

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, David Hamm, Jerome Prince, Daniel Dernulc, Christine Cid, and Eldon Strong, County Councilpersons, together with Ray Szarmach, County Council Attorney. Councilwoman Elsie Franklin was absent.

In the Matter of Minutes of the Lake County Council for June 10, 2014, and July 8, 2014.

Hamm made a motion, seconded by Cid to approve the minutes for June 10, 2014, and July 8, 2014. The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

ORDINANCE NO. 1375

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>Commissioners</u> 2900		
43810 TAW Interest	-\$ 1,600.00	-\$ 1,600.00
<u>Center Township Assessor</u> 1200		
42110 Office Supplies	\$ 200.00	\$ 200.00
43240 Telephone	\$ 900.00	\$ 900.00
43510 Utilities	\$ 500.00	\$ 500.00
<u>Work Release</u> 3150		
41100 Overtime(Reduction)	-\$ 972.51	-\$ 972.51
41190 Part-Time(Reduction)	-\$ 3,070.00	-\$ 3,070.00
41210 Longevity(Reduction)	-\$ 1,560.00	-\$ 1,560.00
42210 Petroleum Products(Reduction)	-\$ 3,498.14	-\$ 3,498.14
42410 Other Supplies(Reduction)	-\$ 14,295.25	-\$ 14,295.25
43920 Food & Lodging(Reduction)	-\$ 57,185.13	-\$ 57,185.13
<u>Jail</u> 3100		
41190 Part-Time	\$ 80,581.03	\$ 80,581.03
Website Maintenance Fund 256		
<u>Clerk</u> 0100		
41190 Part-Time	\$ 44,300.00	\$ 44,300.00
41220 FICA	\$ 3,800.00	\$ 3,800.00
41260 Workman's Comp Deduction	\$ 1,900.00	\$ 1,900.00
Treasurer's Tax Sale Fund 582		
<u>Treasurer</u> 0300		
43320 Advertising	\$350,000.00	\$350,000.00

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>Commissioners</u> 2900		
From: 001-43810 TAW	\$200,000.00	
To: 001-44500 Construction & Reconstruction	\$200,000.00	\$200,000.00
<u>Commissioners</u> 2900		
From: 001-41250 Unemployment Comp Ded	\$ 15,000.00	
To: 001-43957 Community Mental Health Centr	\$ 15,000.00	\$ 15,000.00

Highway 5017-5011

County Highway Fund 102

From: 102-5017-41270	Group Ins Other	\$ 50,000.00	
102-5017-42110	Other Supplies	\$ 4,600.00	
To: 102-5017-41100	Overtime	\$ 33,600.00	\$ 33,600.00
102-5011-43510	Utilities	\$ 6,000.00	\$ 6,000.00
102-5011-43610	Building & Structure	\$ 15,000.00	\$ 15,000.00

Center Township Assessor 1200

From: 001-43955	Official Bonds	\$ 13.00	
To: 001-43220	Postage	\$ 13.00	\$ 13.00

Drainage Board 2600

From: 001-43235	Travel-Mileage	\$ 264.00	
001-43740	Motor Vehicle Rental	\$ 400.00	
To: 001-43320	Advertising	\$ 664.00	\$ 664.00

Criminal Court 4000

From: 001-41130	Technicians	\$ 854.00	
To: 001-41120	Professionals	\$ 854.00	\$ 854.00

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 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 12th day of August, 2014.

Approved this 12th day of August, 2014.

NAY

AYE

David Hamm
Jerome Prince
Daniel Dernulc
Christine Cid
Ted Bilski
Eldon Strong

Members of the Lake County Council

ATTEST:

Peggy Holinga Katona,
Lake County Auditor

Additional

	Made motions	seconded	
<u>General fund</u>			
Commissioners(-\$1,600) (See Footnotes)	Prince	Dernulc	The majority voted "Yes", to approve the reduction. Franklin was "absent". Motion carried 6-yes, 1-absent.
Center Twp Assr(\$1,600)	Prince	Dernulc	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.
Work Release(-\$80,581.03)	Hamm	Prince	The majority voted "Yes" to approve the reduction. Franklin was "absent". Motion carried 6-yes, 1-absent.
Jail(\$80,581.03)	Hamm	Prince	The majority voted "Yes" to approve. Dernulc and Strong, "No". Franklin was "absent". Motion Carried 4-yes, 2-no, 1-absent.
<u>Website Maintenance Fund 256</u>			
Clerk(\$50,000)	Prince	Hamm	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.

Treasurer's Tax Sale Fund 582

Treasurer(\$350,000)

Strong

Prince

The majority voted "Yes" to create new line item, and approve. Franklin was "absent". Motion carried 6-yes, 1-absent.

Footnotes:

Re: Commissioners – Prince made a motion, seconded by Dernulc to approve the reduction. Prince said that this is related to another item that we will consider. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

Re: Center Township – Prince made a motion, seconded by Dernulc to approve. Prince said this is the item that he referred to earlier, that is an offset to the item that we previously considered, on the Commissioners. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

Re: Jail – Hamm made a motion, seconded by Prince to approve. Strong said he is in disagreement with this because he said there is a letter from the Commissioners' Office that shows that part of this \$80,000 dollars, food & lodging, the bill is owed by the Sheriff because this was done back in May, and it's still the Sheriff' responsibility, and when we talk about part-time, I recall the Sheriff, back in the Spring, when we gave him some additional money back then, he said he was going to be alright, he was going to be fine. Not for the current time, but for the rest of the year, then asked, am I wrong Sheriff?

Bilski said there was a caucus in the beginning, that prior to the meeting starting, so as a question regarding the Shop Rite bill, that was up, and the debate started on the bill, the Sheriff agreed to make this transfer so, for the record, the Sheriff has agreed to pay the, it's a \$52,000 dollar bill, that was incurred over at Work Release. It will be paid out of Jail, food and lodging.

The Sheriff said, it's a large facility, we have housekeeping, we have maintenance, clothing, and these are the areas that have to be covered... (inaudible).

The majority voted "Yes". Strong and Dernulc voted "No". Franklin was "absent". Motion carried 4-yes, 2-no, 1-absent.

Transfers

	Made motions	seconded	
Commissioners(\$200,000) (See Footnotes)	Prince	Hamm	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.
Commissioners(\$15,000)	Prince	Hamm	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.
Highway(\$54,600) Highway Fund 102	Strong	Prince	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.
Center Twp Assr(\$13)	Prince	Hamm	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.
Drainage Board(\$664)	Prince	Strong	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.
Criminal Court(\$854)	Hamm	Prince	The majority voted "Yes" to approve. Franklin was "absent". Motion carried 6-yes, 1-absent.

Footnotes:

Re: Commissioners – Prince made a motion, seconded by Hamm to approve. Prince said this is related to the 5th floor completion. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Revised 144's for Drainage Board, Criminal Court, Criminal Court, Calumet Township Assessor, IV-D Court, IV-D/FSSA Fund 297, Surveyor, Surveyor Fund 167, Surveyor MS4 Fund 264, and Assessor.

Re: Drainage Board – Prince made a motion, seconded by Dernulc to approve.

Cid asked Mr. Emerson, Surveyor, if this is part of his re-organization?

Mr. Emerson answered, yes.

Strong said, in light that this is the Surveyor's re-org, he can understand. He said we allow all Office Holders to have their re-org. Strong asked is this your one time re-organization?

Mr. Emerson answered, yes.

Bilski said, as a reminder, do re-organizations at budget time, that's the best time to submit reorganizations.

The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

<u>Rev 144 – Fund – 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39001-001 Supp Pay GenFnd	\$6,923	\$4,923	-\$2,000
39001-004 Supp Pay GenFnd	\$4,077	\$2,277	-\$1,800
39001-005 Supp Pay GenFnd	-0-	\$2,800	\$2,800
39001-006 Supp Pay GenFnd	-0-	\$1,000	\$1,000

Re: Criminal Court – Hamm made a motion, seconded by Cid to approve, retroactive to 1-1-14. The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

<u>Rev 144-Fund – 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
Retro to 1-1-14			
12428-017 Probation Officer	\$46,025	\$46,879	\$854

Re: Criminal Court – Hamm made a motion, seconded by Prince to approve.

Dante said, his point is that they are manipulating the budget.

Bilski agreed with Dante, and said the problem is that they had to make a decision, and no one is happy about it.

Attorney Szarmach said they had discussions with the Criminal Court Judges, regarding the mandates for 2014, and after consideration of all of the factors, this is what the Council and the Judges agreed to do. He realize that they are not funded at this time, but there is enough money to hire, and within a couple of months, we are going to have to find some money to pay it, but it does alleviate the necessity for a mandate for 2014, which would be probably more costly, and that's why.

Cid said that there is no funding mechanism attached to this, and furthermore, we couldn't hire the Correctional Officers because there was no funding, and this isn't just the position, it's benefits that we have to add to this.

Cid also said that she doesn't understand why there is a difference in the salaries.

Janet answered, because of the person that makes the \$48,000 is coming from the Federal Courts, is a Probation Officer, and has the time in, and is in accordance to the schedule of what their salary would be.

Cid asked, you already have people that you know you are going to hire?

Janet answered, yes.

Bilski added, the Court hires them.

Janet also said, we have people in place, in case this would get approved. We are so far behind right now. What we are trying to do is lessen the caseload, to try to get more efficiency done, to get the pre-sentencing done. We are not talking about misdemeanor cases here, we are talking about felonies. It has taken longer to get the pre-sentence done, it's prolonging the flow of the people going into the court system. She said they were revoking some of the probation people in Hammond, so now we've got... and it's no easy way to get to Hammond to Crown Point. We've now put 2 Probation Officers in Hammond. We've put 4 in Gary. Janet said, we are just "stretched" so thin.

Bilski said he believes part of the issue was, and it makes it sound funny, that you have people in consideration for these positions, but back in June we had multiple committee meetings, which ended up in an executive session, with the full Body, to come up with a compromise regarding personnel, regarding a potential lawsuit. That's what we had the Executive Session on, in June. He said he isn't disputing what Cid said about the funding mechanism, and why couldn't this wait until budget time, that's been a debate for your bosses, of why couldn't we wait to create these positions till after 2015, and quite frankly, we ended up with some answers, and our Attorney was kind of the go-between.

Attorney Szarmach said the real problem for the County is the Jail. There are too many people in the Jail, there are too many misdemeanants in the Jail, and at \$100 dollars a day, they should not be there.

These Courts are doing their best to not put people in Jail, and to put them on probation. If they are going to do that, she has to have the Probation Officers, and they have the right to mandate, and they decided, over the last 2 years, to co-operate with the Council' decision to cut their budget. At this point in time, Attorney Szarmach said, he doesn't see any alternative. To let them mandate, they would end up with 17 new Probation Officers, which would be devastating, or even 10, this is 5. Legal fees, as well, because you would lose that. Attorney Szarmach said he wanted to speak about the Jail population. Part of the problem is you've got too many people that do not belong in the Jail, in the Jail, and if you want to try to keep people out of Jail, you really need Probation Officers to put them on probation.

Dante asked Janet is she could cover this from this year' budget?

Janet answered, no.

Dante asked you can't cover this in this year's budget, you have no surplus in that line item?

Janet answered, no.

Bilski said that's why it was crucial for us to negotiate with them, we were trying to get them to create these new positions, and wait until the first of the year, when we could appropriate the money in there. Bilski said he struggled with this, but it is a lot less than what they originally asked for, but the hard part is being able to fund this and take to 2015.

Dante asked Janet, can you wait as long as possible to put some of these folks on?

Janet answered, no, that it's either that, or go to the full number.

The majority voted "Yes". Cid voted "No". Franklin was "absent". Motion to approve carried 5-yes, 1-no, 1-absent.

<u>Rev 144-Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12428-018 Probation Officer	-0-	\$48,285	\$48,285
12428-019 Probation Officer	-0-	\$36,928	\$36,928
12428-020 Probation Officer	-0-	\$33,196	\$33,196
12428-021 Probation Officer	-0-	\$33,196	\$33,196
12428-022 Probation Officer	-0-	\$33,196	\$33,196

Re: Calumet Twp Assr – Prince made a motion, seconded by Dernulc to defer to 9-9-14. The majority voted "Yes". Franklin was "absent". Motion to defer carried 6-yes, 1-absent.

Re: IV-D Court – WITHDRAWN.

Re: IV-D Court (Child Support IV-D/FSSA Fund 297) – WITHDRAWN.

Surveyor – Prince made a motion, seconded by Hamm to approve in the general fund, 001.

Strong asked Mr. Emerson if this is part of his reorganization?

Mr. Emerson answered correct.

Strong asked if the Secretary' position is being removed from the books?

Mr. Emerson answered, yes.

The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

<u>Rev 144 Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
11725-001 Mapping & Surveying Adm	\$16,722	\$30,962	\$14,240
16670-001 Secretary	\$18,740	-0-	-\$18,740

Re: Surveyor – Prince made a motion, seconded by Hamm to approve in the Corner Perpetuation Fund 167. The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

<u>Rev 144 – Corner Perpetuation Fund 167</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
39002-009 Supp Pay NGenFnd	\$21,409	\$14,000	-\$7,409
39002-010 Supp Pay NGenFnd	-0-	\$ 3,000	\$ 3,000

Re: Surveyor – Prince made a motion, seconded by Hamm to approve in the MS4 Fund 264.

Strong said this is all net neutral, and asked the Surveyor if this is all a part of the re-organization?

Mr. Emerson answered, yes, overall, all of the changes altogether, are net neutral.

The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

<u>Rev 144 – MS4 Fund – 264</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12018-001 MS4 H2O Quality Analyst	\$31,811	\$32,008	\$ 197
12019-001 MS4 Field Inspector	\$37,410	-0-	-\$37,410
130033-001 MS4 Coordinator	\$29,508	\$37,410	\$ 7,902
13004-001 MS4 GIS/Data Processor	\$34,000	\$33,811	-\$ 189
13xxx-001 MS4 Compliance Inspector	-0-	\$34,000	\$34,000
39002-005 Supp Pay NGenFnd	\$ 3,152	\$ 5,000	\$ 1,848

39002-006 Supp Pay NGenFnd	\$ 1,576	\$ 6,576	\$ 5,000
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Re: Assessor – Prince made a motion, seconded by Strong to defer to 9-9-14. The majority voted “Yes”. Franklin was “absent”. Motion to defer carried 6-yes, 1-absent.

In the Matter of Citizen Appointments – Removal/Appointment – Lake Ridge Fire Protection District (1).

Prince said that in a letter from the Lake Ridge Fire Protection District, they informed the Council that they did not have a person yet, that they would like the current person removed.

Prince made a motion, seconded by Hamm to remove Scott Mace from the Lake Ridge Fire Protection District, at the request of the District itself.

Prince also said, for the record, it’s for lack of attendance to the meetings.

The majority voted “Yes”. Franklin was “absent”. Motion to remove Scott Mace from the Lake Ridge Fire Protection appointment carried 6-yes, 1-absent.

In the Matter of Strategic Planning Committee Report

Dernulc made a motion, seconded by Prince to defer to 9-9-14. The majority voted “Yes”. Franklin was “absent”. Motion to defer carried 6-yes, 1-absent.

In the Matter of First Amendment to Lake County Police Retirement Plan

Cid made a motion, seconded by Dernulc to defer to 9-9-14. The majority voted “Yes”, Franklin was “absent”. Motion to defer carried 6-yes, 1-absent.

In the Matter of Lake County Fairgrounds Restoration

Councilman Eldon Strong made a presentation. He said this is a project that he has been working on for a while. He previously sent a Plan to all of the Council members, and he approached the Commissioners on it, and he wants to make it a part of this meeting. He said the fairgrounds is located in Crown Point, IN, and consists of 86.7 acres of land, it’s 1½ miles around, and has 23 buildings, 6 shelters, and there are 6 gate entries all the way around.

He said the Covered Bridge was purchased in 1933 for roughly \$25 dollars by Col. John Wheeler, it was then moved to the fairgrounds. There are 80 covered bridges that remain in Indiana. This is the only one in Lake County. He said the supporting structure beneath it, is in need of repair.

The following is a Memo to Commissioner Michael Repay from Councilman Eldon Strong in reference to the Lake County Fairgrounds Revitalization Project.

LAKE COUNTY COUNCIL

LAKE COUNTY GOVERNMENT CENTER
2293 NORTH MAIN STREET
CROWN POINT, INDIANA 46307
219-755-3280
FAX: 219-755-3283



LAKE COUNTY GOVERNMENT CENTER
CROWN POINT, INDIANA

© GCI 1045



1ST DISTRICT
DAVID HAMM

June 11, 2014

★
2ND DISTRICT
ELSIE FRANKLIN

MEMO TO: Mr. Michael Repay
President
Lake County Commissioner

★
3RD DISTRICT
JEROME A. PRINCE

FROM: Eldon Strong
Lake County Councilman

Lake County Fairgrounds Revitalization Project

★
4TH DISTRICT
DANIEL DERNULC

The Lake County Fairgrounds, the area that is the heart of our county and most likely one of the most visited locations we have in Lake County, is in true need of a face lift. It is important that this piece of property is maintained, as it acts as a Good Will Ambassador itself representing Northwest Indiana.

★
5TH DISTRICT
CHRISTINE CID

★
6TH DISTRICT
TED F. BILSKI

★
7TH DISTRICT
ELDON STRONG

In addition, two county department offices are currently under rental contract that expires January 1, 2017. In January of 2007, a ten year contract began that provided office space for Soil & Water Department and the Purdue Extension Department. During this ten year period, the county taxpayers will be paying over one million dollars (\$1,000,000.00) for rent. These two offices, though some may say are small compared to other county offices are, none the less, two of the most vital departments in the county. The duties of these two departments include providing education to both adults and children in their fields, and are very important to our ecology. I propose a handicap accessible office building be erected on the foot print of the former caretaker's house that was located inside Gate #2 off of Court Street, and is located directly across the roadway from the 4-H building. This structure can combine both Soil & Water and the Purdue Extensions Department, by placing their departments on opposite ends of the building. The center portion could house a third office for the county fairgrounds employee for day-to-day business of the fairgrounds. There may also be a multipurpose room for all three departments to utilize for meetings, workshops, etc. This structure can be erected with a "green" concept utilizing geothermal energy system and LED lighting. A "green" building would fit perfectly with the County Extension Office and Soil and Water Department and their duties. It would also generate additional savings of county dollars and set a State wide example of Lake County dedication to serving the public and the environment.

Page 2
June 11, 2014

I propose \$587,500.00 be placed into a special non-reverting Lake County Fairgrounds Fund annually, and that these monies be earmarked for construction and the revitalization of the county buildings for a period of four (4) years until the needed projects are completed. The initial primary project would be the erection of the building to house the two departments and fairgrounds secretary, so we do not spend any more tax dollars towards private leases/rental agreements. Required funding for this project would come from the CEDIT dollars collected by the county.

PURPOSE: 1) Economic Development project to house three county offices.
2) Restoration of Lake County owned property/park including repairs to the only covered bridge in the county, that is owned by the county, and to once again make it safe for travel.

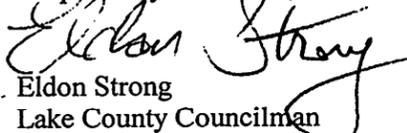
REASON: In addition, to realizing the savings from a building that houses three county offices, this location is "common sense" because of the services it provides, and it is more centrally located for the citizens of Lake County to utilize.

Purdue Extension & Soil and Water Conservation District responsibilities:

- Nutrition education
- Youth Development (4-H programs)
- Training programs (train the trainers)
- Master Gardner Program
- Natural Resource programs and better management for those programs
- Coordinate with local, state, national government agencies, and individual landowners and many others in proper use of natural resources

Project budget plan is attached.

Respectfully submitted,


Eldon Strong
Lake County Councilman
7th District

cc: Commissioner Roosevelt Allen, Jr.
Commissioner Gerry Scheub
Lake County Council

Attachment

Lake County Fairgrounds Revitalization Project Budget Plan

7,500 sq. ft. building construction of LCFG Office, Soil & Water and Extension Office (one building to hold three offices – occupancy 01/01/17)	\$1,500,000
Shelters: Replace/remodel S#1	\$30,000
Add New Shelter	\$60,000
Covered Bridge Repairs (Currently closed to vehicular traffic- Report available)	\$290,000
Enhance landscaping around bridge	\$10,000
Playground Replace/ refurbish playground area	\$50,000
Old Floral Hall- (Building used by Sheriff during Fair) Restoration needed- oldest building on grounds	\$100,000
All Masonry Barrel Buildings- masonry/window inspection	\$60,000
New Fencing	<u>\$250,000</u>
Budget Plan Total	\$2,350,000

In the Matter of Resolution Proclaiming September as Childhood Cancer Awareness Month.

Donna Criner, Director of Northwest Indiana Cancer Kids was present. She explained that they have had their funding cut from the Federal Government, 30%, over the last 5 years. She said that they just lost another little boy a month ago, bringing the total of children dying in Lake/Porter County to 12, in a two-year period, and those are just the ones' we know about.

She said they are asking the Council, this year, to make this Proclamation mean something. They are walking on September 7, 2014, in Lemon Lake. Their theme this year is "Local Heroes for Little Heroes". She said that they would like to thank the Sheriff' Department, they are going to land a helicopter, the K-9 dogs will be there, they are going to have Fire employees, and many activities for the whole family, for the whole day. She said they would love to see Lake County Government t-shirts there, form a team, or a sponsorship. Your support, and visual presence means more to these families than you can imagine. She said they are also marching on the Mall, in Washington on September 21, 2014. She said that the "NICK" Foundation is now part of a National Coalition, which includes many of the large organizations that are fighting for childhood cancer. She said it is our goal to make September, and the color gold, as recognizable as Pink in October.

Cid made a motion, seconded by Dernulc to approve. The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

RESOLUTION NO. 14-93

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

WHEREAS, cancer is the number one killer of our children by disease with an estimated 13,500 children are diagnosed with cancer every year in the United States alone; and

WHEREAS, many children with rare and aggressive cancers are already Stage IV at diagnosis, and three out of five childhood cancer survivors experience long term/late effects from treatment including secondary cancers; and

WHEREAS, the incidence of cancer among adolescents and young adults is increasing at a greater rate than any other age group, except those over 65 years of age and an estimated 2,555 children die each year of cancer in the United States alone; and

WHEREAS, despite these facts, childhood cancer research is vastly and consistently underfunded; in 20 years the FDA has initially approved only two drugs for any childhood cancer and one-half of all chemotherapies used for children's cancers are over 25 years old; and

WHEREAS, research and development for new drugs from pharmaceutical companies comprise sixty percent of funding for adult cancer drugs and close to zero for childhood cancers and the NCI spends ninety-six percent of its budget on adult cancers and only four percent of its budget on children's cancers; and

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

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

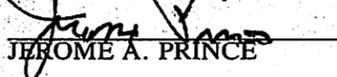
That the Lake County Council declares September as Childhood Cancer Awareness Month in Lake County.

SO RESOLVED THIS 12th day of August, 2014.


TED F. BILSKI, President

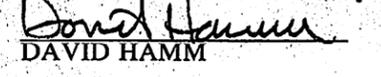

CHRISTINE CID


DANIEL E. DERNULC


JEROME A. PRINCE


ELSIE FRANKLIN


ELDON STRONG


DAVID HAMM

Members of the Lake County Council

In the Matter of Resolution In Support of United States Senate Bill 1307, the "Youth Prison Reduction Through Opportunities, Mentoring, Intervention, Support, and Education Act" or the "YOUTH PROMISE ACT".

Prince made a motion, seconded by Dernulc to approve. Prince said he will submit some additional information that comes specifically from the Senate, and the House on this, as well as some supplemental information.

He introduced Ms Toni Simpson, a renowned dancer, and dance instructor, who has been the driving force in this area for this particular Resolution, who has been working with the Senate and the House, not only in Indiana, but in Washington, as well.

Ms. Simpson said that she has been working with the grassroots organization called the PEACE Alliance on trying to get legislation passed to establish a Department of Peace, which would be a "sister department" to our Department of Defense.

She said, that Bill is still in limbo, and because of the youth, across the Country, are dealing with so many issues, violence, mental health, education, they have collectively gotten together to support Representative Bobby Scott, who introduced this Bill to the House.

She said in support of finding preventive ways of dealing with some of the issues that she briefly heard here, overcrowding in our Jails, she heard the young lady speaking about getting more Probation Officers in place, again, what this Bill does, is it addresses all of those concerns, and brings all of the stakeholders together, in building a coalition to help early intervention, as well as prevention, leading down the road that we've just been speaking about.

Ms. Simpson said she started at the top, because it is her intention to go before every Council in Lake County, but she wanted to start here because she believes that in having the support of the Lake County Council, that would give her an advantage in going into the various Communities, to bring all of these "players" on board, and right now, with all of our legislators finally home now, Ms Simpson said, my main effort is to garner the support from our Republican Party, meaning Senator Coates.

She said she has spoken with Congressman Visclosky, and he has been keeping a very close eye on the Bill, and right now here in Indiana, we do not have any co-sponsors on this Bill. Mr. Simpson said, she is not giving up on Senator Coates, she receives notes from him regularly, speaking about world issues.

She said Lake County is her home, and we are no different than any County. We have had great co-sponsorship from the Mayors Conference, as well as County Councils, as well as like-minded organizations that are struggling financially, with prevention and intervention programs.

Ms. Simpson said she is pleased that this has come before Lake County, and perhaps this Body will be the first to help garner the momentum and engine that we need downstate, to get this through our Congress session, hopefully this 113th Congress. She said that she isn't giving up, and thanked the Council.

The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

RESOLUTION NO. 14-94

**RESOLUTION IN SUPPORT OF UNITED STATES SENATE BILL 1307
AND HOUSE BILL H.R. 1318.
THE "YOUTH PRISON REDUCTION THROUGH OPPORTUNITIES,
MENTORING, INTERVENTION, SUPPORT, AND EDUCATION ACT"
OR THE "YOUTH PROMISE ACT"**

- WHEREAS,** youth gang crime has taken a toll on a number of urban communities, and senseless acts of gang-related violence have imposed economic, social, and human costs; and
- WHEREAS,** drug and alcohol dependent youth, and youth dually diagnosed with addiction and mental health disorders, are more likely to become involved with the juvenile justice system than youth without such risk factors, absent appropriate prevention and intervention services; and
- WHEREAS,** children of color are over-represented relative to the general population at every stage of the juvenile justice system; and
- WHEREAS,** criminal justice costs have become burdensome in many States and Cities, requiring reductions in vital educational, social, welfare, mental health and related services; and
- WHEREAS,** investment in prevention and intervention programs for children and youth, including quality early childhood programs, comprehensive evidence-based school, after school, and summer school programs, mentoring programs, mental health and treatment programs, evidence-based job training programs, and alternative intervention programs, have been shown to lead to decreased youth arrests, decreased delinquency, lower recidivism, and greater financial savings from an educational, economic, social, and criminal justice perspective; and Innkeepers Tax; and
- WHEREAS,** S. 1307 establishes the PROMISE Advisory Panel which shall assess successful evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention carried out by PROMISE Coordinating Councils under the Youth PROMISE Act; and
- WHEREAS,** the Act provides for PROMISE Grants to be established to enable local and tribal communities to assess the unmet needs of youth who are involved in or are at risk of involvement, in juvenile delinquency or criminal street gangs; to develop plans appropriate for a community to address those unmet needs with juvenile delinquency and gang prevention and implement and evaluated such plans in a manner consistent with the "Youth PROMISE Act"; and
- WHEREAS,** the Lake County Council is in favor and urges the legislators to support United States Senate Bill 1307 and its sister bill House Bill H.R. 1318.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council is in favor of United States

Senate Bill 1307 and House Bill H.R. 1318, which provides for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free and law-abiding lives.

SO RESOLVED THIS 12th DAY OF AUGUST, 2014.

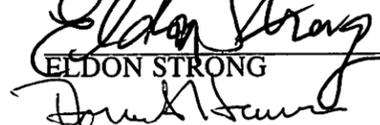

CHRISTINE CID

DANIEL E. BERNULC

JEROME A. PRINCE


TED F. BILSKI, President

Absent

ELSIE FRANKLIN

ELDON STRONG

DAVID HAMM

Members of the Lake County Council

In the Matter of Resolution Approving a Temporary Loan from Pre-Trial Diversion Fund No. 135 to Elderly Abuse (APS) Fund No. 127 in the amount of \$10,000.00 for the Lake County Prosecutor.

Prince made a motion, seconded by Hamm to approve. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

RESOLUTION NO. 14-95

**RESOLUTION TO APPROVE TEMPORARY LOAN FROM
THE PRE-TRIAL DIVERSION FUND, FUND NO. 135
TO THE ELDERLY ABUSE (APS) FUND, FUND NO. 127**

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

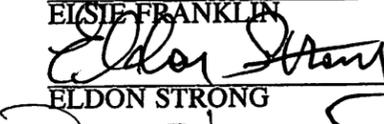
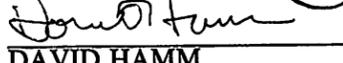
WHEREAS, the Elderly Abuse (APS) Fund, Fund No. 127 is in need of \$10,000.00 to establish a revenue cash reserve to prevent a shortage between reimbursement from the Indiana Family & Social Services Administration, Department of Aging funds; and

WHEREAS, there is sufficient money on deposit in the Pre-Trial Diversion Fund, Fund No. 135 to loan \$10,000.00 to the Elderly Abuse (APS) Fund, Fund No. 127.

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

That the Lake County Council approves the loan of \$10,000.00 from the Pre-Trial Diversion Fund, Fund No. 135, to the Elderly Abuse (APS) Fund, Fund No. 127. That the loan shall bear no interest and shall be repaid to the Pre-Trial Diversion Fund, Fund No. 135, on or before December 31, 2014 pursuant to I.C. 36-1-8-4(a)(3).

SO RESOLVED THIS 12th DAY OF August, 2014.

 <hr/> CHRISTINE CID	 <hr/> TED F. BILSKI, President	<p style="text-align: center;">Absent</p> <hr/> ELSIE FRANKLIN  ELDON STRONG  DAVID HAMM
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Members of the Lake County Council

In the Matter of Ordinance Amending Ordinance No. 1356C – Lake County Employee Handbook, 2013 Edition.

Prince made a motion, seconded by Dernulc to approve on First Reading. The majority voted “Yes”. Franklin was “absent”. Motion to approve on First Reading carried 6-yes, 1-absent.

In the Matter of Plan Commission Ordinance # 2436

Prince made a motion, seconded by Hamm to approve Plan Commission Ordinance # 2436.

Prince said that since there is a slight legal remedy to the motion, he wanted to defer to Attorney Szarmach. Attorney Szarmach explained this comes to the Council from the Planning Commission, and even though there is a recommendation from the Planning Commission, procedurally, you have 2 choices, you can either grant the Petition itself, or deny the Petition itself, or you can take “no action”. In 90 days, if you take “No Action”, the Petition becomes law.

In a Zone Change, Attorney Szarmach read into the record, the Findings and Facts from the Plan Commission Staff, and you can base your vote, or your reasoning based on these:

1. The Comprehensive Plan, and the Plan Commission found the proposed Residential zoning and use is consistent with the original 1976 Plat of Subdivision and recorded Restrictions for Chestnut Acres
2. With the Current conditions and the character of the structures, the Plan Commission found that the adjoining parcels on all four sides are developed as single family residences – the same use as the proposed zoning request.
3. The most desirable use for the land, the Staff found that the proposed use as single family residence is an improvement over the current vacant and unmaintained parcel.
4. Conservation of property values, the Staff found that the proposed use and development of a single family residence will add value to the adjoining parcels and increase the assessed valuation of the currently vacant parcel.
5. Responsible growth and development, the Staff found that the proposed use is in-fill development and will not lead to urbanization or sprawl.

Attorney Szarmach said that these 5 factors were the basis for their favorable, the Staff's, for their favorable recommendation.

Jessica Blouin, of 17221 Roosevelt Pl, Lowell, lives down the road from the Suleski's property. She said that when she and her husband purchased their home, they were told that nothing could be built in that community property because of soil issues, and the Highway Department previously stated that nothing could be built there. She said they received a letter in the mail that someone purchased the property, and wanted to build a home.

Councilman Bilski commented that just because this is re-zoned, this does not give them Health Department approval, Highway approval, that's all a separate issue. This is simply a zoning issue. So whether or not they can build on there, also determines on whether those other Agencies can approve it. Bilski said I know your argument was that you were given information from them, the Staff Findings, and what we're doing here is giving a Zone Change, which we can do, but that doesn't give them approval to build. They still have to go through the other Agencies.

Ms. Blouin asked, if it's deemed residential, doesn't that mean that it's safe to build on?

Attorney Szarmach answered, no. They still have to go by the code, they have to go through the Health Department, etc., as many agencies to determine whether or not that lot is buildable, in other words, there are many, many R-2 zoned parcels in Northwest Indiana, that you can't build on.

Mrs. Blouin asked what is the difference between an agricultural piece of land, versus residential, and in terms of that getting switched, because that's what's happening here correct?

Attorney Szarmach answered, correct. He said, A-1 is for farming, agricultural, R-2 is for building a residence, a single family residence, but that doesn't mean they can. They still have to comply with all of the Code requirements mainly. They can't build unless they get all of the other permits, and approvals. This is the first step, the preliminary step, a "baby" step. He asked her, you assume this gives them permission to build a house?

Ms. Blouin answered, sure.

Attorney Szarmach said, no.

Jessica Blouin is not in favor of this proposal.

Strong commented that this matter started back when the sub-division was developed, and in those days, if they ran into a lot that had a particular problem, they just moved on, they didn't deal with it. Strong said he thinks that's what happened here, and the Developer here said, we will just make this a Park, but they never actually filed the actual paperwork to make it a Park. Ultimately this property ended up on a tax sale, and this is why the new owner wants to develop it. Strong said it is unfortunate that somebody "dropped the ball". The required paperwork was never filed to make it a Park, so that a building could never be built on. Strong said he understands the fact that there are still going to have to be a lot of permits that are going to be required before this can actually be turned into a physical lot, but he can sympathize with what these homeowners are under the belief that this is always going to remain just a Park, and unfortunately the "ball was dropped", he believes, downstairs. Somebody should have filed the required paperwork where that wouldn't be taxed, where it would not have ended up at a tax sale. He said it is a confusing "mess", and Strong said, he doesn't know what we are going to be able to do to correct these kinds of situations moving forward. It's a difficult mess.

Ned, from the Planning Commission said, what Strong is saying is that, originally, when the Subdivision was approved, and this was set aside as Community Property, it wasn't taxed at all, it had zero tax assessment. At some point, in the last 25 years, about 12 years ago, somebody decided to start taxing the parcel, it became a taxable piece of property, went back on the tax rolls, went up on tax sale, and

somebody purchased it. The other confusing thing that probably should be pointed out is prior to 1995, we used to allow subdivisions in agricultural zones. So, we have a lot of subdivisions that exists, zoned agriculture, in 1995 we stopped that, and said the Council passed an Ordinance that said no we only allow development in residential zoning districts, consequently, this whole subdivision is zoned agriculturally, but in order to try to develop that lot, at this point, in time, they will need subdivision approval, if the zone change is approved, they still have to go through the subdivision approval process in order to build on it. In order to do that, it has to be zoned residential, they can't be zoned agricultural.

Bilski said I can sympathize with the homeowners, I think I understand what they must be going through, you bought a home, thinking you were going to be living across the street from a Park, or golf course, and it changes overnight on you. He said he can see the hardship it would cause you, however, there is a legal question here that's in front of this Body, and we have to add that the owner did nothing wrong, he purchased the property fairly, there are no issues with the Staff recommendations, we have to act on this to avoid any legal complications County Government.

The majority voted "Yes", Strong voted "No". Franklin was "absent". Motion to approve Plan Commission Ordinance # 2436 carried 5-yes, 1-no, 1-absent.

ORDINANCE #2437
OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a SPECIAL EXCEPTION. (Board of Zoning Appeals recommended in favor 07/16/2014).

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

SPECIAL EXCEPTION – KELLY KEILMAN, Owner and Petitioner to allow a commercial stable on the following described property:

General Location: Located approximately 5/10 of a mile north of 163rd Avenue on the east side of Harrison Street, a/k/a 15911 Harrison Street in Cedar Creek Township.

Legal: The North 330 feet of the Southwest Quarter of the Northeast Quarter of Section 9, Township 33 North, Range 8 West of the Second Principal Meridian, Lake County, Indiana.

Conditions: A maximum of 8 horses allowed on property.

Upon the Sale of the Property, or termination of the current business, the Special Exception Use is removed from the Property.

HEREBY x BY THE COUNTY COUNCIL
APPROVED DENIED REMANDED

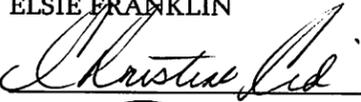
OF LAKE COUNTY, INDIANA, THIS 12th DAY OF August , 2014.

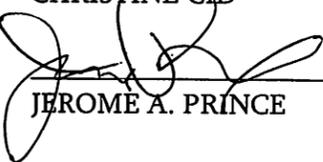
MEMBERS OF THE LAKE COUNTY COUNCIL



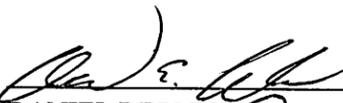
TED BILSKI, PRESIDENT

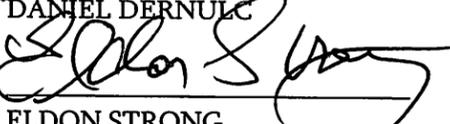
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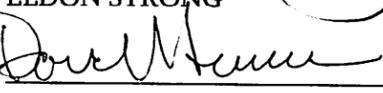
ELSIE FRANKLIN


CHRISTINE CID


JEROME A. PRINCE



DANIEL DERNULC


ELDON STRONG


DAVID HAMM

Strong made a motion, seconded by Prince to approve Board of Zoning Appeals Ordinance # 2438.

A representative of Ridgelawn Cemetery was present in the audience.

The majority voted "Yes". Franklin was "absent". Motion to approve Board of Zoning Appeals Ordinance # 2438 carried 6-yes, 1-absent.

ORDINANCE #2438
OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a REVISION TO A SPECIAL EXCEPTION. (Board of Zoning Appeals recommended in favor 07/16/2014).

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

SPECIAL EXCEPTION – RIDGELAWN CEMETERY ASSOCIATION, INC., Owner and DAVID E. COLE, Petitioner to allow a free-standing sign with illuminated information panel on the following described property:

General Location: Located approximately 2/10 of a mile west of Whitcomb Street on the south side of Ridge Road in Calumet Township.

Legal: Parcel 1: Part of the Northwest Fractional Quarter of Section 30, Township 36 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Section 30; thence South 00 degrees 00 minutes 00 seconds East along the West line of said Section 30, a distance of 1226.00 feet to the centerline of Ridge Road as it existed in 1925 per the plat of First Addition to Ridge Lawn Memorial Park (now vacated), Plat Book 18, page 10, in the Office of the Recorder of Lake County, Indiana; thence South 87 degrees 47 minutes 00 seconds East, along the centerline of Ridge Road per Plat of Survey recorded in Plat Book 13, page 34, in the Office of the Recorder of Lake County, Indiana, a distance of 1115.34 feet thence South 02 degrees 13 minutes 00 seconds West, a distance of 30.00 feet to a point on the South right of way line of said Ridge Road per Plat of Survey recorded in Plat Book 13, page 34, in the Office of the Recorder of Lake County, Indiana, said point being the point of beginning; thence South 33 degrees 32 minutes 19 seconds East, a distance of 165.44 feet; thence South 48 degrees 18 minutes 48 seconds West, a distance of 226.43 feet; thence South 30 degrees 37 minutes 54 seconds East, a distance of 695.73 feet; thence North 59 degrees 22 minutes 06 seconds East, a distance of 499.72 feet; thence North 00 degrees 45 minutes 46 seconds West, a distance of 605.53 feet to the said South right of way line; thence North 87 degrees 47 minutes 00 seconds West along the said South right of way line, a distance of 699.25 feet to the point of beginning, excepting therefrom the following described parcel of land: Part of the Northwest Fractional Quarter of Section 30, Township 36 North, Range 8 West of the Second Principal Meridian, in Lake County, Indiana, more particularly described as follows: Commencing at the Northwest corner of said Section 30; thence South 00 degrees

ORDINANCE #2438

00 minutes 00 seconds East along the West line of said Section 30, a distance of 1226.00 feet to the centerline of Ridge Road as it existed in 1925 per the plat of First Addition to Ridge Lawn Memorial Park (now vacated), Plat Book 18, page 10, in the Office of the Recorder of Lake County Indiana; thence South 87 degrees 47 minutes 00 seconds East, along the centerline of Ridge Road per Plat of Survey recorded in Plat Book 13, page 34, in the Office of the Recorder of Lake County, Indiana, a distance of 1147.93 feet to the North-South centerline of said Northwest Fractional Quarter; thence South 00 degrees 46 minutes 41 seconds East, along said centerline, a distance of 252.60 feet to the point of beginning; thence North 47 degrees 49 minutes 13 seconds East, a distance of 64.41 feet to a point of curve concave to the South and having a radius of 25.00 feet; thence Easterly along said curve an arc distance of 44.29 feet; thence South 30 degrees 40 minutes 12 seconds East, a distance of 167.22 feet to a point of a curve concave to the West and having a radius of 30.00 feet; thence Southerly along said curve an arc distance of 64.50 feet; thence North 87 degrees 28 minutes 31 seconds West, a distance of 185.25 feet to a point of a curve concave to the Northeast and having a radius of 25.00 feet; thence Northwesterly along said curve an arc distance of 25.87 feet; thence North 28 degrees 10 minutes 28 seconds West, a distance of 27.86 feet to a point of a curve concave to the East and having a radius of 25.00 feet; thence Northerly along said curve an arc distance of 30.33 feet; thence North 41 degrees 19 minutes 39 seconds East, a distance of 81.58 feet; thence North 47 degrees 49 minutes 13 seconds East, a distance of 24.07 feet to the point of beginning.

HEREBY x _____ BY THE COUNTY COUNCIL
 APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 12th DAY OF August , 2014.

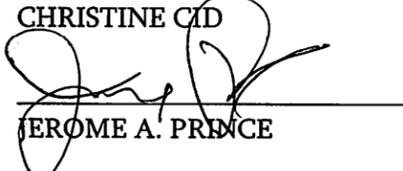
MEMBERS OF THE LAKE COUNTY COUNCIL



TED BILSKI, PRESIDENT

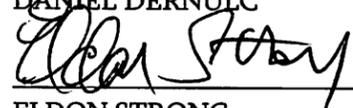
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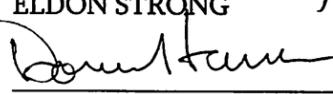
ELSIE FRANKLIN


CHRISTINE CID


JEROME A. PRINCE



DANIEL DERNULC


ELDON STRONG


DAVID HAMM

Prince made a motion, seconded by Hamm to approve Board of Zoning Appeals Ordinance # 2439.

Prince said he attended a brief committee hearing, in which the Petitioners, as well as the remonstrators were present, he said all of the legal concerns were addressed to the satisfaction of all who attended, however, there was one condition that was placed, as a result of some other discussion, and that condition being, to erect a fence around the perimeter of the tower.

Prince said, the motion should actually be, to approve, with conditions, and the condition being, that a fence be erected. Hamm seconded the amended motion.

Cid said she thinks there was a description of the fence, it wasn't totally around, the whole fence, it was on two sides.

Ned said there was a solid vinyl fence that was going to be placed on two sides, facing the neighbors.

Strong said he sympathized with the folks that were in attendance. He understood both sides. The remonstrators, in this case, had concerns about the water that may be affected, by this tower, and he doesn't know if the question was ever clearly answered. He said, he doesn't know if we've looked far enough into this to where this tower might be better located to help everybody involved in this. Strong said

he understands the homeowner's concerns, the visibility, he said he guesses maybe he would feel like that, if one was put in his backyard. He understands their situation with their water concern.

Prince wanted to make it clear that his support of this is largely from a legal perspective, as it relates to the water table issue. Prince said he also thought it was a valid issue, but up until today, moving forward, there has always been several issues that the residents surrounding these sort of structures, that were raised. He said because they reside in the immediate area, we would certainly consider those to be valid, however, Prince said he thinks the most salient point is that, up until this point, there hasn't been any justified, or verifiable evidence that a structure such as this, or the base that it sits on would inhibit or obstruct the water table, so again, Prince said, the support that I put forth is certainly from a legal perspective, and not an individual, or philosophy of my own.

Richard Beck, an adjacent property owner to the proposed site spoke. He said this area is classified as a National Wetland. He said this tower is going to be constructed in this area, which will, in effect, create a drain in the base of this area. He said that surface water, for miles around, drains through that area where this tower is going to be erected. That surface water carries pesticides, fertilizer, everything used in farms around. Mr. Beck said, the earth is our filter. That filter is having a hole punched in it, a hole that is 80 to 100 feet deep, putting that surface water, that contaminated surface water, that much closer to my well, the well that my children drink. I don't want to see this tower in that area. He said we just had a subject about kids with cancer. This water table is a very important issue to me and my neighbors, and the idea of putting a fence around it, a 6 foot fence, so nobody can see 160 foot tower, is ridiculous. He said where the problem is, is the water, the funnel that this tower is going to create, and where that surface water is going to go.

Wayne Weitbrook wanted to know if there is a comprehensive plan of where all of our sub-towers are. What type of soil they are on, the altitude of each tower, etc. He said he thinks they need to look at this, in reference to all of the towers. He said he is not pro or con on this tower, or this location.

Mary Beck is an adjacent property owner to the proposed site. She said she has tried to research this as thoroughly as she could. She has called different Professionals. She spoke to Dr. Shaw, from IUN. She said that no one can actually say whether or not, there is going to be contamination, although they said the word "probability".

Mrs. Beck said that Dr. Shaw is part of the Dept. of Public and Environmental Affairs, he also gave her the names of some people who may be able to help her clarify the matter.

He said it was very strange that when we were asking for a water test to be done, and questioned why wouldn't you do that, if there is nothing going to be wrong? We can get a fence that goes around? Mrs. Beck said, "I don't care what it looks like, but I care about what my grandchildren are going, when they inherit our house, or if we sell it. What are we doing to the people that are going to come in there?"

Mrs. Beck said, that Dr. Shaw said, I can't tell you what the long-term effects could be, he said, but it's "possible".

Mrs. Beck said, "possible" is enough for me. Possible is enough that it could cause something that could hurt our children 10 years down the road. She called the DNR, which is the Wetland Safe Center. She said they don't have a road that you can get to the State Line because this is the Wetland, and we come up right behind them. She said our road goes all the way through, but once you get to State Line, all of our neighbors say, we have water all over. Water that's completely contaminated comes right under our road, flows into a pond, and goes straight down to this area. She asked, why can't they build it up high, so that we don't have to worry 10 years from now, what's going to happen? Emerging wetlands.

She spoke to the National Water and Ground Association, in which the lady said, we just don't have enough information, but our scientist here said, "yes, it's possible". Mrs. Beck said, "possible", "probable", should be enough for the people who in (inaudible), have been asked to prevent our ground water from ever being contaminated. She asked, who else do we go to? You are the ones' who are suppose to protect us, and find out what limitations have to be put on. The DNR said, yes, it's possible, you are in a wetland here, you are an emerging wetland.

She said "probable" is enough for cancer. We just heard a woman talk of how all of these kids are being sick.

Mrs. Beck is asking to consideration in getting this tower up high, out of the way, so that, as my husband was trying to tell you, when it drains, it is not going to go into our water, 10 years from now. I don't care if it's 15 years from now, somebody will buy our property, when we're gone, or my children will be living there, and what happens to them? Will cancer keep going up because everybody evades the issue, and doesn't want to follow through? Something has to happen to stop these things.

Mrs. Beck said these are large companies, BP Amico was pretty big, weren't they? They made a mistake, and look at the "mess" we have. I don't want that "mess" in my backyard, when you can find another place to put up that tower.

Colleen Munsen, who lives down the street from the proposed site, who said that she doesn't understand why there is such an objection to testing the water. She asked what would a fence do for anyone? She

said she would rather look at a tower, than drink (inaudible) water. She wanted an answer to why they couldn't get the water tested, to make sure that it's safe.

Richard Riley, on behalf of Central States Tower said they regret these types of situations, because a lot of times they are based upon misunderstandings. He said he has been in this business since 1981, and this is the first time he has ever heard any concerns that a concrete foundation would in any way, impair water quality. He said, there is no evidence of that, and with 100,000 towers constructed, he is sure that if there was a problem, it would have surfaced by now, and there would be some sort of case studies or writings about it. He said the only emissions we make, are radio signals. Today, this is not an unnecessary service, this is an essential service. He said the location of these towers is essential because they are laid out on a grid. Every company has a different grid, sometimes they can co-locate, and with the pressure from municipalities, and governments, they have really tried to maximize co-locations. He said this tower is going to hold at least, 3 or 4 carriers.

He said he took a look at the list of people who oppose this site, he mapped them on the property. He said there is not one of them that is closer than 2,000 feet. Some of the neighbors who are not on that list, are closer than 2,000 feet, but they've not objected, at least that he knows of.

He said that they have gone out of their way to find a site that has the least possible aesthetic impact. He said if we move it a mile away, there will be another group of people here saying, "you are moving it too close to me, it needs to be in somebody else's backyard".

Mr. Riley said the reason they said the fence, is because there is one gentleman who has a driveway that is aligned with the site, and as he comes down his driveway in the morning, he is looking at a cyclone fence, with equipment shelters, and cabinets that are behind it, and we thought that in looking at, if he requested a fence, it would be a better (inaudible).

Mr. Riley asked the Council to approve this Petition.

Cid said she read up on the possibility of people, and cancer, and actually there is no real evidence of it, but as one of the neighbors said, that doesn't mean it's not happening, and Cid said, our world is technology, and these children with cell phones to their ears, and now you will see more cancer of the ears, so this tower is going to be 2,000 feet away. Cid said, she doesn't know much about radiation, she knows that when she started working on the computer, years ago, she knows that sitting in front of it everyday, she would feel nauseated, so she knows that technology does throw off some type of radiation, there is something there that is not normal. She said she had a shield for her computer, in order to work at it everyday. Cid said those are concerns, and standing up here, asking to pass a resolution saying we need to do more about cancer research, I think it would be false of me now to approve this, without having that desired knowledge.

Bilski said, I am concerned. Anytime a citizen comes up here and says I have concerns about what could be the impact. I don't know, it doesn't appear that there is strong evidence on the fact that it would impact us. The Petitioner in favor, representing the cell tower said there was no evidence that this causes damage to water, or water table, or to drainage into the wetlands. Bilski asked the maker of the motion to defer to at least, either to our September, or October meeting, where we could solicit some help and background from IDEM, Army Core. It's Federal Law that prohibits us from denying these cell tower usages, but I don't see a problem with trying to look into this a little further. Bilski said he understands the urgency with the cell towers. We are ourselves with wireless, and E911 services, and consolidation are a great concern, as we move forward; however, so is the safety and well-being of the citizens of Lake County.

Bilski said I don't know if there is a time-frame here that could cause legal ramifications for us, and said in his request of this motion to defer, he wants to make sure that he doesn't violate any State of Federal Laws himself.

Dernulc said regardless, even in this motion, he is going to abstain because he works for AT&T, so he is going to abstain for anything that is associated with this.

Prince said he will respect any request that this Body agrees on to postpone it for a month, until you get more studies, but said frankly, he doesn't think you are going to find that information that you are looking for. He said he isn't a "cheerleader" for the cell towers, just simply a Councilperson who recognizes that I have a responsibility to do due diligence for all citizens, cell tower people, residents, as well.

Prince said, as I stated earlier, the fact that it will contaminate the ground water, even though it's a valid concern, there just hasn't been any evidence that suggest that, and he said he recalls when cell phones first came out, maybe as recently as 10 years ago, there was speculation that cell phones would cause brain cancer, but I haven't seen any evidence of that either. Prince said he also recalls reading and hearing recently, as he contemplated whether we, or I would support this or not. Prince said, if there were one speculation that mother's breast milk would cause cancer, so he said he is not making light of your concerns, but his point is, at this point, everything that I've heard, in opposition to this, is speculation, valid, true enough, but there is absolutely no evidence and for that reason, I would just assume go on with the Petition, but if it is the intention of the Council to postpone it, or to deny it, then I guess that's what it is. I don't have a particular interest in this, other than to exercise what my responsibility is, as a councilperson.

Attorney Szarmach said, procedurally, you have in Lake County, and St. Joe County, if 90 days from the day it was certified to the Council, we have a decision on 7-16-14. You count 90 days, that's 3 months,

from that date. If you do not take any action in 90 days, the Petition is granted. For example if you could not get 4 votes either way, the Petition in 90 days would be granted. That would be 10-15-14.

Ned said you can't make your decision based on health concerns, versus radiation. That's a decision that was made by the Federal Communications Commission. That lies with the FCC, so I'm asking you to please not to make a decision based on any radiation, or health concerns emitted from the tower. He said, he doesn't know whether that extends to ground water, or not, but he knows definitely it extends to the radiation....

Attorney Szarmach said the Federal Law, also says, you can't deny a cell phone company to put up a tower. Everybody uses a cell phone, you have to have these towers up. So the Federal Law is going to require you to put it somewhere. Attorney Szarmach asked, how deep is the... you are building a concrete pad?

Mr. Riley answered, yes we are.

Attorney Szarmach asked how deep is it going

He said it's going somewhere from 30 to 40 feet.

(Mr. Riley is not at the microphone, so it is hard to hear what he is saying).

Attorney Szarmach said, this is very similar to the one we just had with regard to the zoning from the A-1 to the R-1. Just because you grant this Petition doesn't mean that it's going to be built, you still have to go through the Federal guidelines.

Prince said it seems to be the general consensus of the Council that they prefer a deferral, keeping in mind the guidelines that the Attorney just set out, we have at least another 30 days to consider this.

Prince rescinded his motion to approve, and made a motion to defer to 9-9-14. Strong seconded the motion to defer.

The majority voted "Yes". Dernulc "abstained". Franklin, and Cid were "absent". Motion to defer carried 4-yes, 1-abstention, and 2-absent.

Bilski asked Ned if there is any way that his department could assist in researching this to make sure that the Council gets as much information on this as possible?

Ned said he will try, he doesn't know where to go.

Bilski said outside of IDEM, maybe the Surveyor's Office could assist.

Bilski said that maybe we could try to look into it to see if there is anything or a possibility for contamination of the water, he thinks that falls under our jurisdiction as well. The Surveyor said, they would take a look at it.

Bilski said then at that point, they will be able to get some type of report, and make a more informed decision come next month. We will take a more thorough look at this over the next 30 days with help from our Surveyor, and our Planning Commission, and with any reports that we can get.

Public Portion

Wayne Weitbrock, a citizen of Lowell, IN spoke.

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

