

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, Elsie Franklin, Jamal Washington, Daniel Dernulc, Christine Cid, and Eldon Strong, County Councilpersons, together with Ray Szarmach, County Council Attorney.

In the Matter of Minutes for September 13, 2016

Dernulc made the motion, seconded by Cid to defer to 11-15-16. The majority voted "Yes". Franklin was "absent". Motion to defer carried 6-yes, 1-absent.

ORDINANCE NO. 1401

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

	Appropriation Requested	Appropriated
General Fund 001		
<u>Emergency Management</u> 3500		
41190 Part-Time	\$ 5,000.00	Defer to 11-15-16
<u>LADOS Div II</u> 4042		
41120 Professionals	\$ 415.00	\$ 415.00
41210 Longevity	\$ 620.00	\$ 620.00
<u>Jail</u> 3100		
41100 Overtime	\$228,000.00	\$228,000.00
Gambling Adm Tax Fund 196		
<u>Coroner</u> 0700		
43120 Medical & Hospital Services	\$ 47,594.00	No Action Taken
<u>Jail</u> 3100		
42250 Health Care & Lab Supplies	\$450,000.00	\$450,000.00
43120 Medical & Hospital Services	\$200,000.00	\$200,000.00
County Highway Fund 102		
<u>Highway</u> 5011		
41339 Clothing Allowance	\$ 150.00	\$ 150.00
<u>County Undistributed Motor Express</u> 5013		
41339 Clothing Allowance	\$ 1,050.00	\$ 1,050.00
<u>Motor Vehicle</u> 5017		
41339 Clothing Allowance	\$ 6,150.00	\$ 6,150.00
SAPS Fund 143		
<u>Criminal Court</u> 4000		
41390 Supplemental Pay	\$ 1,237.00	\$ 1,237.00
Public Safety CAGIT Fund 010		
<u>Coroner</u> 0700		
43120 Medical & Hospital Services	\$ 47,594.00	\$ 47,594.00
Clerk's Record Perpetuation Fund 194		
<u>Clerk</u> 0100		
42110 Office Supplies	\$ 9,000.00	\$ 9,000.00
42410 Other Supplies	\$ 9,000.00	\$ 9,000.00
44420 Office Machines	\$ 20,000.00	\$ 20,000.00
Justice Assistance Grant Fund 262		
<u>Sheriff</u> 1012		
41100 Overtime	\$ 80,056.00	\$ 80,056.00
41220 FICA	\$ 45.00	\$ 45.00
41230 PERF	\$ 80.00	\$ 80.00
41390 Supplemental Pay	\$ 562.00	\$ 562.00
42410 Other Supplies	\$ 8,393.00	\$ 8,393.00
44490 Other Equipment	\$ 75,892.00	\$ 75,892.00

	Appropriation Requested	Appropriated
VOCA Grant Fund 280		
<u>Sheriff</u> 0500		
41120 Professionals	\$ 9,230.76	\$ 9,230.76
41220 FICA	\$ 707.00	\$ 707.00
41230 PERF	\$ 326.00	\$ 326.00
41240 Group Insurance Deduction	\$ 6,000.00	No Action Taken
43190 Other Professional Service	\$ 21,400.00	\$ 21,400.00
Payroll Court Judgment Fund 441		
<u>Commissioners</u> 2900		
41398 Payroll Court Judgment	\$ 12,000.00	\$ 12,000.00
41220 FICA	\$ 920.00	\$ 920.00
41230 PERF	\$ 1,750.00	\$ 1,750.00
Non-Reverting Self-Insurance Fund 541		
<u>Commissioners</u> 2900		
43420 Insurance	\$750,000.00	\$750,000.00
DUI Task Force Grant Fund 709		
<u>Sheriff</u> 0500		
41100 Overtime	\$ 6,000.00	\$ 6,000.00
41220 FICA	\$ 460.00	\$ 460.00

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>LADOS Div II</u> 4042		
Fund 218		
From: 218-41160 Office & Clerical	\$ 798.00	
To: 218-41110 Officials & Admin	\$ 798.00	\$ 798.00
<u>Emergency Management</u> 3500		
From: 001-42210 Petroleum Products	\$ 500.00	
To: 001-43235 Travel-Mileage	\$ 500.00	No Action Taken
<u>Emergency Management</u> 3500		
From: 001-42210 Petroleum Products	\$ 500.00	
To: 001-43234 Travel/Transportation/Other	\$ 500.00	\$ 500.00
<u>Criminal Court</u> 4000		
SAPS Fund 143		
From: 143-41190 Part-Time	\$ 3,500.00	
To: 143-41220 FICA	\$ 3,500.00	\$ 3,500.00
<u>Economic Development</u> 6100		
From: 001-42410 Other Supplies	\$ 192.00	
To: 001-41190 Part-Time	\$ 192.00	\$ 192.00
<u>Economic Development</u> 6100		
From: 001-43233 Travel-Lodging	\$ 1,000.00	
001-43910 Dues & Subscriptions	\$ 1,000.00	
To: 001-43145 Legal Service	\$ 2,000.00	\$ 2,000.00
<u>Motor Vehicles</u> 5017		
County Highway Fund 102		
From: 5017-41180 Service/Maintenance	\$ 1,310.00	
To: 5017-41260 Workman's Comp	\$ 1,310.00	\$ 1,310.00
<u>County Undistributed Motor Express</u> 5013		
Highway Fund 102		
From: 102-43170 Equipment Rental	\$ 144,205.00	\$ 144,205.00
<u>Highway</u> 5011		
Highway Fund 102		
From: 102-5011-44500 Construction & Reconst	\$ 15,000.00	
To: 102-5011-43240 Telephone	\$ 15,000.00	\$ 15,000.00
<u>Public Works</u> 2950		
From: 001-42410 Other Supplies	\$ 600.00	
To: 001-41339 Clothing Allowance	\$ 600.00	\$ 600.00
<u>Commissioners</u> 2900		
LOIT 2016 Special Distribution Fund 016		
From: 016-43630 Maintenance & Serv Contr	\$3,134,940.00	
To: 016-43640 Local Roads & Streets	\$3,134,940.00	\$3,134,940.00

	Requested	Approved
<u>Sheriff 0500</u>		
From: 001-41110 Officials & Administrators	\$ 1,500.00	
001-41140 Professional Services	\$ 3,000.00	
001-41336 Lateral Pay	\$ 8,000.00	
001-41337 Differential Pay	\$ 18,000.00	
To: 001-41190 Part-Time	\$ 30,500.00	\$ 30,500.00
<u>Sheriff 0500</u>		
Public Safety CAGIT Fund 010		
From: 010-41336 Lateral Pay	\$ 1,200.00	
To: 010-41337 Differential Pay	\$ 1,200.00	\$ 1,200.00
<u>Jail 3100</u>		
From: 001-41120 Professionals	\$ 24,000.00	
001-41140 Protective Services	\$ 240,000.00	
001-41338 Proficiency/Specialty	\$ 20,000.00	
001-41339 Clothing Allowance	\$ 25,000.00	
To: 001-41190 Part-Time	\$ 50,000.00	\$ 50,000.00
001-42240 Household & Inst Suppl	\$ 25,000.00	\$ 25,000.00
001-43920 Food & Lodging	\$ 234,000.00	\$ 234,000.00
<u>Jail 3100</u>		
From: 001-43630 Maintenance & Service	\$ 3,870.00	
To: 001-41110 Officials & Administrators	\$ 3,870.00	\$ 3,870.00
<u>Clerk 0100</u>		
Clerk's Record Perpetuation Fund 194		
From: 194-41260 Workman's Comp	\$ 3,000.00	
To: 194-41220 FICA	\$ 3,000.00	\$ 3,000.00
<u>Clerk 0100</u>		
From: 001-41110 Officials & Administrator	\$ 10,465.00	
001-41160 Office & Clerical	\$ 31,102.00	
001-43231 Travel-Registration	\$ 700.00	
001-43232 Travel-Meals	\$ 500.00	
001-43233 Travel-Lodging	\$ 700.00	
001-43235 Travel-Mileage	\$ 700.00	
001-43630 Maintenance & Service	\$ 5,000.00	
To: 001-41190 Part-Time	\$ 43,642.00	No Action Taken
001-42110 Office Supplies	\$ 5,000.00	No Action Taken
001-43910 Dues & Subscription	\$ 525.00	No Action Taken
<u>Plan Commission 2400</u>		
From: 001-41120 Professionals	\$ 4,500.00	
To: 001-41160 Office & Clerical	\$ 4,500.00	\$ 4,500.00
<u>Local Emergency Planning Committee 3501</u>		
Local Emergency Planning Comm Fund 185		
From: 185-42120 Lit, Edu, Info & Ref Material	\$ 6,500.00	
To: 185-43995 Other Services & Charges	\$ 6,500.00	\$ 6,500.00
<u>Government Center 3030</u>		
From: 001-43610 Building & Structure	\$ 4,500.00	
To: 001-42240 Household & Inst Supplies	\$ 4,500.00	\$ 4,500.00
<u>Auditor 0200</u>		
Auditor's Ineligible Deduction Fund 329		
From: 329-44490 Other Equipment	\$ 250.00	
To: 329-41260 Workman's Comp Ded	\$ 250.00	\$ 250.00
<u>Auditor 0200</u>		
Auditor's Tax Incentive Fund 193		
From: 193-41100 Overtime	\$ 1,700.00	
To: 193-41260 Workman's Comp	\$ 1,700.00	\$ 1,700.00
<u>Treasurer 0300</u>		
From: 001-41160 Office & Clerical	\$ 130.00	
To: 001-41396 Perf Supplement	\$ 130.00	\$ 130.00
<u>L.S. Court County Div II 4040</u>		
SAPS Fund 143		
From: 143-43190 Other Professional Serv	\$ 1,500.00	
143-44410 Furniture & Fixtures	\$ 2,000.00	
To: 143-41230 PERF	\$ 3,500.00	\$ 3,500.00
<u>L.S. Court County Div II 4040</u>		
Adult Probation Administration Fund 245		
From: 245-41230 PERF	\$ 540.00	
To: 245-41390 Supplemental Pay	\$ 540.00	\$ 540.00
<u>Surveyor 0600</u>		
From: 001-43190 Other Professional Serv	\$ 2,590.00	
To: 001-41120 Professionals	\$ 2,590.00	\$ 2,590.00

	Requested	Approved
<u>Surveyor 0600</u>		
Surveyor's Corner Perpetuation Fund 167		
From: 167-43190 Other Professional Service	\$ 210.00	
To: 167-41230 PERF	\$ 210.00	\$ 210.00
<u>Surveyor 0600</u>		
MS-4 Fund 264		
From: 264-43190 Other Professional Service	\$ 5,120.00	
264-43310 Printing	\$ 750.00	
To: 264-41230 PERF	\$ 1,320.00	\$ 1,320.00
264-41240 Group Insurance	\$ 3,800.00	\$ 3,800.00
264-43320 Advertising	\$ 750.00	\$ 750.00
<u>Juvenile Court 4100</u>		
From: 001-41190 Part-Time	\$ 2,160.00	
To: 001-41110 Officials & Administrators	\$ 2,160.00	\$ 2,160.00
<u>Juvenile Court 4100</u>		
Juvenile Probation Adm Fund 246		
From: 246-41190 Part-Time	\$ 139.00	
To: 246-41390 Supplemental Pay	\$ 139.00	\$ 139.00
<u>PTBOA 2505</u>		
From: 001-41329 Board Member Per Diem	\$ 231.00	
To: 001-41390 Supplemental Pay	\$ 231.00	\$ 231.00
<u>Fairgrounds 2920</u>		
Non-Reverting Fairgrounds Fund 131		
From: 131-41380 Seasonal Employees	\$ 5,000.00	
To: 131-41190 Part-Time	\$ 4,750.00	\$ 4,750.00
131-41220 FICA	\$ 250.00	\$ 250.00
<u>Election & Registration 2100</u>		
From: 001-41100 Overtime	\$ 40,000.00	
001-43210 Freight & Express	\$ 16,000.00	
To: 001-43630 Maintenance & Service Contr	\$ 56,000.00	\$ 56,000.00
<u>Health Department 5130</u>		
Health Fund 105		
From: 105-41240 Group Insurance	\$ 1,224.00	
To: 105-41260 Workman's Comp	\$ 1,224.00	1,224.00
<u>St. John Township Assessor 1800</u>		
From: 001-42310 Equipment Repair Parts	\$ 600.00	
To: 001-42110 Office Supplies	\$ 600.00	\$ 600.00
<u>Public Defender 4002</u>		
From: 001-41331 Court Reporter Per Diem	\$ 5,000.00	
001-43620 Equipment Repair	\$ 500.00	
To: 001-41190 Part-Time	\$ 5,000.00	\$ 5,000.00
001-42110 Office Supplies	\$ 500.00	\$ 500.00
<u>CASA 4150</u>		
From: 001-41190 Part-Time	\$ 3,000.00	
To: 001-42110 Office Supplies	\$ 3,000.00	\$ 3,000.00
<u>Calumet Township Assessor 1000</u>		
From: 001-43240 Telephone	\$ 5,000.00	
001-43310 Printing	\$ 2,500.00	
001-43320 Advertising	\$ 500.00	
To: 001-41350 Assessor Certification	\$ 5,000.00	\$ 5,000.00
001-42110 Office Supplies	\$ 3,000.00	\$ 3,000.00

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 11th day of October, 2016.

Adopted this 11th day of October, 2016.

NAY

AYE

Ted Bilski
David Hamm
Elsie Franklin
Jamal Washington
Christine Cid

Daniel Dernulc
Eldon Strong

ATTEST:
John Petalas,
Lake County Auditor

Additional

	Made motion	seconded	
<u>General fund 001</u>			
Emergency Mngmt(\$5,000)	Strong	Dernulc	The majority voted "Yes" to defer to 11-15-16. Motion to defer carried 7-0.
LADOS(\$1,035) Div II	Franklin	Washington	The majority voted "Yes". Motion carried 7-0.
Jail(\$228,000) (See Footnotes)	Dernulc	Franklin	The majority voted "Yes". Motion carried 7-0.
<u>Gambling Adm Tax Fund 196</u>			
Coroner(\$47,594)	NO ACTION TAKEN.		
Jail(\$650,000) (See Footnotes)	Dernulc	Franklin	The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.
<u>County Highway Fund 102</u>			
Highway(\$150)	Strong	Franklin	The majority voted "Yes". Motion carried 7-0.
County Undistributed Motor Express(\$1,050)	Strong	Franklin	The majority voted "Yes". Motion carried 7-0.
Motor Vehicle(\$6,150)	Strong	Franklin	The majority voted "Yes". Motion carried 7-0.
<u>SAPS Fund 143</u>			
Criminal Court(\$1,237)	Cid	Franklin	The majority voted "Yes". Dernulc and Strong, "No" Motion carried 5-yes, 2-no.
<u>Public Safety CAGIT Fund 010</u>			
Coroner(\$47,594) See Footnotes	Cid	Hamm	The majority voted "Yes" Motion carried 7-0.
<u>Clerk's Record Perpetuation Fund 194</u>			
Clerk(\$38,000)	Washington	Cid	The majority voted "Yes". Hamm was "absent". Motion carried 6-yes, 1-absent.
<u>Justice Assistance Grant Fund 262</u>			
Sheriff(\$165,028)	Washington	Franklin	The majority voted "Yes". Motion carried 7-0.
<u>VOCA Grant Fund 280</u>			
Sheriff(\$31,663.76) (See Footnote)	Franklin	Dernulc	The majority voted "Yes". Motion carried 7-0.
<u>Payroll Court Judgment Fund 441</u>			
Commissioners(\$14,670)	Strong	Dernulc	The majority voted "Yes". Franklin, "absent". Motion Carried 6-yes, 1-absent.
<u>Non-Reverting Self-Insurance Fund 541</u>			
Insurance(\$750,000)	Strong	Dernulc	The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.
<u>DUI Task Force Grant Fund 709</u>			
Sheriff(\$6,460)	Franklin	Strong	The majority voted "Yes". Motion carried 7-0.

Footnotes

Re: Coroner – Cid made the motion, seconded by Hamm to approve in the Public Safety CAGIT Fund 010, the amount of \$47,594.
Dernulc asked, why was this now withdrawn, taken out?

Cid explained that sometime during the year, the Commissioners approve new Contracts, and those Contracts were not supported, fully funded, so there is a shortage of money of \$47,594, for the remainder of the year.

Dernulc asked so this is..

Cid said, this is for the Pathologist.

Dernulc said and it's to make good on what was agreed to in the Contract with the Commissioners?

Cid said, yes.

Bilski asked, and this will get them to the end of the year right?

Cid answered, yes.

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

Re: Highway Fund 102 – Strong made the motion, seconded by Franklin to approve the amount of \$1,050.00

Dernulc asked Marcus if this is all going to be found in your budget?

Marcus answered, yes.

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

Re: Sheriff – VOCA Grant Fund 280 – Franklin made the motion, seconded by Dernulc to approve 41120 – Professionals @ \$9,230.76, 41220 – FICA @ \$707.00, 41230 – PERF @ 326.00, 43190 – Other Professional Services @ \$21,400. Take "No Action" on Group Insurance Deduction, for a total of \$31,663.76. The majority voted "Yes". Motion carried 7-0.

Re: Jail(\$650,000) – Gambling Adm Tax Fund 196 – Dernulc made the motion, seconded by Franklin to approve.

Strong asked Dante if he was okay with this?

Dante said as long as they resolve it for next year.

Dernulc said it is put into the budget.

Dante said, these "patches" have to stop. That's his point.

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

Re: Jail(\$228,000) – Dernulc made the motion, seconded by Franklin to approve.

Dernulc wanted to make sure, and asked, these are from the cancelled PO's, so this is not going to "hit" our bottom line, as it relates to the general fund, these are going to be paid for by those cancelled PO's. Sheriff Buncich said, sure.

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

Re: Clerk(\$38,000) – Clerk's Record Perpetuation Fund 194 – Washington made the motion, seconded by Cid to approve.

Bilski asked, this is for the micro-film reader, correct?

Rebecca answered, correct.

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

TRANSFERS

	Made motion	seconded	
LADOS Div II(\$798) Fund 218	Franklin	Washington	The majority voted "Yes". Motion carried 7-0.
Emergency Mngmt(\$500)	NO ACTION TAKEN		
Emergency Mngmt(\$500)	Strong	Hamm	The majority voted "Yes". Motion carried 7-0.
Criminal Court(\$3,500) SAPS Fund 143	Cid	Franklin	The majority voted "Yes". Motion carried 7-0.
Economic Development(\$192)	Washington	Franklin	The majority voted "Yes". Motion carried 7-0.
Economic Development(\$2,000)	Washington	Cid	The majority voted "Yes". Motion carried 7-0.
Motor Vehicles(\$1,310) Highway Fund 102 County Undistributed Motor Express(\$144,205)	Strong	Franklin	The majority voted "Yes". Motion carried 7-0.
Highway Fund 102	Strong	Washington	The majority voted "Yes". Motion carried 7-0.
Highway(\$15,000)	Strong	Franklin	The majority voted "Yes". Motion carried 7-0.
Public Works(\$600)	Strong	Franklin	The majority voted "yes".

			Motion carried 7-0.
Commissioners(\$3,134,940) LOIT 2016 Special Dist Fund 016	Strong	Washington	The majority voted "Yes". Motion carried 7-0.
Sheriff(\$30,500)	Franklin	Hamm	The majority voted "Yes". Motion carried 7-0.
Sheriff(\$1,200) Public Safety CAGIT Fund 010	Franklin	Washington	The majority voted "Yes". Motion carried 7-0.
Jail(\$309,000)	Dernulc	Washington	The majority voted "Yes". Motion carried 7-0.
Jail(\$3,870)	Dernulc	Washington	The majority voted "Yes". Motion carried 7-0.
Clerk(\$3,000) Clerk's Record Perpetuation Fund 194	Franklin	Hamm	The majority voted "Yes". Motion carried 7-0.
Clerk(\$49,167) NO ACTION TAKEN. Plan Commission(\$4,500)	Dernulc	Strong	The majority voted "Yes". Motion carried 7-0.
Local Emergency Planning Committee(\$6,500) Local Emergency Planning Fund 185	Strong	Dernulc	The majority voted "Yes". Motion carried 7-0.
Government Center(\$4,500)	Strong	Cid	The majority voted "Yes". Motion carried 7-0.
Auditor(\$250) Auditor's Ineligible Deduction Fund 329	Hamm	Cid	The majority voted "Yes". Motion carried 7-0.
Auditor(\$1,700) Auditor's Tax Incentive Fund 193	Hamm	Cid	The majority voted "Yes". Motion carried 7-0.
Treasurer(\$130)	Franklin	Cid	The majority voted "Yes". Motion carried 7-0.
County Court Div II(\$3,500) SAPS Fund 143	Franklin	Hamm	The majority voted "Yes". Motion carried 7-0.
County Court Div II(\$540) Adult Probation Adm Fund 245 (See Footnotes)	Franklin	Hamm	The majority voted "Yes". Motion carried 7-0.
Surveyor(\$2,590)	Washington	Hamm	The majority voted "Yes". Motion carried 7-0.
Surveyor(\$210) Surveyor's Corner Perpetuation Fund 167	Washington	Franklin	The majority voted "Yes". Motion carried 7-0.
Surveyor(\$5,870) MS-4 Fund 264	Washington	Franklin	The majority voted "Yes". Motion carried 7-0.
Juvenile Court(\$2,160)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Juvenile Court(\$139) Juvenile Probation Adm Fund 246	Hamm	Cid	The majority voted "Yes". Motion carried 7-0.
PTBOA(\$231)	Hamm	Cid	The majority voted "Yes". Dernulc and Strong voted "No". Motion carried 5-yes, 2-no.
Fairgrounds(\$5,000) Non-Reverting L.C. Fairgrounds Fund 131	Strong	Franklin	The majority voted "Yes". Motion carried 7-0.
Election & Registration(\$56,000)	Franklin	Washington	The majority voted "Yes". Motion carried 7-0.
Health Department(\$1,224)	Dernulc	Cid	The majority voted "Yes". Strong was "absent". Motion carried 6-yes, 1-absent.

St. John Twp Assr(\$600)	Hamm	Cid	The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.
Public Defender(\$5,500)	Cid	Franklin	The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.
CASA(\$3,000)	Cid	Hamm	The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.
Calumet Twp Assr(\$3,000)	Hamm	Cid	The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.

Footnotes

Re: County Court Div II(\$3,500) - SAPS Fund 143 – Franklin made the motion, seconded by Hamm to approve.

Dernulc asked is this supplemental pay, or is it part to pay for the position?

Dernulc asked, it's in the statutes?

The answer was yes, it's in the statutes.

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

In the Matter of Create New Line Item – LADOS Div II

Franklin made the motion, seconded by Washington to approve to create new line item for LADOS, Div II, 001-4042-41210 – Longevity. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – Emergency Management.

No Action Taken.

In the Matter of Create New Line Item – Emergency Management

Strong made the motion, seconded by Hamm to approve to create new line item for Emergency Management, 001-3500-43234 – Travel-Transportation/Other. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – County Highway

Strong made the motion, seconded by Franklin to approve to create new line item for Highway Department, 102-5011-41339 – Clothing Allowance. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – County Highway – Undistributed Motor Express

Strong made the motion, seconded by Franklin to approve to create new line item for Highway, 102-5013-41339 – Clothing Allowance. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – County Undistributed Motor Express

Strong made the motion, seconded by Franklin to approve to create new line item for County Undistributed Motor Express, 102-5013-44490 – Other Equipment.

Washington asked what exactly is Other Equipment?

Jill said it's new equipment, there are 2 different line items we can use, other equipment, or motor vehicle highway. She said this is the one that they have used in the past, and they just went with that one.

Strong asked, with this line item are you going to be purchasing some vehicles?

Marcus said, they were hoping to, if they are approved by the Board of County Commissioners, from this point, if this transfer is approved, then he has to take it before the Commissioners, their request for purchase. They will probably be buying 3 new SUV's for their supervisors. One would be replacing a (inaudible) truck with 279,000 miles on it. Another one would be replacing one that's body is half gone, it has 114,000 miles on it, and they have a 2002 Ford Expedition, that's an antique, at this point in time, and they will be replacing that.

He said the Supervisor' cars that are presently being used, will be handed down to other departments.

There will be 3 of those that will go to auction. They have worked with the Sheriff before. He has been kind enough to let us put our equipment over there with theirs, and then hopefully, we will be able to buy 2 new pick-up trucks, one of our pick-up trucks has 174,000 miles, the other one has 192,000 miles, so it's about time to get those off the road.

Jill explained that they had \$500,000 in the LOIT Fund, with that, the last Commissioner's meeting, they were awarded 2 Contracts, one for a tandem axle, and a single axle, and with that, they have \$111,000 left, and if this transfer is approved, it will give us \$255,000, and we are going to cut it pretty close, with the vehicles that we're going to.... She said they are going to pursue the States' GPA Program. They have a

Program, they have a lot of it reduced, it's brand new Explorers. They are going to see if that's the best route to go, instead of open market.

Marcus said Attorney Dull has always made it clear to them, that they don't bring before the Commissioners, any request to purchase equipment, unless the money is in place, and that's why we are trying to transfer, this morning.

Strong said he realizes that the Commissioners haven't voted on it, but asked Marcus has he had discussions with one of the Commissioners, are they on-board?

Marcus answered, yes.

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

In the Matter of Create New Line Item – Motor Vehicle

Strong made the motion, seconded by Franklin to approve to create new line item for Motor Vehicle, 102-5017-41339 – Clothing Allowance. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – Public Works

Strong made the motion, seconded by Franklin to approve to create new line item for Public Works Department, 001-2950-41339 – Clothing Allowance. The majority voted "Yes". Motion carried 7-0.

In the Matter of Creating New Line Item - Commissioners

Strong made the motion, seconded by Dernulc to approve to create new line item for Commissioners, 441-2900-41398 – Payroll Court Judgment. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Creating New Line Item – Commissioners.

Strong made the motion, seconded by Cid to approve to create new line item for Commissioners, 441-2900-41220 – FICA. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Creating New Line Item – Commissioners.

Strong made the motion, seconded by Cid to approve to create new line item for Commissioners, 441-2900-41230 – PERF. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Creating New Line Item – Jail

Dernulc made the motion, seconded by Strong to approve to create new line item, 196-3100-42250 – Health Care & Lab Supplies. The majority voted "Yes". Motion carried 7-0.

In the Matter of Creating New Line Item – Jail

Dernulc made the motion, seconded by Cid to approve to create new line item, 196-3100-43120 – Medical & Hospital Services. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – Sheriff

Washington made the motion, seconded by Hamm to approve to create new line item for Sheriff, 262-1012-41100 – Overtime. The majority voted "Yes". Franklin was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Create New Line Item – Sheriff

Washington made the motion, seconded by Cid to approve to create new line item for Sheriff, 262-1012-41220 – FICA. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – Sheriff

Washington made the motion, seconded by Franklin to approve to create new line item for Sheriff, 262-1012-41230 – PERF. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item – Sheriff

Washington made the motion, seconded by Franklin to approve to create new line item for Sheriff, 262-1012-41390 – Supplemental Pay. The majority voted "Yes". Motion carried 7-0.

In the Matter of Create New Line Item - Sheriff

Washington made the motion, seconded by Hamm to approve to create new line item for Sheriff, 262-1012-42410 – Other Supplies. The majority voted “Yes”. Motion carried 7-0.

In the Matter of Create New Line Item – Sheriff

Washington made the motion, seconded by Franklin to approve to create new line item for Sheriff, 262-1012-44490 – Other Equipment. The majority voted “Yes”. Motion carried 7-0.

In the Matter of Create New Line Item – Local Emergency Planning Committee.

Strong made the motion, seconded by Franklin to approve to create new line item, 185-3501-43995 – Other Services & Charges. The majority voted “Yes”. Motion carried 7-0.

In the Matter of Revised 144’s for Commissioners, LADOS – Div II, LADOS – Div II, Fund 218, Criminal Court, Sheriff, VOCA Grant Fund 280, Jail(JAG Grant Fund 262), Jail

Re: Commissioners – Strong made the motion, seconded by Washington to defer to January 10, 2017. The majority voted “Yes”. Franklin was “absent”. Motion to defer carried 6-yes, 1-absent.

Re: LADOS – Div II – Franklin made the motion, seconded by Washington to defer to 11-15-16. The majority voted “Yes”. Motion to defer carried 7-0.

Re: LADOS – Div II Fund 218 – Franklin made the motion, seconded by Hamm to approve, retroactive from Pay Period 18 (Pay Dates 8-8-16 thru 8-21-16) Paid on 9-2-16.

Strong asked, is this a pay raise from supplemental pay?

Denise answered, it’s actually from our user fee fund to support the Council’ pay raise actions.

Strong asked again, is this supplemental pay?

Denise answered, yes.

The majority voted “Yes”. Dernulc and Strong voted “No”. Motion carried 5-yes, 2-no.

<u>Rev 144 – Fund 218</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
218-11230-001 Executive Director	\$69,120	\$71,194	\$2,074

Re: Criminal Court – Cid made the motion, seconded by Washington to approve, retro to 9-2-16. The majority voted “Yes”. Dernulc and Strong voted “No”. Motion carried 5-yes, 2-no.

<u>Rev 144 – SAPS Fund 143</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
<u>Retro to 9-2-16</u>			
39002-003 Supplemental Pay NGF	\$14,420	\$14,853	\$433
39002-005 Supplemental Pay NGF	\$13,390	\$13,792	\$402
39002-007 Supplemental Pay NGF	\$13,390	\$13,792	\$402

Re: Sheriff – Franklin made the motion, seconded by Hamm to approve.

Strong asked the Sheriff, this is not a pay raise, this is just the agreed amount right? We’re just moving this money around?

Sheriff Buncich answered, that is correct.

The majority voted “Yes”. Motion carried 7-0.

<u>Rev 144 – VOCA Grant Fund 280</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
12008-001 Project Director	\$36,000	\$40,000	\$4,000

Re: Sheriff – Washington made the motion, seconded by Hamm to approve for Sheriff, Department 1012, Fund 262.

Strong asked is this a pay raise, or is this just moving the money around to make up the Contractual agreed amount?

Sheriff answered, moving.

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

<u>Rev 144 – Dept 1012</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
<u>JAG Grant Fund 262</u>			
39002-001 Supplemental Pay	-0-	\$561.30	\$561.30

Re: Jail – Dernulc made the motion, seconded by Washington to approve. MOTIONS WITHDRAWN – Amended request submitted.

Re: Jail – Dernulc made the motion, seconded by Cid to approve the amended request. Melanie said this request was amended, with the salary, plus the title. It’s all in one.

Strong asked the Sheriff, the remaining \$20,000, with the increase, you have that covered through one of your other Contracts?

Sheriff Buncich answered, that is correct.

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

<u>Amended Rev 144 – Fund 001</u>	<u>Present</u>	<u>Proposed</u>	<u>Difference</u>
11072-001 Civil Div Administration	\$61,351	-0-	-\$61,351
11xxx-001 Jail Administrator	-0-	\$86,351	\$86,351

In the Matter of Citizen Appointment – Parks & Recreation Board

Hamm made the motion, seconded by Franklin to open the nominations for Citizen Appointment for Parks & Recreation Board. The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.

Hamm nominated Ryan Reithel to the Parks & Recreation Board.

Dernulc made the motion to close the nominations. Washington was "absent". Motion to close the nominations carried 6-yes, 1-absent.

Hamm made the motion, seconded by Franklin to approve Ryan Reithel to the Parks & Recreation Board. The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Office of the Public Defender – Permission to apply for a JAG Grant.

Cid made the motion, seconded by Hamm for approval of the Office of the Public Defender to apply for a JAG Grant. The majority voted "Yes". Washington was "absent". Motion carried 6-yes, 1-absent.

In the Matter of Collective Bargaining Agreement – 911

Discussion

Bilski said that he noticed representatives from the electricians, in regard to the Bargaining Agreement between 911.

Attorney Szarmach said that we have received nothing. Tony Overholt was taking a look at it with the Commissioners, and he hasn't received anything back yet, to put on the agenda.

He said all he has is the tentative agreement that was dated in July, or August. He doesn't have anything current, to act on.

Attorney said, you don't have to, but that's the wisest thing to do. They sign the Contracts, 911 is their department.

Attorney Szarmach said it was not approved by the Commissioners, and it has not been approved by the Council.

Bilski explained that what transpired is the bargaining team got with the union, they worked out the differences. It was never approved by either of the legislative body, or the executive body. Answers were given to the Union, they took it back, and ratified the Contract. He said we are adhering to all of commitments, financially, but for some reason, it wasn't brought back to us. When they made a tentative agreement, nobody brought it back to us, immediately for approval. They gave it to you, and you took it to a vote, and ratification with your membership. Bilski said it's unfair to your membership because, until it comes before this Body, no different than any CBA negotiated with Police, the Correctional Officers, the Highway, Public Works. They get it approved here, and once it's approved from us, then they take it to the membership for a vote. Bilski said, why that broke down there, he doesn't have an answer for you, but no one in a bargaining team attorney, has the authority to approve a Collective Bargaining Agreement. It has to come in front of this Body, and the Board of County Commissioners, in order for it to be approved.

The gentleman said, with all due respect, there were 2 Councilmen on the bargaining team, and there was a Commissioner on the bargaining team, and from what they were explained by Dabertin, the negotiator for the County, this had been reviewed, and it was to go out for a vote, all were invited to the overview meeting, which happened a few months ago. This Agreement has been sitting with that bargaining team since June, and we've been waiting to get it back and forth. We put it in front of the Commissioners, the Commissioners explained that it has to go through the Council first. As they explained that it had to go through the Council first, we had Council sitting on that bargaining team, this Agreement has been there, and has been signed, by the County, and we have an Agreement that the County was aware that we were putting it out for a vote, we sent notification in August that we were ratifying this.

Cid said when we negotiate the Sheriff, the Merit Officers, and the Correctional Officers, we approve first, then it goes over to the Commissioners for approval. When the Commissioners approve Highway, they approve it first, then it comes to this Council. Cid said, I believe the Commissioners have to approve it first, and then it comes to this Council for approval.

Bilski said he thinks that before it came to the membership, it had to be approved by.... No one knows who has the authority to vote on it. It takes the majority of seven votes from us, and it takes two out the three votes from the Commissioners side, before we have something that's been approved, to present for ratification, and Bilski said, he doesn't know why they "dropped the ball".

Bilski said, we want to adhere to everything that was put forward. There was an executive session held in September.

Washington said he is not on this committee, but he is in agreement, and he thinks we need to see what the next steps are, so we can close this.

Bilski said the Union sides is going to be that there is language that's concerning, that they want to make sure that they have, obviously, that they are no longer "at will" employees. There is a grievance procedure that has been established within the Collective Bargaining Agreement. So there are items within that, and Bilski said we need to get through the "hang-up" on those language changes. Bilski said he believes that Dabertin was supposed to re-schedule a meeting with them. Bilski said, it was verbage, that's what it was, with concerns from both sides over particular items within the proposal we've been given to vote on, Bilski said that no one had the authority to tell you to ratify within your members, then bring it back for us for ratification, when it's always been done the opposite way. Bilski said, once we had those issues, at the Joint Executive Session, there were items that needed to be brought back to the union, to discuss, to explain there were 2 items that there was concern about.

The gentleman explained that they did not have a concern. Debertin wanted to change the arbitration process, which exist in both the Teamsters, and the Police Officers' Agreement, and that language has been signed since before June. It's been long since reviewed by the bargaining team. He is looking at changing the intent of what's written in that language that was agreed to. From what we understood again, and he said he wasn't on the Council' bargaining team, he was on the Union' bargaining team, this Agreement has been reviewed, and had been voted on, prior to him excepting us going out for the vote. He had scheduled the overview meetings here, with us, he was present for the overview meetings, knew we were voting it, and had it said that everybody had been explained the same. He said he spoke to Commissioner Repay, who was also invited. They are asking that the Agreement be voted on. It's properly in front of the Council, it's properly in front of the Commissioners, and we are asking that you vote on the Agreement that has been there signed, since June, and that the Agreement, based off of the integrity the parties reached, reaching that Agreement, that we vote on it, and that we accept it, or we don't. He said, what he understands from the Police Officers, their vote is private, and they send a letter saying it was accepted by them, and it gets certified, or approved by the Council, and then the Commissioners.

Cid said, that's because we negotiated. We negotiate that Contract.

He said this Agreement was negotiated by both, from the Council, and the Commissioners. There were 2 representatives from the Council.

Cid said, by authority, it's the Commissioners.

Attorney John Dull said, there is a statute that says that it has to be approved by both of you, and then said that Dabertin was wrong, because it was never voted on by the Commissioners, or the Council. What needs to be done, you can not approve it, until Dabertin, who is in touch with Tony, and Tony submitted back his language change, and Dabertin makes those changes.

Attorney Dull said, you can't vote on it now.

Dernulc asked do the Commissioners vote on it first?

Attorney Dull asked, what does your Ordinance say? Your ordinance has County Council in the language, before the Commissioners.

Cid asked, who votes on Highway first? The Commissioners, then it comes to us.

Attorney Dull said, I'm just telling you what's in your Ordinance, when you give Collective Bargaining.

Franklin said, the bottom line is that it needs to be clarified so that these gentlemen can move on. As it is now, it seems that they can not move on, and we are being held responsible for what Mr. Dabertin said.

Mr. Dabertin needs to get with the Council, and let us know that there is a problem. You are talking about the problem today, and we just need to get it done. Since I've been on the Council, I have never been involved where we were not clear, as to how the process moves.

Attorney Szarmach said the bottom line is, that there is language that we discussed two months ago in that Agreement that you were given, that should not have gone to you. As soon as that is cleared up, it could be in a few days, then we will have something that we can take a look at, and ratify.

Cid asked is the procedure for that, the Commissioners put it on their agenda, deny it, then both parties go back to the table.

Attorney Szarmach said, that's a waste of time. There are minor problems with that document, that could be solved in a few days.

The gentleman said, he disagrees that there are minor problems with the document. He said, the document has been checked for consistency between the other two agreements with that Collective

Bargaining, here with the County, and that language has been signed, more than once, and it's been reviewed more than once. If he is looking to make a change, that would be considered "bad faith bargaining".

Attorney Szarmach said, well, that's your argument, but as soon as we get something to look at, that's been.

Attorney Dull interjected.... looked at by Dabertin, after meeting with Tony, then you will have something.

Hamm said, "but John, we don't employ Dabertin". You guys do.

We have Tony....

Attorney Dull said, "no, no". You said in Executive Session, I got in trouble because I involved Overholt in this, okay.

Dabertin was selected by the Council, we believe. That's what you told me in executive session. That I shouldn't have gotten Overholt involved.

Attorney Szarmach said, one of the problems with this is, what we were given, a 30 page document. In the upper right hand corner of every page has tentative agreement stamped on it, which would indicate that this is still a work in progress, when in fact, you considered it, not a work in process, you considered it, that was it.

The gentleman said, your bargaining representative, Tom Dabertin sat there, had copies of everything that we signed off on, everything that was agreed, including the proof reading copy that was out there. The final copy that you've received, we sent, he said, I don't know why it was your bargaining representative, I believe he was forthcoming with the rest of the bargaining team, and had told them what was going on, and what was being discussed, as he had described it back to us, it had been voted on by his committee sitting at the table.

Attorney Dull said, his committee sitting at the table was four people. There are seven here, and there are three over there.

Bilski said, I am afraid that if we had to vote on what was given us right now, it's not going to come back with a favorable result because we haven't seen what we've been told, I'm afraid it would be a non-favorable result.

Attorney Szarmach said, there has never a Collective Bargaining Agreement that's come before us that has not been reviewed by an Attorney, either the Commissioner's Attorney, or myself, or our contact in Indianapolis, and that was not.

The gentleman said, I understand that he shouldn't have signed it, but he did, we again had been in contact, we've been here more than once to discuss the same Agreement. We've been going through bargaining for over a year now. We had reached an agreement, it had been properly in front of the Council, so we provided copies to both the Commissioners, and the Council, and it's been over three months, since the Agreement was signed by your representative.

Attorney Dull said, the signing of the Agreement by the representative does not make it legal. What makes it legal is when the Council, and the Commissioners approve it, by their Ordinance.

The gentleman said, I understand, and if they had not approved it, we would go back to the bargaining table because they would have voted it down, for whatever reason, but in this particular case, we are "stuck" in the middle of, we are not, they are not members until we have the Agreement that defines what that membership is.

Attorney Dull asked, are you saying that the Council ought to vote it down, the Commissioners ought to vote it down, and then we go back to the bargaining table?

The gentleman said he believes that the Council, who has already signed off on the Agreement...

Attorney Dull asked, whose Council?

The gentleman said, the group of the Council that has already sat on the bargaining team, and has already reviewed it.

Cid said, but it's not a majority though. It's not a majority of the Council.

Washington said, I am speaking for myself, if we took a vote today, I am not going to vote for it, what's in front of me now. I understand your frustrations as well, and that's why I recommend we do an executive session, so we can hammer out some things that we don't want to say in public.

The gentleman said, if the Agreement is rejected, the entire Agreement is rejected, we go back to the table, from scratch, and I absolutely understand the frustrations on both sides with that, but it's also not just open to, "well we want to change this, or we want to change that", which we've already gone through, over the past fourteen months. This Agreement has been reviewed, from what I understand, unless I was misled, it has already been reviewed by two Councilmen, and a Commissioner.

Hamm said I understand by talking to Dennis, I was on the Committee. Hamm asked, how many meetings did I attend?

The gentleman answered, you didn't.

Hamm said, exactly, but I found out, to be honest with you that I was on the Committee, after the fact.

Hamm asked, who else was on there with me?

The gentleman answered Councilman Strong.

Hamm said, I found out, after the fact.

The gentleman said, I understand, but we made sure that you had a copy of the Agreement, as well, and we made sure that you had the opportunity to review, and we kept you informed to what was going on, and I can't speak for your side, as to whether or not he handled the process correctly, but we had spoken, and made sure you were okay with the Agreement. We also made sure, understanding, that the issue that he had was over binding arbitration.

Bilski said I think we need to get with them, a meeting with Tom Dabertin, and find out why he told you to get that Agreement ratified with your... that's where the issue comes in, is you were told to go ahead, take that back to your membership for a vote. Now we are in a bind. If we are in agreement with everything, and we can sit down and look at the one item that seems to be the hold-up in the Contract, for everyone concerned, and it that can be done through a separate memorandum, giving it the area within your CBA approved, members, and then we can(inaudible), and then vote to ratify in the memorandum of understanding, or a letter of intent, on that particular item, that could be done too.

The gentleman said, that language is already in that Agreement, in two places, in Article 11, and Article 13. If any part of it is found to be in violation of the law, there is a severability clause, that allows us to sit down and have that discussion, as well as the specific issue that he has a problem, from what I understand from Dabertin, again...

Bilski asked, was it the overtime?

The gentleman said, it was not the overtime, the specific issue he had a problem with was in binding arbitration, which, again, exists in both of the others, and it's subject to law.

Bilski said, I was not aware of the binding arbitration language being the "hang-up". The concern was, when you address this Body right here with the big "hang-up", is the overtime. The amount of hours worked, and the overtime hours, and the overtime clauses, that were in there. That was a concern with a lot of us, when we sat through some of these issues.

The gentleman said, from what I understand, there is no change in the way the overtime is implemented now, the overtime language is the exact way it's handled.

Washington asked Attorney Szarmach how would he make a motion, to put up for vote, and then we can have an executive session to talk about this?

Attorney Szarmach said, well, you don't even have the Document to read.

Cid said to Attorney Szarmach, she thinks he should research, really, make a legal opinion as to who has... what agenda it goes on first. Cid said she believes it's the Commissioners, and then we send a letter to the Commissioners telling them they need to put it on their agenda, and act on it, then we can move forward, one way or another.

Attorney Szarmach said, that's one aspect.

Cid said, procedurally, they have negotiated, in good faith, they told them to take it back to their Union, they did, they voted on it, now it's time for our Commissioners to take action. If they don't like what's in there, the majority, then they vote it down, and then they go back to the table, at least there is movement. This way it's "no you do it, we do it". They should vote on it first. It's their department.

Bilski said whether which end goes first, I still think that the reason that it wasn't moved forward by either party because there was question on language within the Collective Bargaining Agreement. Bilski said he thought that was addressed back in July, or September, when we had the Executive Session.

The gentleman said, we haven't met at the bargaining table since June.

Bilski said, he believes in September when we had the Executive Session, that's when Tom Dabertin was supposed to bring some concerns of the Council back to you, and as Council, and I don't know if the Commissioners have, but I have not received any kind of response back, or status report back from the

meeting between the negotiation team, on the issues that were raised by the Council in Executive Session. Bilski asked the gentleman if he was aware of those concerns?

The gentleman said, he was aware from a phone call from Dabertin. Not to sit back down at the table, he wanted us to make a change to the Agreement, that was already signed, on both sides, that was signed by both negotiating representatives, and he wanted to make a change to that Agreement, that was already put out, emailed to the County Council, and Commissioner's Office, and said he wanted to make a change to what was already presented. We don't have the authority to do that. That Agreement, and that bargaining closed, and we stood up at the table, we shook hands, the bargaining had closed in June. We've been trying to get the Agreement reviewed, properly, and either certified, or denied by both the Council and Commissioners. We reached an agreement in "good faith", and if there is an issue, there is a process written into it, to say that no part of it can be..

Bilski said, I think that's the misunderstanding, is that that team should have brought forward to us, prior to your ratification, should have brought it forward to us, and said, okay now we have a complete document. Bilski said for whatever reason, that didn't happen. Now we have a document with issues in there, regarding overtime, and Bilski said, I agree, I'm not overly concerned with binding arbitration, but there was scheduling, and other issues on that bullet point, and I don't have that with me right now. Bilski said we had a bullet point list of items of concern that should have been addressed, on behalf of the taxpayers of Lake County, these are concerns that our Attorneys' have decided "hey, time out". Bilski said I don't think it would be in our best interest to vote down a CBA that is in work, I think what would be the best would be those bullet points excluding, changing your binding arbitration language, but at least that conversation with Dabertin, Attorney Szarmach, and myself, will ask you to make the phone call with, when we adjourn this meeting to find out why we haven't gotten this thing resolved, so we can ratify it. Bilski said, I can give you my word that as soon as that gets done, I would be willing to call an emergency meeting here, not having to wait for our next agenda' meeting.

Dernulc said, none of us are trying to hold this back, we just want to get it all resolved. I know you have your positions, but we have ours. I think, going forward, we will get this done. Dernulc said he agrees President Bilski. If we have to call a special meeting to get this done, we will do that.

The gentleman said he respects that, and he is not asking the Council to immediately take action, one way, or the other, my issue is, here we are, three months after the Agreement, and even the issue that's in conflict isn't clear, because the scheduling language was actually a county proposal for the 12 hour schedules.

Bilski said he thinks if we can get a letter of intent, to attach on there, sign off, a memorandum of understanding, and the provision within there, or

The gentleman said he will point out, when we have a chance after the council meeting, he will point out the severability clauses that absolutely already address that concern. He said he respects the Council' decision, and he understands the frustration, and he is sure that the Council understands ours as well.

Bilski said as soon as the meeting is over, he will be on a conference call with our Attorney, Tony, and Tom Dabertin, and if we can get that resolved, and it's acceptable with you guys, he has no issue on scheduling and advertising for a special meeting to get that resolved, prior to our next meeting.

No action was taken on this matter.

In the Matter of Lake County Benefit Plan

Discussion

Bilski said, after our last month's meeting Councilman Washington asked for this to be put on the agenda. Councilman Washington shared some concern about the Police Benefit Plan, and we were supposed to, and Bilski said, he doesn't have the breakdown in front of him. The concern was the adjustment of the accrual rates pay out for existing retirees, and beneficiaries.

Mr. Ostrowski said the question that I brought up to you was the benefits for the widows of Officers killed in the line of duty, and the second one was an adjustment that the Council, under the Indiana Code that I presented to you, for the disabled officers, was my question.

Mr. Ostrowski said he discussed this before with their union representatives, and as Mr. Blanchard has stated, they have no interest in helping these individuals. That's why I came to the County Council.

Attorney Szarmach said the statute that you gave me, I looked at, and you are correct. We can give a cost of living raise, or you can give a lump sum raise, you have those 2 options. Attorney Szarmach said, I think at this time, you may want to present this to Mr. Dilts, and maybe put it in front of the Merit Board for consideration, or recommendation to us. Attorney Szarmach said, the County Council is the last entity to do anything with pension amounts, etc. It comes from the Merit Board, through Resolution, Mr. Dilts, and they bring everything here, and I can't remember ever that the Council not approving this. So you should contact Mr. Dilts, contact the Sheriff, and Merit Board, and have them take a look at this, and whatever they bring to us, we will take a serious look at.

Hamm made the motion, seconded by Washington to defer to 11-15-16. The majority voted "Yes". Franklin was "absent". Motion to defer carried 6-yes, 1-absent.

In the Matter of Ordinance Establishing the Lake County Employee Reserve Fund, Fund No. 410, a Non-Reverting Fund, for the Deposit of Appropriations Reverting to the Lake County General Fund by Operation of Ordinance No. 1400F, Affecting Vacant Positions in the County Budget.

Cid made the motion, seconded by Hamm to approve on First Reading. The majority voted "Yes". Washington was "absent". Motion to approve on First Reading carried 6-yes, 1-absent.

Cid made the motion, seconded by Hamm to Suspend Rules. The majority voted "Yes". Washington was "absent". Motion to Suspend Rules carried 6-yes, 1-absent.

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

ORDINANCE NO. 1401A

**ORDINANCE ESTABLISHING THE
LAKE COUNTY EMPLOYEE PAYROLL RESERVE FUND, FUND NO. 410,
A NON-REVERTING FUND, FOR THE DEPOSIT OF
APPROPRIATIONS REVERTING TO THE LAKE
COUNTY GENERAL FUND BY OPERATION OF ORDINANCE NO. 1400F,
AFFECTING VACANT POSITIONS IN THE COUNTY BUDGET**

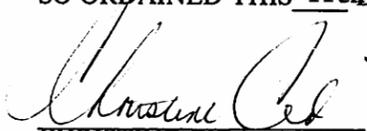
- WHEREAS,** pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and
- WHEREAS,** pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and
- WHEREAS,** the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and
- WHEREAS,** throughout 2016 certain approved positions in the Lake County Budget will become vacant and if not immediately filled, the respective appropriations will revert to the operating balance of the County General Fund for 2016; and
- WHEREAS,** on September 22, 2016, the Lake County Council adopted the Ordinance Regarding Vacant Positions for the Remainder of 2016, Ordinance No. 1400F; and
- WHEREAS,** Ordinance No. 1400F in part provided:
- "That in order to obtain an operating balance for the Lake County Budget for the remainder of 2016 all County offices and departments are restricted from hiring new employees, or current Lake County employees, to fill presently vacant full-time positions and full-time positions which may become vacant during 2016"; and
- WHEREAS,** the Lake County Council desires that appropriations reverting to the County General Fund by operation of Ordinance No. 1400F be placed in a Employee Payroll Reserve Fund, Fund No. 410, to be used for Lake County employee salaries only.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake County Employee Payroll Reserve Fund, Fund No. 410, a non-reverting fund, is hereby established for the deposit of appropriations reverting to the Lake County General Fund by operation of Ordinance No. 1400F affecting vacant positions in the Lake County Budget.
2. That all deposits in the Employee Payroll Reserve Fund, Fund No. 410, be used only for salaries for Lake County employees.
3. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

- 4. That any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake County Employee Payroll Reserve Fund.

SO ORDAINED THIS 11th DAY OF OCTOBER, 2016.


CHRISTINE CID

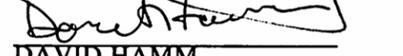

DANIEL E. DERNULC

JAMAL WASHINGTON


TED F. BILSKI, President


ELSIE FRANKLIN


ELDON STRONG


DAVID HAMM

Members of the Lake County Council

In the Matter of Plan Commission Ordinance No. 2478

Strong made the motion, seconded by Washington to approve Plan Commission Ordinance # 2478. The majority voted "Yes". Motion carried 7-0.

ORDINANCE #2478
OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a ZONE CHANGE (Lake County Plan Commission recommended in favor September 21, 2016).

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

ZONE CHANGE from A-1 (Agricultural Zone) to R-R (Rural Residential Zone) owned and petitioned by COLLEEN CLEMENS for the purpose of residential development on the following described property:

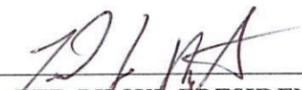
General Location: Located approximately 2/10 of a mile south of 197th Avenue on the east side of Calumet, a/k/a 19827 Calumet in West Creek Township.

Legal: The West 52 rods of the Northwest Quarter of the Northwest Quarter of Section 6, Township 32 North, Range 9 West of the Second Principal Meridian, except the South 16.50 feet thereof and except the North 653.80 feet thereof in West Creek Township, Lake County, Indiana, Also excepting therefrom the North 300 feet of the West 310 feet of said parcel.

IS HEREBY x BY THE COUNTY COUNCIL
APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 11th DAY OF October , 2016.

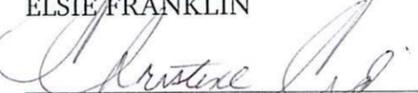
MEMBERS OF THE LAKE COUNTY COUNCIL



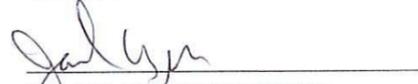
TED BILSKI, PRESIDENT



ELSIE FRANKLIN



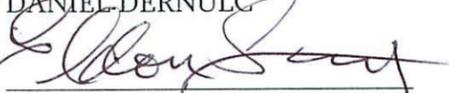
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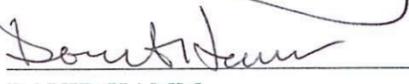
JAMAL WASHINGTON



DANIEL DERNULG



ELDON STRONG



DAVID HAMM

In the Matter of Plan Commission Ordinance No. 2479.

Strong made the motion, seconded by Washington to approve Plan Commission Ordinance #2479. The majority voted "Yes". Motion carried 7-0.

ORDINANCE #2479
OF THE COUNTY OF LAKE

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a ZONE CHANGE (Lake County Plan Commission recommended in favor September 21, 2016).

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

ZONE CHANGE from A-1 (Agricultural Zone) to R-R (Rural Residential Zone) owned and petitioned by NATHAN & STACY SWENTKO for the purpose of residential development on the following described property:

General Location: Located approximately 4/10 of a mile east of Broadway on the north side of 173rd Avenue in Eagle Creek Township.

Legal: The West Half of the East Half of the Southeast Quarter of the Southwest Quarter of Section 15, Township 33 North, Range 8 West of the Second Principal Meridian, Lake County, Indiana.

IS HEREBY x BY THE COUNTY COUNCIL
APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 11th DAY OF October , 2016.

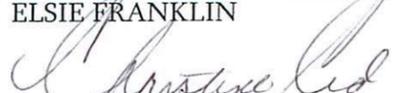
MEMBERS OF THE LAKE COUNTY COUNCIL



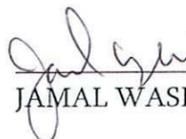
TED BILSKI, PRESIDENT



ELSIE FRANKLIN



CHRISTINE CID



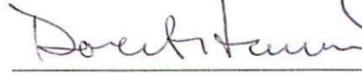
JAMAL WASHINGTON



DANIEL DERNULC



ELDON STRONG



DAVID HAMM

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

