

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in special session at this time, for the purpose of considering Budgets for Year 2014, a written notice was sent to each member of the Council, and proper advertisement made, and all other acts performed in accordance with the laws governing such matters.

And now in obedience to such call, come Ted Bilski, President, David Hamm, Daniel Dernulc, Christine Cid, and Eldon Strong, County Councilpersons, together with Ray Szarmach, County Council Attorney. Councilwoman Elsie Franklin and Councilman Jerome Prince were absent.

OPEN: Public Comments, Council Discussions, and Actions

Dante said they have some more Line 2 that will help out the Coroner request for this year. He said Line 2' are this year.

He said that the Commissioners and Auditor worked on this last week to come up with (3) Line 2', and those 3 Line 2' will reduce your deficit, and help fund the request latter this year for the Coroner, not to exceed \$120,000.

Cid made a motion, seconded by Hamm to reduce Line 2 in the Commissioner's budget, general fund, line 43190, \$11,619.00, Courthouse, general fund, line item 43510, \$90,822, and Government Center, line item 43636, \$18,396. All voted "Yes", except Franklin, and Prince, "absent". Motion carried 5-yes, 2-absent.

Dante said, that should cover the Coroner for next month.

Cid made a motion to reduce in the general fund, Commissioner's budget, department 2900, line item 43995, Other Services & Charges, in the amount of \$582,167.00. Cid said that is Other Contractual Obligations, and Contingencies. Hamm seconded the motion.

Cid said that this is an added expense, and at this time, she believes that they shouldn't be looking to add additional, when we need to balance, and we are in a deficit right now. Cid said, as she said before, at the beginning of this budget process that they should fund what is absolutely necessary, then look to add additional expenses, if the funds are there.

Bilski said the funding is there right now, and he believes that as they get through 2014, we will see the ability to be there.

All voted "No", except Cid. Franklin, and Prince were "absent". Motion failed 4-no, 1-yes, 2-absent

Cid made a motion to reduce in the general fund, line item, 41230, PERF line item, \$656,756.00. Motion dies for a lack of a second.

Hamm made a motion that \$3.5 million dollars be removed out of the general fund, from the Self-Insurance Fund, to balance our budget. Dernulc seconded the motion.

Cid said we had to increase the employee' contribution to the Insurance, we had to increase their out-of-pocket, their deductible, and she knows that claims are not being paid in the timely fashion that they should be, so she thinks the Insurance Fund should be kept whole, for those reasons.

Dante said that we made long strides earlier this year, \$2.4 million dollars from the surplus tax sale money, that could have gone into the general fund, we steered it toward Insurance. He said \$1.75, and some change came from the borrowing, so \$4.3 went into Health Insurance just this year.

All voted "Yes", except Cid, "No". Franklin and Prince were "absent". Motion carried 4-yes, 1-no, 2-absent.

Cid presented an Ordinance to the Council for consideration. It is an Ordinance Creating the Lake County School Safety Commission.

Cid explained that this is legislation that allows the Schools..., there is Grant money, but in order for our local schools to take part in the Grant monies, the County has to establish this Safety Commission. If we don't have this have the Safety Commission, then they can not apply for these Grants.

Cid said, in her district, School Board Members have contacted her, that they are ready, they have their paperwork ready to go, but we need this School Safety Commission Ordinance passed. The Grant monies allows for them School Safety Officers, Resource Officers, for school safety.

Cid made a motion to approve this Ordinance Creating the Lake County School Safety Commission, seconded by Hamm on First Reading.

Dernulc said I'm okay with doing this on First Reading, but I just need to speak with Christine a little more about this. Dernulc asked if they could take this up at our next meeting tomorrow?

Cid asked can we do First Reading today because time is of the essence, she believe the deadlines for application of the Grants.

Attorney Szarmach said the Ordinance basically recites the statutory requirements. The first page, tells you what the Grants can be used for, and how you get them.

He explained Section 3, on page 2, General Scope and Intent, 1,2 and 3 tells what they can be used for, and as far as members, page 3 of 5, at the top, Section 4A. – Members of Lake County School Safety Commission, goes from number 1 through 11, the different members that are appointed to the Commission. It's a county-wide Commission, basically, or the individual school districts to use.

Dernulc added, there will be a Commissioner for all schools districts, and they will have one single Commission to discuss these issues.

Bilski asked any type of Grant that we deal with, liability, through State Board, when they audit, do we have to those individual taxing units if we implement this, if they don't follow the right protocol with State Board, and what accountability do we have as being the Commission?

Attorney Szarmach answered, our liability is, from what he can tell Bilski, you do not have any liability, each school' district has a school safety member, and they are on the Commission, and they all work together to make sure that the Grant is being used properly.

Attorney Szarmach said we are not going to have any contact, or any responsibility.

Dante said Commission activities are regulated by the State Board of Accounts, and when they are wrong, who gets the write-up, so if we follow our solution, which we haven't followed up on, with a possible Supervisor that would carry that, so it wouldn't be an issue, but Dante had a question and said to Attorney Szarmach that this is a budget presentation. This wouldn't go into the normal pack of ordinances, this would be effective immediately. Dante cautioned Ajaz to watch, because this won't go down state with the normal Resolutions and Ordinance pack. This goes outside the pack, even though this is a budget meeting that doesn't take effect until January 1st, you are pulling this out of the mix.

Dernulc wants to take action on this tomorrow.

Attorney Szarmach said that this is an item that is on the October Council meeting agenda, and Cid wanted to move it up. He said first the Council needs a motion to add this on the agenda. Then you could do the First Reading today, with Second Reading tomorrow, or Wednesday.

Dante said, but it won't be in our Ordinances and Resolutions, when we send them down to the State, in our Budget pack.

Attorney Szarmach said, it's going to be a Lake County Ordinance, establishing x,y,z, but as far as having any kind of oversight, or responsibility, it's none of our business.

Bilski said it all comes back to us, when State Board has issues with the bookkeeping efforts, it all comes back to us as County Government.

Dante said the Auditor gets the write-ups, we get the write-ups, we've been getting them for years.

Bilski said no one is excluded from the "ding" we receive from them.

Attorney Szarmach said that you are not creating a Fund in this Ordinance, and there is no fund that the Auditor has to manage, and that's usually the case on an audit. You have a fund, you have money coming in.

Dante said but if it's something that goes under the auspices of State Board of Accounts, it doesn't make any difference, they are going to lead right back to this document that authorized it.

Cid rescinded her motion, Hamm removed his second.

Cid made a motion, seconded by Hamm to add this Ordinance to the Agenda. All voted "Yes", except Franklin, and Prince, "absent". Motion carried 5-yes, 2-absent.

Cid made a motion, seconded by Hamm to approve Ordinance Creating the Lake County School Safety Commission, on First Reading. All voted "Yes", except Franklin, and Prince, "absent". Motion to approve on First Reading carried 5-yes, 2-absent.

Judge Pera was present, as well as Judge Schneider, regarding the Civil Division budget request.

He said they are looking for an increase in a few areas, notably, employees salaries.

He said they are asking for 7 new positions.

\$5,000 dollars in Furniture & Fixtures,

Travel/Conference, increase of \$8,000

Maintenance & Service Contract- \$15,900

Food & Lodging - \$10,520

Part-Time - \$38,000

Requesting Council approval of Supplemental Pay of Civil Division employees out of the Fund 283, @ \$3,500 dollars per employee.

Judge Pera explained that each year, with the help of Mark Pearman, he identifies funds available for distribution for the Courts, out of that 283 money, and within the past few month, Superior Court, as a whole met and determined, with Mark' assistance, that there is \$300,000 dollars available for distribution for the Court, out of the User Fee money, and we divided it equally among all of the Judges, and in the case of the Civil Division, that distribution was last made for all of the Courts, in 2010, and we had money left over in that 283 Fund, that they never spent. The money is there, it will not impact the general fund, and at one other point in time, he believes a few years ago, the Council did approve a supplemental pay request by the Civil Division, he said he believes, at that time, it was \$2,000.

Judge Pera said the supplemental pay would go to all Civil Division employees, not the Judges, our salaries are set by State Law, and we are prohibited from any funds in excess of that. This money is not going to the Judges, it's going to the employees.

Judge Pera said right now, they have the money available, and we don't know that it will be, in the future, we last made a distribution out of our 283 Fund back in 2010, and we did not make another one until, within the last few months.

Attorney Szarmach said that 283 is the Web Maintenance Fund, and the uses are pretty well defined in there. He said he doesn't know if there is any objection in there, as to whether or not it's a policy of whether or not you can use, at this point, or in the future, 283 for a raise, but at this point, if you use 283 for across the board raises, you will be hearing from State Board of Accounts, you will be written up for that because it doesn't comply with the Ordinance. That doesn't mean you can't amend the Ordinance tomorrow.

Judge Pera said that discussion was held a few years ago, and at that time, the Council approved the use of the money, for this purpose, and it was across the board then. The point I'm trying to make is that every single employee, in the Civil Division is updating, and maintaining the records and therefore maintaining the online dockets, and the web, for the use of the public, so there are 35 Civil Division employees, every single one of them, because there are so few, are updating those records constantly.

Joy said and it was used as a supplemental pay, not an across the board salary raise.

Attorney Szarmach asked, when you say supplemental pay, it was used to, for the source to increase the salary of each one, or was it a one-time bonus?

Joy said, to supplement the income, annually, as money is needed, if money was not available the next year, then we couldn't supplement our employees' check.

Attorney Szarmach said, if we do it technically, the way you want, we may have to change the Ordinance, which we can do easy, if the Council wants. He said he hates the way that Ordinance reads, as to what is maintenance, he thinks they have a good argument that everybody contributes to it, then that's what the ordinance should say. We did it 2 years ago, it was still up in the air as to what maintenance is going to be.

Judge Pera said their position is that they resolved that issue by the Council action that was taken a couple of years ago, but if the Council is more comfortable in amending the ordinance, then that is certainly your privilege, but Judge Pera said, he thinks the Ordinance covers this situation now because every one of those employees spends at least 50% of their time updating court records constantly.

Attorney Szarmach said he believes that what will cure it is just to include the word "upgrading", after maintenance, and upgrading.

Bilski said, we can do that.

Cid said her concern with the Web Maintenance Fund, fees are paid to file, and fees are paid 10 cents per page, and to Cid, that was to cover toner, and by having this Web Maintenance Fund, it would help pay for the cost of the additional paper because before Attorneys would supply the number of copies that were needed, now the Clerk' staff has to actually print all of those extra copies that need to be served, so you should first cover toner, paper that's needed, printers, and scanners. That should be the main cost, and in fact, it should help reduce some of the cost from the general fund, in my mind, because you now have these fees to cover the paper, when before we were using the general fund for paper. Cid said her main concern is that this money should be spent for that. She doesn't see any Clerk, or any Court reducing their paper cost, because now the Clerk doesn't need to buy file folders anymore, that could be a savings in supplies, and Cid said she never sees that, she always see, "we need more, we need more", when you now have these fees that should be reducing the cost to the general fund because they should be coming out of these extra fees that are being paid, and that's what this fund first should be used for.

She said she was looking over her notes, when Web Maintenance was first being discussed, about what the purpose of it was, and she will share that with the Council Attorney, and with the Judges to kind to give a reminder of where we wanted this to go. She has a concern, and she has never been big on supplemental pays. She thinks it's unfair for those departments that have it, but she understands, and knows it's hard, because there are other departments that have these other funds, and they've been approved to give these supplemental pays, and everyone says, well, they are doing more work, but Cid said, in actuality, there's 8 hours in a day, but we need to be really careful, and we really need to use these monies first, for everything that I've mentioned.

Bilski said he has a concern when we talk of Web Maintenance Funds, he said he has a question for Data when it comes to software updates. He asked when it comes to updates and maintaining, is the funding source still there, and are you currently using that to supplement those costs?

Mark said he would never make a recommendation that would siphon off money out of that fund, that would not support the on-going support of the system, which is software support, hardware support, new hardware, and those types of things. This \$300,000 dollars does not short that fund. That fund currently has enough money in it right now, today, that would support it for next year, much less what the funds are going to rejuvenate day, by day. That \$300,000 dollars is not shorting anything.

Dernulc said at the last meeting he asked Attorney Szarmach to revise the Ordinance, so it could be discussed at the October study session. Dernulc said, he doesn't want to take any action today, but he believes until they can get this defined.

Bilski asked Attorney Szarmach is they could put that on one of their budget workshop meetings? Attorney Szarmach said, that they are going to have several meetings before the Second Reading, and they have time to address this issue. He said if this is for the 2014 budget, it goes into effect next year, if the Ordinance is changed, they could always ask for additional appropriations out of that fund in January.

Judge Pera said that they would like to have this resolved in this budget cycle.

Attorney Szarmach said he also wants to look at what they did in the past, and the logic that we used. That's a good point, that we did it in the past.

Judge Pera said that Judge Svetanoff did a fantastic job in doing the legal research that supports the position that the Council sought, and he will E-mail it to Attorney Szarmach.

Bilski said that he understands that they are working short-handed, but the position that the Council, and the creation of new positions, we are in the process of eliminating positions, and unfortunately, it is what it is, and we would hope that through efforts taken by this Council, down the line in the year to come, that things could be better for a lot of folks too.

Judge Pera said that the Courts assisted the Council in every way that we could, during the lean times. We cut our budgets by over 30%. We have cut staff, I have 20% less staff today, than I did 5 years ago, which means that there is more work, and more responsibility. Yes, they are here 8 hours a day, but the pressure placed on them to perform is unbelievable, so I think that if we have the opportunity to reward those who have stayed, and stuck it out with us, and who haven't had a salary increase, and I'm talking about county-wide, in years, that we ought to cease the opportunity.

Cid said she agrees with Judge Pera that the county employees need a raise, but she feels that everyone should have a raise, not just one department, or two departments.

Bilski said there are efforts that we can try to do something, as small as re-instating PERF, which was a reduction that you faced over the last few years, so that's something that has been taken into consideration by this Body, as well. It's not a pay raise, per se, but it is something that we've taken under consideration.

Strong said that we've all felt the burden that's been place upon us, since the tax caps came into place. It made us really tighten our belts. Strong said the Council has been trying to work through all of this, it's

probably going to take us more time before we can start to get this budget straightened out, but one of the recommendations that has come out of the Strategic Planning Committee, and we realize it's going to take several years for a strategic plan to work. One of the recommendations that has come out of this is to stop all supplemental pay, to stop it all, across the board, and we understand that your folks do a wonderful job, but I'm sure that all departments have folks that do a wonderful jobs, but our problem is, we are dealing with a budget that we have a tough time trying to make it all work, and make it all blend together. Until we get uniform, and stop allowing one department versus another with supplemental pay, it's going to make our job much more difficult. We are trying to get it done. He said he doesn't support supplemental pay, he would like to see everybody get a raise, but until we get this all worked out, to one budget form, that we can all adapt, and adhere to, and come up with some job descriptions, come up with maybe some training programs to where we can begin giving some additional pay, for jobs that people do, Strong said he is going to have a hard time supporting any kind of supplemental pay.

Judge Pera said his only response to that is, for years this County has supplemented the pay of employees everywhere. Scores of employees are getting it, and he doesn't begrudge them a dime. We now have a situation where we can, and Judge Pera said he thinks as a matter of fairness, the Courts ought to be included in that process, if you are going to eliminate it for everybody, that's fine, he doesn't recommend that you do that, he thinks there are going to be a lot of unhappy people out there, unless you can figure out another way to ...

Strong interjected, we are not going to eliminate it, we are just not going to have it any more.

Judge Pera said, "I have to respectfully disagree with that position."

Hamm made a motion, seconded by Dernulc to cancel the Budget Workshop scheduled for 9-17-13 @ 4:00 P.M. All voted "Yes", except Prince, and Franklin, "absent". Motion carried 5-yes, 2-absent.

The next Budget Workshop is Wednesday, September 25, 2013, at 4:00 P.M.

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