar at least thirty (30) days prior to the date fixed for redemption unless the notice is waived by the registered owner of this Bond. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption shall be the principal corporate trust office of the Registrar and Paying Agent unless the County selects another place. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date. Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of mandatory redemption.

This Bond is transferable or exchangeable only upon the books of the County kept for that purpose at the office of the Registrar by the registered owner in person, or by its attorney duly authorized in writing, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or its attorney duly

authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, therefor. The County and the Registrar for this Bond may treat and consider the person in whose name this Bond is registered as the absolute owner for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon. The Registrar shall not be required to register, transfer or exchange any Bond after the fifteenth day of the month immediately preceding an interest payment date on the Bonds until such interest payment date. The Registrar will not be required to (i) register, transfer or exchange any Bond during the period fifteen days next preceding mailing of a notice of redemption on any Bonds, or (ii) to register, transfer or exchange any Bonds selected, called or being called for redemption in whole or in part after mailing notice of such call.

The Bonds are issuable only in fully registered form in the denomination of \$5,000 principal amount or any integral multiples thereof not exceeding the aggregate principal amount of the Bonds maturing in such year.

If this Bond shall have become due and payable in accordance with its terms or shall have been duly called for redemption or irrevocable instructions to call this Bond or a portion thereof for redemption shall have been given, and the whole amount of the principal of and interest so due and payable on this Bond or portion thereof then outstanding shall be paid or (i) sufficient moneys, or (ii) noncallable, direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) obligations of any state of the United States of America or any political subdivision thereof, the full payment of principal of and interest on which (a) are unconditionally guaranteed or insured by the United States of America, or (b) are provided for by an irrevocable deposit of securities described in clause (ii) and are not subject to call or redemption by the issuer thereof prior to maturity or for which irrevocable instructions to redeem have been given, shall be held in trust for such purpose, and provision shall also have been made for paying all fees and expenses in connection with the redemption, then and in that case this Bond shall no longer be deemed outstanding or an indebtedness of the County.

It is hereby certified, recited and declared that all acts, conditions and things required to be done precedent to and in the execution, issuance, sale and delivery of this Bond have been properly done, happened and performed in regular and due form as prescribed by law, and that the total indebtedness of the County, including the Bonds, does not exceed any constitutional, statutory or local ordinance or ordinance code limitation of indebtedness. The full faith and credit of the County is hereby irrevocably pledged to the punctual payment of the principal of and interest on this bond according to its terms and the County will levy a tax and appropriate funds to pay such principal and interest.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication shall have been duly executed by the authorized representative of the Registrar.

IN WITNESS WHEREOF, The Board of Commissioners of the County of Lake, Indiana, have caused this Bond to be executed by the manual or facsimile signatures of the Commissioners, and attested by the manual or facsimile signature of the Auditor of the County, who has caused the seal of the County to be impressed or a facsimile to be printed on this Bond.

COUNTY OF LAKE, INDIANA

By: Commissioner

By: Commissioner

By: Commissioner

(SEAL)

Attest:

Auditor

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Ordinance.

_____, as Registrar Authorized
Representative

(end of bond form)

Section 6. Defeasance. If, when the Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or a portion thereof for redemption shall have been given, and the whole amount of the principal and the interest so due and payable upon all of the Bonds then outstanding or any portion thereof shall be paid, or (i) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of taxes to be levied upon all property in the County.

Section 7. Deposit and Application of Bond Proceeds; Surplus to Bond Fund. The Lake County Bond Fund is created hereby (the "Bond Fund"). (a) The Auditor is hereby authorized and direct to deposit the proceeds of the 2012D-1 Bonds in a separate fund (the "Construction Fund") to: (1) pay the cost of the Projects listed on Table 1 and all other costs and expenses incurred in connection with the Projects; and (2) pay costs of issuance of the 2012D-1 Bonds. Except as described in this Section, the Construction Fund may not be used for any other purpose. The

Construction Fund shall, in accordance with INDIANA CODE 5-13, be deposited, at interest, with the depository or depositories of other public funds of the County, and all interest collected on it belongs to the fund. Any surplus remaining in the Construction Fund from the proceeds of the Bonds after all costs and expenses are fully paid shall, in accordance with INDIANA CODE 5-1-13, either be paid into and become a part of the County's Bond Fund for the Bonds, or, at the direction of the Board be used by the County to pay debt service on any other outstanding obligations of the County.

(b) The Auditor is hereby authorized and direct to deposit the proceeds of the 2012D-2 Bonds in a separate fund (the "Reimbursement Fund") to: (1) reimburse the County for the cost of the Projects listed on Table 2 and all other costs and expenses incurred in connection with the Projects; and (2) pay costs of issuance of the 2012D-2 Bonds. The Reimbursement Fund shall, in accordance with INDIANA CODE 5-13, be deposited, at interest, with the depository or depositories of other public funds of the County, and all interest collected on it belongs to the fund. The County may transfer money from the Reimbursement Fund to any other fund of the County at any time.

Section 8. Appropriation of Proceeds. The proceeds of the Bonds and the interest earnings thereon are hereby appropriated to the cost of Projects.

Section 9. Tax Pledge. The full faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and the interest on the Bonds according to their terms. There shall be levied in each year upon all taxable property in the County, real and personal, and collected a tax in an amount and in such manner sufficient to meet and pay the principal of and interest on the Bonds as they become due beginning July 15, 2013, and the proceeds of this tax are hereby pledged solely to the payment of the Bonds. The tax proceeds shall be deposited into the Bond Fund and used to pay the principal of and interest on the Bonds, when due, together with any fiscal agency charges.

Section 10. Tax Covenants and Representations. In order to preserve the exclusion of interest on the 2012D-1 Bonds from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the 2012D-1 Bonds and the Regulations in effect and applicable to the 2012D-1 Bonds on the date of issuance of the 2012D1 Bonds (collectively, "Code") and as an inducement to purchasers of the 2012D-1 Bonds, the Council represents, covenants and agrees that:

(a) The Projects will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the County or another state or local governmental unit will use more than 10% of the proceeds of the 2012D-1 Bonds or property financed by the 2012D-1 Bond proceeds

other than as a member of the general public. No person or entity other than the County or another state or local governmental unit will own property financed by 2012D-1 Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the 2012D-1 Bonds. If the County enters into a management contract for the Projects, the terms of the contract will comply with IRS Revenue Procedure 97-13, as it may be amended, supplemented or superseded from time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the 2012D-1 Bonds.

(b) No more than 5% of the 2012D-1 Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the 2012D-1 Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the 2012D-1 Bond proceeds.

(c) The County reasonably expects, as of the date hereof, that the 2012D-1 Bonds will not meet either the private business use test described in paragraph (a) above or the private loan test described in paragraph (b) above during the entire term of the 2012D-1 Bonds.

(d) No more than 5% of the proceeds of the 2012D-1 Bonds will be attributable to private business use as described in (a) attributable to unrelated or disproportionate private business use.

For this purpose, the private business use test is applied by taking into account only use that is not related to any governmental use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(e) The County will not take any action nor fail to take any action with respect to the 2012D-1 Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the 2012D-1 Bonds pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion. The County covenants and agrees not to enter into any contracts or arrangements which would cause the 2012D-1 Bonds to be treated as private activity bonds under Section 141 of the Code.

(f) It shall be not an event of default under this ordinance if the interest on any 2012D-1 Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

(g) These covenants are based solely on current law in effect and in existence on the date of delivery of such 2012D-1 Bonds.

(h) Notwithstanding any other provisions of this ordinance, the covenants and authorizations contained in this ordinance (the "Tax Sections") which are designed to preserve the exclusion of interest on the 2012D-1 Bonds from gross income under federal law (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with any Tax Section is unnecessary to preserve the Tax Exemption.

Section 11. Continuing Disclosure. The Board and the Auditor are hereby authorized and directed to complete, execute and attest on behalf of the County a Continuing Disclosure Agreement (the "Agreement") that complies with the requirements of SEC Rule 15c2-12. Notwithstanding any other provisions of this ordinance, failure of the County to comply with the Agreement shall not be considered an event of default under the Bonds or this ordinance.

Section 12. Debt Limit Not Exceeded. The County represents and covenants that the Bonds herein authorized, when combined with other outstanding indebtedness of the County at the time of issuance of the Bonds, will not exceed any applicable constitutional or statutory limitation on the County's indebtedness.

Section 13. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforcability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 14. Repeal of Conflicting Provisions. All ordinances, or parts thereof, in conflict with the provisions of this ordinance, are, to the extent of such conflict, hereby repealed or amended.

Section 15. Amendments to Ordinance. This ordinance may, from time to time hereafter, be amended without the consent of the owners of the Bonds, if in the sole discretion of the County Council, such amendment shall not adversely affect the rights of the owners of any of the Bonds.

Section 16. Effective Date. This ordinance shall be in full force and effect immediately upon its passage.

Table 1

Improvements to Bridges within the County	\$1,900,000
Improvements to Drainage Ditches within the County	1,600,000
Flood Control work	179,400
Computer Equipment	130,036

Table 2

Building Improvements	\$ 639,557
Data Equipment; Computers, Servers etc	419,237
Highway Repair/Maintenance	852,181
Bridge Projects	1,459,544
Drainage Projects/GIS	305,768
Building Improvements & Equipment	173,874
Data Equipment	808,078
Drainage Fund	882,145
Other Bridge Projects	322,692
Police Vehicles	137,982
Plumbing Work	21,244
Sealing Parking Lot	167,453

Adopted this 13th day of November, 2012.

COUNTY COUNCIL, COUNTY OF LAKE,
INDIANA

Jerome Prince
Elsie Franklin
Christine Cid
Michael Repay

ATTEST:
Peggy Holinga Katona,
Auditor

In the Matter of Ordinance Amending the Ordinance Regarding the Payment of County Benefits to an Employee Vacating a County Position, Ordinance No. 1352A.

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

Repay explained that this is a procedural thing so that payroll basically makes sure that those positions are not double paying so it's a form the officeholder, and department heads all need to fill out.

All voted "Yes", except Bilski, "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

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

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

ORDINANCE NO. 1352A-1

**ORDINANCE AMENDING THE ORDINANCE
REGARDING THE PAYMENT OF COUNTY BENEFITS TO
AN EMPLOYEE VACATING A COUNTY POSITION, ORDINANCE NO. 1352A**

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, on September 11, 2012, the Lake County Council adopted the Ordinance Regarding the Payment of County Benefits to an Employee Vacating a County Position, Ordinance No. 1352A; and

WHEREAS, the Lake County Council desires to amend Ordinance No. 1352A. NOW,

THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

DELETE:

- 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.

INSERT:

- 3. That all Lake County officers and departments shall notify the Lake County Payroll Department/Lake County Data Processing when the benefits due the employee vacating the position are paid in full, using the Employee Termination Record Form attached hereto as Form "A".
- 4. That the Lake County Payroll Department/Lake County Data Processing shall not pay the new County employee filling the vacancy until the Employee Termination Record Form, Form "A" is received from the County officer or department filling the vacancy.

SO ORDAINED THIS 13TH DAY OF NOVEMBER, 2012.

JEROME A. PRINCE, President

CHRISTINE CID
DANIEL E. DERNULC
RICK NIEMEYER

MICHAEL C. REPAY
ELSIE FRANKLIN

Members of the Lake County Council

******* Form "A" is attached to Ordinance, and on file in the Auditor's Office*******

Repay made a motion, seconded by Dernulc to Suspend Rules. All voted "Yes", except Bilski, "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

Franklin made a motion, to add Hanover Municipal School Corporation, School City of Hobart, and Munster Community School to the minutes of September 24, 2012, the Non-Binding recommendations. Dernulc seconded the motion. All voted "Yes", except Bilski, "absent". Motion carried 6-yes, 1-absent.

Public Portion

Wayne Weitbrock, a citizen of Lowell spoke.

Prince took the opportunity to wish everyone a happy holiday. He said unfortunately he will be attending the last meet of the year. He thanked everyone for all of their help this year.

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

President, Lake County Council

ATTEST:

Peggy Holinga Katona,
Lake County Auditor

