

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in special session at this time, for the purpose of considering 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 David Hamm, Vice-President, Jamal Washington, Daniel Dernulc, Christine Cid, and Eldon Strong, County Councilpersons, together with Ray Szarmach, County Council Attorney. Councilmembers Elsie Franklin, and Ted Bilski were absent.

Councilman Washington wanted to say that he apologized to his constituents, but he did not apologize to his colleagues, and he said that he was sorry that he put them in the position that he did during this year. He said that he is looking forward to bigger and better things, to help all of our constituents, and help our County to move forward. He openly apologized to his fellow Council members.

In the Matter of Ordinance No. 1400F – Regarding Vacant Positions for 2016 – Circuit Court

Cid made the motion, seconded by Washington to approve filling vacant position 001-3800-12216-001 Domestic Relations Director.

The majority voted “Yes”. Franklin and Bilski were “absent”. Motion carried 5-yes, 2-absent.

In the Matter of Ordinance No. 1400F – Regarding Vacant Position for 2016 – Circuit Court

Cid made the motion, seconded by Washington to approve filling vacant position 001-3800-14410-002 Chief Bailiff, effective 1-10-17.

Cid said that she would like to ask that, in the future, a service record be submitted to show that their time has been absolved, and something from payroll to show that they are not paid beyond this date. She said she doesn't care the date of the pay check, what we care about, is the last date that they are being paid for. Some people have vacations, some people quit. Today may be their last day, but they may have 2 weeks vacation, so they are still on our payroll. That's where we need clarification.

Cid amended her motion to read January 2, 2017, Washington seconded.

Cid said, maybe I should make my motion to read that they can hire upon all benefits being absolved, by the current employee.

Attorney Szarmach said, what you want to avoid is kind of a double charge to that line item. The money has been appropriated there for one person, for this 2-weeks period, and you can't, without additional appropriation, basically pay 2 people out of that same line item, when one has been appropriated, so if you are telling us that by Tuesday, there will be no more money, no.. you are telling us, by the 9th?

Someone from Circuit Court explained that the person who is leaving, their last day is today, and he has no time coming, he has exhausted all of his days off, and vacation.

Attorney Szarmach said, but, as a warm body being in that position, today is his last day? However, he will receive, 2 weeks from today, money that is currently in that line item, that cannot be used for a brand new person, unless you want to appropriate money for 2 weeks to cover that person.

Dernulc said, that's my understanding. He said to Cid, I think your first motion is fine.

Attorney Szarmach said, the money that is in that line item after Tuesday, is going to be paid to the person who is working until today.

Cid said, so it should be the 10th.

Cid said, I want to stick with my original motion, effective January 10, 2017.

The majority voted “Yes”. Franklin and Bilski were “absent”. Motion to approve carried 5-yes, 2-absent.

Hamm said that Judge Villalpando was present and had a question about a position that was granted by the Council for a new employee, and he wants to know where he stands with that position.

Hamm said he was given a position, a Court Reporter, effective the 1st of January, 2017. It was done during budget session. Nobody has retired, or been terminated, or quit, and he wants to know if he can fill that position that we gave him authorization to fill?

Attorney Szarmach answered, probably. 2f. on the Ordinance, which is the same for 2016. He said 2a through 2g are the exceptions. You don't have to come here for permission. 2f states: "Prospective employees for positions who were given a written commitment of employment prior to the effective date of this Ordinance".

Attorney Szarmach said, so the effective date of the Ordinance for 2017 would be today, if you've given somebody a written commitment that they could be hired, then you can fill it.

Judge Villalpando said that our staff took the paperwork in this week, and payroll wouldn't push it through. They were uncertain as to what was going to happen today.

Cid said, why don't we just vote on it today, and this way, payroll won't come back to us.

Attorney Szarmach said will contact payroll, on Judge Villalpando' behalf, because payroll doesn't understand it.

Hamm said that the Judge is not going to fill the position in 2016, because it's a new position for 2017. So the 2016 Ordinance doesn't count. It's a new 2017 position. Attorney Szarmach is going to contact payroll.

In the Matter of Ordinance Regarding Vacant Positions for 2017 – Second Reading.

Cid made the motion, seconded by Strong to approve on Second Reading. The majority voted "Yes". Hamm voted "No". Franklin and Bilski were "absent". Motion to approve on Second Reading carried 4-yes, 1-no, 2-absent.

ORDINANCE NO. 1403C**ORDINANCE REGARDING VACANT POSITIONS FOR 2017**

WHEREAS, Indiana Code 36-2-5-3 directs the Lake County Council to establish and fix the number and payment schedules of county officers, deputies and other employees in Lake County Government; and

WHEREAS, Indiana Code 36-2-5-13 provides that the compensation or number of county deputies and employees may be changed at any time on the application of the County fiscal body; and

WHEREAS, throughout 2017 certain approved positions in Lake County Budget will become vacant and if not immediately filled the respective appropriations will revert to the operating balance of the County General Fund for 2017.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

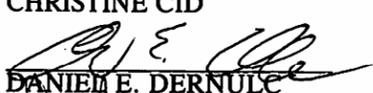
1. That in order to obtain an operating balance for the Lake County Budget for 2017 all County offices and departments are restricted from hiring new employees, or assigning current Lake County employees, to fill presently vacant full-time positions and full-time positions which may become vacant during 2017.
2. Notwithstanding paragraph one, this Ordinance shall not apply to the following:
 - a. Positions controlled by mandate (Indiana Trial Rule 60.5), positions required by State or Federal Law, or by a Grant, provided the officeholder inform the council of such hiring requirement with support documents citing the mandate order, State or Federal Law, or Grant requirement.
 - b. Position of Chief Deputy or other supervisory positions, if allowed by statute.
 - c. Attorneys Employed by the Lake County Prosecutor's Office as Deputy Prosecuting Attorneys.
 - d. Caseworkers employed by the Lake County Prosecutor's Office in the IV-D Program.
 - e. Offices of ten (10) employees or less.
 - f. Prospective employees for positions who were given a written commitment of employment prior to the effective date of this Ordinance.
 - g. Positions established by a Collective Bargaining Agreement.
3. Notwithstanding paragraph one, an officeholder may petition the Lake County Council to fill a vacated position for good cause.
4. That for the purpose of this Ordinance, the term "vacancy" does not include the transfer of employees between different positions, where the employees are merely exchanging positions, **and the net result of the transfers is revenue neutral.**

- 5. 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.

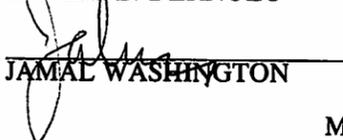
SO ORDAINED THIS 29th DAY OF December, 2016.



 TED F. BILSKI, President



 DANIEL E. DERNULC



 JAMAL WASHINGTON



 ELSIE FRANKLIN



 ELDON STRONG

 DAVID HAMM

Members of the Lake County Council

In the Matter of Ordinance – Lake County Mileage Rate Ordinance for 2017

Dernulc made the motion, seconded by Strong to approve the mileage rate for 2017 at 53.5 cents on First Reading. The majority voted “Yes”. Franklin and Bilski were “absent”. Motion carried 5-yes, 2-absent.

Dernulc made the motion, seconded by Washington to Suspend Rules. The majority voted “Yes”. Franklin and Bilski were “absent”. Motion to Suspend Rules carried 5-yes, 2-absent.

Dernulc made the motion, seconded by Washington to approve on Second Reading.

Dernulc explained that this is the Federal rate, and we are following the federal rate.

The majority voted “Yes”. Franklin and Bilski were “absent”. Motion to approve on Second Reading carried 5-yes, 2-absent.

ORDINANCE NO. 1403D

LAKE COUNTY MILEAGE RATE ORDINANCE FOR 2017

WHEREAS, the Lake County Council establishes the mileage rate for County employees entitled to expenses for use of their vehicles; and

WHEREAS, the Lake County Council desires to reflect the mileage rate established by the Federal government for its employees; and

WHEREAS, the Federal mileage rate established for the year 2017 is 53.5 cents per mile.

NOW, THEREFORE, LET IT BE ORDAINED that the Lake County Council does hereby establish the rate of 53.5 cents per mile for County employees entitled to receive mileage expenses for use of their vehicles for the year 2017, effective January 1, 2017.

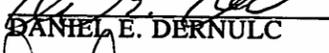
SO ORDAINED this 29th day of December, 2016.



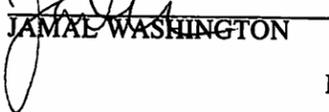
TED F. BILSKI, President



CHRISTINE CID



DANIEL E. DERNULC



JAMAL WASHINGTON

ELSIE FRANKLIN



ELDON STRONG



DAVID HAMM

Members of the Lake County Council

There being no further business to come before the Council, it was moved and seconded that the Council does now adjourn, to meet again as required by law.

President, Lake County Council

ATTEST:

John Petalas,
Lake County Auditor