

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in special session at this time, for the purpose of considering budgets for Year 2017, 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, Elsie Franklin, Jamal Washington, Daniel Dernulc, Christine Cid, and Eldon Strong, County Councilpersons, together with Ray Szarmach, County Council Attorney.

OPEN: County Council Recommendations, Discussions and Actions

Bilski explained that they have a Resolution that Councilman Strong brought forward, the Council was notified by Ball State University, regarding a request for support on a Grant for Archaeological Research in Lake County.

Strong said that they have asked for the Council' support, in the form of a Resolution, to assist them in an archaeological study in Lake County, a 900 acre survey of agricultural field, with the permission of the homeowners, just to look for artifacts, from throughout history.

Strong made the motion, seconded by Dernulc to approve. The majority voted "Yes". Motion to approve the Resolution carried 7-0.

RESOLUTION NO. 16-88

**RESOLUTION OF LAKE COUNTY COUNCIL
IN SUPPORT OF
BALL STATE UNIVERSITY PERFORMING
ARCHAEOLOGICAL RESEARCH IN LAKE COUNTY**

WHEREAS, Ball State University’s Applied Anthropology Laboratories, Department of Anthropology is submitting a grant application to perform archaeological research in Lake County, Indiana; and

WHEREAS, the grant funding is provided by the National Park Service and is administered through the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (DHPA); and

WHEREAS, the proposed archaeological research will consist of a 900 acre pedestrian survey of agricultural fields; and

WHEREAS, by analyzing the artifacts that are collected on the surface of these fields, a better understanding of the prehistory and history of Lake County will be gained; and

WHEREAS, a public presentation will be given in Lake County in the Spring of 2018 summarizing the grant results.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council supports Ball State University’s Applied Anthropology Laboratories, Department of Anthropology’s project to perform archaeological research in Lake County through a grant provided by the National Park Service.

SO RESOLVED THIS 22nd DAY OF SEPTEMBER, 2016.


CHRISTINE CID


TED F. BILSKI, President


ELSIE FRANKLIN

DANIEL E. DERNULC


JAMAL WASHINGTON


ELDON STRONG


DAVID HAMM

Members of the Lake County Council

Bilski explained that they have 2 Ordinances, one of dated for 2016, which would take us to the end of the year, and the new Ordinance would be a separate reading, which would be in place for 2017.

Dernulc made the motion, regarding the Ordinance Regarding Vacant Positions, for the remainder of the year, 2016. Strong seconded the motion.

Cid said, “I won’t support this because I feel that, first of all, we haven’t really approved the pay band yet, and I, personally don’t believe that money should be given to each department, and they decide who to give it to, 5% to one, 2% to another employee. I think that puts more politics into it. So I would just like to see it based on longevity, and so, I will not be supporting it”. “Cid said I’m all for the hiring freeze, so that we can have money for the pay band, but I do not believe in the performance evaluation.”

Washington said, I don’t believe that’s the case. But for my clarity purposes, is this pretty much stating that any position that’s vacant, will be going back to the general fund?

Bilski said, there are certain positions that we are bound to fill. You have certain vacancies that are emergency, that we’re not taking away, for example, the 911 Dispatchers, so when we talk about the hiring

process of slowing down the hiring process, some of those will be excluded, and the Dispatcher would be an example.

Washington asked, so if it's excluded, how do we... do we have to get it approved? For example, 911, if you have 95 slots, with 76 filled, with the passage of this, do the slots that aren't filled right now will get removed?

Attorney Szarmach said, all this does is basically a hiring freeze on vacant positions, that are currently vacant, and the other one is, that become vacant on January 1, 2017.

He said, now the position still exists, the line still exists, the money in that line, still exists, and what usually happens is, that money, if it's not used by the end of the year, it goes into the general fund, which can be used for this purpose, or any other purpose. There are times when officeholders, if someone leaves, they don't fill it right away. They let the position remain vacant, so that, down the road, a month, or two, or three, they will have extra money.

Washington asked, how does this affect 911, that's my biggest issue?

Attorney Szarmach said that's why 1st page, second paragraph, that says "Notwithstanding, paragraph one, these are your exceptions, 2a, 2b. down to 2f. Those exceptions were:

2a. "Positions controlled by mandate (Indiana Trial Rule 6-.5), positions required by State or Federal Law, or by a Grant, provided the officeholder inform the council of such hiring requirement with support documents citing the mandate order, State or Federal Law, or Grant requirement.

2b. Position of Chief Deputy or other supervisory positions, if allowed by statute.

2c. Attorneys Employed by the Lake County Prosecutor's Office as Deputy Prosecuting Attorneys.

2d. Caseworkers employed by the Lake County Prosecutor's Office in the IV-D Program.

2e. Offices of ten (10) employees or less.

2f. Prospective employees for positions who were given a written commitment of employment prior to the effective date of this Ordinance.

Attorney Szarmach said, we've always had exceptions, that Deputy Prosecutors in the Felony Division, for example if somebody is in trial, and they leave, you need another body immediately, to take that case over. Offices with 10 employees, or less. Chief Deputy positions, etc.

Attorney Szarmach said, what you can do is, and number 3 is the catchall. Any officeholder may petition the Lake County Council to fill a vacated position for good cause. You can always come in and fill it. Attorney Szarmach said, you could put in there, as g, small g on the second page, 911 positions.

He said paragraph 2a through f, you can change, or tweak anyway you want.

Bilski said, they are covered by CBA, and we have agreed to a certain amount of hiring there. Bilski said, if we get people hired in there, there is no one up there I believe, that would not approve Dispatchers.

Dernulc said, I agree.

Attorney Szarmach said, if you adopt this, this is like the old hiring freeze we did years ago. You don't eliminate the position.

Dernulc asked Attorney Szarmach if they could put in a small "g" "any positions covered under a CBA Contract" in there?

Attorney Szarmach said, you can do basically, whatever you want.

Dernulc said, that would be one that I would ask.

Attorney Szarmach said, it would read: "any positions covered under a CBA".

Attorney Szarmach said that any vacant becomes, for whatever reason, without this, becomes vacant, the position stays in the budget until the end of the year, until the 2017 is adopted, the money appropriated for that position stays in that line item until the end of the year. It's up to the Officeholder to fill it, as we sit here today. If it's not filled by the end of the year, the money reverts to the general fund.

Cid asked, is that what this states?

Attorney Szarmach said, that's how it's done currently.

What would happen with this Ordinance is, you've got, basically, a hiring freeze, and it's stating that the money that is going to be created by the vacancy, would be used to support the pay scale, the pay bands, pay raises, etc. You don't have, right now that system, the pay band system, you don't have it, and you've got to go through a lot of procedures and hoops, before you adopt an Ordinance, if you ever do adopt an Ordinance to create that.

Bilski said, otherwise you will have a reserve savings there, in order to give a pay raise, if that's what the end result is.

Attorney Szarmach said, if you, just like our old hiring freeze ordinance, you adopt this, you have a hiring freeze, it creates money. You can do whatever you want with it.

Washington asked if this matter could be deferred, until he gets better clarification on it.

Dernulc suggest they do First Reading on it today.

Cid asked, can't you just cut this a couple of these "WHEREAS", where it says "to establish, by Ordinance". Cid said, I don't think it's been voted on to establish this pay band yet, so she said she hates to see this in this Ordinance. She said I know it says "desires to", but it hasn't been voted on, and to say "desires to", and then to "give raises based on performance", Cid said, if that was taken out of there, this is just a Hiring Freeze, she could support this, as the old one. She said then she has to look back too, and say, why did we repeal the old hiring freeze...

Attorney Szarmach asked, "why did we"?

Cid said, yes, and then I would like to know from Dante if we can look back and see how much savings was there, because Cid said, she thought it was a good thing, and then it was repealed. Cid said she would like to see some numbers..

Washington said, that's part of the reason I was going to ask for a deferral, because I had some questions, as well.

Attorney Szarmach said, we didn't use any money, because I don't think we needed it. The freeze was lifted, we got our growth quotient, we didn't really need it.

Bilski said when we get to a point, when we don't need it, that's when we rescind the Ordinance. Bilski asked Dante, with this implemented into the first of the year, is it safe to say, you would anticipate a savings, and a considerable savings, in the three months that we ran it during that time period? Before, it was just under \$1 million dollars, in savings. He asked Dante, in his opinion, is this a positive step in order to save money, whether we are going to go with a band, whether we are going to go with a flat percentage, what's your opinion on putting a mechanism in place to generate revenue for any increases?

Dante said, it's more than money, it's a Policy issue. He said as a financial person, he has to funnel money towards these Programs, whether it's one or two, or a fraction of one or two. This is absolutely a prudent measure to start that process of acknowledging putting money away for something that we supported.

Bilski said, the bottom line is that, that money is put to the side for potential raises, is what the purpose of this is.

Washington said, my issue is, it wasn't a financial issue because this language in here, as far as legal language in here, that would bind us, that I have issues with, and that's part of the reason why, I'm not saying that we shouldn't do it, but I would like to defer, so we can have more discussion. This is the first time I've seen this, or the first time I've had discussion, and I would like to talk to you in more detail about some of the language in here. I know there is a motion, and he apologized to Councilman Dernulc and said, if there is one reading, I can support one reading, but it has language in there that I know don't support.

Franklin said she is down to "Now, therefore, let it be ordained as follows: That in order to obtain an operating balance for the Lake County Budget for the remainder of 2016". Franklin said, so this Ordinance is going to save us money, in order to do what?

Bilski answered, pay raises in 2017.

Franklin asked, so this is what we "hanging our hat on" to give raises?

Bilski answered, no it's part of it, unless you have a better Plan. Bilski said, I'm more than willing to listen.

Cid said part of the Committee for considering the pay band is to consider how to financially get there, so this, to me, that meeting is this afternoon. Have that meeting, give time for the council members to go over

this, and that's what that meeting is about. It's about finding a financial method, and like I said, I'm in favor of the hiring freeze, but there are still a lot of questions..

Bilski said it's a conflict to me, how could you be in favor of the hiring freeze, and we are not voting on how to distribute those savings, but whether or not we need a savings. He said he didn't think there was anyone up here who was opposed to savings, now how we distribute that, I believe that's where the controversy is.... How we distribute that revenue, but not the fact that there is a savings.

Attorney Szarmach said, the very last paragraph, Paragraph 5 on page 2. He said he put in there that the money can be used to implement the pay band, it's not necessarily to be used. If you do this, it's going to create a "pocket" of money, a "kitty" of money, that you can use for the reorganization, the 3%, whatever.

Attorney Szarmach said, he can put anything that you want for the Second Reading, but he said, he remembers the few years that you had it. It was \$900,000 to \$1 million dollars a year that it saved.

Dernulc said, there are a lot of questions out there, and as much as he thinks we should move ahead, it sounds like there may not be support for this.

Dernulc withdrew his motion.

Hamm said he thinks it's something that needs to be discussed, and as Cid said, in that Committee. Hamm said he thinks this is a tool that could be available to that Finance Committee, but...

Bilski said, he will agree, to disagree. He thinks that this is a mechanism to generate revenue, to carry over into 2017, in order to, regardless of what Plan, is adopted. If the intent here is to do for the employees an increase, this is a savings that will get us there, regardless, we haven't even gotten to the point of how we're going to get there, but to say that we're going to get this, so if it was a matter of the wording used, this isn't necessarily... it's just a savings, and economic savings that's going to return to the general fund, in order for us to appropriate how we choose, so this is merely, just trying to get to a savings, so we have revenue to work with. Bilski said he knows a decision has not been made on how we get there. If it's based on longevity, it means the longer you're here, the better pay raise you get, or it's a system based on evaluations. That is the point that has to be debated, and negotiated, and a decision based by majority, from this Council. The fact that we need to save money, to get to, regardless, it's going to cost us about the same amount of money, regardless. Come January, or March, we're going to need to figure out how to get there, so that's what this Ordinance is about. It's not about adopting one pay formula, versus the other, this is about savings.

Dernulc said he thinks this is a good start, with a First Reading. He would ask that any questions, or anything that you want to be put in this, please contact Attorney Szarmach. Dernulc said, I think we should move ahead on this. Today won't be the day, but maybe on Monday, when we have next meeting.

Hamm said, there is a Finance Committee meeting today.

Bilski said, we are literally taking a recess from today's meeting, and then coming back to discuss some of the things that was discussed during that meeting.

Attorney Szarmach suggested that they discuss it, this is a vehicle they can use to raise a "pot" of money for employees, whatever system you adopt. Let me know, e-mail me what you want in it, and I will put it together.

Hamm said, we just gave the Coroner, which I supported, 4 new Investigators positions, and I see them here. Hamm said, this is an exclusion, "Prosepective employees for positions who were given a written commitment."

Hamm said, he doubts that Coroner Frey has given those employees a written commitment that she is going to hire them.

Dernulc said, but that's for next year anyway.

Attorney Szarmach said, number 3, on page 2 is what we call the "catchall". Any officeholder can come here, you can call a special meeting, 48 hours notice, to petition, which would be, request from Lake County, that you can fill the vacancy. When we had this in effect, I recall that, I don't think ever, the Council, after hearing an argument, or petition, ever denied filling the vacancy. Even though we granted the petition to fill the vacancy in every case, it produced a million dollars.

Washington asked Attorney Szarmach, from a legal standpoint, it never has been in the past, as far as the County denying a petition, but the Council could deny a petition, correct?

Attorney Szarmach answered, sure.

Bilski said they would need to have 4 votes in order to have the special meeting, they have to have the votes on the Council in order to get it, so it it's not a critical position, then no, it wouldn't be approved. Bilski said he wants to give a lot of gratitude to the elected officials, and department heads because they didn't bring those types of positions, because it was critical positions that they brought in front of us.

Strong commented, he doesn't think that there is a Councilmember, of this body, or a person in this audience, that doesn't understand, and realize that, over the years, we've been troubled with financial problems, and we continue to "kick a can" down the road, and to me, this way has not been working. So this was a step to try something a little bit different, and we have to do something, and Strong said he thinks this would be a good step. Not taking anything away from anybody, positions could still be filled, at minimum effort, we can get a special council meeting together, and you could present your case. Strong said, he supported it, and he would support it again, and he thinks this is a good thing, and we need to take some sort of different step for our future to improve things. It would be a better end result, for our employees.

Cid said as I said, I support the hiring freeze, if you took out the 4th and 5th "WHEREAS", I would approve it right now.

Bilski read the 4th "WHEREAS" which read, "the Lake County Council desires to establish by Ordinance (the Ordinance) a 25 grade pay scale for Lake County employees, to include a pay-band structure which will allow County departments of government to g...

Cid said the problem like I had before is connecting this to the pay scale, so it's the 4th paragraph where it says, "desires to establish by Ordinance a 25 grade pay scale for Lake County employees, to include a pay-band structure which will allow County departments of government to give raises based on both performance and market demands; and"

Cid said, I think that's premature, I don't think it needs to be in this ordinance. Also is the 5th Paragraph, where it talks about screening to demonstrate. Cid said, "I don't think that needs to be in this Ordinance, and again, the last one. It mentions the pay-grade scale, I have no problem with a hiring freeze, putting extra dollars, the extra revenue in the general fund. Cid said, I have no problem with that. I supported it last time we had it, and I believe I voted against repealing it. So I have no problem, just take out, connecting it to a pay band, that has not been approved yet. Cid said, that's where I have my issue.

Strong said basing raises on longevity is again, "kicking that can" down the road. Taxpayers deserve a better system. Our people should be qualified, and they should be able to perform their jobs, and just because they've been here for many, many years, even though they possibly can't do their job, does not give them, I believe, that right to be at the top of that pay scale. We need to change something. We gotta quit "kicking the can" down the road, we need to try something new.

Franklin said this is one of the same things that she has a problem with, and that's number 1. Franklin said that nobody is going to convince her that a person that's working in maintenance, is not qualified, because they been here for years sweeping floors, wiping walls, and cleaning toilets. They know how to do that. So Franklin said, she doesn't understand why that person could not be moved up, in the event, to supervisor either. She said, that has happened on numerous occasions, down in that department. The lady that has been there 9 years, was skipped over for somebody who was doing the cash register in the cafeteria. So that's the thing that Franklin said, she has a problem with, because that's the danger of those people never being able to move up the ladder. She said she doesn't think that we should stop those persons from being elevated to a different position, so Franklin said, she can't support that.

Bilski said he wanted to make a motion, to approve on First Reading, excluding the last 4 "WHEREAS" on Page 1 of this Document, on the second page, remove paragraph 5, and add a g. "which was any position covered under a CBA). Cid seconded the motion.

Hamm asked Attorney Szarmach, the "WHEREAS" don't mean a thing do they?

Attorney Szarmach said, it shows intent.

Hamm said, it shows the intent, but is that legally binding, and whereas?

Attorney Szarmach said, no. But the whole thing is not legally binding because paragraph 5, which is the law, says it can be used, not that it shall be used. In other words, you could use it as is, and not accumulate the money, and not use it for the pay raise, at all. He said, for example, if you adopted it,"as is", and you decided down the road, not to have that pay band scale, which has to be an Ordinance. Money is still sitting there, you could use it for any other... Attorney Szarmach suggested, for First Reading, if you remove the last 4 "WHEREAS", which refers to the pay band, and you remove the last paragraph number 5, and you want to include (g. which was any position covered under a CBA), you are going to have basically, what you had for 10 years, and you create a big "chunk" of money in the general fund.

Hamm said the motion has been made by Bilski, to adopt this Ordinance, excluding the last 4 "WHEREAS", and adding a "g. which is any position covered under a CBA", and deleting paragraph number 5.

Franklin said, we've always been able to sit and discuss these matters, before we bring them to the floor. This is not something that you take lightly. These positions, and the language, is something that I think that we have a steering committee that should go back, and be able to sit and talk this through, and make a decision, an informed decision, because we are very "scattered" here, and Franklin said, she doesn't want to see it totally fail. She thinks that they need to take this back, go back and re-word this, and work on the things that we aren't happy with, and she thinks the steering committee should take this back, and bring it back to the floor. She doesn't think they should be cutting out this and that at this particular time, therefore, Franklin said, she can't support doing this.

The majority voted "Yes". Hamm, Franklin, and Washington voted "No". Motion to approve on First Reading carried 4-yes, 3-no.

Dante said you are balanced at 96.3%. He said this is a bookkeeping measure, you will see on your October agenda, with an offset, additional appropriation for Jail overtime, but it has to be inserted in your 16-line statement, so Dante said please consider, and approve a Line 2 reduction in the box, on the top of page 7, totaling \$228,026.63. That has to be approved in our regular monthly meeting next month, but it has to be inserted in our 16-line statement, as well. We are overlapping.

Dernulc made the motion, seconded by Washington to approve a Line 2 Reduction. The majority voted "Yes". Motion carried 7-0.

Line 2 Reductions as follows:

001-3100-43120	-\$ 6,348.22
001-3100-43190	-\$ 110.00
001-3100-43232	-\$ 1,757.71
001-3100-43610	-\$ 786.25
001-3100-43620	-\$ 1,196.80
001-3100-43630	-\$215,998.17
001-3100-43920	-\$ 1,829.48

Dante said there no change in your bottom line. Your Line 3 is increasing, and your Line 2 is decreasing.

Cid made the motion, seconded by Hamm to approve in Department 4002, Criminal Division Public Defender for positions Public Defender, 1 through 25, and Pauper Attorney Appellants 1 through 4. That's position # 12536, and 12538, to approve their salary @ \$42,000, as requested.

Cid said that she gave each Councilmember a Comprehensive Plan for indigent defense (inaudible) in Lake County. She said on page 5 of this Plan it will read on "g. the salaries and compensation of employees for the Public Defenders Office will be substantially comparable to similar felony positions, and with similar years of experience as exists in the Office of the L.C. Prosecutor Attorney."

Cid said, if you look at, right now, Criminal Public Defenders are at \$34,505.

Cid said if you look at the Prosecutor's Office, those salaries range from \$50 something thousand, to \$90,000. We know they have that pay scale range.

Cid said she believes there is a vast difference between \$34,055, and \$90,000, so it's not even bringing them into parity, it's just moving them a little closer. Cid said she thinks it's well overdue. This Plan has been in place since 1998, and this is the first she has seen of it, so that is my motion.

Bilski asked did we give the Public Defenders an increase?

Dante said, you gave them a 3%.

Bilski asked, so in 2017, are they automatically getting a 3% increase, and if we make an increase now, they are going to get a 3% out of this new increase?

Dante said they are just going to jump to \$42,000. They are going to jump from the original, plus the 3% to the \$42,000.

Bilski asked, it's going to cost \$6,500 a piece, and it's 8 positions?

Dante said 26 positions.

Bilski asked, so it's 60% of the total amount, we have to pay? What is that amount?

Dante said it will be in the area of \$123,000, \$125,000

Strong said this was just handed to me at the start of the meeting, and I am very reluctant, I didn't know anything about it. Council lady Cid didn't speak with me about it, so I'm very reluctant to support on anything like this, without having the opportunity to digest any of this.

Franklin said she can support her colleague, who is the Chairman of that committee, based on the fact that, again, what we're trying to do, in that department is to bring where it should be, because if we don't have enough attorneys, to take care of these indigent persons who are incarcerated, that delays the trials, people are still sitting in jail, waiting to go to court. It just doesn't make sense. I think we should do it so they will be better able to better manage how soon a person's case comes up, and how soon it can be taken care of.

Bilski wanted to say that the Public Defender's Office is a critical department because any mistrials will cost us more money. He said that his dilemma isn't that he doesn't want competent people, and he doesn't want something to go to a re-trial to cost us more money because there aren't competent Public Defenders. Bilski asked \$122,000?

Hamm said, in his opinion, they are going to have to move the tax collection rate, it won't be much.

Bilski said, he will take it under consideration.

Dernulc said he thinks there is a need, but this was just given to us today.

Bilski said, we will have time to back things out. We need to kind of continue with our Plan.

The majority voted "Yes". Dernulc, Strong, and Bilski voted "No". Motion carried 4-yes, 3-no.

Cid gave the Council a handout for department 4000, Criminal Court, and explained that some positions were given up, and moved into Fund 143. She said the salaries were split between the general fund, and the SAPS fund. She said the SAPS fund could no longer support these positions.

Cid made the motion asking that the balance of these salaries, in Fund 143, Department 4000, Position # 39002-003 @ \$14,420, 39002-005 @ \$13,390 and 39002-007 @ \$13,390, that those salaries be funded out of the general fund. Washington seconded the motion.

Bilski asked, \$41,000? I just added up what you gave me.

Washington asked was the intent, because we gave that 3%, the 3% only allocated to partial of a salary, so our intent, for the raise purposes that they get it, could we not just give them the 3% on that portion as well?

Cid said, I think this is two different items.

Bilski said the bottom line is that the SAPS fund, can no longer support.

Janet said, it's running in the red.

Dante said this fund is not running in the red. Her share may be running in the red. The Courts are in that fund, and they each have their own separate reserve, and their own separate accounts, and hers may be in the red. The fund looks good, but the department may be falling apart.

Bilski said, if we move, one hundred percent, the \$41,200, he asked Janet, if it's not going away, because we can't support it, what else is paid out of that?

Janet said, out of the SAPS fund 143, we have two full-time positions.

Bilski asked, will be left in it?

Janet said a Probation Officer, one secretary, we are paying \$30,000 out of there for their insurance. FICA, PERF, Office Supplies, Maintenance & Service, Equipment Repair, Furniture & Fixtures. Janet said, we collect about \$385,000 dollars a year. Last year we spent \$422,000, so that's what I mean.

Bilski asked, so what you're saying is, we are definitely \$42,000 dollars in the red?

Janet answered, no.

Bilski asked, is there a possibility of splitting it, so instead of paying the \$14,420, what if we said that we are only going to move \$4,000 over, whatever the amount that's needed, and still pay \$10,000 out of the SAPS fund, so that the whole amount is not in there. Bilski asked, has that been looked at, and is that feasible?

Janet said, it creates a problem, in fact I'm on the agenda in October. These girls, their salary should be \$27,000, they get a 3% raise...

Bilski interjected, we can do that down the line, but what I'm saying is, does that full \$14,000, we can make that adjustment, I understand they should have received 3% of their total salary, not \$16,000, Bilski said, I understand that, but does the full amount need to be moved into the general fund?

Janet said, I would like it to.

Bilski said we still have to rely on as much savings as we can, so I don't want you to run in the red, that's why we are here today. Bilski asked, what amount would need to be transferred over for me to support this, and for that fund not to be in the red?

Janet said, about \$32,000 dollars.

Hamm said he thought when he spoke to Janet, it was a matter of half of the salary was paid out of general fund, and half was paid out of SAPS, and when we granted the 3% mid-year raise, those employees only got 1.5%. So what she was requesting was just the amount to cover the other 1.5%.

Bilski said that's on the agenda for October, and we understand that problem, we will take care of it.

Cid removed her motion.

Washington removed his second.

NO ACTION TAKEN.

Franklin said that she wanted to re-visit the Clerk's budget.

Hamm said it was discussed, but no action was taken on it.

Franklin said she would like to take action today.

Franklin made the motion, seconded by Washington to approve Part-Time, 41190 and increase from \$110,000 to \$230,000.

Cid explained that it was a request by the Clerk to increase the Part-Time by \$120,000. Cid said she doesn't know who Chairs this Committee, they never brought it forward, she doesn't think the Clerk has come forward, and requested it. Cid said it's not that we missed it, we don't automatically approve every request.

Strong asked, why didn't the Clerk bring it forward?

Cid said, she couldn't answer that, but she asked, why such a large increase in part-time?

Cid asked did you not need your part-time for this year?

Rebecca, from the Clerk's Office said, they have never been able to support their part-time people in the general fund. They always refer to the Fund 194, and Fund 256, to pay for the part-time people. She said every year they do come before the Council to request more part-time money, to support their part-time people, who are very, very important to their department to make it run efficiently.

Dernulc interjected, especially during summers, and so on,...

Rebecca said they have always been forced to pay for their part-time people out of their Fund 194, and 256, which is revenue that they bring in. She said, unfortunately every year, when they create the budget, it was always reverted back to the previous year, and they never have enough, therefore they always have to come back to request more appropriations. She said this year, they thought they would start with good appropriation, so they wouldn't have to come back before the Council for the 194, and 256.

Hamm said 194 is the Clerk's Perpetuation Fund, and 256 is the Web Maintenance.

Hamm asked how did you come up with this figure?

Franklin said it was always from your special funds that you paid for part-time, not out of the general fund. Franklin said she wouldn't be asking to put that kind of money on the general fund, she is mainly concerned about using the Perpetuation fund, not the general funds.

Franklin said, so her request would be for this to be out of his special fund, not out of the general fund.

Hamm said, the motion is to increase \$100,000 to \$230,000 out of the general fund, for part-time.

Franklin said, right. Franklin said, I know they need the part-time, so whatever mechanisms that we can come up, to support that department, with their part-time, that's what I'm willing to do.

Hamm asked so your motion stands?

Franklin said, no. **Franklin withdrew her motion, Washington withdrew his second.**

Franklin said she will sit with Rebecca and the Clerk.

Dernulc said, he has a request, that he passed out to the Council, pertaining to the Combined Election and Registration. He said it has to do with parity. He said by State Statute, the Assistant Director, there is an Assistant Director, and a Director. What ever Party receives the most, votes in Secretary State's raises, who has the direct position. That's not the issue. The Assistant Director, and the Director are \$2,000 apart, which is State Statute. Most of the employees are the same, they are in parity. There are 3 that are not. The three that are not in parity are:

Position 12408, 12444, and 18827. Those three are not in parity.

Dante said he is asking for a motion, and this will cost a total of \$4,616.00. This will come out of the 400 series. He said they do have enough, and it will not be coming out of the general fund budget, it will be coming out of their own budget.

Dernulc made the motion for Combined Election & Registration, to increase position 12408 from \$38,438 dollars to \$40,159, increase Position 12444 from \$38,438 dollars to \$40,159, and increase Position 18827 from \$28,765 to \$29,339, which is a total increase of \$4,016, which would put everybody in parity. Washington seconded the motion.

The majority voted "Yes". Motion carried 7-0.

Dernulc made the motion to reduce the 400 Series by that same amount of \$4,016. Washington seconded the motion.

Dante said, line item 44490, \$4,016 will come out of that line item, and will be transferred to 41120, and 41180, that's where the funds are at.

The majority voted "Yes". Motion carried 7-0.

Mr. Gericke from Juvenile Court said what they are asking for is they have 1 PD, instead of the 3, and at the end of this year, they had to put on 3 part-time PD's in order to get through the extra cases, so they are asking for an increase in Other Professional Services for \$40,000 to pay for 3 part-time PD's for the whole year.

Washington made the motion, seconded by Franklin to increase for Juvenile Court, Department 4100, Other Professional Services by \$20,000 dollars. The majority voted "Yes". Motion carried 7-0.

Hamm made the motion, seconded by Washington to move the Tax Collection Rate from 96.38% to 96.5%, which is a .12 percent.

Hamm said he just conferred with Dante, and he said that's fine, that's 100th of a percent over what's necessary.

Washington said, that's the question he asked earlier, and asked how much in dollars, does that bring?

Hamm said, every percent is about \$1 million. Every 1 full percent is about \$1 million. Every tenth of a percent is about \$100,000 dollars.

Strong said as he mentioned the other day, he saw the need when they raised the collection rate, but as we continue do this at each meeting, he gets more, and more uncomfortable. He realizes that this is a very minuscule percentage amount, but he thinks after this, he is going to start to (inaudible).

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

Franklin said Marty Goldman is present today, and she would like to take care of the law books.

Marty said we requested \$30,000 to get us through the end of this year.

Bilski asked, you need it for 2017?

He said I need it for 2016.

Bilski said, that's an appropriation, out of the general fund for Law Books, and we didn't advertise for it. The Commissioners couldn't do a transfer?

Bilski said we took action for 2017, I didn't realize there was a need for an appropriation in 2016. We can't make an appropriation, legally.

It was suggested that he talk to Larry to see if they could help him.

Hamm said that Tom Dabertin is here, they had a 911 meeting earlier, and according to State Statute, the 911 Commission has to vote on this, but we've already taken action on it, so Hamm just wanted it reflected in the minutes that the 911 Commission voted unanimously on Fund 399, which is the Lake County 911 Fund, as well as Fund 014, which is the E-911 Operating Fund.

Hamm said it needs to be reflected in the minutes. It's a Law.

Bilski said they have a meeting with the Courts, and asked does the Council need to recess, and come back to discuss the budget? The consensus was yes.

Franklin made the motion, seconded by Washington to recess. Motion to recess carried.

After the recess, Bilski explained that they had 2 discussions, and asked do they allow the Judicial to run on their own, or do we form an amalgamated, unified group? He said, the consensus, the end result was that they form a united amalgamated group, and move forward.

Bilski asked Dante if we looked at a 3% pay raise for 2017, what are we looking at?

Dante said that's based upon Dabertin's estimate, that would satisfy his first phase of some sort, which still hasn't been ironed out. Dante said so it's an amalgamated something, not to be defined, but the funding to be deferred. Dante said, he will show you, if we didn't defer it, what would happen, what may happen, and he said he will go through option #1.

He said it seems like the consensus was, John Petalas, Peggy, and Dante said he didn't see any dissention at all. The Judges were kind of mumbling, but they didn't cast any aversion to it.

Dante said so defer it until the year 2017, most of the funding, with the exception of, Larry is going to look into cutting \$500,000 dollars of his current PO's Council being asked to create a line item called, Payroll Reserve, in your budget by \$500,000, and that will be the "seed" money, something that Dabertin indicated to us, 3% there about. His needs will be right around \$2 million bucks, give or take a hundred thousand. He said we are shooting at a total dollar, first full year funding of \$2 million bucks. Partially paid for, right off the bat by the \$500,000 that you will be acting on it next week on current PO's.

Blanchard said, it will be a combination of current PO's, and appropriation balances that we won't use this year.

Cid asked, to get to \$500,000?

Blanchard said, yes, to get to \$500,000.

Dante said, that's all Line 2.

Cid asked, just to leave it there, not to implement it, not to do anything, but to leave it there?

Dante said, right, and it goes into a line item that we will call Payroll, in your Line 1, for 2017, for \$500,000, or the equivalent of whatever you are cutting on Line 2.

Blanchard said, yes.

Dante said, which are old PO's, and current appropriations.

Blanchard said he will give you the totals, and the paperwork.

Cid asked, do we have to do that right now, or do we defer it...

Dante said he suggest that we do it right away because what will happen, if you don't cut those PO's, there will still be encumbrances next year, and they will "hog" the system, they will hide in the encumbrance pile, we won't see it as an operating balance, it will "hog" up your finances.

Bilski asked do you want to make that motion Monday, or do you want it tonite?

Dante said, we don't have the numbers, so that will be a first action for "seed" money. The other plan of action that you can look into as your Line 2 savings is your hiring freeze, so you are adding to how you are going to fund the rest of the money. You are going to either reduce something in your Line 1, you are going to do the hiring freeze, which will add to Line 2. Line 2, or use appropriations, current years' appropriations. Here is the key, your collection variances. Dante said, anything over the 96.5 or 97, or wherever you end it out. When we come in at 90, 99, you will be using that, and possibly variances on your miscellaneous revenue. He said that Ajaz and I will watch these positive variances, and will start adding them up to \$500,000, which is already appropriated correct, and will let the Committee know what that amounts to, it might be \$1 million, it might be \$5 million. As you use these factors here, and Attorney Szarmach pointed it out, your operating balances go away, you won't have the operating balances. There won't be any additional, when you lock this stuff up, there is no operating balances anymore. So when people come in for additional...

Bilski said, that's the critical part. That would determine what percentage we actually implement. If we don't have it, that "mucks" up everything to where it brings our operational expenses, we simply reduce the

percentage of what we thought we would add, to maintain an operating budget. We are not going to bankrupt our....

Dante said you won't have any surpluses.

Bilski said we're hoping not to have to utilize all of the surpluses to implement a raise, we don't know that yet.

Cid said, I wouldn't move in favor of that.

Bilski said, I don't think anybody would give up our operating balance, we want to do something, but we have a targeted amount at 3%, but maybe it's less.

Dante said he is just letting you know what the conditions are here, what happens when you unleash this.

Franklin said, just so I'm clear, and asked, are we saying to defer the 3% that we've already said we were giving them, until...

Dante said, you are correct.

Bilski said wait... We gave a 3% raise a month or so ago,

Franklin said, right.

Bilski said, that 3% is already built into 2017. They are getting that in 2017. We are talking about an additional 3, on top of that last 3.

Franklin said, okay, now I understand.

Cid said it's either to satisfy the pay range schedule, or outright give them another 3%

The response was inaudible.

Dante said the consensus of the Committee, to him, was leaning toward the Executive Branch, not the Court's thing.

Cid said, I wouldn't say that. I think we have to work together.

Dante said he thought by all means, it was going the executive branch way.

Bilski said it is, we are part of the executive branch. He said he doesn't think the consensus is to have 2 systems, and allow the Judicial to have more money than the rest of the building, so it has to be amalgamated, we move together as one group. There is not going to be 2 systems. He said that means that the Judicial is not going to have full control over their system, it's going to be a shared endeavor.

Dante said there are 3 options, option number 2 is dismissed. He said if the actual variances are insufficient, you have to limit the pay schedule, and gear that down.

Bilski said we are trying to make an appropriation, based on 3%, if those lines don't come in, it's either going to be 3% or less. If it's the worst tax collection we've ever seen, income taxes down, personal property, everything is down, Line 2's, there's no reductions, then the answer would unfortunately be zero, and we would have to look at 2018.

Dante said line 2, you acted upon today, you are trying to do the hiring freeze.

Cid asked, do we need a motion to adopt Option 3?

Bilski said we won't need a motion until Monday on the \$500,000 dollars, then once we decide how to move forward, with the amalgamated, and the multiple meetings that will happen between now, and January. Sometime in January, or February, if in fact we get a freeze, that is going to help build up that line 2 savings to help us even more, in 2017. There is a second Ordinance, if we get the First Reading on the Hiring Freeze for 2016, we need a second Hiring Freeze for 2017, then a decision up is going to have to be made on how we adopt our pay schedules. The Courts are going held to a suggested, an amalgamated pay schedule, now the evaluation sheets, we're getting into more detail than probably we need to.

Dante stressed that Larry has got to have that \$500,000 dollars in Riverboat.

Bilski said we planned with 3%, we based that on the amount of collections, where we think we're going to be, then the real debate is going to be on how it is distributed, and evaluated on how people are getting their pay raises. The person, and the evaluation form, but that's a lot of detail, but we will have to do that at the next meeting.

Bilski said to Dante, Councilwoman Franklin would like to increase the Clerk's part-time by \$110,000, and I don't know how much that's going to throw it up, so she wants to make a motion to increase the part-time line item by \$110,000, and what we want to do is look at it, again on Monday when we get our total, to see if we are still balanced, if we are not balanced, we are going to back some money out of there.

Franklin made the motion, seconded by Washington to increase the Part-Time line item, 41190, for the Clerk, Department 0100, by \$100,000.

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

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:

John Petalas,
Lake County Auditor