

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 Meeting for August 12, 2014

Cid made a motion, seconded by Hamm to approve the Minutes of the L.C. Council Meeting for 8-12-14. The majority voted "Yes". Franklin was "absent". Motion to approve carried 6-yes, 1-absent.

In the Matter of Minutes of the Lake County Council for August 27, 2014 – Joint Special Meeting

Hamm made a motion, seconded by Dernulc to defer to 10-14-14. The majority voted "Yes". Franklin was "absent". Motion to defer carried 6-yes, 1-absent.

**ORDINANCE NO. 1376**

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<br>Requested | Appropriated |
|--|------------------------------------|----------------------------|--------------|
| County Highway Fund 102                    |                                    |                            |              |
| <u>Highway 5013</u>                        |                                    |                            |              |
| 42210                                      | Petroleum Products                 | \$ 50,000.00               | \$ 50,000.00 |
| 42220                                      | Garage & Motors                    | \$ 5,000.00                | \$ 5,000.00  |
| 42310                                      | Equipment Repair Parts             | \$ 25,000.00               | \$ 25,000.00 |
| 43620                                      | Equipment Repair                   | \$ 12,000.00               | \$ 12,000.00 |
| L.C. Animal Shelter Non-Reverting Fund 163 |                                    |                            |              |
| <u>Animal Control 3200</u>                 |                                    |                            |              |
| 42240                                      | Household & Institutional Supplies | \$ 4,000.00                | \$ 4,000.00  |
| 42250                                      | Health Care & Lab Supplies         | \$ 1,000.00                | \$ 1,000.00  |
| 42410                                      | Other Supplies                     | \$ 1,000.00                | \$ 1,000.00  |
| 43190                                      | Other Professional Service         | \$ 2,000.00                | \$ 2,000.00  |
| 43995                                      | Other Services & Charges           | \$ 10,000.00               | \$ 10,000.00 |
| Substance Abuse Testing Grant Fund 388     |                                    |                            |              |
| <u>Criminal Court 4000</u>                 |                                    |                            |              |
| 43190                                      | Other Professional Service         | \$ 10,000.00               | \$ 10,000.00 |

**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>St. John Township Assessor 1800</u> |                                      |              |              |
| From:                                  | 001-41190 Part-Time                  | \$ 1,500.00  |              |
| To:                                    | 001-41350 Assessor's Certification   | \$ 1,500.00  | \$ 1,500.00  |
| <u>St. John Township Assessor 1800</u> |                                      |              |              |
| 2015 Reassessment Fund 337             |                                      |              |              |
| From:                                  | 337-41100 Overtime                   | \$ 15,000.00 |              |
| To:                                    | 337-41190 Part-Time                  | \$ 15,000.00 | \$ 15,000.00 |
| <u>St. John Township Assessor 1800</u> |                                      |              |              |
| Sales Disclosure Fund 710              |                                      |              |              |
| From:                                  | 710-44490 Other Equipment            | \$ 1,225.00  |              |
| To:                                    | 710-43190 Other Professional Service | \$ 1,225.00  | \$ 1,225.00  |

|   | Requested    | Approved     |
|---|--------------|--------------|
| <u>Center Township Assessor 1200</u>          |              |              |
| 2015 Reassessment Fund 337                    |              |              |
| From: 337-43220 Postage                       | \$ 800.00    |              |
| 337-43235 Travel-Mileage                      | \$ 340.00    |              |
| To: 337-43190 Other Professional Service      | \$ 1,140.00  | \$ 1,140.00  |
| <u>Detention Center 4200</u>                  |              |              |
| From: 001-43120 Medical & Hospital Service    | \$ 6,881.00  |              |
| 001-43630 Maintenance & Serv Contr            | \$ 1,760.00  |              |
| 001-43710 Equipment Rental                    | \$ 1,767.00  |              |
| To: 001-42220 Garage & Motor                  | \$ 1,000.00  | \$ 1,000.00  |
| 001-42230 Clothing                            | \$ 3,000.00  | \$ 3,000.00  |
| 001-42240 Household & Inst Supplies           | \$ 5,000.00  | \$ 5,000.00  |
| 001-42410 Other Supplies                      | \$ 1,408.00  | \$ 1,408.00  |
| <u>Coroner 0700</u>                           |              |              |
| From: 001-41150 Paraprofessional              | \$ 10,000.00 |              |
| 001-42390 Other Repair & Maint                | \$ 2,200.00  |              |
| To: 001-41100 Overtime                        | \$ 10,000.00 | \$10,000.00  |
| 001-43190 Other Professional Service          | \$ 1,000.00  | \$ 1,000.00  |
| 001-43232 Travel/Meals                        | \$ 1,200.00  | \$ 1,200.00  |
| <u>Sheriff 0500</u>                           |              |              |
| Salvage Inspection Fee Fund 298               |              |              |
| From: 298-42410 Other Supplies                | \$ 39,765.00 |              |
| To: 298-44420 Office Machines(CNL)            | \$ 39,765.00 | \$39,765.00  |
| <u>Sheriff 0500</u>                           |              |              |
| Violence Intervention Program Fund 333        |              |              |
| From: 333-43190 Other Professional Service    | \$ 1,848.52  |              |
| 333-43234 Travel-Trans/Other                  | \$ 2,500.00  |              |
| 333-44420 Office Machines                     | \$ 6,560.00  |              |
| To: 333-42410 Other Supplies                  | \$ 10,908.52 | \$10,908.52  |
| <u>Jail 3100</u>                              |              |              |
| Public Safety CAGIT Non-Reverting Fund 010    |              |              |
| From: 010-41338 Proficiency/Specialty Pay     | \$ 5,000.00  |              |
| 010-41339 Clothing Allowance Pay              | \$ 4,500.00  |              |
| 010-41370 Holiday Pay                         | \$ 45,000.00 |              |
| 010-42230 Clothing                            | \$ 15,000.00 |              |
| To: 010-41100 Overtime                        | \$ 66,400.00 | \$66,400.00  |
| 010-43190 Other Professional Service          | \$ 3,100.00  | \$ 3,100.00  |
| <u>Prosecutor 0800</u>                        |              |              |
| From: 001-42110 Office Supplies               | \$ 1,500.00  |              |
| 001-43145 Legal Services                      | \$ 6,000.00  |              |
| To: 001-43233 Travel-Lodging                  | \$ 500.00    | \$ 500.00    |
| 001-43235 Travel-Mileage                      | \$ 1,500.00  | \$ 1,500.00  |
| 001-43630 Maintenance & Service Contr         | \$ 5,000.00  | \$ 5,000.00  |
| 001-43910 Dues & Subscriptions                | \$ 500.00    | \$ 500.00    |
| <u>Parks &amp; Recreation 5152 &amp; 5156</u> |              |              |
| Parks & Recreation Fund 107                   |              |              |
| From: 107-5156-41260 Workman's Comp Ded       | \$ 6,000.00  |              |
| To: 107-5152-41110 Officials & Administrators | \$ 1,325.00  | \$ 1,325.00  |
| 107-5152-41220 FICA                           | \$ 1,535.00  | \$ 1,535.00  |
| 107-5152-41230 PERF                           | \$ 3,140.00  | \$ 3,140.00  |
| <u>Public Defender 4002</u>                   |              |              |
| From: 001-41331 Court Reporter Per Diem       | \$ 4,000.00  |              |
| To: 001-42110 Office Supplies                 | \$ 2,000.00  | \$ 2,000.00  |
| 001-43235 Travel-Mileage                      | \$ 2,000.00  | \$ 2,000.00  |
| <u>LADOS 4032</u>                             |              |              |
| Division 1 LADOS Fund 217                     |              |              |
| From: 217-41120 Professionals                 | \$ 22,750.00 |              |
| To: 217-41110 Officials & Administrators      | \$ 22,750.00 | \$22,750.00  |
| <u>Commissioners 2900</u>                     |              |              |
| E-911 Fund 399                                |              |              |
| From: 399-43995 Other Services & Charges      | \$240,500.00 |              |
| To: 399-41120 Professionals(CNL)              | \$ 72,000.00 | \$ 72,000.00 |
| 399-41130 Technicians                         | \$ 14,000.00 | \$ 14,000.00 |
| 399-41260 Workman's Comp Ded                  | \$ 500.00    | \$ 500.00    |
| 399-41230 PERF                                | \$ 4,000.00  | \$ 4,000.00  |
| 399-41190 Part-Time(CNL)                      | \$150,000.00 | \$150,000.00 |
| <u>Juvenile Court 4100</u>                    |              |              |
| From: 001-42110 Office Supplies               | \$ 1,500.00  |              |
| To: 001-42230 Clothing                        | \$ 250.00    | \$ 250.00    |
| 001-44410 Furniture & Fixtures                | \$ 750.00    | \$ 750.00    |

001-44490 Other Equipment \$ 500.00 \$ 500.00

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 9<sup>th</sup> day of September, 2014.

Approved this 9<sup>th</sup> day of September, 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

Highway Fund 102  
Highway(\$92,000)

Strong Dernulc

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

L.C. Animal Shelter Non-Reverting Fund 163  
Animal Control(\$18,000)

Hamm Dernulc

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

Substance Abuse Testing Grant Fund 388  
Criminal Court(\$10,000)

Hamm Strong

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

Transfer

St John Twp Assr(\$1,500)

Prince Hamm

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

St. John Twp Assr(\$15,000)  
Reassessment Fund 337

Prince Hamm

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

St. John Twp Assr(\$1,225)  
Sales Disclosure Fund 710

Prince Dernulc

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

Center Twp Assr(\$1,140)

Prince Hamm

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

Detention Center(\$10,408)

Dernulc Strong

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

Coroner(\$12,200)

Cid Prince

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

Sheriff(\$39,765)  
Salvage Inspection Fee Fund 298  
(See Footnotes)

Cid Dernulc

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

Sheriff(\$10,908.52)

|   |         |         |   |
|---|---------|---------|---|
| Violence Intervention Prog Fund 333                                 | Cid     | Prince  | The majority voted "Yes". Franklin was "absent". Motion Carried 6-yes, 1-absent.  |
| Jail(\$69,500)<br>Public Safety CAGIT NR Fund 010<br>(See Footnote) | Dernulc | Prince  | The majority voted "Yes". Franklin was "absent". Motion Carried 6-yes, 1-absent.  |
| Prosecutor(\$7,500)   | Hamm    | Prince  | The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.  |
| Parks & Rec(\$6,000)<br>Parks & Rec Fund 107                        | Dernulc | Prince  | The majority voted "Yes". Franklin was "absent". Motion Carried 6-yes, 1-absent.  |
| Public Defender(\$4,000)  | Cid     | Hamm    | The majority voted "Yes". Franklin was "absent". Motion Carried 6-yes, 1-absent.  |
| LADOS Div I(\$22,750)   | Hamm    | Dernulc | The majority voted "Yes". Franklin was "absent". Motion Carried 6-yes, 1-absent.  |
| Commissioners(\$240,500)<br>E-911 Fund 399<br>(See Footnotes)       | Prince  | Hamm    | The majority voted "Yes" To create 2 new line items, and Approve. Franklin was "absent" Motion carried 6-yes, 1-absent. |
| Juvenile Court(\$1,500)   | Hamm    | Cid     | The majority voted "Yes" Franklin was "absent". Motion Carried 6-yes, 1-absent.   |

Footnotes

Re: Sheriff(\$39,765) – Cid made a motion, seconded by Dernulc to approve the transfer, and create a new line item.

Strong asked the Sheriff if this will leave the "Other Supplies" line item short by the end of the year?

The Sheriff replied, no.

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

Re: Jail(\$69,500) Public Safety CAGIT NR Fund 010 – Dernulc made a motion, seconded by Prince to approve.

Strong asked the Sheriff, "why are we short in Overtime"? You were budgeted enough at the beginning of the year.

The Sheriff replied when you have an operations 24/7, when we have an inmate population that's increasing, we have a constant overtime need, as far as mandated training, by the DOJ, we have issues with the Hospital because at any given time, we could have inmates in the hospital that require 3 officers, done in 24 hour shifts, per individual that's hospitalized, and it's just an operation, that's a large institution, you have to be able to upkeep the operations. There are a lot of things that are mandated by the Federal Government. The Sheriff said he would be happy to detail. He said he has prepared correspondence that you should be receiving within the next week, it will outline the use for this overtime, it's an issue that's not going to go away. We've tried to control it, we've been mandated, he put the officers back on an 8 hour shift, and tried to control it somewhat. He said no individual should work a 12-hour shift, especially within the Jail. It causes more overtime because when we keep an individual on overtime, after a 12-hour shift, we can only keep him for 4 hours, we are having to close down sections within the facility due to a shortage.

Strong asked, so this was caused in part, because of that change that you made with the work hour, right? You went from 12 to 8.

The Sheriff said we went from 12 hours, we were suffering from burn-out, and like I explained, with all the other issues, and that Attorney from Indianapolis sent a letter to me, threatening me with violation of Contract, so under advice from my Legal Advisor, I had nothing else to do but put them on 12-hour shift, and again, 12 hours is just too much for any Officer to work.

Strong said my only concern with this, is that was what the Contract was agreed to last year, and that's what we budgeted for, then when we budget for something, and it changes mid-year, then it creates our budgetary issues such as this.

Sheriff Buncich said, if you look back, historically, going back to the 90's when I was Sheriff before, overtime was an issue. Again, Mandated DOJ issues has caused this, we didn't have to train Officers, provide them with hundreds of hours of training, like we do now. When you train an Officer, you he is being taken off a shift for a week. You have to replace him, that's overtime.

Strong said, the only point I was trying to make is, last year, when the Contracts were done, when we budgeted, we budgeted with the concept that it was the 8 hour shift, and when we changed it...

Cid said that that Contract was agreed upon by both Parties, and there have been negotiation procedures... that was years ago, but there has been on-going, every year, when the Contracts ended, we have opened up negotiations, and the Officers never put that on the table, that they wanted to change to 12 hours. Cid said she takes offense to the fact that the Sheriff is saying that, if we pushed, they agreed to it.

The Sheriff said, I beg to differ with you Councilperson Cid. I sat in that meeting, and they were told to sign that Contract, because it was a deadline. So they had no alternative, but to sign that Contract. They asked at that time the CO's to re-open the negotiations, the guy in Indianapolis said, "No", we are going to stick with the Contract. Then he sends me a threatening letter that he is going take me to Court over this issue. So now they are suffering from "burn-out" with these Officers, and there is your overtime going up.

Cid said, I disagree, nobody forced the hand on anybody, to sign any Contract.

The Sheriff said, I disagree.

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

Re: Coroner(\$12,200) – Cid made a motion, seconded by Prince to approve.

Strong asked, for the record, will that leave your line item 41150 short, before the end of the year, are you going to be okay?

The gentleman from the Coroner' Office responded, no, we will be fine.

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

Re: Commissioners(\$240,500) E-911 Fund 399 – Prince made a motion, seconded by Hamm to create 2 new line items, and approve.

Dernulc asked why is there such a large amount for part-time, and it wasn't put in the budget before?

Brian said the reasoning behind that is, we have a lot of Dispatch(inaudible), that we don't control, at this point, and we are seeing a lot of shortages as people leave those organizations. They are not covering for those positions, and we have to mitigate that, in the final 3 months of this year.

Dernulc asked, and it's because of the people leaving?

Brian answered, yes.

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

In the Matter of Revised 144 for Calumet Township Assessor, County Assessor, Detention Center, and Commissioners

Re: Calumet Township – Prince made a motion, seconded by Dernulc to approve.

Prince said that there was some concern about being a re-org, in the middle of the year. He added that there are no new revenues required, and what she is essentially doing is re-distributing the difference between what the Old Technical Director would have received, and what the new one will, and the position 727 will change to a regular Deputy, during the next budget for 2015.

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

| <u>Revised 144 – 001</u>     | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|------------------------------|----------------|-----------------|-------------------|
| 13153-001 Deputy             | \$27,706       | \$28,103        | \$397             |
| 13153-004 Deputy             | \$27,706       | \$28,103        | \$397             |
| 13153-006 Deputy             | \$27,706       | \$28,103        | \$397             |
| 13153-007 Deputy             | \$29,468       | \$30,064        | \$596             |
| 13153-009 Deputy             | \$29,468       | \$30,064        | \$596             |
| 13727-001 Technical Director | \$33,900       | \$31,517        | -\$2,383          |

Re: County Assessor – Prince made a motion, seconded by Hamm to approve. The majority voted "Yes". Dernulc, and Strong voted "No". Franklin was "absent". Motion carried 4-yes, 2-no, 1-absent.

| <u>Revised 144 – Sales Disclosure Fund 710</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|--|----------------|-----------------|-------------------|
| 39002-001 Supplemental Pay NGenFnd             | \$2,768        | \$1,768         | -\$1,000          |
| 39002-003 Supplemental Pay NGenFnd             | \$1,000        | \$2,000         | \$1,000           |

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

| <u>Revised 144 – Fund 001</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|-------------------------------|----------------|-----------------|-------------------|
| <b>Effective 8-25-14</b>      |                |                 |                   |

12434-004 Probation Officer      \$33,196                      \$30,839                      -\$2,357

Re: Commissioners – Prince made a motion, seconded by Hamm to approve for Department 2900.  
 Cid asked if these were the number of positions that were approved in the original budget?  
 The answer was, yes.  
 Dernulc asked, and you are going to begin hiring them?  
 The answer was October 1<sup>st</sup>  
 Dernulc asked how long will it take for you to hire them all?  
 Brian said they are almost complete with the interviews for the Dispatch positions. The interviews will be taking place for the next 2 weeks.  
 Strong asked will all training be completed, and ready to take seats, January 1<sup>st</sup>?  
 Brian answered, yes. That’s part of the reason why we are hiring the Supervisors, so we can give them some legal and supervisory training.  
 The majority voted “Yes”. Franklin was “absent”. Motion carried 6-yes, 1-absent.

| <u>Rev 144 – E-911 Fund 399</u> | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|---------------------------------|----------------|-----------------|-------------------|
| 12104-001 Dispatch Supervisor   | -0-            | \$42,000        | \$42,000          |
| 12104-002 Dispatch Supervisor   | -0-            | \$42,000        | \$42,000          |
| 12104-003 Dispatch Supervisor   | -0-            | \$42,000        | \$42,000          |
| 12104-004 Dispatch Supervisor   | -0-            | \$42,000        | \$42,000          |
| 12104-005 Dispatch Supervisor   | -0-            | \$42,000        | \$42,000          |
| 12104-006 Dispatch Supervisor   | -0-            | \$42,000        | \$42,000          |
| 13xxx-001 Quality Assurance Mgr | -0-            | \$48,000        | \$48,000          |

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

Hamm made a motion, seconded by Prince to defer to 10-14-14. The majority voted “Yes”. Franklin was “absent”. Motion carried 6-yes, 1-absent.

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

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

**FIRST AMENDMENT  
TO  
LAKE COUNTY POLICE RETIREMENT PLAN**

WHEREAS, Lake County Police Retirement Plan (hereinafter referred to as "Plan") was established by Lake County Sheriff's Department, Crown Point, Indiana (hereinafter referred to as "Employer"), effective as of January 1, 1962, and as last amended by a complete restatement effective January 1, 2013; and

WHEREAS, the Plan was submitted to the Internal Revenue Service for a determination of the qualified status of the Plan under Internal Revenue Code Sections 401(a) and 501, respectively; and

WHEREAS, by Section 11.01 of the Plan, the Employer reserved the right to amend the Plan with the approval of the Merit Board and the county fiscal body; and

WHEREAS, the Internal Revenue Service has requested certain revisions and the Employer desires to amend the Plan to maintain its qualified status;

NOW, THEREFORE, BE IT RESOLVED, that Section 6.05(f) of the Plan is hereby amended effective for Limitation Years beginning on and after July 1, 2007, by the addition of the following paragraphs at the end, to read as follows:

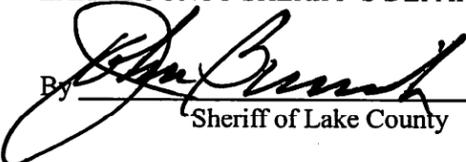
"Compensation After Severance From Employment. Effective for Plan Years and Limitation Years beginning on and after July 1, 2007, Compensation shall include the following amounts paid after severance from employment:

- (1) Compensation credited to a Participant on Qualified Military Service.
- (2) Compensation paid by the later of two and one-half (2-1/2) months after severance from employment with the Employer or the end of the Limitation Year that includes the date of severance from employment, and the payments are:
  - (A) payments for services rendered (for example, salary, commissions, overtime, bonuses) that would have been paid if the Participant had continued employment with the Employer, and
  - (B) payments for unused accrued sick pay, vacation pay, or other leave pay, but only if the Participant would have been able to use the leave if employment had continued.

"Compensation shall not include severance pay, parachute payments, and payments from unfunded deferred compensation plans paid because of severance from employment."

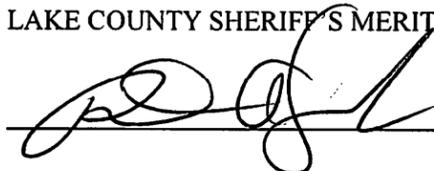
In witness of its adoption of the foregoing amendment to the Plan, the Employer has caused this amendment to be executed as of the 28 day of AUGUST, 2014.

LAKE COUNTY SHERIFF'S DEPARTMENT

By  Sheriff of Lake County

Approved and ratified at a meeting of the Lake County Sheriff's Merit Board on the 28 day of AUGUST, 2014.

LAKE COUNTY SHERIFF'S MERIT BOARD



Approved and ratified at a meeting of the County Council of Lake County on the 9<sup>th</sup> day of September, 2014.

COUNTY COUNCIL OF LAKE COUNTY



Sheriff Buncich said, for the record, he wanted to state that he is joined here, with his Brothers, and Sisters in Law Enforcement with the Lake County Sheriff Department. He wants to make it clear that they are either off-duty, or on their lunch hour. They are here to observe your County Council proceedings. The negotiations with the County Council, were dismissed a few days ago, and we would like you to take serious concerns, consideration for there Officers, for what they are asking for. The men and women of the Lake County Sheriff' Department are the second lowest paid, in this County, as far as law enforcement is concerned. I don't need to tell you about the dangers of this profession. The circumstances that occurred Friday night, I ask you, and I implore you to sit down with these Police Officers, to try to work with you, to make it happen for them, to give them a fair and decent wage. We have had an issue now with the funding for the vehicles, the funding for that was dismissed this year, turned down. I have several Officers in this room today, that are driving vehicles with 150,000 miles on them. These Officers, men and women, provide 24/7 hours of service, great service, they deserve better. The reason we gave them a Contract, when I was Sheriff before, 1999, we negotiated, at that time to give these Officers, and Correctional Officers a Contract to give them the opportunity to gain a fare wage, with benefits. Sheriff Buncich said, I implore you to sit down with them, work this thing out.

Hamm said Sheriff, I don't know what you're talking about. We just moved a motion to give you enough money to pay for the vehicles, for next year.

Sheriff said, there are no vehicles, this year.

Hamm said we had 2 meetings, and in 2 meetings are you aware of what has been asked for? I expected you to be there, as the Manager of that department, but to suggest, in front of the crowd...

Sheriff Buncich interjected, they are not a crowd, they are Officers..

Hamm said to address this Council, in front of the Officers, and as far as I take it, in my opinion, to sort of politicize this, I think it's a rotten shame.

Sheriff, you and I have conversations. I don't know why you didn't have this conversation with me, that's what's upsetting.

Sheriff Buncich said, obviously, I've had this conversation with each member of this Council about getting these Officers a better pay increase.

You know what it's like.

Hamm said, but to preach this in front of...

Sheriff Buncich said, I'm not preaching sir, I am presenting my case okay. I am a career Law Enforcement Officer, and I'm presenting my case. I don't intend to get in an argument. What's fair is fair for these Officers. That's what's fair.

Bilski said, regarding the vehicles last year, \$400,000 dollars was moved into Cum Cap. The \$200,000 plus, that you used to pay for the lien on the helicopter, was all put into this Cum Cap to make the payments. The argument came in on the type of vehicles, and the bids was not done by this Council. The Council made the appropriation in 2013, for 2014 purchases, so what happened, didn't happen by this Body. When it was brought to our attention that there was an issue with the purchase of the vehicles, this Council took action last week, we have taken that \$400,000 out of Cum Cap, from 2014, put it back in the Sheriff' budget, along with the additional \$200,000 plus, back into your budget for the payment on the helicopter, as well as the purchase on the new vehicles. It was never the intent of this Council, to put anybody' life or safety, in jeopardy. We always made the appropriations, we've never walked away from any negotiations.

We have always done, with fiscal responsibility, we have an obligation, and we will continue to negotiate and give the best possible raises we can, for all employees, especially the Police Officers, and we have given the best we could, over the last 6 years. I think we all respect everything that law enforcement does, provides to our communities, the basis of our tax wouldn't exist, unless people had a safe place to live. We understand the importance of that, and I can guarantee you that no one is walking away from the table. We have a certain amount of dollars to work with, we are trying to find funding sources for 15 different Police Officers. There are 15 positions that we didn't terminate, over the years, but we've tried to find ways to fund those, to keep those numbers up there. We had 15 that have been moved into some user based fees, that no longer can support those Police Officers, so we have to try to find money, within the general fund, we have to try to find money in the Public Safety, to pay for these things, and that, I can assure you, is taking place, it's taking place during our budget cycles, it's taking place in Committee meetings, and it will take place at your Collective Bargaining table.

In the Matter of Strategic Planning Committee Report

Dernulc made a motion, seconded by Strong to defer to 10-14-14. The majority voted "Yes". Franklin was "absent". Motion to defer carried 6-yes, 1-absent.

In the Matter of Ordinance Amending Ordinance 1336E – Establishing the Lake County Recorder's Enhanced Access Fund, A Non-Reverting Fund.

NO ACTION TAKEN.

In the Matter of Ordinance Establishing the Lake County Internal Review Policies and Procedures for Federal Grant Reporting.

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

Attorney Szarmach said this is going to be for First Reading only, we have to add more to that.

Cid said that this is just a Policy to insure that Grant reporting is done efficiently, and correctly so that we don't lose any of those funds.

Attorney Szarmach said that it's basically a recipe required by the Federal Government, and State Board on this. We are just adding to it. He said in a couple of weeks, they should have a "rough draft".

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

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

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

**ORDINANCE NO. 1356C-1**

**AN ORDINANCE AMENDING ORDINANCE NO. 1356C  
LAKE COUNTY EMPLOYEE HANDBOOK, 2013 EDITION**

**WHEREAS,** on January 8, 2013, the Lake County Council adopted the Lake County Employee Handbook, 2013 Edition, Ordinance No. 1356C, (Lake County Code Chapter 32); and

**WHEREAS,** the Lake County Council now desires to amend Ordinance No. 1356C.

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

The Lake County Employee Handbook, 2013 Edition, Ordinance No. 1356C (Lake County Code Chapter 32) be amended as follows:

**DEFINITIONS OF EMPLOYMENT STATUS**

**DELETE:**

**Full-Time:** An employee who has completed his/her orientation period and who works on average at least thirty-five (35) hours or more per week.

**Exempt-**

Since duties and responsibilities vary, it is best to verify through the Humane Resources Department that a position meets the requirements of being exempt under the FLSA. For example, an exempt employee must be paid on a salary basis of no less than \$455 per week perform certain types of work that is directly related to the overall management of a business or operation. The person must be authorized to directly or indirectly hire, fire and direct at least two other employees. The employee's primary duty must include the exercise of discretion and independent judgment with respect to matters of significance within the operation. Additional exemptions may be granted if the position:

**Part-Time:** An employee who has completed his/her orientation period and who works on average less than thirty-five (35) hours per week. Part-time employees, although valuable members of the County's workforce, are not eligible for all of the benefits (such as health insurance or pension benefits) afforded to full time employees.

**Temporary or Seasonal:** An employee who is hired for a specific period of time, with a known duration of less than eight (8) or an employee who is assigned to a part-time job with a known limited duration of less than ten (10) full months is not eligible for benefits. Often these employees are also referred to as seasonal or temporary employees. A temporary employee may work either a full or part-time schedule depending upon the assignment. If the employee works more than forty hours in a week, the employee will be paid at a rate of 1.5 times the number of hours worked (over and above forty hours) either in pay or compensatory time.

**INSERT: (Amendments in bold-face)**

**Full-Time:** An employee who has completed his/her orientation period and who works on average at least **thirty (30)** hours or more per week.

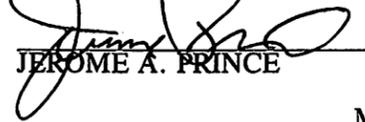
**Exempt-**

Since duties and responsibilities vary, it is best to verify through the Humane Resources Department that a position meets the requirements of being exempt under the FLSA. For example, an exempt employee must be paid on a salary basis of no less than \$455 per week and perform certain types of work that is directly related to the overall management of a business or operation. The person must be authorized to directly or indirectly hire, fire and direct at least two other employees. The employee's primary duty must include the exercise of discretion and independent judgment with respect to matters of significance within the operation. Additional exemptions may be granted if the position:

**Part-Time:** An employee who has completed his/her orientation period and who works on average less than **thirty (30)** hours per week. Part-time employees, although valuable members of the County's workforce, are not eligible for all of the benefits (such as health insurance or pension benefits) afforded to full time employees.

**Temporary or Seasonal:** An employee who is hired for a specific period of time, with a known duration of **no more than four (4) months** or an employee who is assigned to a part-time job with a known limited duration of less than ten (10) full months is not eligible for benefits. Often these employees are also referred to as seasonal or temporary employees. A temporary employee may work either a full or part-time schedule depending upon the assignment. If the employee works more than forty hours in a week, the employee will be paid at a rate of 1.5 times the number of hours worked (over and above forty hours) either in pay or compensatory time.

SO ORDAINED THIS 9<sup>th</sup> DAY OF SEPTEMBER, 2014.

|  |  |  |
|--|--|--|
| <br>CHRISTINE CID     | <br>TED F. BILSKI, President | <p style="text-align: center;"><b>Absent</b></p> <br>ELSIE FRANKLIN |
| <br>DANIEL E. DERNULC |  | <br>ELDON STRONG  |
| <br>JEROME A. PRINCE  |  | <br>DAVID HAMM  |

Members of the Lake County Council

In the Matter of Ordinance Amending Ord 1367B – Lake County Part-Time Employees Pay Rate Ordinance for 2014 for County Court Div I.

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

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

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

ORDINANCE NO. 1367B-6

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME  
EMPLOYEES PAY RATE ORDINANCE FOR 2014, ORDINANCE NO. 1367B

**WHEREAS**, on December 10, 2013, the Lake County Council adopted the Lake County Part-Time Employees Pay Rate Ordinance for 2014, Ordinance No. 1367B; and

**WHEREAS**, the Lake County Council now desires to amend the Ordinance.

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

That the following section be amended and adopted as follows:

**DELETE:**

Section III.

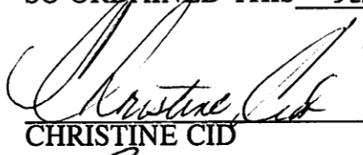
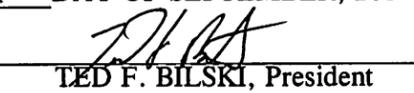
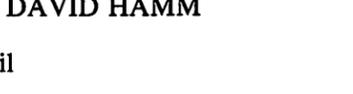
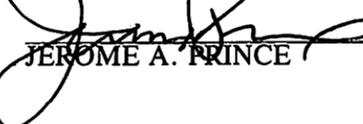
- 17. Lake Superior Court, County Division, Room No. II
  - a. Clerk 10.00/hr.
  - b. Secretary 12.00/hr.

**INSERT:**

Section III.

- 17A. Lake Superior Court, County Division I
  - a. Data Entry Personnel 10.00 - 18.00/hr.
  - b. Bailiff 8.00 - 18.00/hr.
  - c. Secretary 8.00 - 15.00/hr.
  - d. Admin/Skilled Craft 10.00 - 20.00/hr.
  - e. Clerical Personnel 10.00 - 12.00/hr.
- 17B. Lake Superior Court, County Division II
  - a. Clerk 10.00/hr.
  - b. Secretary 12.00/hr.

SO ORDAINED THIS 9th DAY OF SEPTEMBER, 2014.

|  |  |  |
|--|--|--|
| <br>CHRISTINE CID     | <br>TED F. BILSKI, President | <p style="text-align: center;"><b>Absent</b></p> <br>ELSIE FRANKLIN<br><br>ELDON STRONG<br><br>DAVID HAMM |
| <br>DANIEL E. DERNULC |  |  |
| <br>JEROME A. PRINCE  |  |  |

Members of the Lake County Council

In the Matter of Board of Zoning Appeals Ordinances # 2439, 2440, 2441, 2442, 2443.

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

Dernulc said that he will be abstaining because he works for AT&T.

Prince explained that this issue was first brought to this Council in August, it was deferred, as a result of some of the remonstrators requiring this Council to put forth, what they considered to be, more due diligence. Prince said, since that point, there has been discussions with the County Surveyor, and it is Prince' understanding that IDEM has been contacted, and there are no issues with this particular Zoning Appeal.

Strong said the remonstrators, in this issue came forward, and they made some compelling arguments. Strong said they make him wonder, at this point, and he understands the information that we have received has not found any hard cold evidence, one way or the other. Strong said he understands their concerns, and it is their neighborhood. Strong said that he feels that he is going to have to stand with them on this issue, and he is going to vote "No".

Strong asked, there was one condition on there, that a fence be built on the north side?

Ned said, a fence will be built all around the structure, it's just there will be a solid fence on two of the sides.

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

**ORDINANCE #2439  
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 07/16/2014).

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

VARIANCE OF USE owned and petitioned by CENTRAL STATES TOWER II, LLC to allow a wireless communications facility in an A-1 (Agricultural Zone) on the following described property:

General Location: Located at the southeast quadrant at the intersection of 109<sup>th</sup> Avenue and State Line Road, a/k/a 15409 W. 109<sup>th</sup> Avenue in Hanover Township.

Legal: Lease Tract: A 100 foot by 100 foot lease tract and utility easement being a part of the Northwest Quarter of Section 12, Township 34 North, Range 10 West of the 2<sup>nd</sup> Principal Meridian, being more particularly described as follows: Commencing at the Northwest corner of said Section 12; thence North 89 degrees 46 minutes 31 seconds East (bearings assumed for the purpose of description only) along the North line of the Northwest Quarter of said Section 12, a distance of 1066.48 feet; thence South 00 degrees 13 minutes 29 seconds East, a distance of 39.64 feet to the point of beginning of the tract to be described; thence continuing South 00 degree 13 minutes 29 seconds East, a distance of 100.00 feet; thence North 89 degrees 46 minutes 31 seconds East, a distance of 100.00 feet; thence North 00 degrees 13 minutes 29 seconds West, a distance of 100.00 feet; thence South 89 degrees 46 minutes 31 seconds West, a distance of 100.00 feet to the point of beginning, containing 0.23 acre, more or less, situated in the County of Lake and State of Indiana.

Also, a 20 foot by 36 foot lease tract and utility easement being a part of the Northwest Quarter of Section 12, Township 34 North, Range 10 West of the 2<sup>nd</sup> Principal Meridian, being more particularly described as follows: Commencing at the Northwest corner of said Section 12; thence North 89 degrees 46 minutes 31 seconds East (bearings assumed for the purpose of description only) along the North line of the Northwest Quarter of said Section 12, a distance of 1066.48 feet; thence South 00 degrees 13 minutes 29 seconds East, a distance of 39.64 feet; thence continuing South 00 degrees 13 minutes 29 seconds East, a distance of 20.00 feet; thence North 89 degrees 46 minutes 31 seconds East, a distance of 20.00 feet; thence South 00 degrees 13 minutes 29 seconds East, a distance of 36.00 feet; thence South 89 degrees 46 minutes 31 seconds West, a distance of 20.00 feet; thence North 00 degrees 13 minutes 29 seconds West, a distance of 36.00 feet to the point of beginning, containing 720 square feet, more or less, situated in the County of Lake and State of Indiana.



ORDINANCE #2440  
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 08/20/2014).

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

SPECIAL EXCEPTION – D-MART, Owner and NORTH CREEK BUILDER, Petitioner to allow the addition of a walk-in cooler to an existing gas station on the following described property:

General Location: Located at the southeast quadrant at the intersection at 43<sup>rd</sup> Avenue and Cleveland Street, a/k/a 4301 Cleveland Street in Calumet Township.

Legal: That part of Lots 1, 2, 8 and 9, including that part of the 20 foot vacated alley lying between said Lots, Block 8, Third Subdivision to Oakington Park, as shown in Plat Book 13, page 11, in Lake County, Indiana, described as follows: Beginning at the intersection of the East line of State Road No. 55 (said point being 50 feet East of the center line of said State Road No. 55), and the South line of 43<sup>rd</sup> Avenue, and running thence East along the South line of 43<sup>rd</sup> Avenue 150 feet; thence South and parallel with the East line of State Road No. 55, a distance of 150 feet; thence West and parallel with the South line of 43<sup>rd</sup> Avenue 150 feet to the East line of State Road No. 55; thence North along the East line of said State Road 150 feet to the point of beginning.

HEREBY   X   \_\_\_\_\_ BY THE COUNTY COUNCIL  
APPROVED      DENIED      REMANDED

OF LAKE COUNTY, INDIANA, THIS   9th   DAY OF   September  , 2014.

MEMBERS OF THE LAKE COUNTY COUNCIL

\_\_\_\_\_  
TED BILSKI, PRESIDENT

**Absent**  
\_\_\_\_\_  
ELSIE FRANKLIN  
\_\_\_\_\_  
CHRISTINE CID  
\_\_\_\_\_  
JEROME A. PRINCE

\_\_\_\_\_  
DANIEL DERNULC  
\_\_\_\_\_  
ELDON STRONG  
\_\_\_\_\_  
DAVID HAMM

Strong made a motion, seconded by Hamm to approved Board of Zoning Appeals Ordinance # 2441.

Monica Conrad, the Attorney for the School Corporation was present to answer any questions.

Wayne Weitbrock, a resident, is in favor of this matter.

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

ORDINANCE #2441  
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 08/20/2014).

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

SPECIAL EXCEPTION – TRI-CREEK SCHOOL CORPORATION, Owner and MONICA CONRAD, ATTORNEY, Petitioner to allow a transportation facility for school buses on the following described property:

General Location: Located approximately 4/10 of a mile north of Belshaw Road on the west side of Cline, a/k/a 19250 Cline in West Creek Township.

Legal: The South Half of the Northeast Quarter of Section 34, Township 33 North, Range 9 West of the Second Principal Meridian, more particularly described as follows: Commencing at the Northeast corner of said Section 34, thence South 00 degrees 10 minutes 17 seconds West, along the East line of said Section 34 a distance of 1,329.55 feet to the point of beginning; thence South 00 degrees 10 minutes 17 seconds West along the East line of said Section 34, a distance of 1,329.55 feet; thence North 88 degrees 24 minutes 42 seconds West along the South line of said Northeast Quarter, a distance of 2,650.58 feet; thence North 00 degrees 09 minutes 04 seconds East along the West line of said Northeast Quarter, a distance of 1,330.49 feet; thence South 88 degrees 23 minutes 30 seconds East along the North line of the South Half of said Northeast Quarter, a distance of 2,651.07 feet to the point of beginning, in Lake County, Indiana.

HEREBY   x   \_\_\_\_\_ BY THE COUNTY COUNCIL  
APPROVED DENIED REMANDED

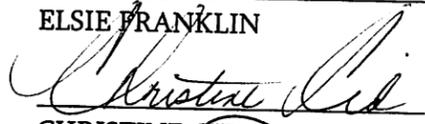
OF LAKE COUNTY, INDIANA, THIS   9th   DAY OF   September  , 2014.

MEMBERS OF THE LAKE COUNTY COUNCIL

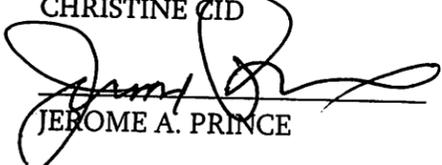
  
\_\_\_\_\_  
TED BILSKI, PRESIDENT

Absent

ELSIE FRANKLIN

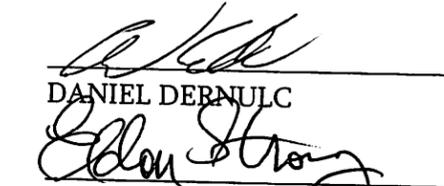


CHRISTINE CID

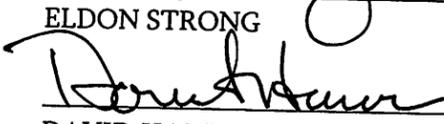


JEROME A. PRINCE

DANIEL DERNULC



ELDON STRONG



DAVID HAMM

Strong made a motion, seconded by Cid to deny Board of Zoning Appeals Ordinance # 2442. There were no remonstrators present.

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



ORDINANCE #2443  
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 08/20/2014).

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

VARIANCE OF USE owned and petitioned by PAUL HORST to allow an accessory building with bathroom and kitchen facilities on the following described property:

General Location: Located at the southwest quadrant at the intersection at 153<sup>rd</sup> Avenue and Clark Street in Cedar Creek Township.

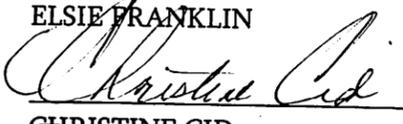
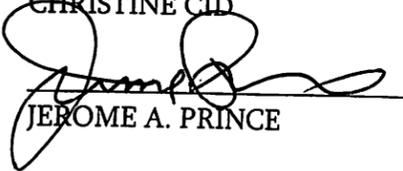
Legal: Part of the Northeast Quarter of the Southeast Quarter of Section 1, Township 33 North, Range 9 West of the Second Principal Meridian, described as beginning at the Northeast corner of said Southeast Quarter; thence North 88 degrees 52 minutes 23 seconds West along the North line of said Southeast Quarter a distance of 990.00 feet; thence South 00 degrees 00 minutes 00 seconds West, 676.41 feet, more or less, to the North line of Dalecarlia Fairways Subdivision, as recorded in Plat Book 35, Page 78; thence South 88 degrees 54 minutes 03 seconds East to a point on the East line of the Southeast Quarter of said Section 1 that is 1,980.14 feet North of the Southeast corner thereof; thence North 00 degrees 00 minutes 00 seconds East, 675.93 feet, more or less, to the Point of Beginning, containing 15.359 acres, more or less.

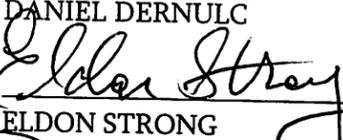
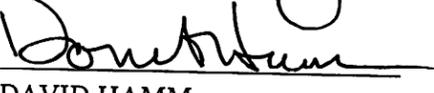
HEREBY \_\_\_\_\_   X   \_\_\_\_\_ BY THE COUNTY COUNCIL  
APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS   9th   DAY OF   September  , 2014.

MEMBERS OF THE LAKE COUNTY COUNCIL

  
\_\_\_\_\_  
TED BILSKI, PRESIDENT

**Absent**  
\_\_\_\_\_  
ELSIE FRANKLIN  
  
\_\_\_\_\_  
CHRISTINE CID  
  
\_\_\_\_\_  
JEROME A. PRINCE

  
\_\_\_\_\_  
DANIEL DERNULC  
  
\_\_\_\_\_  
ELDON STRONG  
  
\_\_\_\_\_  
DAVID HAMM

Public Portion

Dan Murchek, President of Lake County Police Union, Local 72, wanted to make an issue perfectly clear, that the FOP and Union are willing to come back to the table, on any kind of fair and reasonable offers made. He said the Attorney hired, and they've met 3 times this year, not 2. He quoted the Attorney, "We have nothing further to talk about then", after we made a counter proposal, and that ended talks. He said, that was a quote from the Attorney. He said the Council people should be negotiating, not the Attorney, but that was a quote from the Attorney. Murchek said again, we are willing to come back, at any time, for fair and reasonable offers made. Dan Murchek wanted to make that statement a part of the record.

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