

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 the Minutes of the Lake County Council – November 15, 2016 and December 1, 2016 – Special Meeting.

Hamm made the motion, seconded by Cid to defer the minutes to 1-10-17. The majority voted “Yes” to defer to 1-10-17. Franklin was “absent”. Motion to defer carried 6-yes, 1-absent.

**ORDINANCE NO. 1403**

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>Jail</u> 3100		
43630 Maintenance & Service Contr	\$ 60,000.00	No Action Taken
Gambling Adm Tax Fund 196		
<u>Jail</u> 3100		
43630 Maintenance & Service Contr	\$ 60,000.00	No Action Taken
Public Safety CAGIT Fund 010		
<u>Jail</u> 3100		
43630 Maintenance & Service Contr	\$ 60,000.00	No Action Taken
Highway Fund 102		
<u>Highway</u> 5011		
41210 Longevity	\$ 440.00	No Action Taken
Highway Fund 102		
<u>Motor Vehicle</u> 5017		
41270 Group Insurance	\$ 73,900.00	\$ 73,900.00
Criminal Division Supplemental Public Defender's Fund 405		
<u>Public Defender</u> 4002		
43190 Other Professional Service	\$ 33,000.00	\$ 33,000.00

**TRANSFER OF FUNDS CERTIFICATE**

I, the proper legal officer of Lake County Council, Lake County, IN., hereby certify to the Auditor of Lake County, that the Lake County Council approved the following transfers:

	Requested	Approved
<u>Co-Op Extension</u> 2300		
From: 001-43620 Equipment Rental	\$ 175.00	
001-43630 Maintenance & Serv	\$ 300.00	
001-43710 Equipment Rental	\$ 508.00	
To: 001-42110 Office Supplies	\$ 983.00	No Action Taken
<u>Emergency Management</u> 3500		
From: 001-42210 Petroleum Products	\$ 100.00	
To: 001-41210 Longevity	\$ 100.00	\$ 100.00
<u>Ross Township Assessor</u> 1700		
2015 Reassessment Fund 337		
From: 337-41100 Overtime	\$ 8,100.00	
337-41190 Part-Time	\$ 390.00	
337-41380 Seasonal Employee	\$ 6,000.00	

337-41220	FICA	\$ 2,000.00	
337-41230	PERF	\$ 1,400.00	
337-41260	Workman's Comp	\$ 700.00	
337-43310	Printing	\$ 1,200.00	
To: 337-43190	Other Professional Serv	\$ 17,200.00	\$ 17,200.00
337-42110	Office Supplies	\$ 1,500.00	\$ 1,500.00
337-42230	Clothing Allowance	\$ 1,090.00	\$ 1,090.00
<u>L.S. Court County Div III 4050</u>			
From: 001-42110	Office Supplies	\$ 100.00	
To: 001-43910	Dues & Subscription	\$ 100.00	\$ 100.00
<u>L.S. Court County Div II 4050</u>			
From: 001-42110	Office Supplies	\$ 920.00	
To: 001-41210	Longevity	\$ 920.00	\$ 920.00
<u>General Undistributed Motor Expense 5013</u>			
Highway Fund 102			
From: 102-5013-42220	Garage & Motor	\$ 21,000.00	
To: 102-5013-43620	Equipment Repair	\$ 21,000.00	\$ 21,000.00
<u>Public Defender 4003</u>			
From: 001-41331	Court Reporter Per Diem	\$ 11,000.00	
001-43235	Travel-Mileage	\$ 4,000.00	
To: 001-43190	Other Professional Service	\$ 15,000.00	\$ 15,000.00
<u>Public Defender 4002</u>			
From: 001-41190	Part-Time	\$ 2,500.00	
001-41331	Court Reporter Per Diem	\$ 2,500.00	
To: 001-43190	Other Professional Service	\$ 5,000.00	\$ 5,000.00
<u>Jail 3100</u>			
From: 001-41140	Protective Service	\$ 89,000.00	
To: 001-41339	Clothing Allowance	\$ 2,000.00	\$ 2,000.00
001-41370	Holiday Pay	\$ 22,000.00	\$ 22,000.00
001-42230	Clothing	\$ 5,000.00	\$ 5,000.00
001-43630	Maintenance & Service	\$ 60,000.00	\$ 60,000.00
<u>Jail 3100</u>			
Public Safety CAGIT Fund 010			
From: 010-41220	FICA	\$ 35,700.00	
010-41339	Clothing Allowance	\$ 4,500.00	
010-41370	Holiday Pay	\$ 5,000.00	
To: 010-41190	Part-Time	\$ 34,200.00	\$ 34,200.00
010-41260	Workman's Comp	\$ 800.00	\$ 800.00
010-42110	Office Supplies	\$ 1,200.00	\$ 1,200.00
010-42260	Jail Inmate Clothing	\$ 9,000.00	\$ 9,000.00
<u>Jail 3100</u>			
Misdemeanant County Jail Fund 152			
From: 152-41190	Part-Time	\$ 2,500.00	
To: 152-41100	Overtime	\$ 2,500.00	\$ 2,500.00
<u>Jail 3100</u>			
From: 001-41140	Protective Services	\$ 20,000.00	
To: 001-43620	Equipment & Repair	\$ 20,000.00	\$ 20,000.00
<u>Calumet Township Assessor 1000</u>			
2015 Reassessment Fund 337			
From: 337-43190	Other Professional Service	\$ 5,000.00	
337-43233	Travel-Lodging	\$ 3,500.00	
337-43235	Travel-Meals	\$ 19,000.00	
To: 337-41100	Overtime	\$ 2,500.00	\$ 2,500.00
337-41220	FICA	\$ 350.00	\$ 350.00
337-41230	PERF	\$ 650.00	\$ 650.00
337-42110	Office Supplies	\$ 20,000.00	\$ 20,000.00
337-42230	Clothing	\$ 4,000.00	\$ 4,000.00
<u>Calumet Township Assessor 1000</u>			
From: 001-41190	Part-Time	\$ 120.00	
001-43730	Property Rental	\$ 4,000.00	
To: 001-41210	Longevity	\$ 120.00	\$ 120.00
001-42110	Office Supplies	\$ 4,000.00	\$ 4,000.00
<u>Election &amp; Registration 2100</u>			
From: 001-43320	Advertising	\$ 3,000.00	
001-41196	Election Day Workers	\$ 5,000.00	
001-43995	Other Services & Charges	\$ 11,500.00	
To: 001-43310	Printing	\$ 3,000.00	\$ 3,000.00
001-41100	Overtime	\$ 5,000.00	\$ 5,000.00
001-43630	Maintenance & Service Contr	\$ 11,500.00	\$ 11,500.00

Election & Registration 2100

From: 001-41190 Part-Time	\$ 31,000.00	
To: 001-41100 Overtime	\$ 11,000.00	\$ 11,000.00
001-43310 Printing	\$ 20,000.00	\$ 20,000.00

PTBOA 2505

From: 001-41190 Part-Time	\$ 17,500.00	
To: 001-43190 Other Professional Service	\$ 17,500.00	\$ 17,500.00

Assessor 0900

## 2015 Reassessment Fund 337

From: 337-41100 Overtime	\$ 5,000.00	
337-42110 Office Supplies	\$ 7,500.00	
337-43145 Legal Services	\$ 1,000.00	
337-43220 Postage	\$ 15,000.00	
337-43235 Travel/Mileage	\$ 20,000.00	
To: 337-43190 Other Professional Service	\$ 48,500.00	\$ 48,500.00

Sheriff 0500

From: 001-41130 Technicians	\$ 4,000.00	
001-41140 Protective Services	\$ 16,000.00	
001-41210 Longevity	\$ 1,500.00	
To: 001-41120 Professionals	\$ 21,500.00	\$ 21,500.00

Sheriff 0500

## Public Safety CAGIT Fund 010

From: 010-41220 FICA	\$ 5,225.00	
010-41336 Lateral Pay	\$ 3,000.00	
010-41338 Proficiency Pay	\$ 2,000.00	
To: 010-41230 PERF	\$ 350.00	\$ 350.00
010-41240 Group Insurance	\$ 9,875.00	\$ 9,875.00

Council 3700

From: 001-41380 Seasonal Employee	\$ 4,000.00	
To: 001-43145 Legal Services	\$ 4,000.00	\$ 4,000.00

Courthouses 3000

From: 001-43630 Maintenance & Serv Contr	\$ 12,000.00	
To: 001-42240 Household & Inst Supplies	\$ 12,000.00	\$ 12,000.00

Criminal Court 4000

From: 001-41160 Office & Clerical	\$ 3,800.00	
001-41190 Part-Time	\$ 2,000.00	
To: 001-41130 Technicians	\$ 5,800.00	\$ 5,800.00

Council 3700

From: 001-43150 Consultant Fees	\$ 5,000.00	
To: 001-43145 Legal Fees	\$ 5,000.00	\$ 5,000.00

2016 Insurance Year End Transfers

From: 001-2900-41240 Group Insurance Ded	\$800,000.00	
To: Fund 514 Non-Reverting Self-Ins Fund	\$800,000.00	\$736,358.00

From: 001-2900-41260 Worker's Comp Ded	\$120,000.00	
To: Fund 514 Non-Reverting Self Ins Fund	\$120,000.00	\$115,266.00

From: 105-5130-43420 Insurance	\$ 5,000.00	
To: 541 Non-Reverting Self Ins Liability Fund	\$ 5,000.00	\$ 5,000.00

From: 105-5130-41240 Group Ins Ded	\$ 30,000.00	
To: Fund 514 Non-Reverting Self Ins Fund	\$ 30,000.00	\$ 30,000.00

From: 196-2900-41240 Group Ins Ded	\$250,000.00	
To: Fund 514 Non-Reverting Self Ins Fund	\$250,000.00	\$250,000.00

From: 196-2900-41240 Group Ins Ded	\$750,000.00	
To: Fund 541 Non-Reverting Self Ins Fund	\$750,000.00	\$750,000.00

From: 001-2900-43420 Insurance	\$475,000.00	
To: Fund 541 Non-Reverting Self Ins Fund	\$475,000.00	\$475,000.00

From: 014-2901-43420 Insurance	\$100,000.00	
To: Fund 541 Non-Reverting Self Ins Fund	\$100,000.00	\$100,000.00

From: 001-2900-43120 Medical & Hospital	\$229,958.00	
To: Fund 414 Non Rev Jail Inmate Med & Hosp Res	\$229,958.00	\$229,958.00

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 13<sup>th</sup> day of December, 2016.

Adopted this 13<sup>th</sup> day of December, 2016.

NAY

AYE

Ted Bilski  
David Hamm  
Elsie Franklin  
Jamal Washington  
Christine Cid  
Eldon Strong

Additional

	Made motion	seconded	
<u>General Fund 001</u>			
Jail(\$60,000)	No Action Taken		
<u>Gambling Adm Tax Fund 196</u>			
Jail(\$60,000)	No Action Taken		
<u>Public Safety CAGIT Fund 010</u>			
Jail(\$60,000)	No Action Taken		
<u>Highway Fund 102</u>			
Highway(\$440)	No Action Taken		
<u>Highway Fund 102</u>	Franklin	Cid	The majority voted "Yes". Dernulc and Strong, "No". Motion Carried 5-yes, 2-no.
Motor Vehicle(\$73,900)			
<u>Criminal Div Suppl Public Defender's Fund 405</u>			
Public Defender(\$33,000)	Cid	Washington	The majority voted "Yes". Motion carried 7-0.

TRANSFERS

	Made motion	seconded	
Co-Op Extension(\$983)	NO ACTION		
Emergency Mngmt(\$100)	Strong	Washington	The majority voted "Yes". Motion carried 7-0.
Ross Twp Assr(\$19,790)	Hamm	Cid	The majority voted "Yes". Motion carried 7-0.
L.C. Court Div III(\$100)	Franklin	Cid	The majority voted "Yes". Motion carried 7-0.
L.C. Court Div III(\$920)	Franklin	Cid	The majority voted "Yes". Motion carried 7-0.
General Undistributed Motor Expense(\$21,000)			
Highway Fund 102	Franklin	Cid	The majority voted "Yes". Motion carried 7-0.
Public Defender(\$15,000)	Cid	Washington	The majority voted "Yes". Motion carried 7-0.
Public Defender(\$5,000)	Cid	Washington	The majority voted "Yes". Motion carried 7-0.
Jail(\$89,000)	Dernulc	Franklin	The majority voted "Yes". Motion carried 7-0.
Jail(\$45,200)			
Public Safety CAGIT Fund 010	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Jail(\$2,500)			
Misdemeanant County Jail Fund 152	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Jail(\$20,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.

Calumet Twp Assessor(\$27,500) (2015 Reassessment Fund 337)	Hamm	Washington	The majority voted "Yes". Motion carried 7-0.
Calumet Twp Assr(\$4,120)	Hamm	Franklin	The majority voted "Yes". Motion carried 7-0.
Election & Reg(\$31,000)	Franklin	Hamm	The majority voted "Yes". Motion carried 7-0.
Election & Reg(\$19,500)	Franklin	Hamm	The majority voted "Yes". Motion carried 7-0.
PTBOA(\$17,500)	Strong	Hamm	The majority voted "Yes". Motion carried 7-0.
Assessor(\$48,500) (2015 Reassessment Fund 337)	Hamm	Franklin	The majority voted "Yes". Motion carried 7-0.
Sheriff(\$21,500)	Franklin	Cid	The majority voted "Yes". Motion carried 7-0.
Sheriff(\$10,225) Public Safety CAGIT Fund 010	Franklin	Cid	The majority voted "Yes". Motion carried 7-0.
Council(\$4,000)	Hamm	Strong	The majority voted "Yes". Motion carried 7-0.
Courthouses(\$12,000)	Cid	Washington	The majority voted "Yes". Motion carried 7-0.
Criminal Court(\$5,800)	Cid	Hamm	The majority voted "Yes". Motion carried 7-0.
Council(\$5,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.

2016 Insurance Year End Transfers

Fund 514 Non-Reverting Self Ins Fund(\$736,358)	Dernulc	Cid	The majority voted "Yes". Motion carried 7-0.
Fund 514 Non-Reverting Self Ins Fund(\$115,266)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 541 Non-Reverting Self Ins Liability Fund(\$5,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 514 Non-Reverting Self Ins Fund(\$30,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 514 Non-Reverting Self Ins Fund(\$250,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 541 Non-Reverting Self Insurance Fund(\$750,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 541 Non-Reverting Self Insurance Fund(\$475,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 541 Non-Reverting Self Ins Fund(\$100,000)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.
Fund 414 Non-Reverting Jail Inmate Med & Hosp Res. (\$229,958)	Dernulc	Hamm	The majority voted "Yes". Motion carried 7-0.

In the Matter of Creating New Line Item – Ross Township Assessor

Hamm made the motion, seconded by Washington to approve to create new line item 337-1700-42230 – Clothing, for Ross Township. The majority voted "Yes". Motion carried 7-0.

In the Matter of Creating New Line Item – Jail

NO ACTION TAKEN.

In the Matter of Creating New Line Item- Commissioners

Matter was approved at Special Meeting 12-1-16

In the Matter of Ordinance 1400F – Regarding Vacant Positions for the Remainder of 2016 – Criminal Court.

No Action Taken. (Was approved at Special Meeting on 12-1-16.)

In the Matter of Ordinance 1400F – Regarding Vacant Positions for the Remainder of 2016 – Courthouses

Cid made the motion, seconded by Franklin to approve filling vacant position – 001-3000-18857-001 Evening Janitor – Gary, effective 1-2-17. The majority voted “Yes”. Motion carried 7-0.

In the Matter of Ordinance 1400F – Regarding Vacant Positions for the Remainder of 2016 – Public Defender

Cid made the motion, seconded by Washington to approve filling the vacant position 001-4002-12536-013- Public Defender.

Strong said last week this gentleman was still on the payroll, and asked, is he off right now?

Marvin Smith, Executive Director of the Public Defender’s Office said, he is being transferred into Circuit Court. He is filling the Magistrate’ position, which was previously approved by this Body, this morning.

Strong asked, a different line item?

Marvin answered, yes.

Strong asked, he is off of this one?

Marvin said, he should be off, after payroll runs tomorrow.

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

In the Matter of Ordinance 1400F – Regarding Vacant Positions for the Remainder of 2016 – Elections & Registrations.

Franklin made the motion, seconded by Hamm to approve filling vacant position – 001-2100-16113-002 – Voter Clerk III, retro to 12-12-16. The majority voted “Yes”. Motion carried 7-0.

In the Matter of Ordinance 1400F – Regarding Vacant Positions for the Remainder of 2016 – Circuit Court.

Cid made the motion, seconded by Hamm to approve filling the vacant positions – 001-3800-12542-002 – Magistrate, and 001-3800-16670-001 – Secretary. The majority voted “Yes”. Franklin was “absent”. Motion carried 6-yes, 1-absent.

The newly elected Judge, Judge McDermott was introduced to the Council.

In the Matter of Councilmanic & Citizen Appointment to Lake County Redevelopment Commission

Hamm made the motion to open the nominations.

Hamm made the motion to re-appoint John Brezik to the Lake County Redevelopment Commission.

Dernulc made the motion to close the nominations. Motion to close carried 7-0.

Hamm made the motion, seconded by Cid to re-appoint John Brezik, as the Citizen Appointment to the Lake County Redevelopment Commission. The majority voted “Yes”. Motion carried 7-0.

In the Matter of Councilmanic Appointment – Garner Scholarship Committee (2).

Hamm made the motion to open the nominations.

Hamm nominated Councilwoman Christine Cid, and Councilman Daniel Dernulc to the Garner Scholarship Committee.

Dernulc made the motion to close the nominations. The majority voted “Yes”. Motion to close the nominations carried.

Hamm made the motion, seconded by Washington to approve the nominations. The majority voted "Yes". Motion to re-appoint Cid, and Dernulc to the Garner Scholarship Committee carried 7-0.

In the Matter of Citizen Appointment – Alcohol Beverage Board (1).

Washington made the motion to open the nominations.

Washington nominated Tommy Williams for re-appointment.

Cid made the motion to close the nominations. Motion to close the nominations carried 7-0.

Washington made the motion, seconded by Hamm to approve Tommy Williams to the Alcoholic Beverage Board. The majority voted "Yes". Motion carried 7-0.

In the Matter of Citizen Appointment – Contractor's Licensing Board (HVAC) (1)

Hamm opened the nominations.

Strong nominated George Siemer to the Contractor's Licensing Board – HVAC.

Hamm nominated Bob Hostinsky for re-appointment.

Dernulc made the motion to close the nominations.

The vote for George Siemer was as follows: Dernulc and Strong voted "Yes". Hamm, Franklin, Washington, Cid, and Bilski voted "No". Motion to appoint George Siemer failed 2-yes, 5-no.

The vote for Bob Hostinsky was as follows: Hamm, Franklin, Washington, Cid, and Bilski voted "Yes". Dernulc and Strong voted "No". Motion to appoint Bob Hostinski to the Contractor's Licensing Board – HVAC carried 5-yes, 2-no.

In the Matter of Citizen Appointment – County Property Tax Assessment Board of Appeals (1R).

Dernulc made the motion, seconded by Strong to defer to 1-10-17. The majority voted "Yes". Motion to defer carried 7-0.

In the Matter of Citizen Appointment – County Domestic Violence Fatality Review Team (1 Law Enforcement).

Cid made a motion, seconded by Washington to open the nominations.

Cid nominated Patty Van Til as the Citizen Appointment to the County Domestic Violence Fatality Review Team.

Strong made the motion to close the nominations. The majority voted "Yes". Motion to close the nominations carried 7-0.

Cid made the motion, seconded by Washington to approve Patty Van Til to the County Domestic Violence Fatality Review Team. The majority voted "Yes". Motion carried 7-0.

In the Matter of Citizen Nomination – Economic Development Commission – Town of Merrillville.

Washington opened the nominations.

Washington nominated Gene Ward for re-appointment.

Hamm made the motion to close the nominations. Motion to close carried 7-0.

Washington made the motion, seconded by Hamm to re-appoint Gene Ward, with the term ending 1-31-2021. The majority voted "Yes". Motion carried 7-0.

In the Matter of 2017 Consulting Contract Law Offices of R.L. Szarmach P.C.

Hamm made the motion, seconded by Cid to approve. The majority voted "Yes". Motion carried 7-0.

LAW OFFICE OF RAY L. SZARMACH, P.C.  
CONSULTING CONTRACT

THIS AGREEMENT, entered into this 13th day of December, 2016, effective from January 1, 2017 to December 31, 2017, by and between LAW OFFICE OF RAY L. SZARMACH, P.C., (hereinafter called "Consultant") and the LAKE COUNTY COUNCIL (hereinafter called "Council").

Under the statutory provisions in I.C. 36-2-3-10(a) and I.C. 36-2-3.5-5(b)(2), the COUNCIL has the authority to determine the compensation and duties of a Consultant Attorney (Consultant). The purpose of this Contract is to spell out the duties of the Consultant and to enumerate compensation that is consistent with the Council's authority.

WITNESSETH THAT:

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. Employment of Consultant Attorney.
  - A. In accordance with I.C. 36-2-3-10(a) and I.C. 36-2-3.5-5(b)(2), the LAKE COUNTY COUNCIL as the fiscal and legislative body of Lake County, hereby employs the consulting services of Law Office of Ray L. Szarmach, P.C., 260 E. 90<sup>th</sup> Dr., Merrillville, IN, 46410.
  - B. The Consultant hereby agrees to perform the services for the compensation indicated in this agreement.
  
2. Scope of Fixed Fee Service. The Consultant shall do, perform, and carry out in a good and professional manner the following services in paragraph 2 for the fixed fee of Six Thousand (\$6,000.00) Dollars per month or a total of Seventy-Two Thousand (\$72,000.00) Dollars per year. Consultant will receive an office expense in the amount of Two Thousand (\$2,000.00) Dollars per month:
  - A. Legally advise the Council and/or its departments when requested by the Council of duties and authority.
  - B. Attend all meetings of the Council, and Council committees when requested.
  - C. Prepare opinions, reports and documents for the Council as requested.
  - D. Devote such hours as are necessary for the performance of the obligations of the Consultant as outlined in the fixed fee section of the contract.

- E. The fixed fee payable to the Consultant under this section is payable out of the Legal Services line item in the Council's General Fund Budget or such other line items under the control of the Council. The fee of Six Thousand (\$6,000.00) Dollars shall be paid monthly.
  - F. The office expense payable to the Consultant under this section is payable out of the Legal Services line item in the Council's General Fund Budget or such other line items under the control of the Council. The fee of Two Thousand (\$2,000.00) Dollars shall be paid monthly.
3. Representation in Litigation.
- A. The Consultant shall legally represent or designate a representative for the Council as the County fiscal and legislative body in all possible, potential, threatened and actual litigation to include litigation or threats of litigation against the Council as a political subdivision and in any cases filed by the Council as Plaintiff.
  - B. The Consultant shall exercise his discretion after consultation with the Council in determining who shall represent which defendants in all litigation filed against the County and or Lake County Council.
  - C. The Consultant shall keep the Council up-to-date on all proceedings so as to permit the Council to make informed judgments at action stages in any controversy or litigation.
  - D. The Consultant will act as their lead counsel.
  - E. The amount of a fee for representation for in Court litigation shall be determined by the Council on a case by case basis.
4. Bond Counsel.
- A. The Consultant shall act as local counsel in all proceedings where the Council as the fiscal and legislative body for Lake County are involved in bonding or issuing tax warrants.
  - B. The fees for this service shall be the usual and customary fees applicable to the services rendered by the Consultant in current and bond/warrant fundings undertaken by and/or involving the Council.
5. Time of Performance. The services to be performed hereunder by the Consultant shall be undertaken and completed in such sequence as to assure their expeditious completion and best carry out the purposes of the agreement.

6. Changes. The Council may, from time to time, require changes in the scope of the services of the Consultant to be performed hereunder. Such changes, which are mutually agreed upon by and between the Council and the Consultant, shall be incorporated in a written amendment to this agreement.
7. Termination of Agreement. Either party may terminate this agreement, with or without cause, by giving fourteen (14) days written notice to the other party and specifying the effective date of termination.
8. Accomplishment of Project. The Consultant shall commence, carry on, and complete the project with all practicable dispatch, in a sound economical and efficient manner, in accordance with the provisions thereof and all applicable laws.
9. Provisions Concerning Certain Waivers. Subject to applicable law, any right or remedy which the Council may have under this contract may be waived in writing by the Council by a formal waiver, if, in the judgment of the Council, this contract, as so modified, will still conform to the terms and requirements of pertinent laws.
10. Matters to be Disregarded. The titles of the several sections, subsections, and paragraphs set forth in this contract are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this contract.
11. Completeness of Contract. This contract and any additional or supplemental document or documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this contract or any part thereof shall have any validity or bind any of the parties hereto.
12. Council Not Obligated to Third Parties. The Council shall not be obligated or liable hereunder to any party other than the Consultant.
13. When Rights and Remedies Not Waived. In no event shall the making by the Council of any payment to the Consultant constitute or be construed as a waiver by the Council of any breach of covenant, or any default which may then exist, on the part of the Consultant, and the making of any such payment by the Council while any such breach or default shall exist in no way impair or prejudice any right or remedy available to the Council in

respect to such breach or default.

14. Personnel. The Consultant represents that he has, secured at his own expense, all staff, office equipment and facility required in performing the services under this agreement. Such personnel shall not be employees of or have any contractual relationship with the Council. All of the services required hereunder will be performed by the Consultant or under his supervision, and all personnel engaged in the work shall be fully qualified to perform such services.
15. Equal Opportunity and Affirmative Action. The Consultant agrees by the execution of this contract that in regards to its operations:
  - A. No person shall, on the grounds of race, color, national origin or sex, be excluded from participation, be denied the benefits of, or be subject to discrimination.
  - B. The principles of equal opportunity in employment and delivery of services are applicable and commits to a policy and practice of nondiscrimination and affirmative action based upon age, military service, ancestry, color, national origin, physical handicap, political affiliation, race, religion and sex.
  - C. The provisions of the Affirmative Action Program adopted by the Council and Board of Commissioners of the County of Lake on May 31, 1977, as applicable are incorporated by reference as part of this agreement.
  - D. The provisions of all Federal Civil Rights laws and the Indiana Civil Rights Law as applicable are incorporated by reference as part of this agreement.
  - E. Breach of any of the equal opportunity and/or nondiscrimination provisions of the agreement remedy available to the Council in respect to such breach or default.
  - F. Where applicable, nondiscriminatory clauses and affirmative action clauses shall be made a part of any agreement, contract or lease between the Consultant and any organization, corporation, subcontractor or other legal entity that benefits from the funds paid to the Consultant by this agreement.
16. Miscellaneous Provisions.
  - A. This agreement represents the entire understanding between the parties, and modifications of this agreement shall not be effective unless reduced to writing and signed by both parties. In the event any portion of portions of this agreement are found to be void and

- voidable portions; these portions shall be stricken and the remaining portions enforced;
- B. Consultant may not subcontract any part of the work covered herein without the prior written consent of the Council.
  - C. The Consultant is personally responsible for paying any fines or sanction penalties which any Judge or Administration Board orders the Consultant personally to pay because of the actions of the Council Consultant in violating applicable procedural rules, the rules of professional conduct, and/or the rules of the administrative board. These sums will not be reimbursed by the Council, or any of its elected or appointed officials or employees.
  - D. The Consultant shall be deemed an independent contractor and not an employee of the Council, and shall not file any claim under Workers Compensation or Occupation Disease against the Council for any injury or disease arising from the performance of this contract.
  - E. Any dispute arising under this consulting contract shall be submitted to binding arbitration as the sole and exclusive remedy of either party.
17. Notice. Any notice, bills, invoices, or reports required by this agreement shall be sufficient if sent by the parties in the United States mail, postage paid, to the addresses noted below:
- |   |  |
|---|--|
| Law Office of Ray L. Szarmach, P.C.<br>Attorney at Law<br>260 E. 90 <sup>th</sup> Dr.<br>Merrillville, IN 46410 | Lake County Council<br>2293 N. Main St.<br>Crown Point, IN 46307 |
|---|--|
18. Conflict of Interest. The following provisions of Lake County Council Ordinance No. 1356C are incorporated as part of this contract.
- A. The Council has the right to prohibit activity it deems in conflict of interest with Council's employment. Activities are to be monitored by the official. (Ord. 1356C, passed 1-8-13).
  - B. Neither Council employee whose job description included the provision of legal services nor any person, partnership or corporation of any type, acting as a contract agent to provide legal services for the Council, its elected officials, its appointed officials, employees, departments, agencies or agents shall represent any person, partnership or corporation of any type in any manner in or out of court in a proceeding, claim, or action where the legal

- services provided for the client seeking in part legal redress against the Council or Lake County Government, its elected officials, its appointed officials, employees, departments, agencies or agents.
- C. The prohibition against legal representation outlined in the paragraph above shall be placed in all Council contracts for legal services. If the restriction on legal representation is violated, the contract with the Council shall be null and void and any monies paid under the contract after the violation shall be deemed unearned and shall be repaid to the Council with eight (8%) percent interest.

19. Information Availability.

- A. Information that is the property of the Lake County Council shall be made available in accordance with the Indiana Open Records Law, I.C. 5-15-5.1-1, *et. seq.*
- B. The Council members recognize and acknowledge that in the course of performing the services provided hereunder it may have access to certain confidential or proprietary information of Consultant and Consultant's business and computer operations. The Council members hereby agree that it will not, at any time during or after the term of this agreement disclose any such confidential or proprietary information to any person unless required by law or upon obtaining the prior written consent of Consultant.

20. E-Verification.

- A. I.C. 22-5-1.7 Chapter 1.7, Public Contract Services, Business Entities; Unauthorized Aliens.
- B. I.C. 22-5-1.7-2 "Contractor" as used in this chapter, "contractor" means a person that has or is attempting to enter into a public contract for services with a state agency or political subdivision.
- C. I.C. 22-5-1.7-3 "E-Verify program" as used in this chapter, "E-Verify program" means the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (P.L. 104-208), Division C, Title IV'S 403(a), as amended, operated by the United States Department of Homeland Security or a successor work authorization program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work authorization status of newly hired employees under the Immigration Reform and Control.
- D. I.C. 22-5-1.7-4 "Person" as used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership,

- or another legal entity.
- E. I.C. 22-5-1.7-5 "Political subdivision" as used in this chapter, "political subdivision" has the meaning set forth in I.C. 36-1-2-13.
  - F. I.C. 22-5-1.7-6 "Political contract for services" as used in this chapter, "public contract for services" means any type of agreement between a state agency or a political subdivision and a contractor for the procurement of services.
  - G. I.C. 22-5-1.7-0 "Unauthorized alien" as used in this chapter, "authorized alien" has the meaning set forth in 8 U.S.C. 1324a(h)(3).
  - H. I.C. 22-5-1.7-11 Contractors with public contract for services required to use E-Verify program; business entities that receive certain grants required to use E-Verify program Sec. 11. (a) This subsection applies only to a public contract for services entered into re renewed after June 30, 2011. A state agency or political subdivision may not enter into or renew a public contract for services with a contractor unless:
    - 1. The public contract contains:
      - A. A provision requiring the contract to enroll in and verify the work eligibility status of all newly hired employees of the contractor through the E-Verify program; and
      - B. A provision that provides that a contract is not required to verify the work eligibility status of all newly hired employees of the contractor through the E-Verify program if the E-Verify program no longer exists; and
    - 2. The contractor signs and affidavit affirming that the contractor does not knowingly employ an unauthorized alien.
  - (b) A state agency or political subdivision may not award a grant of more than One Thousand (\$1,000.00) Dollars to a business entity unless the business entity:
    - 1. Signs a sworn affidavit that affirms that the business entity has enrolled and is participating in the E-Verify program;
    - 2. Provides documentation to the state agency or political subdivision that the business entity has enrolled and is participating in the E-Verify program; and
    - 3. Signs an affidavit affirming that the business entity does not knowingly employ an unauthorized alien.
  - I. I.C. 22-5-1.7-15 Certification by subcontractor. If a

contractor uses a subcontractor to provide services for work the contractor is performing under a public contract for services, the subcontractor shall certify to the contractor in a manner consistent with federal law that the subcontractor, at the time of certification:

- 1. Does not knowingly employ or contract with an unauthorized alien;
- 2. Has enrolled and is participating in the E-Verify program.

J. Affidavit by contractor. By execution of this contract I swear under the penalties of perjury that my company does not knowingly employ an unauthorized alien.

21. I hereby certify that I am not engaged in investment activities in Iran per I.C. 5-22-16.5-13.

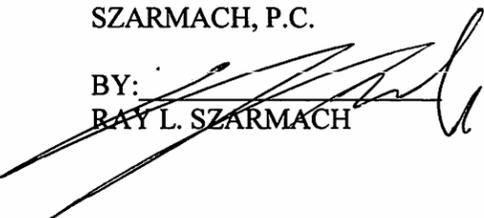
IN WITNESS WHEREOF, the Council and the Consultant have executed this Agreement as of the date first written above.

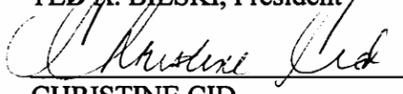
LAKE COUNTY COUNCIL

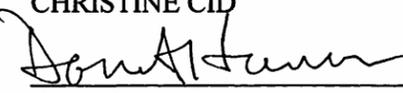
CONSULTANT ATTORNEY

LAW OFFICE OF RAY L. SZARMACH, P.C.

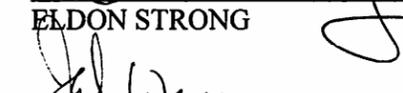
  
TED A. BIESKI, President

BY:   
RAY L. SZARMACH

  
CHRISTINE CID

  
DAVID HAMM

  
ELDON STRONG

  
JAMAL WASHINGTON

  
DANIEL E. DERNULC

  
ELSIE FRANKLIN

In the Matter of Resolution Honoring Andean High School Girls Soccer Team – IHSA Class A State Champions.

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

Commissioner Scheub presented the team with a Resolution on behalf of the Board of Commissioners. He said it was on their official record of November 16, 2016, congratulating Andean, for the great job they have done. Commissioner Scheub said, we are so proud of you.

Certificates were given to each member of the team.

**RESOLUTION NO. 16-94**

**RESOLUTION HONORING ANDREAN  
HIGH SCHOOL GIRLS SOCCER TEAM,  
IHSAA CLASS A STATE CHAMPIONS**

- WHEREAS,** students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and
- WHEREAS,** Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and
- WHEREAS,** Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and
- WHEREAS,** Andrean High School Girls Soccer Team, won the School's first State Title by capturing the IHSAA Class A Soccer Championship, with a 2-0 victory over Lawrenceburg on October 29, 2016 at Carroll Stadium in Indianapolis, becoming the first girls soccer team from the Region to win a title.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Lake County Council, and all citizens of Lake County who are represented by this august body, extend congratulations and praise to the students, teachers, coaches and trainers but most particularly to the young women of the Andrean High School Soccer Team, the IHSAA Class A Soccer State Champions; and that a copy of this Resolution be spread on the official records of the Lake County Council and an official copy be delivered to the Andrean High School Girls Soccer Team.

**DATED THIS 13th day of December, 2016.**

 CHRISTINE CID	 TED F. BILSKI, President	 ELSIE FRANKLIN
 DANIEL E. DERNULC		 ELDON STRONG
 JAMAL WASHINGTON		 DAVID HAMM

Members of the Lake County Council

In the Matter of Resolution Honoring Hanna Sarosy – Andrean High School Senior, IHSAA Girls High School Soccer Class A Mental Attitude Award Winner.

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

A certificate was also presented to Hanna Sarosy as well.

Commissioner Scheub also presented Hanna Sarosy a Resolution for the Mental Attitude Award, on behalf of the Board of Commissioners.

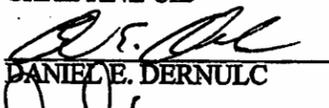
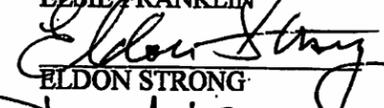
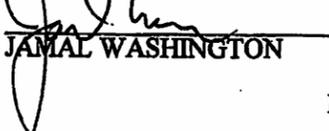
**RESOLUTION NO. 16-95**

**RESOLUTION HONORING ANDREAN HIGH SCHOOL  
SENIOR HANNA SAROSY,  
IHSAA GIRLS HIGH SCHOOL SOCCER  
CLASS A MENTAL ATTITUDE AWARD WINNER**

- WHEREAS,** students and professional athletes nurtured and trained in Lake County, Indiana, have consistently shown excellence in all sporting endeavors; and
- WHEREAS,** Lake County has generously sent forth its spirited and athletic youth to compete with other youths of this state and of every country and nation of this world; and
- WHEREAS,** Lake County is justly proud of its son and daughters who have so willingly taken upon themselves the hardships and disciplines, both physical and mental, which successful participation in sporting events demands; and
- WHEREAS,** Andrean High School Senior HANNA SAROSY, a midfielder for Andrean High School's Girls Soccer Team was named the IHSAA Class A Mental Attitude Award winner; she became the first soccer player, girl or boy from Northwest Indiana to win the award.

**NOW, THEREFORE, LET IT BE RESOLVED** that the Lake County Council, and all citizens of Lake County extend congratulations and praise to HANNA SAROSY for receiving the IHSAA Class A Mental Attitude Award at the Class A Soccer State Championship; and that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to HANNA SAROSY.

DULY ADOPTED by the Lake County Council, this 13th day of December, 2016.

 <hr/> CHRISTINE CID	 <hr/> TED F. BILSKI, President	 <hr/> ELSIE FRANKLIN
 <hr/> DANIEL E. DERNULC		 <hr/> ELDON STRONG
 <hr/> JAMAL WASHINGTON		 <hr/> DAVID HAMM

Members of the Lake County Council

In the Matter of Resolution Honoring Lake County Commissioner Gerry Scheub.

Cid made the motion, seconded by Franklin to approve. The majority voted "Yes".

Councilwoman Franklin said that Commissioner Scheub has been a great friend, a great public leader, and she is going to miss him very much. She said that he as always been a person who did his job with grace and dignity. He worked with the people that were serving under him, or around him.

Hamm said that Commissioner Scheub has been a great friend, and mentor for years before he ever stepped on this Council. He said that Commissioner Scheub will be dearly missed.

Washington said that Commissioner Scheub is a man's man. He told Commissioner Scheub that he appreciates everything that he does. He is a man of his word. He has served not only his community, but has served all of Lake County for the betterment. He said he appreciates everything that Commissioner Scheub has done for our community.

Dernulc said he got to know Commissioner Scheub while serving on the Solid Waste Board. He said that when he became a Councilman six years ago, Commissioner Scheub was one of the first people to congratulate him, and that is something that Dernulc said, he will always remember. He said his district overlaps Commissioner Scheub's district, and it's been a great team effort between Commissioner Scheub, and himself. Dernulc thanked Commissioner Scheub for all of the great service that he has done for our County, and our State.

Strong said he got to know Commissioner Scheub when Strong was a Township Trustee. He said that Commissioner Scheub gave him some good advice then, and he still remembers that to this day. He said since he has been on the Lake County Council, he and Commissioner Scheub have shared the same district, for the most part. He said you have taught me more things here. Strong said I can say, "you and I may belong to different political parties, we both come together, and we have one thing in common, and that is we represent our districts, and you have done that tremendously, and Strong said, he isn't shy to tell anybody that. He said Commissioner Scheub has done so much for our Seventh District. Strong said, "I am going to miss you, I am going to miss your advice, and I hope we can still get together, and I am going to still seek your advice." Strong said, "thank you for everything that you've done for this County".

Cid said she that she loves the way that Commissioner Scheub stands up for his constituents, no matter your party. You do what's right, by them, and that's what a public leader is supposed to do. Cid said she admires him for that, she has learned a lot from him, and she considers Commissioner Scheub a friend, not just a co-worker. Cid said to Commissioner Scheub, thank you for your service.

Bilski said he can't say enough, whether it's from his position as President of the Teamster's Union, working alongside organized labor, your entire political career, as well as the times working with Bilski when he first came on the Council, whether it was the Planning Commission, Contractor's Licensing Board, with meetings at 7am on a Friday. Bilski said Commissioner Scheub has always been there, and when he thinks of Gerry Scheub, he thinks of one thing, that is the embodiment of the word, "public servant", and he thinks that says it all right there. He said he hopes to see Commissioner Scheub more, on the golf course now.

Motion to approve carried 7-0.

Commissioner Scheub thanked the Council, and said politics seems to age you fast, because it's forever. You are campaigning, running, servicing, your family, and you become a family here with public servants, and these are public servants here. Commissioner Scheub said, this Council, going back, as far as he remembers had one goal, and that was to reduce the taxes for the taxpayers of Lake County, and make it more professional, and Commissioner Scheub said, he thinks they have accomplished so much with the Commissioners and the Council, and the elected officials.

Commissioner Scheub said, our tax rate is 40% less, every year. On the County portion of your taxes, because of the efforts put by the County Commissioners, and County Council. \$105 Million dollars less, every year for ever, that we saved, because we were right, and the State, and Federal Government were wrong. He said, that's what we do, we are public servants, we are labeled as politicians, a "nasty word", and he despises it". But unfortunately, it's a label that we have, but we are public servants. Commissioner Scheub said he is going to miss it tremendously.

**RESOLUTION NO. 16-96**

**RESOLUTION HONORING LAKE COUNTY  
COMMISSIONER GERRY SCHEUB**

- WHEREAS,** Lake County Commissioner GERRY SCHEUB is an outstanding citizen of Lake County, Indiana; and
- WHEREAS,** Lake County Commissioner GERRY SCHEUB has served the people of Lake County with distinction as Lake County Commissioner for the Second District for 20 years, as St. John Township Trustee for 20 years, and represented the County on several boards; and
- WHEREAS,** Commissioner GERRY SCHEUB'S door was always open; many times he took his own phone calls, gave out his cell number freely and never let a constituent's political preference get in the way of helping someone if they needed it; as a hands on leader he assisted South County residents by filling sand bags and monitored pumps on a dike; and
- WHEREAS,** Commissioner GERRY SCHEUB lead the charge from the Executive branch of County Government in lobbying legislators for the removal of the HCI and Family & Children (Welfare) levy from local property tax rolls; and
- WHEREAS,** Commissioner GERRY SCHEUB commanded the respect of all who know him for his dedication, integrity, hard-work and an exemplary government leader; and
- WHEREAS,** Commissioner GERRY SCHEUB is an outstanding civic and community leader, recognized as such by all who work with him in his own region, in the State of Indiana, and in national affairs; and
- WHEREAS,** Commissioner GERRY SCHEUB demonstrates in his life and his relations with fellow human beings the highest of ideals and personal commitment to his God and to the betterment of all mankind.

NOW, THEREFORE, LET IT BE RESOLVED THAT:

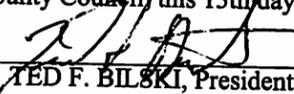
The Lake County Council in recognition of the meritorious service to the citizens of Lake County honors GERRY SCHEUB as a true humanitarian who exemplifies democratic principles, selflessness and hard work; and that a copy of this Resolution be spread on the official records of the Lake County Council, and an official copy be delivered to Commissioner GERRY SCHEUB.

DULY ADOPTED by the Lake County Council, this 13th day of December, 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 Resolution To Approve Temporary Loan of \$1,500,000.00 from the Lake County Parks & Recreation Board's Bond Fund, No. 353, Non-Reverting Self Insurance Fund, No. 109 and Non-Reverting Land Fund, No. 116, to the Lake County Parks and Recreation Board's Operating Fund, Fund No. 107 and Non-Reverting Operating Fund, No. 117.

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

**RESOLUTION NO. 16-97****RESOLUTION TO APPROVE TEMPORARY LOAN OF \$1,500,000.00  
FROM THE LAKE COUNTY PARKS AND RECREATION BOARD'S  
BOND FUND, NO. 353, NON-REVERTING SELF INSURANCE FUND, NO. 109  
AND NON-REVERTING LAND FUND, NO. 116,  
TO THE LAKE COUNTY PARKS AND  
RECREATION BOARD'S OPERATING FUND, FUND NO. 107  
AND NON-REVERTING OPERATING FUND, NO. 117**

**WHEREAS**, I.C. 36-1-8-4(a) provides that the Lake County Council by Resolution may permit the transfer of money for a prescribed period of time, to end at the end of the budget year, to a fund in need of money for cash flow purposes from another fund with sufficient money on deposit in the County; and

**WHEREAS**, the Lake County Parks and Recreation Board has reported that there will be insufficient funds in the Park and Recreation Board's Operating Fund, Fund No. 107 and Non-Reverting Operating Fund, Fund No. 117, to meet the Lake County Parks and Recreation Board's current Park Budget for operating; and

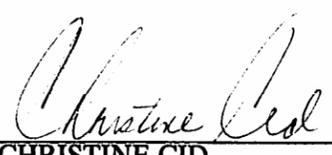
**WHEREAS**, the Lake County Parks and Recreation Board's Bond Fund, No. 353, Non-Reverting Self Insurance Fund, Fund No. 109 and Non-Reverting Land Fund, Fund No. 116, has on hand a surplus of cash exceeding by at least the amount to be loaned and sum of all amounts required to pay the current and anticipated expenses of the Lake County Park and Recreation Board; and

**WHEREAS**, on November 10, 2016, the Parks and Recreation Board of the County of Lake adopted Resolution No. 2016-11 approving a loan of \$1,500,000.00 from the Lake County Parks and Recreation Board's Bond Fund, No. 353, Non-Reverting Self Insurance Fund, Fund No. 109 and Non-Reverting Land Fund, Fund No. 116 to the Lake County Parks and Recreation Board's Operating Fund, No. 107 and Non-Reverting Operating Fund, Fund No. 117.

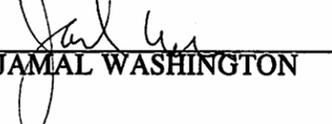
**NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:**

That the sum of \$1,500,000.00 be loaned from the Lake County Park and Recreation Board's Bond Fund, No. 353, Non-Reverting Self Insurance Fund, Fund No. 109 and Non-Reverting Land Fund, Fund No. 116 for the payment of current and anticipated expenses of the Lake County Park and Recreation Board's Operating Fund, Fund No. 107 and Non-Reverting Operating Fund, Fund No. 117. Said loan shall bear no interest and shall be repaid to said Lake County Park and Recreation Board's Bond Fund, No. 353, Non-Reverting Self Insurance Fund, Fund No. 109 and Non-Reverting Land Fund, Fund No. 116, on or before thirty (30) days after the last day for payment of taxes levied and in process of collections during the year 2017; and in no event to exceed December 31, 2017.

SO RESOLVED THIS 13th DAY OF DECEMBER, 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 Resolution Approving Lake County Parks & Recreation Board's Transfer of \$140,102.26 from Parks & Recreation Fund, Fund 107 to County General Fund, No. 001

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

**RESOLUTION NO. 16-98**

**RESOLUTION TO APPROVE LAKE COUNTY PARKS AND RECREATION BOARD'S TRANSFER OF \$140,102.26 FROM PARKS & RECREATION FUND, FUND NO. 107 TO COUNTY GENERAL FUND, FUND NO. 001**

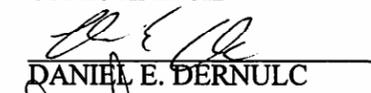
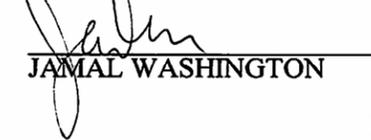
**WHEREAS,** the Lake County Council by Resolution may permit the transfer to a fund from another fund with sufficient money on deposit in the County; and

**WHEREAS,** the Lake County Parks and Recreation Board has requested the following cash transfer of \$140,102.26 from Parks & Recreation Fund, Fund No. 107 to County General Fund, Fund No. 001 for reimbursement of a previous expenditure.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That pursuant to the Lake County Parks and Recreation Board's request the cash transfer of \$140,102.26 from Parks & Recreation Fund, Fund No. 107 to the County General Fund, Fund No. 001 for reimbursement of a previous expenditure is approved.

SO RESOLVED THIS 13<sup>TH</sup> DAY OF DECEMBER, 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 Resolution Permitting the Board Of Commissioners to pay 2013, 2014 and 2015 invoices from the 2016 budget in the amount of \$106,969.91 – 001-2900-41250 Unemployment Comp Deduction.

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

**RESOLUTION NO. 16-99**

**RESOLUTION PERMITTING THE LAKE COUNTY  
COMMISSIONERS TO PAY OUTSTANDING  
2013, 2014 AND 2015 INVOICES/DEBTS FROM THE 2016 BUDGET**

**WHEREAS,** the Lake County Commissioners are currently operating in the 2016 Budget; and

**WHEREAS,** the following invoices/debts incurred in the Budget years of 2013, 2014 and 2015, have not been paid:

<u>001-2900-41250</u>	<u>Unemployment Compensation</u>
Indiana Dept. Of	
Workforce Development	\$ 106,969.91; and

**WHEREAS,** the Lake County Council desires to pay the above invoices/debts due.

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

That the following 2013, 2014 and 2015 expenses shall be paid from the Lake County Commissioners' 2016 Budget:

<u>001-2900-41250</u>	<u>Unemployment Compensation</u>
Indiana Dept. Of	
Workforce Development	\$ 106,969.91

SO RESOLVED THIS 13th day of December, 2016.

 CHRISTINE CID	 TED F. BILSKI, President	 ELSIE FRANKLIN
 DANIEL E. DERNULC		 ELDON STRONG
 JAMAL WASHINGTON		 DAVID HAMM

Members of the Lake County Council

In the Matter of Ordinance for Lake County Sheriff's Department Off-Duty Employment

Hamm made the motion, seconded by Cid to defer to 1-10-17. The majority voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Establishing Mileage Rate Ordinance for 2017

Hamm made the motion, seconded by Cid to defer to 1-10-17. The majority voted "Yes". Motion to defer carried 7-0.

In the Matter of Ordinance Regarding Vacant Positions for 2017.

Cid made the motion, seconded by Franklin to approve on First Reading.

Attorney Szarmach said that there is one more change that was added by Christine and Eldon. He said on the second page of the Ordinance, there is a paragraph 5, which states: " A vacancy cannot be filled under

this Ordinance until the employee leaving the position, and thereby creating the vacant position, has received all salary and benefits due for the salary line item appropriated to pay these costs.”

Attorney Szarmach said, that’s an amendment from the first one.

Bilski said, that means that all of their defined benefit plan is paid out, and a regular re-computed question by every member on this Council, that when they fill a position, that the Ordinance now says that they can’t fill the position unless all of the defined benefit time has been paid out to that employee.

Hamm asked, does it mean that if an Official has an open position, and those benefits are paid up, can that Official fill that position without coming back to us?

Attorney Szarmach answered, no. But he can fill it, even though you give him permission to fill it, he can’t fill it until those (inaudible) run out.

Cid asked, isn’t that in our policy that you can’t hire, until that position, all the payroll has been exhausted?

Bilski said, I think regardless, if there is this hiring slowdown, or not, that it has always been our policy, that we don’t allow a department head to fill that position until all of the fine benefit time is paid.

Cid said, then we are paying double.

Bilski said, well, you’re not supposed to, but it has happened a couple of times.

Cid asked Blanchard, when does someone’s insurance end? If they are still on the payroll, are they still on the insurance?

Blanchard said, yes. When they are terminated, they are off the insurance.

Blanchard is speaking, but it is (inaudible).

Bilski wanted to make sure he understood what Councilwoman Cid said.

Bilski repeated, if the employee is terminated, for whatever reason, retirement, whatever... their insurance benefit, is it a weekly benefit, or does it expire at the end of the month?

Ajaz said, it stops on their termination date.

Bilski asked, on the actual date, even if it’s on a Wednesday in the middle of the week...

Ajaz said the termination date goes on the...

Bilski asked, it’s not weekly? You work one day into the week, it doesn’t pay for that week?

Ajaz said no, it’s daily.

Bilski said, so it’s actually daily. Okay.

Hamm said, this is a hiring freeze for 2017.

Bilski said, yes, it doesn’t change the fact of the hiring freeze, this is just adding an additional to that about when they can.

Attorney Szarmach said, this is First Reading on this right now, this is for 2017, exactly the same as 2016, except I put in there, because the request was made to me to put in there. It just clarifies...

Cid asked, do you need me to amend, or this is part of my motion?

Attorney Szarmach said, this is part of your motion.

Dernulc said, before we do that, I was sent this a couple of days ago, and I want to hear more. I would like to talk about this in a study session.

Strong said, this is the same thing we did in 2016.

Bilski said, the only thing added to this, is it clarifies that that department head cannot replace that position until all of the fine benefits are paid out to that employee.

Hamm said, we are leaving out the part that it’s a hiring freeze for the whole year.

Bilski said, it is a hiring freeze for 2017, identical with the exception of defining that a person can't be hired unless all of the defined benefits are paid off.

Attorney Szarmach said, that has been the policy, except this makes it nice and clear.

Bilski said if you don't like the hiring freeze, and you don't want to continue it in 2017, then you would vote "no", against this Ordinance. If you are in favor of the hiring freeze, then you would vote "Yes". The only addition to this is that we've had it on there that the difference between 2016, and 2017 is going to be the define benefit time has to be paid off, which was added on.

Dernulc said, if we do this, I would want to have one reading today.

Hamm used the Clerk for an example. Hamm said we budgeted a certain amount of people for his office. As soon as those benefits, and vacation time is up, Hamm said, I don't think he should have to come back to us, to ask, "can I hire somebody"? Hamm said, we put it in the budget for it. Hamm said that's just my opinion.

Franklin said I think what we also need to include in the mandate, most of the officeholders don't require their staff to right away, take the time they allow them to build up too much time, so at the end of their tenure, they have all of that money, and those days banked, so that's something else that needs to be looked at.

Bilski said I agree wholeheartedly, and I think, especially with the Courts, and I would say that, if we allow it, then we some wellness programs on sick days, allow them to bank, and we use it as a one-time buyout, and budget for that buyout, so a person through their entire career, a lot of Cities and Towns put caps on it, and you can bank maybe 14, just using a number, of your sick days, and upon retirement, you can sell them back, some sell them at 80%, some sell back at 100%, and Bilski said he thinks that would be addressed in our personnel policy, that we can address in 2017.

Bilski said, this vote today is strictly, do you want to continue the hiring freeze for 2017. He said he hates using that term because it's anything but a freeze.

Dernulc said I don't want to micro-manage departments, that's a concern. Let them be able to hire, if it's in their budget.

Strong said, "I don't think it's micro-managing, then asked Dante, how much have we saved by doing this in 2016, ballpark figure?"

Dante answered, close to \$200,000 dollars. He said, he will know in about 2 weeks.

Strong said, if that means that a department head has to come up to us to fill a position, \$200,000 dollars, I'm okay with that.

Bilski asked when was this Ordinance implemented?

Dante answered, in September.

Bilski said, so we are looking at about a \$200,000 dollars in savings in a four month period.

Strong said I think we are being fiscally responsible to the taxpayers.

Dernulc said I'm not denying that, but I think we should talk this more.

Cid said, this is a cost savings measure. Some believe that is was done to put monies aside in case we went with a pay range policy, but I believe that Ordinance doesn't demand that it be used for that. It can also be used for a variety of things, so if we later down the road, we want to give pay raises to employees, there may be money to do that there, or if we are in need of a new position somewhere, that money will be there for that, so it's a cost saving measure, Cid said she thinks we should approve it, we are adding to make it more "tight", and clarify it, and I'd like to see it move forward. Cid said she would like to see it on Second Reading because we should start January out, the right way.

Strong said he supports that wholeheartedly. Washington said he agrees wholeheartedly, with what Cid said as well.

Mike Brown, Clerk said he totally respects all of the decisions that the Council makes. He has served as Clerk during the last period when we had the freeze. He said we worked with that as well.

Mr. Brown wanted to explain that when a person is terminated, or leaves, payroll will not accept another person in that position, until that person is totally paid out. That's the first part. The second part is, as far as benefits, a person has a 90 day window, that they are on probation. They won't receive the health benefits until after that 90-day period. It's not a healthcare issue, so for those 90 days, while that person is

in that full-time position, they do not receive those health benefits, and they are on a probationary period, and if they don't get past the 90 days, they don't receive the full-time job, they either go back to part-time, or they leave.

Mike Brown, Clerk, said, he is not against whatever the Council wants to do, he supports whether you pass it, or not, he is going to be fiscally responsible, from the Clerk' perspective. We've done it before, and if that's what the Council wants to do, I just wanted you to get some insight as to how we deal with it, when a person leaves. Payroll will not accept it, until everything is totally paid out, at that particular time.

Cid said she thinks payroll is doing just the opposite.

Clerk, Mike Brown said, not in my case.

Cid said, maybe not in your department, but they are allowing someone, when that person is still... So this clarifies it.

Mike Brown said from my perspective, I agree to disagree with you, but from the Clerk's Office perspective, we make absolutely sure that person is totally paid out, before that position is filled, it's a 90-day period, they are on Probation, they do not receive any health benefits until after they've passed that Probationary period.

Franklin said she would like to have someone have a workshop with the timekeepers, in each department, to explain this. She said especially when it comes down to those positions that are under the State and Federal laws.

Bilski said, those are excluded out of the Ordinance.

Franklin said, I understand that they are excluded, what I am saying is, to make sure that those department heads have a meeting, and make sure that they understand the procedure, as it relates to these particular employees, and those that she is speaking of in the Ordinance are in items "b", to "g". They need to understand the procedure, when they are doing payroll because they get this confused, and they need to understand it.

Bilski said, they are supposed to get their directions from payroll, and he thinks that payroll should be working with all new hiree's that come into that capacity of clerk, and maybe we need to send a memorandum from the Council, making sure that they are very clear on how this functions, and run it through the Auditor's Department, as well as the 90-day define benefits, it's all spelled out in the personnel policy.

Bilski said he thinks what Councilwoman Cid said has a lot of merit, he believes that it happened in the Courts, and that's where all of the defined benefit time had been built up, and he thinks that is exactly what Councilwoman Franklin said that, a special study session, or maybe a committee to review on how defined benefit time is occurred, and paid off, to be formed in January/2017, strictly just to address, and do something for them. Bilski said, we want them to show up to work, we want employees not to implement their sick time, and not to use sick time as a defined vacation time, so if they are allowed to bank more, and save it to retire, with a lump sum payout, that's a great benefit. We get the people to show up for work, instead of leaving, and then it's an incentive for them, they may get 2 weeks when they retire, or whatever, they would have that 2-week check waiting for them to be paid out on that date, so Bilski said he agrees, that that needs to be looked into.

The majority voted "Yes". Hamm voted "No". Motion to approve on First Reading carried 6-yes, 1-no.

Strong made the motion, seconded by Cid to Suspend Rules. Hamm voted "No". Motion to Suspend Rules failed 1-no, 6-yes. First Reading Only.

Cid asked Attorney Szarmach if this matter could be place on our Executive meeting agenda?

Attorney Szarmach answered, no, you would have to advertise for a Special Session, which we could do. You can do it anytime, with the proper notice. A 48-hour notice, and is has to be in the newspaper once, before that.

In the Matter of Ordinance Adopting Uniform Internal Control Standards and Materiality Policy for Lake County, IN. – Second Reading.

Hamm made the motion, seconded by Strong to approve on Second Reading. The majority voted "Yes". Motion carried 7-0.

ORDINANCE NO. 1403AORDINANCE ADOPTING UNIFORM INTERNAL CONTROL  
STANDARDS AND MATERIALITY POLICY FOR LAKE COUNTY, INDIANA

- WHEREAS,** I.C. 5-11-1-27 requires each political subdivision to maintain a system of uniform internal control standards in order to promote accountability and transparency; and
- WHEREAS,** in September 2015 pursuant to I.C. 5-11-1-27(e) the Indiana State Board of Accounts developed and published the Uniform Internal Control Standards for Indiana Political Subdivisions in order to provide the basis of common understanding to assist public sector managers in complying with the internal control requirements; and
- WHEREAS,** the Uniform Internal Control Standards for Indiana Political Subdivisions Manual is available on the government website at [www.in.gov/sboa](http://www.in.gov/sboa) and contains the acceptable minimum level of internal control standards; and
- WHEREAS,** pursuant to I.C. 5-11-1-27(g) after June 30, 2016 all Indiana Political Subdivisions must develop local policies regarding uniform internal control standards and ensure that personnel receive training on internal controls; and
- WHEREAS,** I.C. 5-11-1-27( c) defines personnel as an officer or employee of a political subdivision whose official duties include receiving processing, depositing, disbursing, or otherwise having access to funds that belong to the federal government, state government, a political subdivision, or another governmental entity; and
- WHEREAS,** the Lake County Council finds that the County's policy regarding internal controls should be the internal control standards as set forth by the Indiana State Board of Accounts Uniform Internal Control Standards for Indiana Political Subdivisions Manual; and
- WHEREAS,** the fiscal officer of the County is the Auditor and pursuant to the Uniform Internal Control Standards for Indiana Political Subdivisions, the fiscal officer shall certify in writing that the Uniform Internal Control Standards have been adopted; and
- WHEREAS,** the Uniform Internal Control Standards require and mandate that the legislative body ensures that personnel as defined in I.C. 5-11-1-27 shall receive training concerning the Uniform Internal Control Standards for Indiana Political Subdivisions and that the Auditor as the fiscal officer shall certify in writing that the personnel as defined by statute have received the required training.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

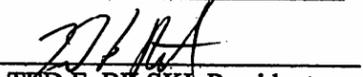
1. That the above recitations are adopted as findings by the County Council;
2. That it is further ordered and determined that Lake County hereby adopts as policy the internal control standards as set forth by the Indiana State Board of Accounts Uniform Internal Control Standards for Indiana Political Subdivisions Manual as expressly written and published by the Indiana State Board of Accounts in September, 2015, and as amended from time to time;
3. That it is further ordained that at the time of the annual financial report for Lake County, Indiana, is electronically filed, the Auditor as fiscal officer of Lake County shall certify in writing that the Uniform Internal Control Standards for Indiana Political Subdivisions have been adopted and shall certify that the personnel have been trained as required by law;
4. That it is further ordained that the Lake County Indiana Materiality Policy, (Exhibit A) is incorporated herein, and shall be in full force and effect upon adoption of this Ordinance.
5. That this Ordinance shall be in full force and effect from and after its passage and compliance with the procedures required by law;
6. That it is further ordained that any ordinances inconsistent or in conflict with the terms of this Ordinance are of no further force and effect and are specifically repealed.

SO ORDAINED THIS 13th DAY OF December, 2016.

  
CHRISTINE CID

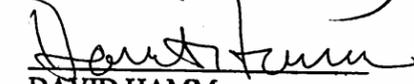
  
DANIEL E. DERNULC

  
JAMAL WASHINGTON

  
TED F. BILSKI, President

  
ELSIE FRANKLIN

  
ELDON STRONG

  
DAVID HAMM

Members of the Lake County Council

**Lake County, Indiana  
Materiality Policy****Background**

Indiana State Board of Accounts (SBOA), State Examiner Directive 2015-6 requires each political subdivision to develop their own policy on materiality for reporting erroneous or irregular variances, losses, shortages, and thefts.

**Indiana Code § 5-11-1-27(f) States:**

All erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the SBOA. For all material variances, losses, shortages, or thefts, the SBOA shall:

1. determine the amount of funds involved and report the amount to the appropriate government and law enforcement officials;
2. determine the internal control weakness that contributed to or caused the condition; and
3. make written recommendations to the appropriate legislative body or appropriate official overseeing the internal control system addressing the:
  - A. method of correcting the condition; and
  - B. Necessary internal control policies and internal control procedures that must be modified to prevent a recurrence of the condition.

The County acknowledges its responsibility under Indiana Code § 5-11-1-27(f), which requires public officials who have actual knowledge of or reasonable cause to believe that there has been a misappropriation of public funds to immediately send written notice of the misappropriation to the SBOA and the prosecuting attorney. There is no materiality threshold applicable to Indiana Code § 5-11-1-27(f).

**Materiality Policy:** Lake County (County) has developed the following Materiality Policy to address the State Examiner Directive as follows:

- 1) **Designation of point person(s)/position** – All erroneous or irregular variances, losses, shortages, or thefts of funds or property either owned or held in trust by the County must be reported to [REDACTED]. In the absence of the [REDACTED], or in the event the [REDACTED] is a party to the reported variance, the [REDACTED] will serve as an alternate to the [REDACTED].
- 2) **Cash and non-cash materiality threshold** – The County must report to the SBOA any erroneous or irregular variances, losses, shortages, or thefts of cash in excess of \$50,000 and non-cash items in excess of \$100,000 estimated market value. At its discretion, the County may report items below the dollar threshold based on a qualitative evaluation of the matter.
- 3) **Action steps when a matter is reported** – County Personnel are responsible for completing an incident report and filing the report with the [REDACTED] and/or [REDACTED]. The [REDACTED] and/or [REDACTED] will perform an evaluation of the matter using the following guidelines:
  - Log-in all incident reports for permanent record using an electronic folder and Word or Excel summary document that sequentially numbers, dates and accounts for each report submitted.
  - Read the incident report to determine the nature of the loss, shortage, or theft and evaluate whether it is erroneous or irregular. The [REDACTED] and/or [REDACTED] will document a conclusion on whether the matter is subject to the materiality policy. If not subject to the policy, the [REDACTED] and/or [REDACTED] will close the incident and retain documentation in accordance with the County's record retention policy.

EXHIBIT "A"

For losses, shortages, or thefts that are considered erroneous or irregular, the ~~ITC~~ and/or ~~ITC~~ will perform the following steps to better understand the matter and measure the dollars at risk:

- Determine what further questions or documentation may be required. The ~~ITC~~ and/or ~~ITC~~ will determine whether the matter should be escalated within the County organization based on their understanding of the nature of the matter.
- Conduct an investigation of the matter through interviews and documentation gathering based on the investigation plan.
- Measure the actual or potential dollar amounts at risk (cash and noncash) to determine whether the incident is considered material.
- Measure the qualitative impact of the incident.
- Document conclusion on whether the incident is material or qualitatively significant.

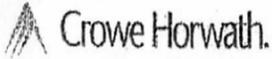
For erroneous or irregular losses, shortages, or thefts considered material or qualitatively significant, the ~~ITC~~ and/or ~~ITC~~ must:

- Determine if there is actual knowledge or reasonable cause to believe a misappropriation of public funds occurred. For matters considered to be a misappropriation of public funds, the ~~ITC~~ and/or ~~ITC~~ will document the County's understanding of the incident, report the matter to appropriate County officials, and determine the communication protocol for expedient reporting to the SBOA and the local prosecutor's office.
- For matters not considered to be a misappropriation of public funds, the ~~ITC~~ and/or ~~ITC~~ will document the County's understanding of the matter including why the County believes the matter was not considered a misappropriation of public funds.
- Report the matter to the SBOA immediately upon confirming the variance, loss, shortage, or theft.

For all matters (material or immaterial) reported under the materiality policy process, the ~~ITC~~ and/or ~~ITC~~ will perform the following steps:

- Identify the core reason for the incident and document the ineffective internal control design and/or internal control implementation as applicable to each incident.
- Analyze and measure the risk to determine significance and perform a cost-benefit analysis on the implementation of potential mitigating controls.
- Create a corrective action plan and/or document resolution of the matter.
- Design and implement, or update, internal controls to prevent and mitigate future risk, as determined necessary.
- Maintain a centralized repository for documentation and resolution of all incidents reported, including:
  - Materiality policy document
  - Incident log
  - Incident reports and documentation
  - County documentation supporting its investigation and evaluation
  - Support qualifying the loss, shortage, or theft as erroneous or irregular
  - Support determining the materiality of each incident
  - Standardized incident report form

The ~~ITC~~ and/or ~~ITC~~ will utilize either the notification link on the SBOA website, telephone or in-person reporting to report material erroneous or irregular variances, losses, shortages, or thefts.



MATERIALITY CALCULATION

Data Input	Assessment	100 Series	200 Series	300 Series	400 Series
Current Year Budget Expenditures	\$ 200,191,279				
Prior Year Actual Expenditures	\$ 179,475,704	\$ 131,253,148	\$ 5,976,561	\$ 38,964,315	\$ 3,281,680
<i>Review the expenditure figures above to determine the dollar value of expenditures to be used as a basis for the materiality calculation.</i>					
Materiality Expenditure Basis	\$ 179,000,000	\$ 131,000,000	\$ 6,000,000	\$ 39,000,000	\$ 3,000,000

Materiality Analysis and Assessment					
1% Higher Risk	\$ 144,000	\$ 105,000	\$ 5,000	\$ 32,000	\$ 3,000
5% Lower Risk	\$ 716,000	\$ 524,000	\$ 24,000	\$ 156,000	\$ 12,000
<b>Optional Materiality Range</b>					
5.000%	\$ 8,950,000	\$ 6,550,000	\$ 300,000	\$ 1,950,000	\$ 150,000
4.000%	\$ 7,160,000	\$ 5,240,000	\$ 240,000	\$ 1,560,000	\$ 120,000
3.000%	\$ 5,370,000	\$ 3,930,000	\$ 180,000	\$ 1,170,000	\$ 90,000
2.000%	\$ 3,580,000	\$ 2,620,000	\$ 120,000	\$ 780,000	\$ 60,000
1.000%	\$ 1,790,000	\$ 1,310,000	\$ 60,000	\$ 390,000	\$ 30,000
0.500%	\$ 895,000	\$ 655,000	\$ 30,000	\$ 195,000	\$ 15,000
0.250%	\$ 447,500	\$ 327,500	\$ 15,000	\$ 97,500	\$ 7,500
0.125%	\$ 223,750	\$ 163,750	\$ 7,500	\$ 48,750	\$ 3,750
<i>Using the materiality ranges noted above along with consideration of other factors impacting materiality, judgmentally determine an appropriate materiality level.</i>					
Cash Materiality Threshold (Input)	\$ 50,000				
Cash Materiality Percentage	0.0279%	0.0000%	0.0000%	0.0000%	0.0000%
Non-Cash Materiality Threshold (Input)	\$ 100,000				
Non-Cash Materiality Percentage	0.0559%	0.0000%	0.0000%	0.0000%	0.0000%

- The County operates in a somewhat decentralized environment with several components working independently and maintaining their own records.
- Significant volumes of cash receipts are collected by the County. In some cases, the cost of implementing internal controls outweighs the benefits/potential loss.
- 400 series capital funds and bond funds have been omitted from the materiality range calculation due to the exhaustive oversight provided by the competitive bidding process, engineering standards, and regulatory standards that are required by construction process or equipment purchase. In addition, the choice of repository for bond sale proceeds IS REGULATED EXCLUSIVELY BY THE LAKE COUNTY BOARD OF FINANCE (or Commissioners)
- Settlement funds (a.k.a unfunded accounts) are omitted from the materiality range calculation due to multiple allowances and variances (credits, TIFs, etc.) making it unrealistic to attempt to assign a range for reporting purposes.
- Grant funds are included in the materiality range calculation. However, a much greater level of internal control is necessary due to provisions and reporting requirements of the grant agreement. Management at the departmental level and authorizing level (Board of Commissioners) is a necessity.
- Data/IT expenses are included in the materiality range calculation. In addition, the main IT vendor is closely regulated by the Data Board and the users of the data. Nothing is authorized by the main IT vendor unless it's reviewed and approved by the Data Board, and the data output is acceptable to the department head.
- Reserve funds like Payroll Seed (#410), West Lake Corridor (#413), Jail Medical (#414), Health Insurance (#514) and Liability Insurance (#541) were omitted from the materiality range calculation. However, these activities/expenses are heavily regulated and easily tracked through agreements, claims processing, or process dictated by ordinance. Like payroll items (below) the reporting thresholds will be much less than those specified in the materiality range calculation.
- Payroll expenses, representing over 70% of budget expenditures are omitted from the materiality range calculation. Even the smallest of errors are identified and corrected quarterly.

In the Matter of Ordinance Establishing Part-Time Employees Pay Rate Ordinance for 2017

Hamm made the motion, seconded by Cid to approve on First Reading. The majority voted "Yes". Motion to approve on First Reading carried 7-0.

Hamm made the motion, seconded by Washington to Suspend Rules. The majority voted "Yes". Motion to Suspend Rules carried 7-0.

Hamm made the motion, seconded by Washington to approve on Second Reading. The majority voted "Yes". Motion to approve on Second Reading carried 7-0.

**ORDINANCE NO. 1403B**

**LAKE COUNTY PART-TIME EMPLOYEES**  
**PAY RATE ORDINANCE FOR 2017**

**WHEREAS,** Lake County employs individuals on a part-time basis in order to provide services to the citizens of Lake County and State of Indiana; and

**WHEREAS,** the Lake County Council desires to establish a schedule of payment for Lake County part-time employees.

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

**SECTION I.** A part-time employee is a person who works a portion of the regular daily or monthly schedule, or is not assigned to fill a permanent position created by the Lake County Council, or State or Federal Law.

**SECTION II.** A part-time employee shall not work more than Twenty-nine (29) hours per week in any one or more County office or department, except as permitted by Lake County Ordinance.

**SECTION III.** All part-time employees not covered by the following list shall be paid a minimum rate of \$7.25 per hour, except that part-time employees designated by an individual officeholder or department head as semi-professional may be paid a maximum rate of \$8.00 per hour. The establishment of such a rate shall be at the discretion of the individual officeholder or department head, provided however, that all levels of hourly pay so established must be at fifty cent intervals, unless otherwise provided.

**SECTION IV.** Notwithstanding Section III, the following apply for part-time and hourly named people, at the discretion of the officeholders:

- 1. Surveyor
  - a. Part-time Surveyor \$15.00/hr.
  - b. Clerical Personnel 8.00- 12.00/hr.
  - c. Data Entry Personnel 8.00- 12.00/hr.
  - d. Survey Field Technician 8.00- 12.00/hr.
- 2. Calumet/St. John Township Assessor Auditor positions 25.00/hr.
- 3. Co. Ass'r (Board of Appeals) 12.00/hr.

- 4. Township Assessor/Lake County Assessor  
Real Estate Deputy 10.00-12.00/hr.
- 5. Hobart Township Assessor  
Real Estate Field Person 10.00-12.00/hr.
- 6. Township Assessors & County Assessors  
Positions for reassessment duties:
  - a. Data Entry Personnel 10.00 - 12.00/hr.
  - b. Field Personnel I 10.00 - 12.00/hr.
  - Field Personnel II 12.00 - 14.00/hr.
  - c. Supervisor/Coordinator 13.00 - 15.00/hr.
  - d. Project Director 15.00 - 17.00/hr.
  - e. Clerical Personnel 10.00 - 12.00/hr.
  - f. Photographer 10.00 - 12.00/hr.
- 7. a. Ass't Attys. on contract with the Lake  
County Council, Lake County Board of  
Commissioners, Superior or County Courts,  
or any other dept. of County Government  
(This section does not apply to salaried  
attorneys hired under a position established  
by the Lake County Council, or attorneys who  
contract at a different rate approved by the  
Lake County Council and the Lake County Board  
of Commissioners) 90.00/hr.
- b. Attorneys for the Lake County Council or  
Lake County Board of Commissioners, who  
are employed as local bond counsel or  
involved in special litigation for Lake  
County, Indiana and approved by the Board of  
Commissioners or County Council 150.00/hr.
- c. Legal services for representation of  
regular presiding judge in lawsuit  
filed with the Indiana Supreme Court  
naming the Lake Circuit Court as a  
Respondent (with a cap at \$3,780.00) 200.00/hr.
- 8. Co. employed Medical Doctors & Dentists 75.00/hr.
- 9. Prosecutor's Office:
  - a. Deputy Prosecutors 7.25 - 20.00/hr.
  - b. Adult Protective Services Invest. 7.25 - 12.00/hr.
  - c. Semi-prof. law clerks, paralegals,  
all other investigators 7.25--10.00/hr.
  - d. Secretary 7.25--10.00/hr.
  - e. Administrative Personnel 10.00-25.00/hr.
- 10. Health Dept.
  - a. Clerk 10.00-12.75/hr.
  - b. Special Projects Coordinator 15.00/hr.
  - c. LHMf Pool & Beach Monitor/Lab Technician 20.00/hr.
  - d. Seasonal Vector Control Technician 8.00-12.50/hr.
  - e. Part-Time Instrument Chemist 13.50/hr.
  - f. TB Outreach Assistant 16.00/hr.
  - g. Vector Control Program Assistant  
Director/GPS & GIS System Manager 20.00/hr.
  - h. Immunization Reminder/Recall Clerk 23.00/hr.

11. Parks & Rec.  
 a. Skilled craft: 7.25 - 14.00/hr.  
 at .15 cent increments  
 Painter  
 Mechanic  
 Equipment Operator  
 Carpenter  
 Groundskeeper  
 Electrician  
 b. Technical: 7.25 - 14.00/hr.  
 at .15 cent increments  
 Bookkeeper  
 Interpretive Educator  
 CAD Operator  
 Computer Operator/Programmer  
 Concession Manager  
 Merchandise Manager  
 Lifeguard  
 c. Security: 16.00 - 25.00/hr.  
 Off Duty Police Officers  
 d. Professional: 7.25 - 14.00/hr.  
 at .15 cent increments  
 Assistant Manager  
 Landscape Architect  
 Planner
12. Election Board  
 a. Clerk 8.00 - 10.50/hr.  
 b. Seasonal Voting Machine Mechanics 7.25 - 12.00/hr.
13. Weights & Measures Dept.  
 a. County Inspector 12.00/hr.  
 b. Secretary & Technicians 8.00 - 9.50/hr.  
 c. Administrative Assistant 10.46/hr.
14. Lake County Council  
 Secretary 7.25 - 13.50/hr.
15. Coroner:  
 a. Investigator/Photographer I 12.00/hr.  
 b. Investigator/Photographer II 12.00/hr.  
 c. State Certified Medicolegal  
 Death Investigators 12.00/hr.  
 d. Investigators & Path Assistants 10.00/hr.
16. Lake County Community Development  
 (Weatherization Program)  
 a. Work Crew 7.25 - 10.00/hr.  
 b. Management, Carpenter 10.00 - 16.00/hr.
17. Lake Superior Court, County Div. I  
 a. Data Entry Personnel 10.00 - 18.00/hr.  
 b. Bailiff 8.00 - 18.00/hr.  
 c. Secretary 8.00 - 15.00/hr.  
 d. Admin/skilled craft 10.00 - 20.00/hr.  
 e. Clerical personnel 10.00 - 12.00/hr.
18. Lake Superior Court, County Div. II  
 a. Clerk 10.00/hr.  
 b. Secretary 12.00/hr.  
 c. Pauper Attorney 13.00/hr.

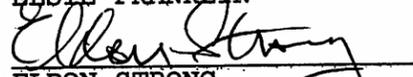
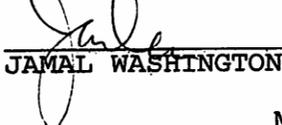
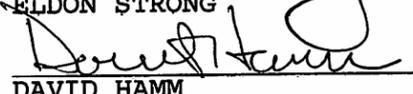
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|-----|--|-----------------------------------|
| 19. | Lake Superior Court, County Div. III         |                                   |
|     | a. Probation monitor                         | 10.00/hr.                         |
|     | b. Court Reporter                            | 10.00/hr.                         |
|     | c. Bailiff                                   | 10.00/hr.                         |
|     | d. Secretary/receptionist                    | 10.50/hr.                         |
| 20. | Lake Superior Court, County Div. IV          |                                   |
|     | Court Clerk                                  | 10.00/hr.                         |
| 21. | Lake Superior Court, Civil Division          |                                   |
|     | a. Resource Director                         | Up to a maximum<br>of \$25.00/hr. |
|     | b. Court Reporter                            | Up to a maximum<br>of \$25.00/hr. |
|     | c. Secretary/Office Manager                  | Up to a maximum<br>of \$25.00/hr. |
|     | d. Bailiff                                   | Up to a maximum<br>of \$25.00/hr. |
|     | e. Law Clerks                                | 25.00/hr.                         |
| 22. | Lake Superior Court, Juvenile Division       |                                   |
|     | a. Probation Officer/12428-001               | 14.7969/hr.                       |
|     | b. Probation Officer/12428-018               | 24.2344/hr.                       |
|     | c. Probation Officer/12428-024               | 21.3894/hr.                       |
|     | d. Probation Officer/12428-031               | 19.4459/hr.                       |
|     | e. Court Reporter                            | Up to a maximum<br>of \$17.00/hr. |
|     | f. Bailiff                                   | Up to a maximum<br>of \$15.00/hr. |
|     | g. Secretary                                 | Up to a maximum<br>of \$12.00/hr. |
|     | h. Information Technology Specialist         | Up to a maximum<br>Of \$25.00/hr. |
|     | I. Maintenance                               | Up to a maximum<br>Of \$20.00/hr. |
| 23. | Lake County Detention Center                 |                                   |
|     | a. Psychologist<br>(maximum 9 hrs. per week) | 40.43/hr.                         |
|     | b. Court Reporter                            | 10.00/hr.                         |
|     | c. Off Duty Police Officer                   | Up to a maximum<br>of 25.00/hr.   |
|     | d. Registered Nurse                          | Up to a maximum<br>of \$25.00/hr. |
|     | e. Detention Officer                         | Up to a maximum<br>of \$15.00/hr. |
|     | f. Bailiff                                   | Up to a maximum<br>of \$15.0/hr.  |
| 24. | Lake Superior Court, Criminal Division       |                                   |
|     | a. Probation Officer                         | 10.00-15.00/hr.                   |
|     | b. Court Administrator                       | 20.00/hr.                         |
|     | c. Secretary                                 | 10.00/hr.                         |
|     | d. Bailiff                                   | 10.00-15.00/hr.                   |
| 25. | Lake Circuit Court                           |                                   |
|     | a. Care Provider                             | 10.00/hr.                         |
|     | b. Law Clerks                                | 12.00/hr.                         |
|     | c. Doctor of Psychology                      | 75.00/hr.                         |

	d. Clinician (with Master's Degree in Family Therapy)	75.00/hr.
26.	Court Administrator	
	a. Bond Court Judge	90.00/hr.
	b. Administrative Assistant	10.00-12.00/hr.
27.	Clerk of the Circuit Court Clerk/Part-Time	9.00 - 15.00/hr.
28.	Public Defender's Office	
	a. Law Clerks	14.00/hr.
	b. Paralegals	14.00/hr.
	c. Investigator	14.00/hr.
29.	Lake County Emergency Management	
	a. Coordinator/Project Impact Grant	12.00-15.00/hr.
	b. Administrative Assistant	8.00-12.00/hr.
30.	I. Board of Commissioners	
	a. Comm.'s assistant for Commissioner Real Estate Tax Sales	10.50/hr.
	b. Purchasing Assistant	8.00-12.00/hr.
	c. Finance Manager	25.00/hr.
	II. E-911 Department 2901 - Dispatchers	
	0-5 yr. Experience & Expertise	14.00-16.00/hr.
	6-10 yrs. Experience & Expertise	15.00-17.00/hr.
	11 + yrs. Experience & Expertise	16.00-19.00/hr.
31.	Lake County Sheriff's Department	
	a. Bookkeeper	12.00-15.00/hr.
	b. Radio Dispatcher (Sheriff)	12.00-15.00/hr.
	c. EMT	12.00-15.00/hr.
	d. Corrections Qualified Mental Health Professional (QMHP)	24.00/hr.
	e. Corrections Qualified Mental Health Professional Candidate (QMHP-C)	17.00/hr.
	f. Corrections Qualified Mental Health Staff (QMHS)	10.50/hr.
	g. 0500-Clerks	10.00-11.00/hr.
	h. 0500-Maintenance	10.00-11.00/hr.
	i. Investigator	12.00-15.00/hr.
	j. VIP Grant Employee	34.00/hr.
32.	Lake County Public Works Dept. Sign Technician	10.79/hr.
33.	Lake County Recorder Deputy Recorders	10.00-15.00/hr.
34.	Lake County Fairgrounds	
	a. Maintenance Employees	8.50/hr.
	b. Grounds Keeper (Major Equipment Operator)	8.00-12.00/hr.
	c. Event Coordinator	12.00-14.00/hr.
35.	Lake County Highway Dept. Engineer Intern	12.50-14.00/hr.
36.	Lake County Soil and Water Cons. Dist. Secretary	7.25-11.00/hr.
37.	Auditor's Office	
	a. Accounting Clerks	7.25-10.00/hr.
	b. Administrative Personnel	11.00-15.00/hr.

38.	Treasurer's Office Administrative Personnel	8.00-12.00/hr.
39.	Lake County Plan Commission	
	a. Professional Land Planner	15.00/hr.
	b. Planning & Building Intern	10.00-12.00/hr.
	c. Secondary Building Assistant	Up to a maximum of 20.00/hr.
40.	Government Center & Courthouse Depts.	
	a. Technically Trained	11.00-15.00/hr.
	b. All other part-time employees	8.00-9.00/hr.
41.	Drainage Board	
	a. Clerical Personnel	8.00-12.00/hr.
	b. Field Personnel I	8.00-12.00/hr.
	c. Field Personnel II	10.00-12.00/hr.
42.	Veterans Service Office Clerk/Secretary	8.00-9.50/hr.
43.	Lake County Court Administered Alcohol and Drug Service Program LADOS Div. 2	
	a. Clerk	10.00/hr.
	b. Secretary	Up to 13.00/hr.
	c. Certified Addictions Education Instructor	Up to 30.00/hr.
	d. Licensed Clinician, Master's Level, LCAC, LMHC	Up to 50.00/hr.
44.	LADOS, Div. I	
	a. Admin/Skilled Craft	10.00-30.00/hr.
	b. Clerical Personnel	8.00-15.00/hr.
45.	IV-D Juvenile Court, Department 3950	
	a. Court Reporter	Up to a maximum Of \$15.00/hr.
	b. Bailiff	Up to a maximum Of \$15.00/hr.
	c. Secretary	Up to a maximum Of \$12.00/hr.
46.	CASA Program, Department 4150	
	a. Secretary	8.00-10.00/hr.
	b. Technician	8.00-15.00/hr.
	c. CASA Attorney	57.00/hr.

- SECTION V. A. In the event any part-time employee of Lake County, Indiana, cannot continue a work assignment due to weather conditions, the employee shall be relieved from the assignment for the balance of the work day and be paid only for the actual time incurred working on the assignment.
- B. In the event any part-time employee of Lake County, Indiana, reports for work and is unable to begin work due to weather conditions the employee shall be relieved for the work day, and be paid for two hours.

SO ORDAINED this 13th day of DECEMBER, 2016.

 CHRISTINE CID	 TED E. BIESKI, President	 ETSIE FRANKLIN
 DANIEL E. DERNULC		 ELDON STRONG
 JAMAL WASHINGTON		 DAVID HAMM

Members of the Lake County Council

Councilman Strong said to the Council that he distributed to each Councilmember, before the meeting, the Court Security Analysis, that was done by the Court Security Committee, and he asked that they read it, because it has some valuable information in there.

Public Portion

Joe Hero wanted the Council to review Ordinance 1206E, and amendments 1206E-1, 1206E-2, and 1206E-3. He said these are the Towing Ordinances for the County Towing. He said if you look through it, there is a \$75 dollar fee that has to be paid to the County. There also is a franchise fee that has to be paid to the County, and if you look back over recent history, there has been indictments made, which don't necessarily mean that people are guilty, related to towing companies.

Mr. Hero said he thinks the County Council has to initiate some controls in an Ordinance, to make sure the proper fees make it to the general fund, or whatever fund they use, and in order to do that, Mr. Hero said, he thinks you have to establish tracking systems. You have a County 911 System now, and there is also another system out there, but every time the tow is called in, to be made, they should be assigned a

tracking number, and then that tracking number should be tied to what fees are deposited to the county, once the tow is made, because right now, you have no control of \$75 dollar collection. There is nothing to assure you, that it was not a private tow, or something like that... how do you distinguish between the towing company? The way I read this, you can pocket the money because you have no control over this, so I think you have to establish a tracking system, because you have the 911 system now, and once the tow is called, who called it, and then you have to get with the Auditor to make sure your tracking system says, if this money got paid into the general fund, or whatever fund it's supposed to go into. Because right now, the way this reads, you have private contractors collecting what I will call it, a tax, or a fee, but you have no control of the contractor, how does he pay the fee, does he put cash in an envelope, and give it to somebody? Does he write a check to the County? How do you audit whether the fee that was collected was given to the County? Mr. Hero said, he thinks you have to look at these Ordinances because all they do is establish the fee, but there are no controls.

Dernulc said he believes that in light of what has happened, within the last month or two, that is something that the Council will be doing. It has been discussed with our Attorney already.

Bilski said he doesn't believe it should be privatized, he believes that it should all be brought home. He believes the County should run the department, we should have our own County impound, and County towing, and not put anything out to bid, and run it entirely in-house, but that would be a discussion for a later date.

Franklin said there is some minor control because when the call goes out, or comes in, it comes into E911. They can easily track when that call came in, and where it came from. Franklin said there is some minor control, that is why the Feds went into the E911.

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.

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President, Lake County Council

ATTEST:

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John Petalas,  
Lake County Auditor