

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 Ted Bilski, President, Jerome A. Prince, David Hamm, Elsie Franklin, Daniel Dernulc, Christine Cid, and Eldon Strong, County Councilpersons, together with Ray Szarmach, County Council Attorney.

In the Matter of Minutes of the Lake County Council for: June 11, 2013, June 27, 2013 – Special Meeting

Dernulc made a motion, seconded by Strong to approve the minutes for June 11, 2013, and June 27, 2013. All voted "Yes". Motion carried 7-0.

ORDINANCE NO. 1362

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

	Appropriation Requested	Appropriated
General Fund 001		
<u>Council</u> 3700		
41240 Group Insurance	\$2,450,000.00	\$2,450,000.00
<u>Superior Court Civil</u> 3900		
43920 Food & Lodging	\$ 8,500.00	\$ 8,500.00
<u>Commissioners</u> 2900		
43810 TAW Interest (Reduction)	-\$ 124,500.00	-\$ 124,500.00
Gambling Adm Tax Fund 196		
<u>Juvenile Court</u> 4100		
44410 Furniture & Fixtures	\$ 3,000.00	Defer to 8-13-13
Cum Cap Dev Fund 651		
<u>Juvenile Court</u> 4100		
44410 Furniture & Fixtures	\$ 3,000.00	Defer to 8-13-13
Clerk's Records Perpetuation Fund 194		
<u>Clerk</u> 0100		
41190 Part-Time	\$ 50,000.00	\$ 50,000.00
41220 FICA	\$ 3,500.00	\$ 3,500.00
L. C. Coroner Facility Fee Fund 273		
<u>Coroner</u> 0700		
41190 Part-Time	\$ 5,000.00	\$ 5,000.00
41220 FICA	\$ 500.00	\$ 500.00
41260 Worker's Comp	\$ 500.00	\$ 500.00
L.C. Operating Fund 312		
<u>Sheriff</u> 0500		
41235 Merit Retirement(CNL)	\$1,193,000.00	\$1,193,000.00
Reimbursement Fund 314		
<u>Commissioners</u> 2900		
44500 Const/Reconstruction	\$ 167,453.00	WITHDRAWN
L.C. Animal Shelter Non-Reverting Fund 163		
<u>Animal Control</u> 3200		
42410 Other Supplies	\$ 10,000.00	\$ 10,000.00
43190 Other Professional Service	\$ 5,000.00	\$ 5,000.00
43610 Building & Structure	\$ 15,000.00	\$ 15,000.00

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>Data 3600</u>		
From: 001-43715 Equipment Lease	\$ 44,597.67	
To: 001-43190 Other Professional Serv	\$ 44,597.67	\$ 44,597.67
<u>Sheriff 1007</u>		
Justice Assistance Grant Fund 262		
From: 262-41190 Part-Time	\$ 4,867.00	
To: 262-41390 Supplemental Pay	\$ 4,151.00	\$ 4,151.00
262-41230 PERF	\$ 716.00	\$ 716.00
<u>Sheriff 0582</u>		
L.C. Multi Task Force Fund 182		
From: 182-43195 Contractual Services	\$ 6,500.00	
To: 182-41190 Part-Time	\$ 6,500.00	\$ 6,500.00
<u>Sheriff 0500</u>		
L.C. Sheriff Non-Reverting Property Seizure Fund 145		
From: 145-44490 Other Equipment	\$ 46,792.00	
145-44440 Motor Vehicles(CNL)	\$ 46,792.00	\$ 46,792.00
<u>Sheriff 0500</u>		
Sheriff's Towing & Franchise Fee Fund 290		
From: 290-41336 Lateral Pay	\$ 3,000.00	
290-41338 Proficiency/Specialty Pay	\$ 4,000.00	
290-41339 Clothing Allowance Pay	\$ 3,000.00	
To: 290-41100 Overtime	\$ 10,000.00	\$ 10,000.00
<u>Sheriff 0500</u>		
Violence Intervention Program Fund 333		
From: 333-43234 Travel-Trans/Other	\$ 2,000.00	
333-44420 Office Machines	\$ 6,560.00	
To: 333-42410 Other Supplies	\$ 7,560.00	\$ 7,560.00
333-43190 Other Professional Service	\$ 1,000.00	\$ 1,000.00
<u>Juvenile Court 4100</u>		
From: 001-43630 Maintenance & Serv Contr	\$ 2,000.00	
To: 001-42410 Other Supplies(CNL)	\$ 2,000.00	\$ 2,000.00
<u>Election & Registration 2100</u>		
From: 001-42310 Equipment Repair Parts	\$ 2,000.00	
001-42410 Other Supplies	\$ 6,000.00	
To: 001-42110 Office Supplies	\$ 8,000.00	\$ 8,000.00
<u>Highway 5011 & 5017</u>		
Highway Fund 102		
From: 102-5011-43620 Equipment Repair	\$ 14,000.00	
To: 102-5011-43630 Maint & Serv Contr	\$ 11,000.00	\$ 11,000.00
102-5017-43510 Utilities	\$ 3,000.00	\$ 3,000.00
<u>Local Roads & Streets 5060</u>		
From: 112-43630 Maintenance & Serv Contr	\$399,000.00	
To: 112-43640 Local Roads & Streets Project	\$399,000.00	\$399,000.00
<u>Local Roads & Streets 5020</u>		
Cum Bridge Fund 350		
From: 350-42390 Other Repair & Maint Suppl	\$430,000.00	
To: 350-43650 Cum Bridge Project	\$430,000.00	\$430,000.00
<u>Drainage Board 2600</u>		
From: 001-43190 Other Professional Serv	\$ 350.00	
To: 001-43320 Advertising	\$ 350.00	\$ 350.00
<u>Auditor 0200</u>		
From: 001-41290 Carryover Payroll	\$100,000.00	
To: 001-44500 Const/Reconst(CNL)	\$100,000.00	\$100,000.00
<u>Public Defender 4002</u>		
From: 001-43190 Other Professional Serv	\$ 50,000.00	
To: 001-41331 Court Reporter Per Diem	\$ 50,000.00	\$ 50,000.00
<u>Jail 3100</u>		
From: 001-41140 Protective Service	\$100,000.00	
001-41338 Proficiency/Specialty	\$ 11,000.00	
001-41339 Clothing Allowance Pay	\$ 11,000.00	
001-43610 Building & Structure	\$ 15,000.00	
001-43620 Equipment Repair	\$ 15,000.00	
To: 001-41100 Overtime	\$100,000.00	\$100,000.00
001-41190 Part-time	\$ 22,000.00	\$ 22,000.00
001-42410 Other Supplies(CNL)	\$ 30,000.00	\$ 30,000.00
<u>Plan Commission 2400</u>		
Unsafe Building Fund 106		
From: 106-43250 License & Titles	\$ 2,000.00	
106-43660 Unsafe Building Demolition	\$ 8,000.00	

To: 106-43190 Other Professional Service	\$ 10,000.00	\$ 10,000.00
<u>Council 3700</u>		
From: 001-41240 Group Insurance Deductions	\$ 28,500.00	
001-41120 Professionals	\$ 26,600.00	
To: 001-43145 Legal Services	\$ 55,100.00	\$ 55,100.00

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 9th day of July, 2013.

Adopted this 9th day of July, 2013.

NAY

AYE

Ted F. Bilski
Jerome A. Prince
David A. Hamm
Elsie Franklin
Daniel E. Dernulc
Christine Cid
Eldon Strong

Members of the Lake County Council

Additional

	Made motions	seconded	
<u>General Fund 001</u> Council(\$2,450,000)	Prince	Franklin	All voted "Yes". Motion carried 7-0.
Superior Court Civil(\$8,500)	Franklin	Hamm	All voted "Yes", except Dernulc, & Cid, "No". Motion to Approve carried 5-yes, 2-no.
Commissioners(-\$124,500)	Franklin	Hamm	All voted "Yes" to approve the reduction. Motion To approve carried 7-0.
<u>Gambling Adm Tax Fund 196</u> Juvenile Court(\$3,000)	Prince	Dernulc	All voted "Yes" to defer to 8-13-13. Motion to defer carried 7-0.
<u>Cum Cap Dev Fund 651</u> Juvenile Court(\$3,000)	Prince	Dernulc	All voted "Yes" to defer to 8-13-13. Motion to defer carried 7-0
<u>Clerk's Records Perpetuation Fund 194</u> Clerk(\$53,500)	Franklin	Prince	All voted "Yes" to approve. Motion carried 7-0.
<u>L.C. Coroner Facility Fee Fund 273</u> Coroner(\$6,000)	Cid	Hamm	All voted "Yes" to approve. Motion carried 7-0.
<u>L.C. Operating Fund 312</u> Sheriff(\$1,193,000) (See Footnote)	Cid	Franklin	All voted "Yes" to create New line item, and approve. Motion carried 7-0.
<u>Reimbursement Fund 314</u> Commissioners(\$167,453)	WITHDRAWN		
<u>L.C. Animal Shelter Non-Reverting Fund 163</u> Animal Control(\$30,000)	Hamm	Franklin	All voted "Yes" to approve. Motion carried 7-0.

Footnotes:

Re: Sheriff(\$1,193,000.00) – Cid made a motion, seconded by Franklin to approve in Fund 312, Lake County Operating Fund, and create new line item.

Strong said that this was a recommendation from the Borrowing Committee that this 312 fund appropriates the funds to pay for the Merit Retirement.
All voted "Yes". Motion to approve carried 7-0.

Transfers

	Made motions	seconded	
Data(\$44,597.67)	Franklin	Cid	All voted "Yes" to approve. Motion carried 7-0.
Sheriff-JAG Grant Fund 262(\$4,867)	Cid	Hamm	All voted "Yes" to approve. Motion carried 7-0.
Sheriff-Multi Task Force Fund 182(\$6,500)	Cid	Hamm	All voted "Yes" to approve. Motion carried 7-0.
Sheriff-LC Non-Rev Prop Seizure Fund 145(\$46,792)	Cid	Hamm	All voted "Yes" to create new line item, and approve. Motion carried 7-0.
Sheriff-Towing & Franchise Fee Fund 290(\$10,000)	Cid	Hamm	All voted "Yes" to approve. Motion carried 7-0.
Sheriff-Violence Intervention Program Fund 333(\$8,560)	Cid	Franklin	All voted "Yes" to approve. Motion carried 7-0.
Juvenile Court(\$2,000)	Prince	Dernulc	All voted "Yes" to create new line item, and approve. Motion carried 7-0.
Elections & Reg(\$8,000)	Franklin	Prince	All voted "Yes" to approve. Motion carried 7-0.
Highway-Fund 102(\$14,000)	Franklin	Cid	All voted "Yes" to approve. Motion carried 7-0.
Local Roads & Streets(\$399,000)	Franklin	Dernulc	All voted "Yes" to approve. Motion carried 7-0.
Local Roads & Streets- Cum Bridge Fund 350(\$430,000)	Franklin	Dernulc	All voted "Yes" to approve. Motion carried 7-0.
Drainage(\$350)	Prince	Dernulc	All voted "Yes" to approve. Motion carried 7-0.
Auditor(\$100,000)	Cid	Hamm	All voted "Yes", to Create new line item, and approve. Motion carried 7-0.
Public Defender(\$50,000)	Cid	Franklin	All voted "Yes" to approve. Motion to approve carried 7-0
Jail(\$152,000)	Dernulc	Prince	All voted "Yes" to create 1 New line item, and approve. Motion to approve carried 7-0.
Plan Commission(\$10,000)	Dernulc	Strong	All voted "Yes" to approve. Motion carried 7-0.
Council(\$55,100)	Hamm	Franklin	All voted "Yes" to approve. Motion carried 7-0.

In the Matter of L.C. Assessor – Approval & Use & New Line Item.

Prince made a motion, seconded by Strong to approve, \$1,100,000.00, in the L.C. Assessor's Budget, Dept 0900, out of Lake County Operating Fund, 312, and to create new line item 43190 – Other Professional Services. Strong stated that this came from the Borrowing Committee, with a recommendation to proceed with this. All voted "Yes". Motion carried 7-0.

In the Matter of Citizen Nominations – Economic Development Commission – Town of Cedar Lake (1)

Strong made a motion, seconded by Dernulc to defer to 8-13-13. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Public Hearing – Approval of the Dept of Justice, Bureau of Justice Assistance Grant in the amount of \$164,417.00 for Year 2013.

Cid made a motion, seconded by Franklin for approval of the Department of Justice, Bureau of Justice Assistance Grant in the amount of \$164,417.00, for the year 2013.

Bilski opened up the Public Hearing.

There were no remonstrators present.

Bilski closed the Public Hearing.

All voted "Yes" to approve the Dept of Justice Bureau of Justice Assistance Grant, in the amount of \$164,417 for the year 2013. Motion carried 7-0.

In the Matter of Resolution Establishing a Lake County School Safety Commission.

Cid made a motion, seconded by Dernulc to defer to 8-13-13. All voted "Yes". Motion to defer carried 7-0.

In the Matter of Resolution Honoring Nathan Kondamuri – Munster High School Senior – Indiana's Representative to the White House Science Fair.

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

RESOLUTION NO. 13-62

**RESOLUTION HONORING NATHAN KONDAMURI,
INDIANA'S REPRESENTATIVE TO THE WHITE HOUSE SCIENCE FAIR**

WHEREAS, students and scholars from Lake County, Indiana, have consistently excelled in all academic matters throughout the State and Nation; and

WHEREAS, Lake County has generously sent forth its spirited youth to compete in academic contests in this State, the Nation and the World; and

WHEREAS, Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in academic contests demands; and

WHEREAS, in 2013, NATHAN was a National Semi-finalist at the Intel Science Talent Search; National Presenter/Finalist at the National Junior Science and Humanities Symposium; placed First Overall as Top Oral Presenter at the Indiana Junior Science and Humanities Symposium; a finalist and winner at the 2011 International Science and Engineering Fair (ISEF) and winner of the 2012 International BioGENEius Challenge; and

WHEREAS, NATHAN KONDAMURI, a Munster High School Senior was Indiana's Representative to the White House Science Fair, becoming the only Indiana student chosen this year for the honor; for the project NATHAN has worked on the past three years conducting research on a new solar cell that creates electricity by mimicking photosynthesis.

NOW, THEREFORE, LET IT BE RESOLVED that the Lake County Council, and all citizens of Lake County extend congratulations and praise to NATHAN KONDAMURI for being named as Indiana's Representative to the White House Science Fair; that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to NATHAN KONDAMURI

DULY ADOPTED by the Lake County Council, this 9th day of July, 2013.


TED A. BILSKI, President


CHRISTINE CID


ELDON STRONG


JEROME A. PRINCE


DAVID HAMM


ELSIE FRANKLIN


DANIEL E. DERNULC

Members of the Lake County Council

In the Matter of Resolution permitting the Lake County Highway Department to pay 2012 invoices with 2013 funds in the amount of \$4,361.58 – 229-5060-42390 Other Repair and Maintenance Supplies.

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

RESOLUTION NO. 13-63

**RESOLUTION PERMITTING LAKE COUNTY HIGHWAY DEPARTMENT
TO PAY AN OUTSTANDING 2012 INVOICE/DEBT FROM THE 2013 BUDGET**

WHEREAS, the Lake County Highway Department is currently operating in the 2013 Budget;
and

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

<u>229-5060-42390</u>	<u>Other Repair and Maintenance Supplies</u>
Morton Salt, Inc.	\$ 4,361.58

WHEREAS, the Lake County Highway Department desires to pay the above invoice/debt
due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Highway Department shall pay from the 2013
Budget the following invoice/debt incurred in the calendar year 2012 as follows:

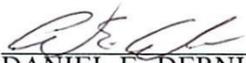
<u>229-5060-42390</u>	<u>Other Repair and Maintenance Supplies</u>
Morton Salt, Inc.	\$ 4,361.58

SO RESOLVED THIS 9TH DAY OF JULY, 2013.

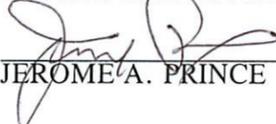


TED F. BILSKI, President

CHRISTINE CID



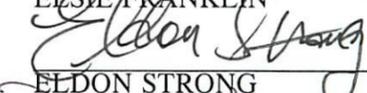
DANIEL E. DERNULC



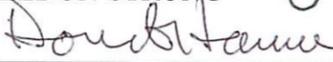
JEROME A. PRINCE



ELSIE FRANKLIN



ELDON STRONG



DAVID HAMM

Members of the Lake County Council

In the Matter of Resolution Permitting the Lake County Highway Department to pay 2012 invoices with
2013 funds in the amount of \$14,708.54 – 229-5060-42390 Other Repair and Maintenance Supplies.

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

RESOLUTION NO. 13-64

**RESOLUTION PERMITTING LAKE COUNTY HIGHWAY DEPARTMENT
TO PAY AN OUTSTANDING 2012 INVOICE/DEBT FROM THE 2013 BUDGET**

WHEREAS, the Lake County Highway Department is currently operating in the 2013 Budget;
and

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

<u>229-5060-42390</u>	<u>Other Repair and Maintenance Supplies</u>
U.S. Aggregates, Inc.	\$ 14,708.54

WHEREAS, the Lake County Highway Department desires to pay the above invoice/debt
due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Highway Department shall pay from the 2013
Budget the following invoice/debt incurred in the calendar year 2012 as follows:

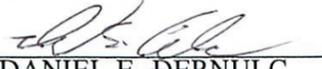
<u>229-5060-42390</u>	<u>Other Repair and Maintenance Supplies</u>
U.S. Aggregates, Inc.	\$ 14,708.54

SO RESOLVED THIS 9TH DAY OF JULY, 2013.



TED F. BILSKI, President

CHRISTINE CID



DANIEL E. DERNULC



JEROME A. PRINCE



ELSIE FRANKLIN



ELDON STRONG



DAVID HAMM

Members of the Lake County Council

In the Matter of Approving Issuance of Lake County Public Library General Obligation Refunding Bonds of 2013.

Cid made a motion, seconded by Hamm to approve. Cid said that this would be a \$3 million dollars savings. All voted "Yes". Motion to approve carried 7-0.

RESOLUTION NO. 13-65

RESOLUTION APPROVING ISSUANCE OF
LAKE COUNTY PUBLIC LIBRARY
GENERAL OBLIGATION REFUNDING BONDS OF 2013

WHEREAS, this County Council of Lake has been informed that the Board of Trustees of the Lake County Public Library (the "Library") has adopted a Resolution Authorizing the Issuance of General Obligation Refunding Bonds of 2013 in order to refund the outstanding General Obligation Bonds of 2003 and to pay the costs of issuance of such refunding; and

WHEREAS, the Resolution adopted by the Library Board of Trustees has been provided to this County Council; and

WHEREAS, Indiana Code 6-1.1-17-20.5 requires this County Council to approve the issuance of any bonds by the Library,

NOW, THEREFORE, BE IT RESOLVED, that this County Council hereby approves the Lake County Public Library issuing General Obligation Refunding Bonds of 2013.

SO RESOLVED this 9th day of July, 2013



TED F. BILSKI, President

CHRISTINE CID



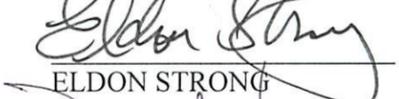
DANIEL E. DERNULC



JEROME A. PRINCE



ELSIE FRANKLIN



ELDON STRONG



DAVID HAMM

Members of the Lake County Council

In the Matter of Ordinance Establishing the Lake County Public Safety Communications Commission and Department – Second Reading.

Hamm made a motion, seconded by Strong to approve on Second Reading.

Juan said that he has only been Chairman for about 10 days, there is a lot more work to be done, as we all know, time is of the essence. We are 17 months away, but we need to pull this together in the next 13 to 14 months. He said passing this Ordinance puts us in the right direction, and he wants to assure everyone that he is up for the task, and is looking forward to working with Lake County Council in accomplishing this mission.

Attorney Szarmach said that Cid had some good points to make, and he wants to make sure that they are in the record. He said on page 3 of 7, Section 4, B-1, where the Commission makes recommendations to the County Commissioner regarding financing, purchasing, and contracting, etc.

Attorney Szarmach said, just remember that that is pretty much State Law, that the Commissioners will be the requesting entity that comes here, and the recommendations should be the Commissioners, and they come here, and this is where the recommendations, and requests are either voted up, or down.

Secondly, page 4, D-3, regarding the Commission' powers, "developing a personnel system for employees", etc, the key word in that sentence is developing. **Developing** does not mean establishing, by State Law the only entity that can establish a position with salaries, is the County Council, 36-2-5-13.

Attorney Szarmach said if you take a look at D-6, "establishing the procedures", that would be left up to the Commission, but the development, they can develop it, but the final vote would come here.

All voted "Yes", except Dernulc, "No". Motion to approve carried 6-yes, 1-no.

ORDINANCE NO. 1362A

**Establishing the Lake County Public Safety
Communications Commission and Department**

WHEREAS, eighteen (18) Lake County government units each operate a separate Public Safety Answering Point ("PSAP") to dispatch fire, ambulance and law enforcement services;

WHEREAS, Indiana statutes require consolidation of PSAP operations before January 1, 2015;

WHEREAS, Lake County's public safety agencies operate various radio systems which restrict needed inter-operative communications; and

WHEREAS, consolidating the function and developing an interoperable public safety communications system will increase safety;

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Ordinance Establishing the Lake County Public Safety Communications Commission and Department, Ordinance No. 1362A, shall be as follows:

SECTION 1. PURPOSE

- A.** This ordinance establishes the oversight body and administrative entity to operate two or less PSAPs before January 1, 2015.
- B.** A Lake County Public Safety Communications Commission ("Commission") is hereby established as the oversight body for the consolidated 911 dispatch function and interoperable communications system.
- C.** A Lake County Public Safety Communications Department ("Department") is hereby established as the administrative entity to operate the consolidated 911 dispatch function for all of Lake County's fire, ambulance, and law enforcement agencies.

SECTION 2. DEFINITIONS

The following definitions apply throughout this ordinance:

- A.** "Commission" refers to the Lake County Public Safety Communications Commission.
- B.** "County Commissioners" refers to the Lake County Board of Commissioners.
- C.** "County Council" refers to the Lake County Council.
- D.** "Consolidated dispatch center" refers to centers at which the consolidated dispatch function takes place.

June 19, 2013

- E. "Consolidated dispatch function" refers to all of the functions involved with operating consolidated dispatch centers including public safety call taking and dispatching of appropriate public safety responders that currently are performed at eighteen (18) Public Safety Answering Points ("PSAPs") and any other function that is appropriate for accomplishing the Commission's purposes.
- F. "Department" means the Lake County Public Safety Communications Department.
- G. "Municipality" means a city or town.
- H. "Public safety agency" means federal, state, or local governmental entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 et. seq.
- I. "System" refers to the communications system.

SECTION 3. LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION

- A. The Commission is comprised of the following twenty-one (21) voting members and one (1) non-voting advisor:
 - 1. The Chief of Police or Chief of the Fire Department as appointed by the Mayors of Gary, Hammond, East Chicago, Crown Point, Hobart, Lake Station and Whiting (seven (7) voting members).
 - 2. The Chief of Police or Chief of the Fire Department as appointed by the Town Council Presidents of Cedar Lake, Dyer, Griffith, Highland, Lowell, Merrillville, Munster, New Chicago, Schererville and St. John (ten (10) voting members).
 - 3. Lake County Sheriff who serves by virtue of office (voting member).
 - 4. One member of the County Commissioners (voting member).
 - 5. One member of the Lake County Council (voting member).
 - 6. One member representing unincorporated Lake County appointed by the Lake County Board of Commissioners (voting member).
 - 7. Lake County Emergency Management Director who serves by virtue of office (non - voting advisor).
 - 8. If the Town of New Chicago, Town of Schneider or the Town of Winfield ever establish a police department then each of their town board presidents shall be entitled to appoint a Chief of Police or Chief of Fire Department to the Commission and said appointments shall be voting members.
- B. Pursuant to the Indiana Data and Communications Systems ("IDACS") rules, a majority of the Commission's voting members shall represent criminal justice agencies.

June 19, 2013

- C. Members serve for a term of two (2) years and may be reappointed for two (2) additional two year terms.
- D. The members described in Sections 3(A)(4) and 3(A)(5) shall be appointed by their respective governmental bodies.
- E. A member may designate a proxy in writing for a specific meeting. The designee for a member described in Section 3(A)(1) or Section 3(A)(2) must either be a deputy with command responsibility or a person with emergency management and communications command responsibility.
- F. At the Commission's first meeting each calendar year, the members shall elect a chairman, vice chairman and secretary and such other officers that the Commission determines are necessary.
- G. A quorum is 11 of the 21 voting members. Each member has one vote. Decisions require 11 affirmative votes. If additional members are appointed by one (1) and/or two (2) of the town board presidents of New Chicago, Schneider and/or Winfield pursuant to paragraph 3(A)(8), then a quorum shall be 12 of the then 22 or 23 voting members. Decisions would then require 12 affirmative votes. If additional members are appointed by all three (3) of the town board presidents of New Chicago, Schneider and Winfield pursuant to paragraph 3(A)(8), then a quorum shall be 13 of the then 24 voting members. Decisions would then require 13 affirmative votes.

SECTION 4. LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION RESPONSIBILITIES AND POWERS

- A. The three primary responsibilities of the Commission are:
 - 1. Ensure that all of Lake County's 18 PSAPs enter into an interlocal agreement under IC 36-1-7 so that there are not more than two PSAPs after December 31, 2014.
 - 2. Consolidate the PSAPs with as little impact upon public safety as possible.
 - 3. Operate an efficient and responsive 911 system.
- B. The Commission shall make recommendations to the County Commissioners regarding:
 - 1. Financing, purchasing and contracting for the implementation of a consolidated dispatch function that complies with state law.
 - 2. Contracting with consultants including architects, engineers, attorneys, auditors and others to assist in the financing, planning, development and implementation of the consolidated dispatch function.
 - 3. Acquiring personal or real property, or any interest therein, by lease or conveyance.

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4. Recommending persons for the Executive Director who shall be selected by the Board of Commissioners from the list of candidates.
 5. Owning, improving and constructing facilities on real property.
 6. Conveying, leasing, mortgaging or otherwise disposing of or encumbering personal or real property, or interests therein, or facilities on it.
 7. Assessing charges for using the consolidated dispatch center.
 8. Entering into and performing use and occupancy agreements concerning the consolidated 911 dispatch function.
- C. The Commission shall make recommendations to the County Council regarding:
1. The Commission's annual budget required to operate the Department;
 2. The staff structure for the Department to be adopted by the Council in its fiscal capacity.
 3. The number of departmental employees, their compensation, and their benefits.
- D. The Commission's powers include:
1. Operating and maintaining the consolidated dispatch function including: frequency planning, managing the licensing of frequencies with the Federal Communications Commission and anything else needed for the proper functioning of the consolidated dispatch center.
 2. Developing means of sharing information operationally and technologically to improve public safety.
 3. Developing a personnel system for employees of the Commission including staffing, salary, benefits and standards for hiring, and disciplining employees.
 4. Accepting revenue from fees, gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing and any other aid from any source.
 5. Creating committees to assist in carrying out its purposes.
 6. Establishing the procedures to be followed by the Department in its operations.

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SECTION 5. COMMISSION MEETINGS

- A. At the first meeting each calendar year the Commission shall establish a schedule of that year's regular meetings. The Commission shall meet at least quarterly and more often if necessary.
- B. A special meeting of the Commission may be called by the chairman, vice - chairman, or secretary, or by of three Commission members. At least six (6) days written notice is required unless the meeting is called to deal with an emergency under IC 5-14-1.5-5. The written notice must include a specific statement of the meeting's purpose.

SECTION 6. REPORTS

- A. The Commission shall:
 - 1. Submit a report to the County Commissioners and to the County Council before February 1 each year on the prior year operations of the Department which is established under Section 7.
 - 2. Recommend what is needed to improve the Department's operations to the County Commissioners and to the County Council before February 1 each year.
- B. The Commission shall provide the County Commissioners and the County Council any necessary documents to keep these two bodies informed.

SECTION 7. LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS DEPARTMENT RESPONSIBILITIES AND POWERS

- A. A Lake County Public Safety Communications Department ("Department") is hereby established as the administrative entity to operate the consolidated 911 dispatch function for all of Lake County's fire, ambulance, and law enforcement agencies.
- B. The personnel employed in the Department are employees of Lake County.
- C. The Executive Director appointed by the County Commissioners shall be the head of the 911 Department and is responsible for its operation.
- D. The Executive Director shall submit to the Commission a classification of positions in the Department which shall include the determination of reasonable standards of qualifications and fix the prerequisites of training, education, and experience.
- E. The Executive Director with approval of the 911 Commission has the authority to set standards, policies, procedures, rules, and regulations in prescribing conduct, performance, and duties required of the Department's employees.
- F. The Executive Director shall select employees to fill the staff positions in the public safety communications department established by the Lake County Council.

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- G. The Executive Director shall assign the duties of the Department's employees in a manner that achieves the purpose for establishing the Department.
- H. The Executive Director shall ensure that the department and its operations meet all of the standards established for E911 interoperability.

SECTION 8. EXECUTIVE BOARD

- A. The 911 Commission shall have a five member 911 Executive Board consisting of the following:
 - 1. The Chairman of the 911 Commission.
 - 2. The Vice-Chairman of the 911 Commission.
 - 3. The County Commissioner who is serving on the 911 Commission.
 - 4. Two (2) members of the 911 Commission selected by an affirmative vote of the majority of the total number of members serving on the Commission.
- B. The Executive Director of the 911 Department shall report to the Executive Board but shall be hired by the Lake County Board of Commissioners.
- C. If a vacancy occurs on the Executive Board, in one of its officer or at large positions, the 911 Commission shall immediately convene and elect a successor to the position that is vacant by an affirmative vote of the majority of the total number of members serving on the 911 Commission.
- D. If a vacancy occurs in the County Commissioner position on the Executive Board, the Lake County Board of Commissioners shall convene by special meeting and select a successor commissioner to the vacant position.
- E. The 911 Executive Board shall conduct the business of the 911 Commission, except that the 911 Commission shall have the sole authority for:
 - 1. The adoption and amendment of bylaws, rules, and procedures for the operation of the 911 Commission;
 - 2. The election of the 911 Chairman and Vice-Chairman; and
 - 3. The development of the budget to be submitted to the Lake County Council for approval.
- F. The 911 Executive Board shall meet regularly at least one (1) time each month, unless otherwise determined by its members. The Executive Board shall notify the full membership of the 911 Commission of all its meetings with copies of its preliminary or final agendas and shall report all its actions and determinations to the full membership of the 911 Commission.

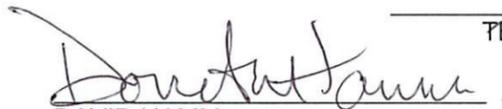
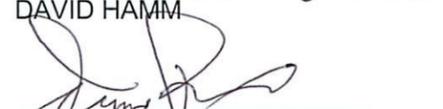
June 19, 2013

- G. A majority of members of the 911 Executive Board constitutes a quorum. An action of the Executive Board is official only if it is authorized by an affirmative vote of a majority of the total number of members serving on the Executive Board at a regular or properly called special meeting. The Executive Board shall advise the 911 Commission of its actions at the next scheduled Commission meeting pursuant to Section 8(F).

SECTION 9. REPEAL

Ordinance Number 1335B that was enacted by the Lake County Council on May 10, 2011 is hereby repealed in its entirety.

SO ORDAINED THIS 9th DAY OF July, 2013.

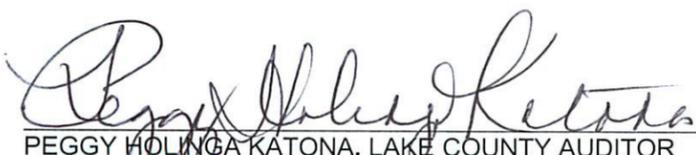
 _____ DAVID HAMM	 _____ TED BILSKI, President	 _____ ELDON STRONG
 _____ JEROME A. PRINCE		_____ CHRISTINE CID
 _____ ELSIE FRANKLIN		<u>NO</u> _____ DANIEL DERNULC

Members of the Lake County Council

COMMISSIONER ROOSEVELT ALLEN, JR., 1st District

COMMISSIONER GERRY SCHEUB, 2nd District

COMMISSIONER MICHAEL REPAY, 3rd District



PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR

In the Matter of Plan Commission Ordinance # 2400.

Strong made a motion, seconded by Dernulc to **deny** Plan Commission Ordinance # 2400.

Strong explained that this is a hobby farm that has been operating for some period of time. He said according to the County Ordinance code, hobby farms can only be permitted in sub-divisions where at least 8% of the platted lots are 5 acres or more. He said in this particular sub-division, only 23% are large enough to hold a hobby farm, and it's for that reason that Strong thinks that they need to deny this, at this point.

Bilski asked Ned, you are allowed so many large animals per acre?

Ned, from Planning Commission said for the 1st 2 1/2, then 1 large animal for each additional 2 acres of property that you have.

Bilski asked, and their total acreage is?

Ned said they have around 7 ½, but the whole game changes when you're in a sub-division. If you are in a sub-division, you're not allowed to have any animals on any lots, unless 80% of the lots in those sub-divisions are 5 acres or more.

Strong said, in this particular sub-division, there's only about 23% of them, I think, is the actual number, 5 acres or more, 27%.

Franklin asked who was there first, the sub-division, or the hobby farm?

Ned answered, the sub-division. They didn't build the house until after the sub-division was approved.

Franklin said her concern is, when you say hobby, I want to understand that this hobby farm was not there before the sub-division, because I would have a problem with that. Franklin said, I don't think we should deny children to express themselves by taking upon themselves to be involved in nurturing animals.

Franklin said, I do have a problem with the fact that we are going to be denying these young people to express themselves, because this is a hobby for them.

Bilski said he isn't sure if with this hobby farm, that there are folks, or youth participating in 4-H, he doesn't know if it's an adult hobby farm, it's not specified in there.

Franklin said, I was told that it was youth.

Bilski asked if there was anyone in the audience that wanted to speak in favor, or against.

Tim Henke, with Homeworks, who is the petitioner for the DeHaan family, explained that the DeHaan family owns almost 8 acres in West Creek Township, which is a rural part of the community. He said they have been on the property for the last 15 years, and we're in the process of doing a complete renovation of their personal home. Along with that, about 5 years ago, the DeHaan' purchased 2 horses, with the understanding that in unincorporated Lake County, 5 acres are necessary for 2 homes, but what they didn't understand was that the covenants of the sub-division would override that. So they have had the horses for 5 years. The DeHaan' have 7 children that take care, ride, and look after the horses, and in the 5 years they have had the horses, we are unaware of any complaints that have been filed, or anyone that has called to complain about the horses. He also said that within a quarter of a mile of their property, there are 6 other horses, part of the process of the renovation that they are looking to do was to erect a structure to stable the horses, have a riding arena for the horses, hay storage for the horses. They do cut and bale part of their acreage. Mr. Henke said that, going through the process to get the variance for that structure, was when we discovered that the horses were there illegally, so at that point, we applied to get a variance to keep the 2 horses that they have, no more, no chickens, no goats, no cows, just the 2 horses that they have had for 5 years on this piece of property, and keep those there, with no other horses, no third horse, and that's in their recommendation from the BZA, is that they would have just the 2 horses.

Mr. DeHaan is willing to have that variance tied to him, instead of the property, if they sell the property, that the variance would die, that they would be able to keep their 2 horses, while they live on their property, and the structure that they have been approved to put the horses in the last meeting that we were at.

Jim Biggs, the son-in-law of Charlotte, who is the abutting property-owner of the petitioner. He said her family has been in that immediate area for about 50 years. He said there were restrictions in that sub-division for that particular purpose, when the petitioner moved into that sub-division. He was well aware of that, it was part of his paperwork that he signed off on, when he signed his mortgage. The other thing is that, your County Zoning Ordinance has been in place, as you well know, for years, and I'm sure that you hear these types of petitions all the time, with people saying that I did, or I didn't know that was a violation.

Mr. Biggs said, he is a council member of the Porter County Council, so he understands the difficulty that this Council has. He said that this is a sub-division, and for the County to allow a variance in this particular setting, for this particular request, he asked, what will be next? 30 days from now, a year from now, someone may come in with a request for an elephant, or 4 horses, or pigs, or goats. Where does it stop? He said he applauds Mr. DeHaan' wanting animals, but there is a place for that, and that's why we have Zoning Ordinances, and Mr. Biggs said, that's all I ask this Council to do today, is respect your Ordinance.

Mr. Henke said that Mr. Biggs Mother-In-law is not part of that sub-division. She is not plotted into that sub-division, there are 11 lots in that sub-division, two of them are almost 8 acres, 2 of them are 4 acres, and the rest of them are 2 ½ acres, and around that acreage, there is nothing but farm(inaudible). We are talking about 2 horses that the family has had for the last 5 years, in a very rural setting. It's in a sub-division, but not part of the sub-division that she lives in.

Jim Biggs said that Charlotte' property is the closest abutting property that would be affected by this structure that was approved by the BZA, that will house the horses, and it's the closest property that's abutting the property that the horse are currently pending.

Bilski asked how close is it? He asked Ned if he had any information?

Ned answered, she is adjacent. Her property abuts the property of the petitioner. He said they are proposing to build the barn pretty close to the property.

Franklin said the sad part of what is happening is that sub-divisions are taking over farm land, and that leaves those persons who have been there for years, without any recourse, because they don't have the land, it's pushing them out, and I have a problem with that.

Prince asked Ned if the BZA approved this with recommendations, and asked if Ned had any idea what their thinking was on that?

Ned said this request, even though it's not under your consideration tonight, for the animals, was tied to a rather large accessory building that was also requested by the BZA. The BZA ultimately approved the accessory building, which was 60 X 120, only after a large amount of discussion regarding the use of that building because, even though they didn't bring it forward, and it's not under your consideration tonight. I think that was a problem that they had too, but the building was to be used, most of it, 2/3rd of it, was going to be used as a riding arena, for the horses, as well as hay storage, and 2 horse stalls, and a barn.

Ned said, to answer your question, I think they were all tied together, and you put us in a position as the BZA, that if you deny the horses tonight, we will probably have to re-visit the size of the building at the BZA because the reason that they approved it was because of the 2 horses, although they didn't make it contingent upon that fact.

Ned also commented that he believes that the Petitioner, when he said that the next door neighbor was not part of the sub-division. That's only with respect to the covenant. They can only have standing with respect to the covenant, but they want to enforce them. The next door neighbor is an adjacent property-owner, is an interested party as defined by our Ordinance, and she does have standing to bring a complaint if she chooses to.

Strong wanted to assure Franklin that he also loves horses, and kids, and he grew up in the country, and he rode horses, and he did all of this, but we have a sub-division here, in which we have some issues going on, and he thinks these issues just need to be addressed, and unless we are all on the same page, Strong said, he is uncomfortable approving, and going against a County Ordinance that's already in place, and he thinks the gentleman knew that these things were here before he brought these horses, illegally, or legally, whatever, but he knew that they shouldn't have been there, and now he's here, and now we have to address this situation, I think the only way to address it, is to deny this, and we'll go back to square one, and see what we can do from there.

Franklin asked Strong if he is saying that he will bring this back up for consideration?

Strong said it's a single fact of the BZA, he has a feeling that it will probably come back.

Bilski said that if your motion to deny this petition fails, in 90 days from 6-19-13, this will become law. The change will happen all the way because it is a variance of use. So you can ask for a deferral of this issue, if you want to come with a different recommendation, if you thought, otherwise the denial, the process starts all over from scratch again.

Attorney Szarmach said, this doesn't go back if it is denied. Attorney Szarmach said, under the law for Lake County, at least, a Variance, no matter what the recommendation, if the Petition for Variance is not acted upon within the 90 days from the actions of the BZA, it becomes law.

He said basically, if you don't get the 4 votes, it's "No Action", and "No Action" means in 90 days, it becomes law.

Bilski closed the public portion.

All voted "Yes" to **deny** the petition. Motion to **deny** carried 7-0.

ORDINANCE #2400
OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a VARIANCE OF USE (Board of Zoning Appeals recommended in favor 06/19/2013).

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

VARIANCE OF USE owned by STEVE DEHAAN and petitioned by TIM HENKE HOMEWORKS to allow a Hobby Farm in a subdivision with 80% of the lots are less than 5 acres on the following described property:

General Location: Located approximately 1/10 of a mile east of Hatter Road on the north side of 185th Avenue, a/k/a 14108 W. 185th Avenue in West Creek Township.

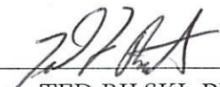
Legal: Lot 1 in Whitetail Acres, as per plat thereof, recorded in Plat Book 74 page 55, in the Office of the Recorder of Lake County, Indiana.

- Conditions:*
- No other uses allowed under the Hobby Farm and only two (2) horses permitted on the property.
 - Family use only.
 - Extend drainage from approved accessory structure downspouts via underground corrugated pipes to daylight at roadside ditch along 185th Avenue.

HEREBY _____ X _____ BY THE COUNTY COUNCIL
APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 9th DAY OF JULY , 2013.

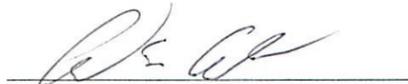
MEMBERS OF THE LAKE COUNTY COUNCIL



TED BILSKI, PRESIDENT



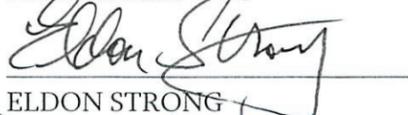
ELSIE FRANKLIN



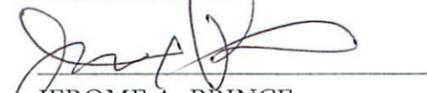
DANIEL DERNULC



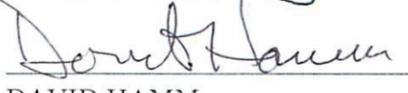
CHRISTINE CID



ELDON STRONG



JEROME A. PRINCE



DAVID HAMM

Dernulc said that he, Commissioner Repay, Councilmen Strong, and Dante met last Friday with Indiana University to talk about their strategic plan. He said the strategic plan, in draft form is completed. He said that he has asked IU, Ellen Szarletta to contact every Council member to discuss what we have, and if anyone would like to add anything to this plan, please let him know.

Dernulc said they are moving ahead, and he would like for everyone to be a part of it, and go through it.

Strong said, a follow-up to that, he thinks they are doing a fiscal analysis, which is a wonderful thing that Councilman Dernulc started last year. He also said, they need to start thinking about what we can do to make things better for us, where can we save money, and he asked that he be allowed to form a Committee, and Chair that Committee. He asked if Councilman Dernulc would serve on it, and have one other Councilman with us, he would appreciate it, to start coming up with some ideas that they can come back to the Council with, some things that we can do.

Strong asked if he could volunteer Councilman Prince, he would appreciate it.

Bilski said he thinks that's great to get that Committee started, meet with the Finance Committee, in the County, and work with Dante, and get our Plan to Dante so we can move forward as soon as possible with our budget cycle.

Dernulc asked Dante if he had anything to add from the IU Plan?

Dante said that number one, the information from the model right now, is very complicated, but there is nothing different in there than what we said we are going to have. We are all connected, we inherit one another's tax cap liabilities.

Dante said there are some other suggestions in there, and it's policy. The Council and the Commissioner has to determine what the policy should be.

Dante said Councilman Strong is looking at an efficiency study, or a cost saving reduction/savings reduction plan that IUN, which is separate from the strategic. Dante said he just wanted to separate the two issues. The first component is already complete, preliminary, it's in the policy area, which is you and the Commissioners.

Councilman Strong has petitioned the IUN folks to look at an efficiency study, so that is Part 2.

Dante said Part 3 is that they asked for an extension on the Contract. The Contract stated that they shall have the Product delivered this month, it won't be delivered probably until next month, so they are looking for an extension of the Contract of 30 days.

Dernulc said, with no extra fee.

Dante said no extra fee, they are just looking at more time. The numbers are really complicated.

Bilski said, I don't think that takes any formal action from the Council to extend it.

Dernulc said, if anything, it would have to go to the Commissioners.

Bilski asked, for purpose of the record, if anyone is opposed to the extension?

Nobody said they were opposed, and there is no fee

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