

The Board met in due form with the following members present: Frances DuPey, Roosevelt Allen, Jr., and Gerry Scheub. They passed the following orders, to wit:

There was a moment of silent prayer; the Pledge was given and the Emergency Exit Announcement made.

A courtesy copy of the agenda and notice of this meeting was faxed by Brenda Koselke to the Times in Munster and Crown Point, the Post Tribune in Merrillville and Crown Point, WJOB Radio Station, the Star, WLTH Radio Station, Comcast Cable, the Calumet Press, Portage Journal News, Pilcher Publishing and the Gary Law, Channel 21 media on the 11<sup>th</sup> day of April, 2011 at about 9:45 a.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 18<sup>th</sup> day of April, 2011 at about 9:45 a.m.

Order #1 Agenda #5A

In the Matter of Notices/Agenda: Permission to open Bids/Proposals.

None.

Order #2 Agenda #5B-E

In the Matter of Notices/Agenda: Additions, deletions and/or corrections to Agenda for a Regular Meeting; Approval of Final Agenda; Public Record of Certificate of Service of Meeting Notice to those who have made such written request.

Scheub made a motion, seconded by DuPey, to approve the Additions, deletions and/or corrections to Agenda for a Regular Meeting – Item #49A – Indiana Office of Community & Rural Affairs Subrecipient Agreement and Reporting Requirements Office of Rural Affairs CDGB Grant Number DR2-09-208 Subrecipient: Lake Dalecarlia Property Owners Association; Item #58F – Board of Zoning Appeals Appointments (two); Delete – Number 44; Correct – Number 33A – To Be Made A Matter of Public Record & Number 38 – Fuel Escalation Clause As Outlined in IV E on Page 4 of Agreement to be Removed, and ordered same to approve the Final Agenda and the Certificate of Service of Meeting Notice to those who have made such written request for a matter of public record. Motion carried.

Order #3 Consent Agenda

In the Matter of Consent Agenda – Items #20 A-F; #35 A-H; #55; #56 A-B.

Scheub made a motion, seconded by DuPey, to approve the Items of the Consent Agenda (#20 A-F, #35 A-H, #55 & #56 A-B) for a matter of public record. Motion carried.

Order #3 Consent Agenda #20 A-F

In the Matter of L C Highway – Certificates of Liability Insurance (Lake Dalecarlia Regional Waste; Anker Trucking, Inc.; Midwestern Electric, Inc.; M S Consultants, Inc.; M S Consultants, Inc.; M S Consultants, Inc.).

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the L C Highway – Certificates of Liability Insurance (Lake Dalecarlia Regional Waste; Anker Trucking, Inc.; Midwestern Electric, Inc.; M S Consultants, Inc.; M S Consultants, Inc.; M S Consultants, Inc.). Motion carried.

Order #3 Consent Agenda #35A

In the Matter of L C Board of Commissioners: IDEM – Indiana Department of Environmental Management.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM Notices – (Amsted Rail Company; BP Products North America; Resco Products; Saco Industries, Inc.; Smith's Medical ASD, Inc.; Tube City IMS LLC; Independence Hill Conservancy District; South Shore Slag, LLC; Avery Dennison; Hammond Group, Inc.; US Steel Gary Works; Avery Dennison; Kemira Water Solutions). Motion carried.

Order #3 Consent Agenda #35B

In the Matter of L C Board of Commissioners: IDEM – Indiana Department of Natural Resources.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM Notices – Indiana Department of Natural Resources – (Nick Debello; US Steel Corporation; L C Commissioners; L C Commissioners). Motion carried.

Order #3 Consent Agenda #35C

In the Matter of L C Board of Commissioners: IDEM – Certificates of Liability Insurance.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM – Certificates of Liability Insurance (D&M Excavating, Inc.; D&M Excavating, Inc.; D&M Excavating, Inc.; Inter-Construction; Green-Up Landscape, Inc.; Great Lakes Pleasure Pools; Mediacom Indiana, LLC; C. Lee Construction Services, Inc.; Andruco, Inc.; Karstenson Electrical Construction, Inc.; Bates Enterprises, Inc.; Performance Companies, Inc.; David J. Wilson Heating & Air Conditioning). Motion carried.

Order #3 Consent Agenda #35D

In the Matter of L C Board of Commissioners: IDEM – Continuation Certificates

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM – Continuation Certificates (N. Lange Trucking & Excavating, Inc.; T Mooncotch Inc.; All Erection Company, Inc.; Ljubisa Popovic dba Inter-Construction; James H. Drew Corporation). Motion carried.

## Order #3 Consent Agenda #35E

In the Matter of L C Board of Commissioners: IDEM – Reinstatement Notices.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM – Reinstatement Notices (Door Specialists Inc.; Preferred Window & Door; John Wehmeyer d/b/a All Masonry; G. Tile Expert). Motion carried.

## Order #3 Consent Agenda #35F

In the Matter of L C Board of Commissioners: IDEM – Cancellation Memos.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM – Cancellation Memos (Plum Valley Landscaping, Inc.; DMK Services, Inc.; Roy's Paving & Sealcoating Co.; Becmar Sprinkler Systems, Inc.; Mark Lyon; Caldwell Roofing & Aluminum; Preferred Window & Door; Andrew McCann Lawn Sprinkler Company; White Glove Janitorial Service & Supply Inc.; K & J Lawn Care; Nestler Construction Company; Central States Automatic Sprinklers, Inc.; Aguilar Masonry). Motion carried.

## Order #3 Consent Agenda #35G

In the Matter of L C Board of Commissioners: IDEM – Indiana Department of Transportation.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM – INDOT (Public Hearing Notice – April 28, 2011 at L C Public Library – Schererville; Public Meeting – April 13, 2011 – Crown Point High School). Motion carried.

## Order #3 Consent Agenda #35H

In the Matter of L C Board of Commissioners: IDEM – Northwestern Indiana Regional Planning Commission.

Scheub made a motion, seconded by DuPey, to approve for a matter of public record the IDEM – NIRPC (Public Comment Period – Written). Motion carried.

## Order #3 Consent Agenda #55

In the Matter of Vendor Qualification Affidavits

Scheub made a motion, seconded by DuPey, to approve the following Vendor Qualification Affidavits. Motion carried.

ROBERT W. METZ  
OLSON CONSTRUCTION, INC.  
LIFE @ HOME, INC.  
FARMER SEED & NURSERY  
INTERNATIONAL CORDAGE EAST, LTD  
NATIONAL ILLIANA, INC.  
JP FARMS  
JOSEPH SKRABUTENAS  
BARNES & THORNBURG, LLP  
BEST BUY  
MID-TOWN PETROLEUM, INC.  
VONGA & ASSOCIATES, LLC

## Order #3 Consent Agenda #56A

In the Matter of Clerk's Branches Report for the months of January & February, 2011.

Comes now, Michael A. Brown, Clerk, and files with the Board his report of fees taken in and collected in his office for the Months of January & February 2011. Said report is in the following words and figures, to-wit; and the Board having previously duly examined and approved said report, now accepts same and the account of said official duly settled as in report set forth.

Scheub made a motion, seconded by DuPey, to accept the above Clerk's Branches Reports of January & February 2011 as submitted. Motion carried.

## Order #3 Consent Agenda #56B

In the Matter of Veteran's Service Departmental Report for the month of March, 2011.

Comes now, Raymond Guiden, Lake County Veteran's Service Officer, and files with the Board his report of monthly totals of service in his office for the Month of March 2011. Said report is in the following words and figures, to-wit; and the Board having previously duly examined and approved said report, now accepts same and the account of said official duly settled as in report set forth.

Scheub made a motion, seconded by DuPey, to accept the above Veteran's Service Officer's Report of March 2011 as submitted. Motion carried.

## Order #4 Agenda #6A

In the Matter of L C Building Manager – Property Disposal Request: L C Treasurer (Hammond Office).

DuPey made a motion, seconded by Scheub, to defer action on said request. Motion carried.

## Order #5 Agenda #7

In the Matter of Contract for Highway for Bituminous Materials and Surface Milling (Delivered and Applied) for 2011.

The Board having previously taken the above mentioned bids under advisement does hereby accept the recommendation of the Highway Superintendent to award Walsh & Kelly, 1700 E. Main, Griffith, IN 46319, with \$1,140,900.00 for Bituminous

## Order #5 Agenda #7 (cont'd)

Materials and Surface Milling (Delivered and Applied) for 2011, upon a motion made by DuPey, seconded by Scheub. Motion carried.

And it appearing to said Board of Commissioners that the above company's bid being the most responsive and responsible bid for Bituminous Materials and Surface Milling (Delivered and Applied) for the year 2011 for the L.C. Highway, having complied with the law as provided by statute and filed with their bid the proper affidavit as by law provided and their bond or certified check in the amount of:

WALSH & KELLY W/ Federal Insurance Company in the amount of 10% of bid is hereby approved by the Board of Commissioners.

There being sufficient unobligated appropriated funds available, the contracting authority of Board of Commissioners hereby accepts the terms of the attached bid for classes or items numbered for BITUMINOUS MATERIALS AND SURFACE MILLING (DELIVERED AND APPLIED) FOR THE LAKE CO. HIGHWAY DEPT. FOR \$1,140,900.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: April 20, 2011

ROOSEVELT ALLEN, JR.  
GERRY SCHEUB  
FRANCES DuPEY

WALSH & KELLY

## Order #6 Agenda #8

In the Matter of Contract for Highway – Bituminous Materials and Surface Milling (Picked Up).

The Board having previously taken the above mentioned bids under advisement does hereby accept the recommendation of the Highway Superintendent to award Walsh & Kelly, 1700 E. Main, Griffith, IN 46319, with \$117,000.00 for Bituminous Materials and Surface Milling (Delivered and Applied) for 2011, upon a motion made by DuPey, seconded by Scheub. Motion carried.

And it appearing to said Board of Commissioners that the above company's bid being the most responsive and responsible bid for Bituminous Materials and Surface Milling (Picked Up) for the year 2011 for the L.C. Highway, having complied with the law as provided by statute and filed with their bid the proper affidavit as by law provided and their bond or certified check in the amount of:

WALSH & KELLY W/ Federal Insurance Company in the amount of 10% of bid is hereby approved by the Board of Commissioners.

There being sufficient unobligated appropriated funds available, the contracting authority of Board of Commissioners hereby accepts the terms of the attached bid for classes or items numbered for BITUMINOUS MATERIALS AND SURFACE MILLING (PICKED UP) FOR THE LAKE CO. HIGHWAY DEPT. FOR \$117,000.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: April 20, 2011

ROOSEVELT ALLEN, JR.  
GERRY SCHEUB  
FRANCES DuPEY

WALSH & KELLY

## Order #7 Agenda #9

In the Matter of Contract for Highway for Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied) for the year 2011.

The Board having previously taken the above mentioned bids under advisement does hereby accept the recommendation of the Highway Superintendent to award Rieth-Riley Construction Co., Inc., 7500 W. 5<sup>th</sup> Ave, Gary, IN 46406, with \$415,750.00 for Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied) for the year 2011, upon a motion made by DuPey, seconded by Scheub. Motion carried.

And it appearing to said Board of Commissioners that the above company's bid being the most responsive and responsible bid for Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied) for the L.C. Highway, having complied with the law as provided by statute and filed with their bid the proper affidavit as by law provided and their bond or certified check in the amount of:

REITH-RILEY CONSTRUCTION CO. W/ Travelers Casualty and Surety Company in the amount of 10% of bid is hereby approved by the Board of Commissioners.

There being sufficient unobligated appropriated funds available, the contracting authority of Board of Commissioners hereby accepts the terms of the attached bid for classes or items numbered for BITUMINOUS MATERIALS FOR ROADWAY PATCHING, BRIDGE DECK AND APPROACH OVERLAYS (DELIVERED AND APPLIED) FOR THE LAKE CO. HIGHWAY DEPT. FOR \$415,750.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: April 20, 2011

ROOSEVELT ALLEN, JR.  
GERRY SCHEUB  
FRANCES DuPEY

REITH-RILEY CONSTRUCTION CO.

## Order #8 Agenda #10

In the Matter of Contract for Highway for Seal Coat (Chip and Seal) for the year 2011.

The Board having previously taken the above mentioned bids under advisement does hereby accept the recommendation of the Highway Superintendent to award Walsh & Kelly, 1700 E. Main, Griffith, IN 46319, with \$312,500.00 for Seal Coat (Chip and Seal) for 2011, upon a motion made by DuPey, seconded by Scheub. Motion carried.

## Order #8 Agenda #10 (cont'd)

And it appearing to said Board of Commissioners that the above company's bid being the most responsive and responsible bid for Seal Coat (Chip and Seal) for the Highway Dept., having complied with the law as provided by statute and filed with their bid the proper affidavit as by law provided and their bond or certified check in the amount of:

WALSH & KELLY W/ Federal Insurance Company in the amount of 10% of bid is hereby approved by the Board of Commissioners.

There being sufficient unobligated appropriated funds available, the contracting authority of Board of Commissioners hereby accepts the terms of the attached bid for classes or items numbered for SEAL COAT (CHIP AND SEAL) FOR THE LAKE CO. HIGHWAY DEPT. FOR \$312,500.00 and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: Date: April 20, 2011

ROOSEVELT ALLEN, JR. WALSH & KELLY  
GERRY SCHEUB  
FRANCES DuPEY

Letter of Recommendation:

April 20, 2011

Lake County Board of Commissioners  
Lake County Government Center  
2293 North Main Street  
Crown Point, Indiana 46307

ATTN: Roosevelt Allen, Jr., President

RE: 2011 Annual Asphalt Bid

Dear Mr. President:

Please be advised the Lake County Highway Department is recommending the acceptance of the lowest, most responsive bid which has met our specifications. The recommended bid is highlighted and marked with an asterisk

**Bituminous Materials and Surface Milling (Delivered and Applied)**

* Walsh and Kelly	<b>\$1,140,900.00</b>
Rieth-Riley Construction Co.	\$1,229,300.00

**Bituminous Materials (Picked UP)**

* Walsh and Kelly	<b>\$117,000.00</b>
Rieth-Riley Construction Co.	\$122,250.00

**Bituminous Materials for Roadway Patching and Bridge Deck Approach, Overlays (Delivered and Applied)**

* Reith-Riley Construction Co.	<b>\$415,750.00</b>
Walsh and Kelly	\$578,000.00

**Chip and Seal**

* Walsh and Kelly	<b>\$312,500.00</b>
Rieth-Riley Construction Co.	\$330,000.00

We are recommending the acceptance of the above mentioned bids.

Respectfully Submitted,

Marcus W. Malczewski, Superintendent  
Lake County Highway Department

MWM/spz

Cc: Jill A. Stochel, Assistant Superintendent  
2011 bid file

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
FRANCES DuPEY  
GERRY SCHEUB  
ROOSEVELT ALLEN JR.  
APPROVED THIS 20<sup>th</sup> DAY OF APRIL 20 11

## Order #9 Agenda #11

In the Matter of L C Highway – Public Record of Master Equipment Lease-Purchase Agreement between National City Commercial Capital Corporation and the Board of Commissioners of the County of Lake.

DuPey made a motion, seconded by Scheub, to approve and make a matter of public record the Master Equipment Lease-Purchase Agreement with National City Commercial Capital Corporation on behalf of the L C Highway Department. Motion carried. (SEE FILE "APRIL 2011" FOR AGREEMENT)

## Order #10 Agenda #33C

In the Matter of Board of Commissioners of the County of Lake: Property Transfers – Sale of Tax Sale on Parcel 45-08-05-407-024.000-004.

Scheub made a motion, seconded by DuPey, to make the publication of Notice of Board of Commissioners of the County of Lake, Indiana Tax Certificate Sale, published 3/30/11,4/6/11,4/13/11, a matter of public record. Motion carried.

Order #10 Agenda #33C (cont'd)

Don Guernsey opened the Auction, all bidders forward, bid open at \$8,000, hearing only one bid, property known as parcel ID 45-08-05-407-024.000-004 SOLD, for \$8,000.00 to Robert B. Golding, Jr. of Amber, Golding & Hofstetter, 1194 Joliet Street, Dyer, IN 46311, upon a motion made by Scheub, seconded by DuPey, to approve the sale. Motion carried.

Order #11 Agenda #12

In the Matter of L C Highway – Project #0980090 45<sup>th</sup> Avenue Phase II Parcel 294 Counter Offer \$2,500.00.

Scheub made a motion, seconded by DuPey, to approve the acceptance of the County Offer of \$2,500.00 for Parcel 294 Project #0980090 45<sup>th</sup> Avenue on behalf of the Highway Department. Motion carried.

Order #12 Agenda #13

In the Matter of L C Highway – County Utility Agreement, Road Cut Permit, Lake Dalecarlia Regional Waste District, 209 West Lakeview Drive, Lowell, Indiana.

DuPey made a motion, seconded by Scheub, to approve the County Utility Agreement, Road Cut Permit, Lake Dalecarlia Regional Waste District, 209 West Lakeview Drive, Lowell, Indiana on behalf of the Highway Department. Motion carried.

18 Mar 2011 10:31AM LAKE COUNTY HIGHWAY 2196620497 P.2

**ROAD CUT PERMIT**

**PERMISSION TO WORK IN HIGHWAY ROAD RIGHT-OF-WAY**

DATE 3-17-11

Applicant: Lake Dalecarlia Regional Waste District  
15901 Briargate Place  
Lowell, IN 46352

Upon filing a Bond or a Certificate of Insurance acceptable and approved by the Board of County Commissioners for the amount of \$1,000,000.00 furnished by Plumbing Agency in behalf of the applicant. Permission is hereby granted to

cut a 2' x 2' section of the road at 209 W. Lakeview Drive, Lowell in order for the District to repair the shut off valve for the sanitary sewer system.

in accordance with the plans submitted and specifications outlined below.

**CONSTRUCTED TO THE FOLLOWING SPECIFICATIONS:**

1. Paved surface to be cut on a smooth edge. Cut is to be 12" wider than the proposed trench so as to hold 6" shoulder on both sides of trench.
2. After trench has been cut and tile firmly bedded, the entire trench to be filled with Indiana # 73 or equivalent.
3. 10" of compacted aggregate to be placed 12" wider than paved surface on both sides. Aggregate to be in accordance with the most recent State Highway Specifications.
4. 6" of bituminous material laid and rolled so as to give a smooth continuous surface. Bituminous material to be in accordance with the most recent Indiana State Highway Specifications.
5. All safety precautionary measures to be used in accordance with standard practice during construction period.

Applicant shall in no case have the road closed for more than an (8) hour period. Contractor is to notify the Lake County Highway Engineer or his appointed representative 24 hours in advance of the cutting of the road. Also notification is to be given to all emergency services (police, fire, ambulances and schools etc.) 24 hours in advance. While project is going on, flagman, barricades and flashers to be maintained so as to keep the traveling public safe and free from harm. The completion of the project must meet the approval of the Lake County Highway Engineer.

Recommended by: [Signature] 3-21-2011

Lake County Highway Department

Approved by:  
[Signature]  
[Signature]  
[Signature]  
Lake County Board of Commissioners

Order #13 Agenda #14

In the Matter of L C Highway – County Utility Agreement, Road Cut Permit, Lake Dalecarlia Regional Waste District, 5401-5408 Vasa Terrace, Lowell, Indiana.

DuPey made a motion, seconded by Scheub, to approve the County Utility Agreement, Road Cut Permit, Lake Dalecarlia Regional Waste District, 5401-5408 Vasa Terrace, Lowell, Indiana on behalf of the Highway Department. Motion carried.

Received Fax : 25 Mar 2011 10:27AM Fax Station : LAKE COUNTY HIGHWAY p. 2

Mar 25 2011 10:11AM LDRWD 219-696-4055 p.2

18 Mar 2011 10:31AM LAKE COUNTY HIGHWAY 2198820497 p.2

ROAD CUT PERMIT

PERMISSION TO WORK IN HIGHWAY ROAD RIGHT-OF-WAY

DATE 3-25-11

Applicant: Lake Dalecarlia Regional Waste District 15901 Briargate Place Lowell, IN 46352

Upon filing a Bond or a Certificate of Insurance acceptable and approved by the Board of County Commissioners for the amount of \$1,000,000.00 furnished by Plaintiff Agency in behalf of the applicant. Permission is hereby granted to

cut an @ 5' section of the road between 5407 & 5408 Vasa Terrace, Lowell in order for the District to repair a broken sewer main in the sanitary sewer system.

in accordance with the plans submitted and specifications outlined below.

CONSTRUCTED TO THE FOLLOWING SPECIFICATIONS:

- 1. Paved surface to be cut on a smooth edge. Cut is to be 12" wider than the proposed trench so as to hold 6" shoulder on both sides of trench.
2. After trench has been cut and tile firmly bedded, the entire trench to be filled with Indiana # 73 or equivalent.
3. 10" of compacted aggregate to be placed 12" wider than paved surface on both sides. Aggregate to be in accordance with the most recent State Highway Specifications.
4. 6" of bituminous material laid and rolled so as to give a smooth continuous surface. Bituminous material to be in accordance with the most recent Indiana State Highway Specifications.
5. All safety precautionary measures to be used in accordance with standard practice during construction period.

Applicant shall in no case have the road closed for more than an (8) hour period. Contractor is to notify the Lake County Highway Engineer or his appointed representative 24 hours in advance of the cutting of the road. Also notification is to be given to all emergency services (police, fire, ambulances and schools etc.) 24 hours in advance. While project is going on, flagman, barricades and flashers to be maintained so as to keep the traveling public safe and free from harm. The completion of the project must meet the approval of the Lake County Highway Engineer.

Recommended by: [Signature] 3-28-2011

Lake County Highway Department

Approved by: Frances DuPey, Harry Scheub

Lake County Board of Commissioners

Wanda - @ 219-406-9011 Lake Dale Regional Waste Dist.

Order #14 Agenda #15

In the Matter of L C Highway – County Utility Agreement, AT&T-Indiana, Buried Telephone Facilities, 45th East of Colfax and at Ross Road, Calumet Township.

DuPey made a motion, seconded by Scheub, to approve the County Utility Agreement, AT&T-Indiana, Buried Telephone Facilities, 45th East of Colfax and at Ross Road, Calumet Township on behalf of the Highway Department. Motion carried.

Order #15 Agenda #16

In the Matter of L C Highway – Ordinance Petition-Finding of Fact, 15 ton weight limit sign for: A. Chase Street from 203rd Avenue to Monon Road; B. Monon Road from Chase Street to 231st Street; C. 231st Street from Monon Road to State Road 55.

DuPey made a motion, seconded by Scheub, to ratify the approval of L C Highway – Ordinance Petition-Finding of Fact, 15 ton weight limit sign for: A. Chase Street from 203rd Avenue to Monon Road; B. Monon Road from Chase Street to 231st Street; C. 231st Street from Monon Road to State Road 55. Motion carried.

Order #15 Agenda #16 (cont'd)

WEIGHT FORM

ORDINANCE PETITION

FINDING OF FACT

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE HEREBY REQUEST THE ESTABLISHMENT AND POSTING OF A 15 TON WEIGHT LIMIT AND OVER THE FOLLOWING DESCRIBED ROADS BE APPROVED (DENY).

CHASE STREET FROM 203RD AVENUE TO MONON ROAD

MONON ROAD FROM CHASE STREET TO 231ST STREET

231ST STREET FROM MONON ROAD TO STATE ROAD 55

PETITIONED BY : LAKE COUNTY HIGHWAY DEPARTMENT

BASED UPON THE FOLLOWING FINDING OF FACT :

1) AN ENGINEERING STUDY WAS CONDUCTED BY THE LAKE COUNTY HIGHWAY DEPARTMENT ON MARCH 31, 2011 UNDER THE DIRECTION OF THE LAKE COUNTY HIGHWAY ENGINEER (AN INDIANA LICENSED PROFESSIONAL ENGINEER) IN ACCORDANCE WITH THE INDIANA UNIFORM TRAFFIC MANUAL FOR STREETS AND HIGHWAYS AS REQUIRED BY INDIANA CODE 9-21-3 AND HAS DETERMINED THAT A 15 TON WEIGHT LIMITS (ARE) NOT WARRANTED AT THE ABOVE DESCRIBED LOCATION (S) IN UNINCORPORATED LAKE COUNTY, INDIANA.

2) AFTER A REVIEW OF THE LAKE COUNTY HIGHWAY DEPARTMENT BUDGET IT HAS BEEN DETERMINED THAT THE EXPENDITURE OF FUNDS FOR THE PURCHASE AND INSTALLATION OF TRAFFIC CONTROL DEVICES (ARE) NOT JUSTIFIED ACCORDING TO THE ENGINEERING STUDY AND THE INDIANA UNIFORM TRAFFIC MANUAL AT THE ABOVE DESCRIBED ROAD (S).

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE BASED UPON THE ABOVE FINDING OF FACTS PETITION THE LAKE COUNTY COUNCIL OF THE COUNTY OF LAKE TO ESTABLISH DENY A 15 TON WEIGHT LIMIT ORDINANCE (S) AT THE ABOVE DESCRIBED ROADS.

RECOMMENDED TO THE BOARD OF COUNTY COMMISSIONERS BY:

THE LAKE COUNTY SHERIFF
LAKE COUNTY HIGHWAY SUPERINTENDENT
LAKE COUNTY HIGHWAY ENGINEER
SEE ATTACHED ENGINEERING REPORT

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE:

Frances DuPey
COUNTY COMMISSIONER
Sue Scheub
COUNTY COMMISSIONER
APRIL 20, 2011
DATED

COUNTY COUNCIL
COUNTY APPROVAL DATE

COUNTY REJECTION DATE

Order #15 Agenda #17

In the Matter of L C Highway – Letter of Understanding, Unofficial Detour, Project: Contract B-29004, Des #0201045, Bridge Deck Overlay on SR55, Bridge over Tully Ditch.

DuPey made a motion, seconded by Scheub, to approve the Letter of Understanding, Unofficial Detour, Project: Contract B-29004, Des #0201045, Bridge Deck Overlay on SR55, Bridge over Tully Ditch on behalf of the Highway Department. Motion carried.

Order #16 Agenda #18

In the Matter of L C Highway – 2011 Memorandum of Understanding with the City of Crown Point for liquid asphalt for roadway patching.

DuPey made a motion, seconded by Scheub, to approve the L C Highway – 2011 Memorandum of Understanding with the City of Crown Point for liquid asphalt for roadway patching. Motion carried.

Order #17 Agenda #19

In the Matter of L C Highway – Memorandum of Understanding with the Town of Lowell for liquid asphalt for roadway patching.

DuPey made a motion, seconded by Scheub, to approve the L C Highway – Memorandum of Understanding with the Town of Lowell for liquid asphalt for roadway patching. Motion carried.

## Order #18 Agenda #21

In the Matter of L C Sheriff – SPECIFICATIONS: Food, Bread and Dairy Products for the period of July 1, 2011 to December 31, 2011 to be advertised. Bids to be returned by Wednesday, May 18, 2011 prior to 9:30 A.M. in the Lake County Auditor's Office.

DuPey made a motion, seconded by Scheub, to approve the Specifications for Food, Bread & Dairy Products for the period of July 1, 2011 to December 31, 2011 for the L C Jail, and ordered same to advertise for the return of bids by Wednesday, May 18, 2011 prior to 9:30 A.M. in the L C Auditor's Office. Motion carried.

## Order #19 Agenda #22

In the Matter of L C Sheriff – Letter concerning Jail Floor Plans.

DuPey made a motion, seconded by Scheub, to make a matter of public record the Letter concerning Jail Floor Plans from the L C Sheriff. Motion carried.

## Order #20 Agenda #58D

In the Matter of Appointments: Lake County Board of Health Resignation Letter from Johann Farley, M.D.

Scheub made a motion, seconded by DuPey, to accept the resignation and make a matter of public record the letter of Lake County Board of Health Resignation from Johann Farley, M.D. Motion carried.

## Order #21 Agenda #23,24,25

In the Matter of L C Sheriff – Contract with Dr. Farley; Reduction in MedStaff Contract; Amendment to Edgewater Contract.

DuPey made a motion to pass the Contract with Dr. Farley, the Reduction in MedStaff Contract, and the Amendment to Edgewater Contract, motion dies for lack of a seconded.

Discussion. Mr. Malizzo of MedStaff allowed to speak, Sheriff Buncich present, spoke, and Attorney Bushemi present/spoke. Attorney Dull spoke. DuPey spoke.

DuPey withdrew her motion. Attorney Bushemit spoke asking that the motion not be withdrawn. DuPey explained that there is no motion, because there was no seconded.

Discussion continued.

Scheub made a motion, seconded by DuPey, to approve the L C Sheriff – Contract with Dr. Farley, Reduction in MedStaff Contract with Amendment (paragraph d, page 2), and Amendment to Edgewater Contract. Motion carried.

**CONTRACT OF JOHANN D. FARLEY  
LAKE COUNTY JAIL MEDICAL DIRECTOR AGREEMENT**

This Contract is entered into this 20<sup>th</sup> day of April, 2011 by and between the Board of Commissioners of the County of Lake, on behalf of the Lake County Sheriff, hereinafter referred to as "the Board", and Johann D. Farley, M.D., M.S., hereinafter referred to as "Consultant" and replaces and terminates the Contract entered by the parties on the 15<sup>th</sup> day of December, 2010;

NOW, THEREFORE, FOR AND IN consideration of the promises and covenants contained herein, the parties mutually agree as follows:

**1. TERM**

The term of this Contract is from May 1, 2011 to December 31, 2011.

**2. COMPENSATION**

- A. The Consultant shall be compensated for services commencing May 1, 2011 at the rate \$250.00 per hour of onsite work and \$100.00 per calendar day to be on call as described in this agreement. Fees for the term of this agreement shall not exceed \$194,400 (\$24,300.00 per month) unless otherwise approved by Lake County.
- B. Payment forms shall be those prescribed by the State of Indiana, State Board of Accounts, and the Board of Commissioners of the County of Lake.
- C. The obligation to pay the consultant is subject to annual funding by the Fiscal Body.
- D. The Consultant will, consistent with these provisions, tender the necessary verified and itemized forms on a periodic basis.
- E. The source of funds for this payment is the Jail Budget, 0310, Line Item 43630.

**3. SCOPE OF CONSULTANT SERVICES**

- A. The Consultant shall provide services to the County of Lake, its Elected Officials, employees, agents and the Lake County Sheriff as follows:
  - 1. Serve as Medical Director for the Lake County jail physician so defined by ARTICLE 3. INDIANA COUNTY JAIL STANDARDS (210 IAC 3-1-1, 210 IAC 3-1-11a), Settlement Agreement in *United States v. Lake County et. al.*,



## Order #21 Agenda #23,24,25 (cont'd)

U.S. District Court Cause # 2-10-CV-476, and under the direction of the Lake County Sheriff, supervising all health care provided by contractors and reporting to the Lake County Sheriff.

2. Serve and the appointed Medical Director to the Lake County, IN Jail and provide clinical treatment and oversight services consistent with professional medical practices and procedures and the above Settlement Agreement on-site for 20 hours per week at the Lake County Jail.
3. Assist Lake County, Sheriff, and other professionals assigned in ensuring compliance with the Medical Care and Mental Health Care, and other health care-related provisions contained in the Settlement Agreement in *United States v. Lake County et. al.*, U.S. District Court Cause # 2-10-CV-476 (EXHIBIT A ATTACHED), and ARTICLE 3. INDIANA COUNTY JAIL STANDARDS (EXHIBIT B ATTACHED).
4. Provide on call consultation necessary to assist in meeting the medical needs of Lake County jail inmates.
5. Provide leadership and oversight of the Lake County jail health care program to assist in ensuring compliance with the above Settlement Agreement.
6. Provide and/or direct orientation, pre and in-service training and orientation to corrections, support, volunteers, interns, and health care staff as needed.
7. Assist in ensuring contract compliance with other health care provider contracts in delivering health care services in and for the Lake County Jail.
8. Serve as the Infectious/Communicable Disease Consultant for the Lake County Jail as specified in previous contract cited herein and dated 15<sup>th</sup> day of December, 2010.
9. Shall direct the development, implementation, use, and evaluation of a Health Care Utilization Management Program to control health care costs.
10. Ensure that the required 20 hours of physician time per week is provided at the Lake County Jail for the duration of this contract. Ensure that back-up physician services are provided to meet the 20 hours per week in the event unable is unable to do so.
11. Assist in ensuring that all Qualified Medical/Mental Health Staff receive adequate physician supervision.

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Page 2

12. Assist in the evaluation, implementation and management of medical, clinical and operational systems and policies for inmate health care to ensure compliance with the above Settlement Agreement.
  13. Assist in ensuring that the Lake County jail health care program is organized with clear lines of authority for its operation.
  14. Maintain professional cooperative and collaborative working relationships with county officials, jail officials, consultants, contractors, staff, inmates and the community.
  15. Serve as co-chair of the LCJ Health Care Program Quality Assurance Committee.
- B. Consultant must be a qualified medical provider under the provisions of IC 34-18-2-24.5 by complying with the procedures set forth in IC 34-18-3 commonly known as medical malpractice act.

**4. SCOPE OF SHERIFF'S SERVICES**

The County of Lake through the Board and/or the Lake County Sheriff shall:

- A. Identify the Consultant as Medical Director.
- B. Provide suitable clinical and office space, equipment, and materials as necessary, including one lap-top computer suitable for providing agreed services and that is capable of access Jail Electronic Records and other information needed for efficient and effective delivery of care and services.
- C. Provide a general orientation for the Consultant to the facility, including its staff, policies, recording system, and other operating procedures.
- D. Provide additional professional consulting services as needed to assist consultant in ensuring that medical and mental health services provided to inmates complies with the Settlement Agreement in *United States v. Lake County et. al.*, U.S. District Court Cause # 2-10-CV-476.

**5. MALPRACTICE INSURANCE AND OR LEGAL DEFENSE**

- A. The County agrees to pay for incidental malpractice insurance for the Contractor during the period of this Contract in an annual aggregate amount of \$250,000.00 on an occurrence basis through a rider to the consultant's current medical malpractice insurance policy or in the alternative to defend

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Page 3

## Order #21 Agenda #23,24,25 (cont'd)

the Consultant in any malpractice actions and to pay any judgments if rendered against the Consultant in his official or personal capacity except as limited by paragraph 5C and D below.

- B. The Consultant as Medical Director will most likely be named as a defendant in his official capacity or in his individual capacity in lawsuits filed by inmates alleging violation of their civil rights based upon care provided or not provided by the Consultant or by others under his supervision. The County will provide the defense for the consultant in these actions and pay any judgments rendered against him in either his official or individual capacity. The County will not pay any punitive damages.
- C. Consultant agrees to and shall indemnify and hold Lake County and each of its elected or appointed officers, officials, employees, agents and volunteers harmless from all claims, suits, causes of action, court costs, expenses and attorney fees for any and all claims arising from or connected with any act of gross negligence, willful misconduct, damage to real or personal property, or any other act where the standard of care is less than negligence.
- D. The indemnification provided in Subsection C above constitutes an express waiver by Consultant of all immunities, protections and defenses provided under the Indiana Tort Claims Act, the Indiana Worker's Compensation Act and any other law, solely for the purposes of this indemnification, and that said waiver has been arrived upon after mutual negotiations by the parties to this Agreement.

**6. EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION**

The Consultant agrees by the execution of this agreement that in regards to the operations:

- A. No person shall be, on the grounds of race, color, national origin or sex subject to discrimination.
- B. The principles of equal opportunity in employment and delivery of services apply and the Hospital Consultant commits to a policy and practice of non-discrimination and affirmative action based upon age, military service, ancestry, color, national origin, physical handicap, political affiliation, race, religion, and sex.
- C. The provisions of all Federal Civil Rights Laws and the Indiana Civil Rights Law as applicable are incorporated by reference as part of this Contract.
- D. Breach of any of the equal opportunity and/or the nondiscrimination provisions of the agreement may be regarded as a material breach of the contract.

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Page 4

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**7. MISCELLANEOUS PROVISIONS**

- A. The parties shall periodically review the medical, mental health, dental and operation considerations.
- B. The 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 or portions of this agreement are found to be void or voidable by a court of competent jurisdiction this agreement shall not become void in its entirety. Rather the void or voidable portions shall be stricken and the remaining portions enforced.
- C. Consultant is not and shall not hold themselves out as an employee of the County, Sheriff or the LCSD and the relationship of Consultant to the LCSD is that of an independent contractor and Consultant shall not, in such capacity, be entitled to any of the fringe benefits provided LCSD employees. Consultant shall be responsible for all federal, state and local income, self-employment and similar taxes with respect to the consulting fees paid hereunder. Without limiting the scope of the preceding sentences, Consultant, in his capacity as such, shall have no power or authority to commit the LCSD to any obligation of any kind.
- D. Consultant shall maintain and keep his/her medical license and CME requirements in the State of Indiana current and up to date and file proof of same with the Sheriff and the Lake County Commissioners annually.
- E. Any disputes regarding Consultant and/or their contract for services shall be governed by, interpreted and enforced in accordance with the laws of the State of Indiana and the parties further agree the venue of all litigation hereunder or pertaining to any Agreement shall lie within the Circuit or Superior system of Lake County, Indiana.

**8. TERMINATION OF AGREEMENT.**

Either Party may terminate this agreement, with or without cause by giving written notice to the other party of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination.

**9. INFORMATION AVAILABILITY.**

- A. Information that is the property of Lake County shall be made available in accordance with the Indiana Open Records Law, I.C. 5-15-5.1-1 et seq.

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Page 5

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Order #21 Agenda #23,24,25 (cont'd)

B. County recognizes and acknowledges 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. County hereby agrees 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.

ALL OF WHICH is understood and agreed to the date first written above.

BOARD OF COMMISSIONERS  
OF THE COUNTY OF LAKE

CONSULTANT:

*Frances DuPeay*  
FRANCES DUPEY

JOHANN D. FARLEY, M.D., M.S.  
119 EAST 89th AVENUE  
MERRILLVILLE, IN 46410  
Telephone: (219) 801-2665

*Roosevelt Allen, Jr.*  
ROOSEVELT ALLEN, JR.

*Gerry J. Scheub*  
GERRY J. SCHEUB

ATTESTED:  
*Peggy Katona*  
PEGGY KATONA,  
LAKE COUNTY AUDITOR

CONTRACT AGREEMENT AMENDMENT

MEDSTAFF, INC-LAKE COUNTY JAIL MEDICAL SERVICES

This Contract Amendment is entered into this 20<sup>th</sup> day of April, 2011 by and between the Board of Commissioners of the County of Lake, on behalf of the Lake County Sheriff, hereinafter referred to as "the Board", and MED STAFF, INC. 626 East 3<sup>rd</sup> St. Hobart, IN 46342 hereinafter referred to as "Consultant", to amend ~~and~~ the Contract entered into by the parties on the 1<sup>st</sup> day of August, 2010.

The intent of this Amendment is to remove provisions for Physician services and related costs to Lake County from August 1, 2010 Agreement cited above.

NOW, THEREFORE, FOR AND IN consideration of the promises and covenants contained herein, the parties mutually agree as follows:

I. TERM

The term of this Amendment Contract is from May 1, 2011 to December 31, 2011.

II. COMPENSATION

The Consultant shall be compensated \$172,251.50 per month commencing May 1, 2011 thru December 31, 2011 for medical services stated in the August 1, 2010 Agreement with the exception stated below.

III. PROVISION OF SERVICES

The Consultant shall heretofore not provide Physician services for the Term of this agreement.

IV. DELIVERY OF SERVICES OVERSIGHT

The Consultant understands and agrees that all health care services provided by Consultant shall be under the oversight and supervision of the Lake County Jail Medical Director.

V. SPECIAL CONDITIONS

A. Notwithstanding another terms or conditions of this agreement, all health care services rendered by Consultant ~~under this agreement~~ or their vendor subcontractors under this agreement shall meet or exceed each of the conditions and requirements applicable to health care and services rendered to inmates at the Lake County Jail contained in the Settlement Agreement between Lake County and the United States Department of Justice approved by the United States District County for the Northern District of Indiana under case number 2:10-CV-476. It is fully understand that the Consultant shall remain in full compliance with the above referenced Settlement Agreement for the duration of this agreement and as a condition of this agreement.

## Order #21 Agenda #23,24,25 (cont'd)

B. The Consultant understands and agrees to regular compliance audits of all services rendered in its agreement by the County. A compliance audit will be of those conditions set forth in the Settlement Agreement between the United States Department of Justice and Lake County as previously described. The County may conduct weekly compliance audits health care services. The County will notify Consultant in writing seven (7) business days before a compliance audit and provide a description of the quantitative and/or qualitative compliance measure being audited. The County shall bare the cost for all compliance audits. Where a compliance audit for any compliance measure finds non compliance with an audited measure, Consultant will be provided seven (7) business days to bring that measure ~~in~~ to required compliance and a re-audit ("Noncompliance Audit") for that measure will be scheduled no earlier than eight (8) days from the date of the Consultant was notified in writing of non-compliance. Consultant shall bare all costs associated with all noncompliance audits. If a noncompliance audit, subsequent to the compliance audit, again finds noncompliance with the audited measure, the Consultant shall bare all costs associated with this and all subsequent noncompliances audits for that compliance measure until such time that the measure is compliant. In such cases, the County shall debit (subtract) from all payments to CONSULTANT for services rendered for the month(s) of, or subsequent to each noncompliance audit. All compliance and subsequent noncompliance audits shall be conducted by qualified and competent person(s) solely determined by the County. A second noncompliance audit finding noncompliance may be deemed as noncompliance with this agreement and the County shall have the right to terminate the agreement as set forth in this agreement.

C. The terms contained within Section B. Paragraph A. and B. are contingent upon the full cooperation and participation in complying with the Settlement Agreement between Lake County and the United States Department of Justice approved by United States Districted Court from the Northern District of Indiana under case number 2:10-CV-476, of the County (Lake County Sheriff's Department, County Commissioner, and any other necessary Lake County Entity) including but not limited to;

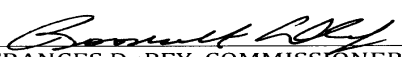


1. Providing manpower necessary to comply;
2. Providing equipment necessary to comply with the DOJ Standards and above Settlement Agreement; and
3. Any and all necessary efforts to meet DOJ standards.

D. That the Agreement between the Board and the Consultant dated August 1, 2010 has indemnification provisions. Those indemnifications are still in full force and effect with the following exception; Consultant shall no longer be obligated to indemnify the Board or Lake County for the physician services described herein. Further, any and all physician services related contract terms in the August 1, 2010 Agreement are hereby voided.

E. The remainder of the August 1, 2010 contract shall remain in full force and effect.

Order #21 Agenda #23,24,25 (cont'd)

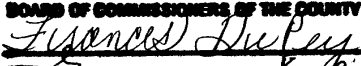
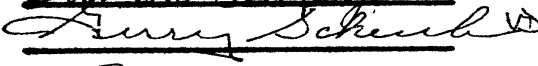

**ALL OF WHICH is understood and agreed to the date first written above.**

BOARD OF COMMISSIONERS THE COUNTY OF LAKE	CONSULTANT:
 FRANCES DuPEY, COMMISSIONER	MR. BOB MALIZZO, MED STAFF, INC, 626 East 3 <sup>rd</sup> St. Hobart, IN 46342
 ROOSEVELT ALLEN, JR., COMMISSIONER	
 GERRY J. SCHEUB, COMMISSIONER	
ATTESTED:  PEGGY KATONA, LAKE COUNTY AUDITOR	

**AMENDED AGREEMENT WITH EDGEWATER SYSTEMS FOR BETTER LIVING  
 LAKE COUNTY JAIL MENTAL HEALTH SERVICES  
 EXHIBIT A: AMENDED ANNUAL BUDGET**

Budget	Proposed Amendment			
	Positions	FTE	Salary	Total
Program Manager	1	\$ 60,000	\$	60,000
Clinical Manager (QMHP)	1	\$ 60,000	\$	60,000
QMHP	5	\$ 51,000	\$	255,000
Crisis Intervention	3	\$ 33,280	\$	99,840
Residential Tech	7	\$ 22,950	\$	160,650
Psychiatrist	0.40	\$ 150	\$	124,800
Sub Totals	17.4			\$ 760,290.00
Benefits:		33%	\$	250,896
<b>Total Salaries &amp; Benefits:</b>				<b>\$ 1,011,186</b>
<b>Benefits and Indirect</b>				
Travel			\$	6,750
Office Supplies			\$	13,500
Computers			\$	12,000
Furniture			\$	-
Computer Software			\$	10,800
<b>Total:</b>			\$	<b>43,050</b>
Phone			\$	13,500
Training			\$	9,500
Admin Management			\$	107,723
<b>Total:</b>			\$	<b>130,723</b>
<b>Total Benefit and Indirect :</b>			\$	<b>173,773</b>
<b>Contract Annual Amount:</b>			\$	<b>1,184,959</b>

- Amended Budget Includes:
- 1) Reduction of one (1) QMHP Position
  - 2) Adds one (1) Licensed Clinical Manager Qualified as QMHP to Provide Daily AND Qualified Supervision and Oversight of the Jail Mental Health Clinical Program
  - 3) Increases QMHP Salary and Benefits to Improve Timely QMHP Recruiting and Long Term Maintenance of QMHP Staffing Levels
  - 4) Transfer Funding from Reduction of one QMHP Position to Fund Changes 2 and 3 above
  - 5) No Annual Budget Change

**BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE**  
  
  
  
 APPROVED THIS 20<sup>th</sup> DAY OF April 2011

## Order #22 Agenda #34A

In the Matter of E-9-1-1: Review and approve 9-1-1 Ordinance.

Scheub made a motion, seconded by DuPey, recommend approval of 9-1-1 Ordinance, Ordinance Establishing The Lake county Public Safety Communications Commission to the L C Council. Motion carried.

ORDINANCE ESTABLISHING THE LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS  
COMMISSION

**WHEREAS**, each of eighteen (18) local government units in Lake County operates a Public Safety Answering Point ("PSAP") for dispatching fire, ambulance and law enforcement services;

**WHEREAS**, state law requires the consolidation of PSAP operations no later than December 31, 2014;

**WHEREAS**, the public safety agencies of Lake County operate on different radio systems hindering their ability to interoperate with each other when needed; and

**WHEREAS**, consolidating the dispatch function and developing an interoperable public safety communications system will increase the safety of residents and public safety personnel of Lake County;

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

**SECTION 1. PURPOSE**

The Lake County Public Safety Communications Commission is established for the purpose of promoting the efficient use of public safety agency resources through improved coordination and cooperation to enhance the safety of Lake County residents and public safety personnel using a consolidated dispatch function and interoperable communications system.

**SECTION 2. DEFINITIONS**

The following definitions apply throughout this ordinance:

- (1) "Commission" refers to the Lake County Public Safety Communications Commission.
  - (2) "County Commissioners" refers to the Lake County Board of Commissioners.
  - (3) "Consolidated dispatch center" refers to centers at which the consolidated dispatch function takes place.
  - (4) "Consolidated dispatch function" refers to all of the functions involved with operating consolidated dispatch centers including public safety call taking and dispatching of appropriate public safety responders that currently are performed at eighteen (18) Public Safety Answering Points ("PSAPs") and any other function that is appropriate for accomplishing the Commission's purposes.
  - (5) "Interoperable communications system" means a system that enables public safety units from two or more different entities to communicate with each other via voice or data communications, including video communications, when and where needed.
  - (6) "Municipality" means a city or town.
-

## Order #22 Agenda #34A (cont'd)

- (7) "Non-public safety agency" means an entity that is not a public safety agency such as a school district, a department of public works, department of transportation or utility.
- (8) "Public safety agency" means a federal, state, or local governmental entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 et seq.
- (9) "System" refers to the interoperable communications system.

**SECTION 3. LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION**

- (a) The Commission is comprised of the following twenty-one (21) voting members and non-voting advisors:
    - 1. The chief of police or chief of the fire department as appointed by the Mayors of Gary, Hammond, East Chicago, Crown Point, Hobart, Lake Station and Whiting (seven (7) voting members).
    - 2. The chief of police or chief of the fire department as appointed by the Town Council Presidents of Cedar Lake, Dyer, Griffith, Highland, Lowell, Merrillville, Munster, New Chicago, Schererville and St. John (ten (10) voting members).
    - 3. Lake County Sheriff (voting member).
    - 4. One member of the County Commissioners (voting member).
    - 5. One member of the Lake County Council (voting member).
    - 6. One member representing unincorporated Lake County appointed by the Lake County Sheriff (voting member).
    - 7. Lake County Emergency Management Director (non-voting advisor).
    - 8. Pursuant to IDACS rules, a majority of the voting members of the Commission shall represent criminal justice agencies.
  - (b) The Lake County Emergency Management Director and the Lake County Sheriff serve by virtue of their offices. Members serve for a term of two (2) years and may be reappointed by the appointing authority. The members described in subsections (a)(4) and (a)(5) are appointed by their respective governmental bodies and serve at the pleasure of the respective governmental bodies.
  - (c) Each member may select a designee in writing to represent the member. However, the designee for the members described in (a)(1) and (a)(2) must either be a deputy with command responsibility or a person with emergency management and communications command responsibility.
  - (d) At the first meeting of the Commission held in each calendar year, the members shall elect a chairman, vice chairman and secretary and such other officers that the Commission determine are necessary.
  - (e) The Commission shall appoint an Executive Director of the Commission who manages the operations of the consolidated dispatch centers under the direction of the Commission and serves at the pleasure of the Commission.
-

## Order #22 Agenda #34A (cont'd)

- (f) A majority of the twenty-one voting members of the Commission or eleven voting members shall constitute a quorum to conduct Commission business. Each member has one vote. Decisions require an affirmative vote by a majority of those voting members present.

**SECTION 4. COMMISSION POWERS**

- (a) The Commission may make recommendations to the County Commissioners regarding:
- (1) Financing, purchasing and contracting for the implementation of a consolidated dispatch function that complies with state law and an interoperable communications system.
  - (2) Contracting with consultants including architects, engineers, attorneys, auditors and others to assist in the financing, planning, development and implementation of the consolidated dispatch function and interoperable communications system.
  - (3) Acquiring personal or real property, or any interest in it, by lease or conveyance.
  - (4) Owning, improving and constructing facilities on real property.
  - (5) Conveying, leasing, mortgaging or otherwise disposing of or encumbering personal or real property or interests therein or facilities on it.
  - (6) Assessing charges for using the consolidated dispatch center and interoperable communications system.
  - (7) Entering into and performing use and occupancy agreements concerning the consolidated dispatch function and interoperable communications system.
- (b) The Commission's powers include:
- (1) Operating and maintaining the consolidated dispatch function and interoperable communications system including: frequency planning, managing the licensing of frequencies with the Federal Communications Commission and anything else needed for the proper functioning of the consolidated dispatch center and interoperable communications system.
  - (2) Developing means of sharing information operationally and technologically to improve public safety.
  - (3) Developing a personnel system for employees of the Commission including staffing, salary, benefits and standards for hiring, and disciplining employees.
  - (4) Accepting revenue from fees, gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing, and any other aid from any source. The Commission shall turn all revenue received over to the fiscal officer designated by the County Commissioners.
  - (5) Any other power necessary to carry out the Commission's purposes.
- (c) The Commission may allow non-public safety agencies to use the consolidated dispatch center and/or interoperable communications system if allowing this will not adversely impact public safety.
- (d) The Commission may create subcommittees to assist the Commission in carrying out its purposes.
-



## Order #22 Agenda #34A (cont'd)

**SECTION 5. USER AGREEMENTS**

Any public safety agency or non-public safety agency that wishes to use the consolidated dispatch center and/or interoperable communications system must enter into a user agreement with the Commission. The Commission shall develop criteria for determining whether a public safety agency or other entity may use the interoperable communications system.

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
*Frances DuPey*  
*Harry Scheub*  
APPROVED THIS 20<sup>th</sup> DAY OF April 2011

## Order #23 Agenda #43

In the Matter of Letter from the Board of Commissioners to Public Communications Services, Inc. concerning Fiscal Crisis.

DuPey made a motion, seconded by Scheub, to make a matter of public record the letter from the Board of Commissioners to Public Communications Services, Inc. (PCS, Inc.) concerning Fiscal Crisis. Motion carried.

## Order #24 Agenda #48 A-B

In the Matter of Declaration of emergency regarding plumbing in the Lake County Jail: A. Authorization by County Attorney to proceed even though two plumbers could not be notified and quotes obtained to time when repairs had to be made on six projects by Keogh; B. Acknowledgment that Keogh Plumbing and Gatlin Plumbing were invited to make repairs on items listed in ten projects.

Scheub made a motion, seconded by DuPey, to ratify the Emergency declared regarding plumbing in the Lake County Jail. Motion carried.

DuPey made a motion, seconded by Scheub, for approval of repairs to be made promptly using both companies invited, Gatlin Plumbing and Keogh Plumbing, as it relates to the Emergency declared regarding plumbing issues in the Jail. Motion carried.

## Order #25 Agenda #26

In the Matter of L C Juvenile Center – SPECIFICATIONS: Food, Bread and Dairy Products for the period of July 1, 2011 to December 31, 2011 to be advertised. Bids to be returned by Wednesday, May 18, 2011 prior to 9:30 A.M. in the Lake County Auditor's Office.

Scheub made a motion, seconded by DuPey, to approve the Specifications for Food, Bread & Dairy Products for the period of July 1, 2011 to December 31, 2011 for the L C Juvenile Center, and ordered same to advertise for the return of bids by Wednesday, May 18, 2011 prior to 9:30 A.M. in the L C Auditor's Office. Motion carried.

## Order #26 Agenda #27

In the Matter of L C Juvenile Center – Request for acceptance of a \$20,000.00 Federal Grant from the Indiana Criminal Justice Institute titled "Disproportional Minority Contact Project".

Scheub made a motion, seconded by DuPey, to approve the request of the Juvenile Center to accept a \$20,000.00 Federal Grant from the Indiana Criminal Justice Institute titled "Disproportional Minority Contact Project". Motion carried.

## Order #27 Agenda #28

In the Matter of L C Surveyor – Lease with Allard Rental Corporation of a 15 Passenger Van for the period of April 22, 2011 to September 23, 2011 in the amount of \$975.00 per month.

Scheub made a motion, seconded by DuPey, to approve the Lease between L C Surveyor and Allard Rental Corporation for a 15 Passenger Van for the period of April 22, 2011 to September 23, 2011 in the amount of \$975.00 per month. Motion carried.

## Order #28 Agenda #29

In the Matter of L C Community Economic Development Department – Resolution proclaiming April 2011 Fair Housing Month in Lake County, Indiana.

Scheub made a motion, seconded by DuPey, to approve the Resolution proclaiming April 2011 Fair Housing Month in Lake County, Indiana on behalf of L C Community Economic Development Department. Motion carried.

## Order #29 Agenda #30

In the Matter of L C Community Economic Development Department – Request for acceptance of a \$1,613,168.00 Grant from the U.S. Department of Housing and Urban Development for Neighborhood Stabilization (NSP) Program, Grant Number B-11-UN-18-0002, NSP3 Grant Agreement.

Scheub made a motion, seconded by DuPey, to approve the request of the L C Community Economic Development Department for acceptance of a \$1,613,168.00 Grant from the U.S. Department of Housing and Urban Development for Neighborhood Stabilization (NSP) Program, Grant Number B-11-UN-18-0002, NSP3 Grant Agreement. Motion carried.

## Order #30 Agenda #31

In the Matter of L C Council – Attorney Contract with Linda S. Garcia-Marmolejo for Attorney Services for the year 2011 in an amount not to exceed \$25,000.00 at the rate of \$90.00 per hour.

DuPey made a motion, seconded by Scheub, to approve the Attorney Contract with Linda S. Garcia-Marmolejo on behalf of the L C Council for Attorney Services for the year 2011 in an amount not to exceed \$25,000.00 at the rate of \$90.00 per hour. Motion carried.

## Order #31 Agenda #32

In the Matter of L C Veterans Service – The American Legion Certificate of Appreciation of Extraordinary Veterans Services.

Scheub made a motion, seconded by DuPey, to make a matter of public record the L C Veterans Service - American Legion Certificate of Appreciation of Extraordinary Veterans Services. Motion carried.

DuPey made a motion, seconded by Scheub, to make a matter of public record the Re-Dedication of Flag in Hammond, Post 158 donation of Flags. Motion carried.

## Order #32 Agenda #33A

In the Matter of Property Transfers: A. City of Hammond Redevelopment Commission request for parcels.

DuPey made a motion, seconded by Scheub, to approve the parcels requested by the City of Hammond Redevelopment Commission be removed from the sale and transferred to the City of Hammond Redevelopment Commission, properties requested are in redevelopment areas or adjacent to areas that have or are planned for projects. Motion carried.  
(SEE FILE "APRIL 2011" FOR LIST)

## Order #33 Agenda #33B

In the Matter of Property Transfers: B. Re-issuance of Tax Sale Certificate Parcel 45-08-04-338-008.000-004.

DuPey made a motion, seconded by Scheub, to approve the Re-issuance of Tax Sale Certificate Parcel 45-08-04-338-008.000-004. Motion carried.

## Order #34 Agenda #33D

In the Matter of Property Transfers: D. Transfer of Certificate #45-08-08-178-004.000-004 to Tree of Life Missionary Baptist Church.

DuPey made a motion, seconded by Scheub, to approve the Transfer of Certificate for parcel ID #45-08-08-178-004.000-004 to Tree of Life Missionary Baptist Church. Motion carried.

## Order #35 Agenda #33E

In the Matter of Property Transfers: E. Preliminary results from Commissioners Sale on April 5-8, 2011. 1) Gross Proceeds to date: \$1,800,000.00. 2) Problems with sale as affected by property transfers to units of Government.

Results heard by the Board of Commissioners, no action taken. NAT.

## Order #36 Agenda #33F

In the Matter of Property Transfers: F. Action to keep the auction sale open.

Scheub made a motion, seconded by DuPey, to approve the Auction to remain open. Motion carried.

Order #37 Agenda #33G

In the Matter of Property Transfers: G. Approve the sale of all properties not sold at the April 5-8, 2011 sale at a special sale to be held beginning May 24, 2011. 1) Include properties taken off for the City of Gary that were not affected by the Court Order. 2) Approve an opening bid price of \$50.00. 3) Approve the final notice and procedures to be published in the paper. 4) Leave the May 24, 2011 sale open and authorize the sale of properties at \$50.00 per parcel thru July 31, 2011.

Scheub made a motion, seconded by DuPey, to approve the sale of all properties not sold at the April 5-8, 2011 sale at a special sale to be held beginning May 24, 2011, and ordered same to include properties taken off for the City of Gary that were not affected by the Court Order, approve opening bid price of \$50.00, approve the final notice and procedures be published in the paper, and leave the May 24, 2011 sale open authorizing the sale of properties at \$50.00 per parcel thru July 31, 2011. Motion carried.

Order #38 Agenda #33H

In the Matter of Property Transfers: H. Public Record of Suggestions from the Auditor's Tax Sale Department and assign staff to prepare a new set of rules for the next Commissioner Tax Certificate Sale to be held in 2012.

After discussion, Scheub made a motion, seconded by DuPey, to make a matter of public record the suggestions from the Auditor's Tax Sale Department and assigning of staff to prepare a new set of rules for the next Commissioner Tax Certificate Sale to be held in 2012. Don Guersney present. Motion carried.

Order #39 Agenda #34B

In the Matter of E-9-1-1: B. Review Tri Creek Medical Services request and quotes from two vendors.

Scheub made a motion, seconded by DuPey, to approve Tri Creek Medical Services (Tri-Creek EMS) accept the lowest proposal of Miner Electronics, under the recommendation of E-9-1-1 Manager, in the amount of \$8,225.00 for radios. Motion carried.

Order #40 Agenda #36

In the Matter of Rescind Specification for Property Insurance.

Scheub made a motion, seconded by DuPey, to rescind the Specification for Property Insurance. Motion carried.

Order #41 Agenda #37

In the Matter of Spread Sheet concerning 2011 Lake County Court Reporting bids.

Scheub made a motion, seconded by DuPey, to accept the bids received of Boss Reports, Fissinger & Associates, and Seidel & Sasse Court Reporters as recommended by Attorney Patrick for Lake County Court Reporting. Motion carried.

2011 LAKE COUNTY COURT REPORTING BIDS

Court Reporting Firm	Appearance Fee	Per Page Transcript Fee	Original Transcript Fee	Copy of Transcript Fee	E-Transcripts	Itemization of Costs and Fees
Allen Court Reporting	No Response to Bid					
Boss Reports	\$40/hr Mon-Fri (during business hours); \$50/hr after 5 p.m. and weekends (both rates include w/o transcript and 2.0 hour minimum	\$3.00/Page (includes original and as many copies as needed in any size)	n/a	\$3.75/Page (one week delivery) \$4.25/Page (next day delivery)	Included in Transcript price	Realtime Feed \$1,000/page in addition to original and/or copy fees
Fissinger & Associates	Transcribed- minimum charge of 2 hours @ \$35/hour Charge of \$8.75 per quarter hour after minimum 2 hr. Not transcribed minimum charge of 2 hours @ 40/hour Charge of \$10.00/quarter hour after minimum of 2 hours	Original and (1) cc \$2.80/page	n/a	1-day delivery - \$4.85/page 2-day delivery - \$4.50/page 3-day delivery - \$4.35/page 4-day delivery - \$4.05/page 5-day delivery - \$3.85/page	No extra charge	n/a
Heide M. Pagano	No Response to Bid					
Iseminger & Associates	No Response to Bid					
Karen M. Price & Associates	No Response to Bid					
Seidel & Sasse Court Reporters	Mon-Fri (8 a.m. - 5 p.m.) minimum; w/o transcript - \$38.00 per hour \$45.00 per hour (2.5 minimum); Saturdays and after 5 p.m. with transcript 0 \$48.00 an hour (2.5 minimum); w/out transcript - \$52.00 per hour (2.5 minimum)	Original and (1) condensed copy \$3.65/page	n/a	Copy of Transcript \$2.20/page	Included in Transcript price	Realtime depositions add \$100 pp to transcript cost

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
 Approved this 20th day of April 2011  
 (Signature)  
 (Signature)  
 APPROVED THIS 20th day of April 2011

\* For more detailed information, please consult actual bids as this is a brief synopsis of each bid.

## Order #42 Agenda #38

In the Matter of Wastewater Contract Management Service Agreement for Hermit's Lake WWTP between Gertzen Water Management Co. dba Utility Services and the Board of Commissioners of the County of Lake in the amount of \$4,300.00 per month plus fuel escalation clause as outlined in IV E on page 4 of agreement removed.

Scheub made a motion, seconded by DuPey, to approve the Wastewater Contract Management Service Agreement for Hermit's Lake WWTP between Gertzen Water Management Co. dba Utility Services and the Board of Commissioners of the County of Lake in the amount of \$4,300.00 per month plus fuel escalation clause as outlined in IV E on page 4 of agreement removed. Motion carried.

(SEE FILE "APRIL 2011" FOR AGREEMENT)

## Order #43 Agenda #39

In the Matter of Amendment to Contract for 2012 General Reassessment between the Board of Commissioners of the County of Lake and Nexus Group, Inc. on behalf of the Lake County Assessor for 2011 annual adjustments for eight (8) townships (Cedar Creek, Center, Eagle Creek, Hanover, Hobart, North, West Creek and Winfield) in an amount not to exceed \$127,500.00.

Scheub made a motion, seconded by DuPey, to approve the Amendment to Contract for 2012 General Reassessment between the Board of Commissioners of the County of Lake and Nexus Group, Inc. on behalf of the Lake County Assessor for 2011 annual adjustments for eight (8) townships (Cedar Creek, Center, Eagle Creek, Hanover, Hobart, North, West Creek and Winfield) in an amount not to exceed \$127,500.00. Motion carried.

(SEE FILE "APRIL 2011" FOR AGREEMENT)

## Order #44 Agenda #40

In the Matter of Attorney Contract between Del C. Wright, Jr. and the Board of Commissioners of the County of Lake for Attorney Services with regard to Federal Income Tax and other related matters at the rate of \$150.00 per hour.

Scheub made a motion, seconded by Allen, to approve the Attorney Contract with Del C. Wright, Jr. Attorney Services with regard to Federal Income Tax and other related matters at the rate of \$150.00 per hour, for the period of December 1, 2010 to December 31, 2011, and ordered same for the amount not to exceed \$25,000.00. Motion carried with 2-1 vote, DuPey no vote.

(SEE FILE "APRIL 2011" FOR AGREEMENT)

## Order #45 Agenda #41

In the Matter of L C Council Ordinance, Ordinance No. 1334D, Authorizing the County of Lake, Indiana to make temporary loans to meet current running expenses for the use of the general fund and the Parks and Recreation operating fund of the County and the Parks and Recreation Department thereof; authorizing the issuance and sale of temporary loan tax anticipation warrants to evidence such loans; and appropriating and pledging a sufficient amount of the revenues anticipated to be received in such fund to the punctual payment of such warrants including the interest thereon.

DuPey made a motion, seconded by Scheub, to approve said L C Council Ordinance, Ordinance No. 1334D. Motion carried.

**ORDINANCE NO. 1334D**

**AN ORDINANCE OF THE COUNTY COUNCIL OF THE COUNTY OF LAKE, INDIANA, AUTHORIZING THE COUNTY OF LAKE, INDIANA TO MAKE TEMPORARY LOANS TO MEET CURRENT RUNNING EXPENSES FOR THE USE OF THE GENERAL FUND AND THE PARKS AND RECREATION OPERATING FUND OF THE COUNTY AND THE PARKS AND RECREATION DEPARTMENT THEREOF; AUTHORIZING THE ISSUANCE AND SALE OF TEMPORARY LOAN TAX ANTICIPATION WARRANTS TO EVIDENCE SUCH LOANS; AND APPROPRIATING AND PLEDGING A SUFFICIENT AMOUNT OF THE REVENUES ANTICIPATED TO BE RECEIVED IN SUCH FUND TO THE PUNCTUAL PAYMENT OF SUCH WARRANTS INCLUDING THE INTEREST THEREON**

**WHEREAS**, the County Council (the "County Council") of the County of Lake, Indiana (the "County") has determined that there will be an insufficient amount of money in the General Fund and the Parks and Recreation Operating Fund (collectively, the "Funds") to meet the respective current running expenses of the County or department thereof payable from each of the Funds during the fiscal year ending on the last day of December 2011, and prior to the respective June and December settlements and distributions of taxes levied for each of the Funds; and

**WHEREAS**, the County Council now finds that an emergency exists for the borrowing of money to pay the County's current running expenses, that temporary loans for the Funds for such purposes should be made, and that temporary loan tax anticipation warrants evidencing such loans should be issued and sold, subject to the terms and conditions set forth herein and in accordance with the provisions of Indiana law; and

**WHEREAS**, there remains to be collected for the year 2010 a portion of the taxes so levied for each of the Funds during such year and other anticipated revenues for the remainder of 2011, and an emergency exists requiring the borrowing of money with which to meet the current

Order #45 Agenda #41 (cont'd)

running expenses of the County payable from each of the Funds provided for in the 2011 budget, which expenses must be met in amounts and at times during the year 2011 and prior to the anticipated dates of settlement and distribution of taxes levied for each of the Funds during such year; and

**WHEREAS**, the County is authorized by Indiana Code 36-2-6-18, as amended, to borrow money to pay such current running expenses by making temporary loans to procure the necessary funds and to evidence such temporary loans by issuing temporary loan tax anticipation warrants in anticipation of the receipt of revenues of the County for the remainder of 2011, including, without limitation, current tax revenues for each of the Funds actually levied in 2010, currently in the course of collection and payable in 2011; and

**WHEREAS**, the County Council desires to authorize the making of such temporary loans to procure the amounts necessary, in combination with other available amounts, to meet such current running expenses for each of the Funds and to pay necessary costs incurred in connection with the issuance and sale of temporary loan tax anticipation warrants to evidence such temporary loans; and

**WHEREAS**, the levies proposed for collection for each of the Funds for the remainder of 2011 are estimated to produce in the aggregate, with respect to each of the respective Funds, an amount in excess of the principal of and interest on the temporary loans for each of the respective Funds; and

**WHEREAS**, the County Council seeks to authorize the issuance of such temporary loan tax anticipation warrants with respect to each of the Funds and the sale of such warrants pursuant to the provisions of Indiana Code 36-2-6-18, subject to and dependent upon the terms and conditions hereinafter set forth;

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

**SECTION 1. THE WARRANTS.** It is hereby found and declared that an emergency exists for the borrowing of money with which to pay current running expenses payable from each of the Funds prior to the receipt of anticipated revenues of the County for the remainder of 2011, including, without limitation, taxes levied in 2010 and payable in 2011, for each of the Funds. For the purpose of paying the current running expenses of the County payable from each of the Funds, there shall be issued temporary loan tax anticipation time warrants of the County designated "County of Lake, Indiana, Temporary Loan Tax Anticipation Warrants, Series 2011\_" (with a letter designation to reflect the series of such warrants) (the "Warrants"), in an aggregate principal amount not to exceed Fifty-Two Million Nine Hundred Thousand Dollars (\$52,900,000), subject to applicable law, issued pursuant to the provisions of Indiana Code 36-2-6-18 as in effect on the date of the issuance of the Warrants. A separate Warrant or Warrants shall be issued with respect to each of the Funds. The principal amount of the Warrants may not exceed at any time eighty percent (80%) of the undistributed property taxes dedicated to the repayment of the Warrants. The County is authorized to issue Warrants from the following Funds in combined amounts not exceeding the following with respect to each of the Funds, subject to applicable law:

<u>Fund</u>	<u>Maximum Principal Amount</u>
General Fund	\$50,000,000
Parks and Recreation Operating Fund	\$2,900,000

The Warrants shall be dated as of the respective dates of delivery thereof and shall be payable in lawful money of the United States of America upon presentation at the office of the

## Order #45 Agenda #41

Treasurer of the County or at such other place as shall be agreed to by the purchaser and the County. The County is authorized to make payments of principal and interest on the Warrants by paying the amount due from funds that are available for immediate transfer or investment on or before 12:00 noon on the due date to the purchaser of the Warrants.

The Warrants shall mature not later than December 31, 2011. Payments will be due within three days of the date of receipt of any 2010 payable in 2011 tax distributions, after September 1, 2011, without penalty, with the remaining balance due on December 31, 2011, thus providing that the balance outstanding does not exceed 80% of the 2010 payable in 2011 remaining levies for the term of the Warrants. The final maturity date and final aggregate principal amount of the Warrants shall be set forth in a certificate executed by the Treasurer of the County prior to the sale of the Warrants. The Warrants shall bear interest prior to maturity at a rate or rates not exceeding six percent (6.0%) per annum (the exact rate or rates to be determined by public sale through competitive bidding). Interest on the Warrants shall be calculated on the basis of a three hundred sixty-five (365)-day year.

The Warrants shall be issued in denominations of One Hundred Thousand Dollars (\$100,000) or integral multiples of One Thousand Dollars (\$1,000) in excess thereof (*e.g.*, \$100,000, or \$101,000, or \$102,000, etc.). The Warrants shall be numbered from 11\_R-1 upwards, with a letter designation to reflect the series of such Warrants. The Warrants shall be issued in the maximum principal amount of Fifty-Two Million Nine Hundred Thousand Dollars (\$52,900,000), subject to applicable law, with the Warrants issued with respect to each of the Funds issued up to or less than the maximum principal amount established for such Fund as set forth in the table above, subject to applicable law.

-4-

**SECTION 2. SECURITY FOR WARRANTS.** The principal of and interest on the Warrants, together with all necessary costs incurred in connection with the issuance and sale of the Warrants, shall be payable from anticipated revenues for the remainder of 2011 to be received in the respective Fund upon which such Warrant is issued. There is hereby appropriated and pledged to the payment of all Warrants issued with respect to each Fund, including interest and all necessary costs incurred in connection with the issuance and sale of the Warrants, a sufficient amount of anticipated revenues for the year 2011, including, without limitation, the taxes levied in 2010 and payable in 2011, for such Fund and in anticipation of which the Warrants are issued, for the punctual payment of the principal of and interest on the Warrants evidencing such temporary loans, together with such issuance costs, if any, subject to the application of the tax revenues to be received in the Fund to any long term lease or debt obligations due contemporaneously with such Warrants; provided, however, that the appropriation of moneys to the repayment of Warrants shall not cause the County to violate the provisions of Indiana law or any contract, grant or other agreement to which the County is a party. The principal amount of all Warrants maturing on any date shall be based on the 2010 annual budget levy for the Funds (including property tax replacement credit revenues) as estimated or certified by the Indiana Department of Local Government Finance. For purposes of this Ordinance, fifty percent (50%) of the annual budget levy (including property tax replacement revenues) for each of the Funds shall be deemed to equal the amount of taxes estimated by the County Auditor to be collected for and distributed to such Fund at each of the June 2011 (that is, the first) and December 2011 (that is, the second and final) settlement and distribution of such revenues. The County covenants and agrees that it shall, if it fails to make any payment required herein when due, promptly undertake all actions, including the issuance of

-5-

Order #45 Agenda #41

warrants issued to refund the unpaid Warrants that: (i) are necessary to cure such nonpayment, (ii) are legally available to cure such nonpayment, and (iii) do not, in the opinion of bond counsel, cause any of the Warrants to be considered debt of the County within the meaning of Article 13, Section 1 of the Indiana Constitution or laws of the State of Indiana.

**SECTION 3. EXECUTION OF WARRANTS.** The Warrants issued hereunder shall be executed in the name of the County by the manual or facsimile signatures of the County Commissioners of the County and attested by the manual or facsimile signature of the Auditor of the County, provided that at least one of such signatures is manually affixed. In case any official whose manual or facsimile signature shall appear on any Warrant shall cease to be such official before the delivery of such Warrant, such signature shall nevertheless be valid and sufficient for all purposes the same as if such official had remained in office until delivery of the Warrant.

**SECTION 4. FORM OF WARRANT.** The Warrants shall be issued in substantially the following form (with all blanks, changes, additions and deletions, including the appropriate amounts, dates and other information to be properly completed prior to the execution and delivery thereof, as conclusively evidenced by the signatures of the officers of the County affixed thereon):

[Form of Warrant]

[No. 11\_R-1]

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF LAKE

TEMPORARY LOAN TAX ANTICIPATION WARRANT, SERIES 2011\_  
(\_\_\_\_\_ FUND)

Warrant Fund: \_\_\_\_\_ Fund  
Dated Date: \_\_\_\_\_, 2011  
Due Date: Payments will be due within 3 days of the date

-6-

of receipt of any 2010 payable in 2011 tax distributions, after September 1, 2011, without penalty, with the remaining balance due on December 31, 2011 (this will provide that the balance outstanding does not exceed 80% of the 2010 payable in 2011 remaining levies for the term of the Warrant)

Principal Sum: \$ \_\_\_\_\_  
Interest Rate: \_\_\_\_\_ percent per annum

FOR VALUE RECEIVED, on the Due Date set forth above (the "Due Date"), the County of Lake, Indiana (the "Borrower"), shall pay to \_\_\_\_\_ (the "Holder") the Principal Sum set forth above, together with interest thereon at the per annum Interest Rate set forth above, with such interest to be computed on the basis of a three hundred sixty-five (365)-day year from the date of issuance to the date of maturity.

This warrant is one of a series of temporary loan tax anticipation time warrants aggregating \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) in principal amount, for the purpose of providing funds to meet current expenses of the \_\_\_\_\_ Fund of the County set forth above (the "Fund"), and has been authorized by Ordinance No. \_\_\_\_\_, passed and adopted by the County Council of the County of Lake, Indiana, on \_\_\_\_\_, 2011 in accordance with Indiana Code 36-2-6-18 and all other acts amendatory thereof or supplemental thereto.

This warrant is payable solely from anticipated revenues for the remainder of 2011, including, without limitation, the taxes levied in the year 2010 and in the course of collection and payable in 2011. There has been irrevocably appropriated and pledged to the payment in full of the principal of and interest on this warrant a sufficient amount of such anticipated revenues, including, without limitation, the revenues to be derived from the Fund's tax levies, subject to the application of the tax revenues to be received in the Fund to any long term lease or debt obligations due contemporaneously with this warrant; provided that the appropriation of moneys to the repayment of this warrant shall not cause the Borrower to violate the provisions of Indiana law or any contract, grant or other agreement to which the Borrower is a party. The principal of and interest on this warrant shall be payable in lawful money of the United States of America at the principal office of the Treasurer of Lake County, Indiana.

It is further hereby certified, recited and declared that all acts, conditions and things required by law to be done precedent to the issuance and execution of this warrant have been properly done, have happened and have been performed in the manner required by the constitution and statutes of the State of Indiana relating thereto; that the Fund's tax levies from which (together with other amounts in the Fund) this warrant is payable are valid and legal levies; and that the Borrower will reserve a sufficient amount of the proceeds of the Fund's tax levies currently in the course of collection for the timely payment of the principal of and interest on this warrant in accordance with its terms.

-7-

Order #45 Agenda #41

IN WITNESS WHEREOF, the County of Lake, Indiana, has caused this warrant to be executed in its corporate name by the manual or facsimile signature of the County Commissioners of the County of Lake, Indiana, and attested by the manual or facsimile signature of the Auditor of the County of Lake, Indiana, all as of the above Dated Date.

COUNTY OF LAKE, INDIANA

By: Francis Dewey  
County Commissioner

[Signature]  
County Commissioner

[Signature]  
County Commissioner

ATTEST:  
[Signature]  
Auditor

[End of Form of Warrant]

Notwithstanding anything in this Ordinance to the contrary (including the form of Warrant in this Section 4 herein), each Warrant (as well as any other papers or certification delivered in connection therewith) can be signed by one or more of the County Commissioners and need not be signed by all members of the Board of County Commissioners.

**SECTION 5. ISSUANCE, SALE AND DELIVERY OF WARRANTS.** The Auditor of the County is hereby authorized and directed to have the Warrants prepared, and the County Commissioners and the Auditor of the County are hereby authorized and directed to execute or to cause the execution of the Warrants in the form and manner herein provided, as conclusively evidenced by their execution thereof.

The Warrants shall be sold by public sale through competitive bidding. The Auditor, on behalf of the County, is authorized and directed to have the Warrants prepared in the form herein provided and is further directed to give notice of the sale of the Warrants by advertising once each week for two successive weeks in accordance with the provisions and requirements of Indiana law and requiring that sealed bids be submitted to the County, said bids to stipulate the rate of interest to be charged by such bidder.

Although not a term of sale, it is requested that each bid show the net dollar interest cost and net effective interest rate for each Warrant. Each Warrant shall bear the rate of interest stipulated by the winning bidder as determined above.

Upon the award of the Warrants by the County to the bidder who has submitted the lowest rate of interest, the proper officers of the County are hereby authorized and directed to execute the Warrants in the form herein provided and to deliver the Warrants when so executed to the purchaser thereof upon payment by said purchaser of the purchase price of such Warrants.

**SECTION 6. FURTHER ACTIONS.** The County Commissioners and the Auditor of the County are hereby authorized and directed to make such filings and requests, deliver such certifications, execute and deliver such documents and instruments, and otherwise take such actions as are necessary or appropriate to carry out the terms and conditions of this Ordinance and the actions authorized hereby and thereby, and any actions heretofore made or taken are hereby ratified and approved.

**SECTION 7. TAX COVENANTS.** The County hereby covenants that the County and its officers shall not take any action or fail to take any action with respect to the proceeds of any of the Warrants or any investment earnings thereon that would result in constituting any of the Warrants as "arbitrage bonds" under the Internal Revenue Code of 1986, as amended (the



Order #45 Agenda #41

"Code"), and any and all final or proposed regulations or rulings applicable thereto, or which would otherwise cause the interest on any of the Warrants to cease to be excludable from gross income for purposes of federal income taxation; and the Auditor of the County and all other appropriate officers of the County are hereby authorized and directed to take any and all actions and to make and deliver any and all reports, filings and certifications as may be necessary or appropriate to evidence, establish or ensure such continuing exclusion of the interest on the Warrants.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after the time it has been adopted by the County Council.

**SECTION 9. REPEAL OF CONFLICTING ORDINANCES.** All resolutions and ordinances in conflict herewith are, to extent of such conflict, hereby repealed.


\* \* \* \* \*

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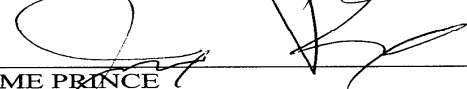
DULY ADOPTED BY THE COUNTY COUNCIL OF THE COUNTY OF LAKE,  
LAKE COUNTY, INDIANA, THIS 12TH DAY OF APRIL, 2011.

  
\_\_\_\_\_  
TED BILSKI

  
\_\_\_\_\_  
ELSIE BROWN-FRANKLIN

  
\_\_\_\_\_  
DANIEL DERNULC

  
\_\_\_\_\_  
MIKE REPAY

  
\_\_\_\_\_  
JEROME PRINCE

  
\_\_\_\_\_  
RICK NIEMEYER

\_\_\_\_\_  
CHRISTINE CID

ATTEST:  
  
\_\_\_\_\_  
PEGGY DOLINGA KATONA, AUDITOR



## Order #46 Agenda #42

In the Matter of Resolution of the Board of Commissioners of the County of Lake, Indiana, Resolution No. 11-03, approving the issuance of a first series of tax anticipation warrants for 2011.

DuPey made a motion, seconded by Scheub, to approve Resolution No. 11-03, Resolution of the Board of Commissioners of the County of Lake approving the issuance of a first series of tax anticipation warrants for 2011. Motion carried.

**RESOLUTION NO. 11-03**  
**COUNTY OF LAKE, INDIANA**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE,  
INDIANA, APPROVING THE ISSUANCE OF A FIRST SERIES OF TAX  
ANTICIPATION WARRANTS FOR 2011**

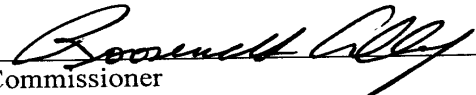
WHEREAS, on April 12, 2011, the Lake County Council adopted Ordinance No. 13340 (the "Ordinance") authorizing the issuance of tax anticipation warrants (the "Warrants") in principal amounts not to exceed \$52,900,000 for the General Fund and the Parks and Recreation Operating Fund of Lake County (the "County"), for the purpose of paying expenses which must be met prior to the receipt of the December settlement and distribution of taxes payable in 2011; and

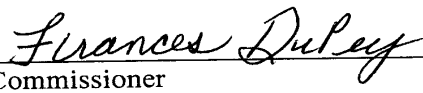
WHEREAS, the Board of Commissioners of the County (the "Board") desires to approve the issuance of the Warrants.


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE, INDIANA, that the issuance of the Warrants, pursuant to the terms and conditions set forth in the Ordinance, are hereby approved, and that each member of the Board is authorized to take such actions as are necessary to issue the Warrants.


Adopted this 20<sup>th</sup> day of April, 2011.

BOARD OF COMMISSIONERS OF THE  
COUNTY OF LAKE, INDIANA

  
Commissioner

  
Commissioner

  
Commissioner

ATTEST  
  
Peggy Katona  
Auditor of Lake County

## Order #47 Agenda #45

In the Matter of Indiana Department of Transportation March 29, 2011 Closing Statement concerning Parcel 25 in the amount of \$600.00.

DuPey made a motion, seconded by Scheub, to make a matter of public record the Indiana Department of Transportation March 29, 2011 Closing Statement concerning Parcel 25 in the amount of \$600.00. Motion carried.

## Order #48 Agenda #46

In the Matter of Reverse Auction Purchasing.

Comes now, Bob Basa, before the Board of Commissioners, to speak with regard to the matter of Reverse Auction Purchasing, John Dull spoke.

Scheub made a motion, seconded by DuPey, to defer this item for further review. Motion carried.

## Order #49 Agenda #47

In the Matter of Merger acknowledging that Cricket Communications, Inc. is lessee of space on tower after merger.

Scheub made a motion, seconded by DuPey, to approve the merger acknowledgment that Cricket Communications, Inc. is lessee of space on tower after merger. Motion carried.

Order #50 Agenda #49

In the Matter of Ratification of Disaster Recovery Grant Award, Grant #DR2-09-208.

DuPey made a motion, seconded by Scheub, to ratify and make a matter of public record the Disaster Recovery Grant Award, Grant #DR2-09-208. Motion carried.

Order #51 Agenda #49A

In the Matter of Indiana Office of Community & Rural Affairs Subrecipient Agreement and Reporting Requirements Office of Rural Affairs CDGB Grant Number DR2-09-208 Subrecipient: Lake Dalecarlia Property Owners Association.

Scheub made a motion, seconded by DuPey, to approve Indiana Office of Community & Rural Affairs Subrecipient Agreement and Reporting Requirements Office of Rural Affairs CDGB Grant Number DR2-09-208 Subrecipient: Lake Dalecarlia Property Owners Association. Motion carried.

Order #52 Agenda #50A

In the Matter of Review and Approval of Minutes of the Regular Board of Commissioners Meeting held Wednesday, December 15, 2010.

Scheub made a motion, seconded by DuPey, to approve the Minutes of the Regular Board of Commissioners Meeting held Wednesday, December 15, 2010. Motion carried.

Order #53 Agenda #51

In the Matter of Lake County Expense Claims to be allowed Wednesday, April 20, 2011.

The Board hereby orders Commissioners Allowance of Lake County Expense Claims of Wednesday, April 20, 2011 to be paid out of the County Treasury upon the Warrant of the County Auditor according to the Lake County Claim Docket on file in the Auditor's Office.

DuPey made a motion, seconded by Scheub, to approve and make a matter of public record the Claims and Docket. Motion carried.

Order #54 Agenda #52A

In the Matter of Pay Immediately (Hand Cut) Checks: March, 2011.

DuPey made a motion, seconded by Scheub, to approve and make a matter of public record the Docket of the Pay Immediately (Hand Cut) Checks for the month of March, 2011. Motion carried.

Order #55 Agenda #53

In the Matter of Service Agreements

DuPey made a motion, seconded by Scheub, to approve the following Service Agreements. Motion carried.

**L C COMMISSIONERS**  
**L C COUNCIL**  
**L C CRIMINAL COURT**  
**L C HEALTH DEPARTMENT**  
**L C PROSECUTOR**

**W/ Monroe Pest Control Co., Inc.**  
**W/ Chester, Inc.**  
**W/ KTC, Inc. d/b/a Masterclean**  
**W/ Chester, Inc.**  
**W/ Chester, Inc.**

Order #56 Agenda #54

In the Matter of Poor Relief Decisions

DuPey made a motion, seconded by Scheub, to approve the decisions of the Poor Relief Hearing Officer. Motion carried.

Order #57 Agenda #57

In the Matter of L C Council Ordinances and Resolutions

DuPey made a motion, seconded by Scheub, to approve the Ordinances and Resolutions submitted and adopted by the L C Council (Ordinance No. 1334A, 1334B, 1334C; Resolution No. 93-2A, 11-11A, 11-35 thru 11-46). Motion carried.  
(cont'd)

Order #57 Agenda #57 (cont'd)

ORDINANCE NO. 1334A

ORDINANCE CREATING THE LAKE CIRCUIT AND SUPERIOR COURTS EXCESS INTERNET ACCESS FEE FUND

- WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and
- WHEREAS, pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and
- WHEREAS, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or resolution transfer money from one fund to another; and
- WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and
- WHEREAS, the Lake County Council adopted Ordinance No. 1258H, the Ordinance Establishing Fees for Internet Access to Lake County Court Records on December 14, 2004; and
- WHEREAS, the Lake County Council desires to create a Lake Circuit and Superior Courts Excess Internet Access Fee Fund, a non-reverting fund, for funds collected pursuant to the Ordinance Establishing Fees for Internet Access to Lake County Court Records in excess of those funds needed to maintain and enhance the Online Docket System.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake Circuit and Superior Courts Excess Internet Access Fee Fund, a non-reverting fund, is established for the deposit of fees in excess of those funds needed to maintain and enhance the Online Docket System which fees are collected pursuant to the Ordinance Establishing Fees for Internet Access.
2. That all funds collected in excess of those funds needed to maintain and enhance the Online docket system will be distributed equally among the 17 Judges of the Lake Circuit and Superior Courts for inclusion in their respective budgets, subject to appropriations by the Lake County Council, or as otherwise provided by law.
3. Any money remaining in the fund at the end of the year shall not revert to the General Fund but continue in the fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.

SO ORDAINED THIS 4<sup>th</sup> DAY OF April, 2011.



*[Signature]*  
TED F. BILSKI, President

CHRISTINE CID

*[Signature]*  
DANIEL E. DERNULC

RICK NIEMEYER

*[Signature]*  
MICHAEL C. REPAY

*[Signature]*  
ELSIE FRANKLIN

*[Signature]*  
JEROME A. PRINCE

Members of the Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*[Signature]*  
*[Signature]*  
APPROVED THIS 20 DAY OF April, 20 11

Order #57 Agenda #57 (cont'd)

**ORDINANCE NO. 1334B**

**ORDINANCE CREATING THE PETTY CASH FUND FOR LAKE COUNTY SHERIFF'S ANIMAL CONTROL SHELTER**

**WHEREAS,** occasionally there is a need to purchase small but necessary items or emergency items for the Lake County Animal Control Shelter; and

**WHEREAS,** the most efficient way to purchase these items is through petty cash; and


**WHEREAS,** that pursuant to I.C. 36-1-8-3, the Lake County Council desires to create a petty cash fund for the Lake County Sheriff's Animal Control Shelter.

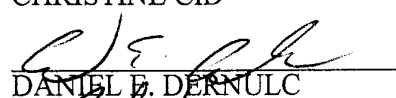
**NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:**

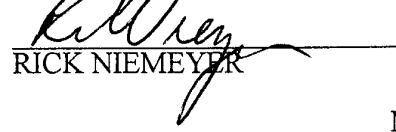
1. That there is hereby established a petty cash fund for the Lake County Sheriff's Animal Control Shelter known as the Animal Control Shelter Petty Cash Fund, which shall contain no more than Two Thousand (\$2,000.00) Dollars cash at any one time.
2. That the funds to open the account and replenish it shall come from Fund 163, Lake County Animal Shelter Non-Reverting Fund.
3. That the Animal Control Director shall be the custodian of the Fund and be responsible for the account which shall be opened at a bank which is an approved depository.
4. That the Animal Control Director shall manage the Fund and account pursuant to I.C. 36-1-8-3(b) and I.C. 36-1-8-3(c).




SO ORDAINED THIS 12TH DAY OF APRIL, 2011.


  
 CHRISTINE CID

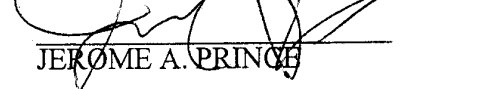
  
 DANIEL E. DERNULC

  
 RICK NIEMEYER

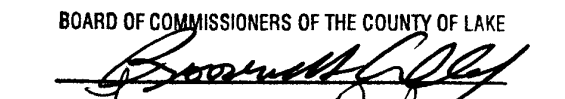
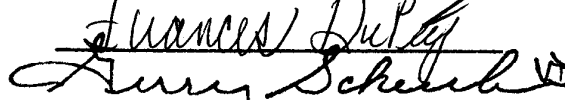
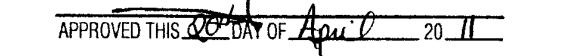
Members of Lake County Council

  
 MICHAEL C. REPAY

  
 ELSIE FRANKLIN

  
 JEROME A. PRINCE

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

APPROVED THIS 20th DAY OF April 20 11

## Order #57 Agenda #57 (cont'd)

ORDINANCE NO. 1334cAN ORDINANCE TO ESTABLISH COPY/MAP/ELECTRONIC MAP GENERATION FEES  
FOR THE LAKE COUNTY SURVEYOR'S OFFICE,  
COUNTY OF LAKE, STATE OF INDIANA

WHEREAS, the Lake County Surveyor's Office, as part of its duties, responsibilities and service to the citizens of Lake County, Indiana, provides copies, maps and electronic maps which contain Geographic Information System (GIS) information and data, all of which is maintained by the Lake County Surveyor's Office, and all of which provides a significant benefit to the public health, safety and welfare of the citizens of Lake County, Indiana; and

WHEREAS, the Lake County Surveyor's Office has incurred, and in part continues to incur, the costs of establishing, developing, maintaining, and improving said systems and the provision of copies, maps, electronic maps, information, and data found therein; and

WHEREAS, Indiana Code 5-14-3-1 et. seq. authorizes a public agency to provide such copies, maps and electronic maps, and GIS information and data; and

WHEREAS, Indiana Code 5-14-3-1 et. seq. authorizes a public agency to establish and require payment of a reasonable fee for such copies, maps and electronic maps, and GIS information and data; and

WHEREAS, attached is a Schedule of Fees authorized by and consistent with said Code; and

WHEREAS, the Limited Data Usage Agreement which currently is in effect and which shall remain in effect shall incorporate said fees as applicable; and

WHEREAS, the Lake County Council has reviewed and considered the Schedule of Fees; and

WHEREAS, the Lake County Council finds and determines that the Schedule of Fees attached hereto contains fees reasonable and necessary to cover a percentage of the direct cost of

maintaining, upgrading and enhancing the copies, maps and electronic map and for the direct cost of supplying copies, and maps and electronic maps in the form requested by the purchaser, consistent with the applicable statutes cited herein.

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

1. In all instances where a copying fee for a public record has not been set by state law, the Schedule of Fees is hereby approved and adopted.
2. Map/Electronic Map Generation Fee. A Map/Electronic Map Generation Fee shall be imposed by and payable to the Lake County Surveyor, or its agent, as outlined in the Schedule of Fees, attached hereto and made a part hereof. This Schedule of Fees is hereby deemed to be reasonable and necessary to cover a percentage of the direct cost of maintaining, upgrading and enhancing the map/electronic map and for the direct cost of supplying the map/electronic map in the form requested by the purchaser.
3. Electronic Digital Mapping Data Fund. Pursuant to Indiana Code 5-14-3-8.5, all Map/Electronic Map Generation fees shall be deposited by the Lake County Treasurer in the Electronic Digital Mapping Data Fund, Fund number 250-0600-31210, administered by the Lake County Surveyor, which Fund is a dedicated, non-reverting fund. Monies in said fund are appropriated and expended by the Lake County Surveyor for the purpose of maintenance, upgrading and enhancement of the electronic map, and the reimbursement of the costs incurred in supplying the electronic map in the form requested by a purchaser.
4. The fees established shall be paid in advance of receiving the copy, map, electronic map, or other requested material, as determined by the Lake County Surveyor.

Order #57 Agenda #57 (cont'd)

- 5. Severability. The terms and provisions of this Ordinance are hereby determined to be severable, the invalidity or unenforceability of any sections, sentence, clause, term, or provision of this Ordinance shall not affect the validity of any other section, sentence, clause, term, or provision of this Ordinance which can be given meaning without such invalid part or parts. This Ordinance shall be in full force and effect from and after its passage and any approvals or publications as may be required by law.
- 6. This Ordinance repeals and replaces Ordinance No. 1302E, adopted on August 14, 2008, establishing Map Generation Fees.

ALL OF WHICH IS ORDAINED AND APPROVED THIS 12th DAY OF April, 2011.

LAKE COUNTY COUNCIL



[Signature]  
[Signature]  
[Signature]  
[Signature]  
[Signature]

ATTEST:

[Signature]  
 Peggy Holmgren Katona,  
 Lake County Auditor

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

[Signature]  
[Signature]  
[Signature]  
 APPROVED THIS 20th DAY OF April, 2011

Order #57 Agenda #57 (cont'd)

RESOLUTION NO. 93-2A

**RESOLUTION AMENDING RESOLUTION NO. 93-2,  
THE RESOLUTION ESTABLISHING THE LAKE COUNTY  
STUDY COMMISSION ON VETERANS AFFAIRS**

**WHEREAS,** on February 9, 1993, the Lake County Council adopted the Resolution Establishing the Lake County Study Commission on Veterans Affairs, Resolution No. 93-2; and

**WHEREAS,** the Lake County Council desires to amend the Resolution.

**NOW, THEREFORE,** let it be ordained as follows:

That Resolution No. 93-2 be amended as follows:

**DELETE:**

- 2. The Commission shall exist of seven members appointed by the Lake County Council yearly as follows:
  - a. Two members of the Lake County Council;
  - b. One member of the Lake County Board of Commissioners;
  - c. Four citizens of Lake County as follows:
    - 1. One with expertise in Federal Veteran Agencies to serve as a liaison to the Federal Veteran Agencies;
    - 2. One with expertise in State and Local Veteran Agencies to serve as a liaison to the State and Local Veteran Agencies;
    - 3. One currently providing Veteran Services to veterans within Lake County;
    - 4. One with expertise in Veteran Advocacy and Service Organizations to serve as a liaison to Veteran Advocacy and Service Organizations.

**INSERT:**

- 2. The Commission shall exist of eight members appointed by the Lake County Council yearly as follows:
  - a. Two members of the Lake County Council;
  - b. One member of the Lake County Board of Commissioners;
  - c. The Service officer of the Lake County Veterans Service Office;
  - d. Four citizens of Lake County as follows:
    - 1. One with expertise in Federal Veteran Agencies to serve as a liaison to the Federal Veteran Agencies;

- 2. One with expertise in State and Local Veteran Agencies to serve as a liaison to the State and Local Veteran Agencies;
- 3. One currently providing Veteran Services to veterans within Lake County;
- 4. One with expertise in Veteran Advocacy and Service Organizations to serve as a liaison to Veteran Advocacy and Service Organizations.



SO RESOLVED THIS 12<sup>TH</sup> DAY OF APRIL, 2011.

*[Signature]*  
TED F. BILSKI, President

*[Signature]*  
CHRISTINE CID

*[Signature]*  
DANIEL E. DERNULC

*[Signature]*  
RICK NIEMEYER

*[Signature]*  
MICHAEL C. REPAY

*[Signature]*  
ELSIE FRANKLIN

*[Signature]*  
JEROME A. PRINCE

Members of Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*[Signature]*

*[Signature]*

*[Signature]*

APPROVED THIS 20 DAY OF April 2011



Order #57 Agenda #57 (cont'd)

RESOLUTION NO. 11-11A

**RESOLUTION AMENDING RESOLUTION NO. 11-11,  
THE RESOLUTION PERMITTING THE LAKE COUNTY  
CORONER TO PAY AN  
OUTSTANDING 2010 INVOICE/DEBT FROM THE 2011 BUDGET**

WHEREAS, on February 9, 2011, the Lake County Council adopted the Resolution Permitting the Lake County Coroner to Pay an Outstanding 2010 Invoice/Debt From The 2011 Budget, Resolution No. 11-11; and

WHEREAS, the Lake County Council desires to amend said Resolution.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Resolution Permitting the Lake County Coroner to Pay An Outstanding 2010 Invoice/Debt from the 2011 Budget, Resolution No. 11-11, shall be amended as follows:



**DELETE:**

001-0700-43630  
EMSAR Indiana

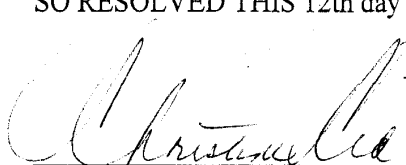
Maintenance & Service Contracts  
\$ 251.50

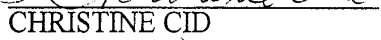
**INSERT:**

001-0700-42390  
EMSAR Indiana

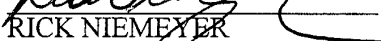
Other Repair and Maintenance  
\$ 251.50

SO RESOLVED THIS 12th day of April, 2011.

  
TED F. BILSKI, President

  
CHRISTINE CID

  
DANIEL E. DERNULC

  
RICK NIEMEYER

Members of Lake County Council

  
MICHAEL C. REPAY

  
ELSIE FRANKLIN

  
JEROME A. PRINCE

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE





APPROVED THIS 07 DAY OF April 2011

Order #57 Agenda #57 (cont'd)

RESOLUTION NO. 11-35

RESOLUTION HONORING THE MUNSTER MUSTANG HOCKEY TEAM, IHSAA 3A 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, the Munster Mustang Hockey Team won its second State Title in three years, beating Lake Shore St. Joseph's 3-1 on March 12, 2011 in Fishers, Indiana, capturing the Class 3A State Championship.

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 men of the Munster Mustang Hockey Team, the Class 3A Indiana State Champions and champions always for Lake County; 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 Munster Mustang Hockey Team.



DATED THIS 12th day of April, 2011.

Handwritten signatures of Christine CID, Daniel E. DERNULC, and Rick NIEMEYER. Printed name: PED F. BILSKI, President.

Handwritten signatures of Michael C. REPAY, Elsie FRANKLIN, and Jerome A. PRINCE.

Members of Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

Handwritten signatures of Board of Commissioners and approval date: APPROVED THIS 20th DAY OF April 2011

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-36**

**RESOLUTION TO APPROVE TEMPORARY LOAN FROM  
WEB MAINTENANCE FUND, FUND NO. 256  
TO THE CLERK'S PERPETUATION FUND, FUND NO. 194**

**WHEREAS,** I.C. 36-1-8-4(a) provides that the Lake County Council may by resolution approve temporary loans from one fund in the County to another fund in the County in need of money for cash flow purposes; and

**WHEREAS,** the Clerk's Perpetuation Fund, Fund No. 194 is in need of \$40,000.00 to have sufficient cash in said Fund; and

**WHEREAS,** there is sufficient money on deposit in the Web Maintenance Fund, Fund No. 256 to loan the Clerk's Perpetuation Fund, Fund No. 194 the sum of \$40,000.00.

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

That the Lake County Council approves the loan of to \$40,000.00 from the Web Maintenance Fund, Fund No. 256 to the Clerk's Perpetuation Fund, Fund No. 194. That the loan shall bear no interest and shall be repaid to the Web Maintenance Fund, Fund No. 256 on or before December 31, 2011 pursuant to I.C. 36-1-8-4(a)(3).



**DULY ADOPTED BY THE LAKE COUNTY COUNCIL, this 12<sup>th</sup> day of April, 2011**

*T.F. BILSKI*  
TED F. BILSKI, President

CHRISTINE CID

*D. E. DERNULC*  
DANIEL E. DERNULC

*R. NIEMEYER*  
RICK NIEMEYER

*M. C. REPAY*  
MICHAEL C. REPAY

*E. FRANKLIN*  
ELSIE FRANKLIN

*J. A. PRINCE*  
JEROME A. PRINCE

Members of Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*L. SCHUBERT*  
APPROVED THIS 12<sup>th</sup> DAY OF April 20 11

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-37**

**RESOLUTION PERMITTING THE LAKE CIRCUIT COURT CLERK TO PAY OUTSTANDING 2009 INVOICE/DEBT FROM THE 2011 BUDGET**

**WHEREAS**, the Lake Circuit Court Clerk is currently operating in the 2011 Budget; and

**WHEREAS**, the following invoice/debt incurred in the Budget year of 2009, has not been paid:

<u>001-0100-43630</u>	<u>Maintenance &amp; Service Contracts</u>
Gateway	\$ 825.00

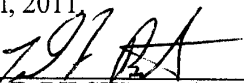
**WHEREAS**, the Lake County Council desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2009 expense shall be paid from the Lake Circuit Court Clerk's 2011 Budget:

<u>001-0100-43630</u>	<u>Maintenance &amp; Service Contracts</u>
Gateway	\$ 825.00

SO RESOLVED THIS 12th day of April, 2011.

  
 \_\_\_\_\_  
 TED F. BILSKI, President



CHRISTINE CID

  
 \_\_\_\_\_  
 DANIEL E. DERNULC

  
 \_\_\_\_\_  
 RICK NIEMEYER

MICHAEL C. REPAY

  
 \_\_\_\_\_  
 ELSIE FRANKLIN

  
 \_\_\_\_\_  
 JEROME A. PRINCE

Members of Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

  
 \_\_\_\_\_

  
 \_\_\_\_\_

  
 \_\_\_\_\_

APPROVED THIS 12 DAY OF April 2011

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-38**

**RESOLUTION PERMITTING LAKE COUNTY HOMELAND SECURITY/EMERGENCY MANAGEMENT AGENCY TO PAY OUTSTANDING 2010 INVOICE/DEBT FROM THE 2011 BUDGET**

**WHEREAS,** Lake County Homeland Security/Emergency Management Agency is currently operating in the 2011 Budget; and

**WHEREAS,** the following invoice/debt incurred in the Budget year of 2010, has not been paid:

<u>001-3500-43995</u>	<u>Other Services &amp; Charges</u>
Prompt Medical	\$ 75.00

**WHEREAS,** the Lake County Council desires to pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expense shall be paid from Lake County Homeland Security/Emergency Management Agency's 2011 Budget:

<u>001-3500-43995</u>	<u>Other Services &amp; Charges</u>
Prompt Medical	\$ 75.00

SO RESOLVED THIS 12TH DAY OF APRIL, 2011.



*[Signature]*  
 TED F. BILSKI, President

*[Signature]*  
 CHRISTINE CID

*[Signature]*  
 DANIEL E. DERNULC

*[Signature]*  
 RICK NIEMEYER

*[Signature]*  
 MICHAEL C. REPAY

*[Signature]*  
 ELSIE FRANKLIN

*[Signature]*  
 JEROME A. PRINCE

Members of Lake County Council

**BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE**

*[Signature]*  
*[Signature]*  
*[Signature]*

APPROVED THIS 12 DAY OF April 2011

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-39**

**RESOLUTION PERMITTING LAKE COUNTY SHERIFF TO PAY  
OUTSTANDING 2010 JAIL INVOICES/DEBTS FROM THE 2011 BUDGET**

**WHEREAS,** the Sheriff's Department of Lake County is currently operating in the 2011 Budget; and

**WHEREAS,** the following invoices/debts were incurred in the Budget year of 2010 have not been paid:

<u>001-3100-43610</u>	<u>Building &amp; Structure</u>	
Tee-Jay Service	\$ 92.00	
McDaniel Fire Systems	409.00	<b>BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE</b>
Higgins Overhead Door	566.00	<i>Francis Dukay</i>
Crowder Detention	578.98	<i>George M. ...</i>
Equipment International	709.80	<i>... Schuch</i>
Emcor Hyre Electric	402.00	
Ried's Fire	436.40	
Leep's Supply Co.	459.10	
Largura, Inc.	1,550.00	
	<u>\$5,203.28</u>	<b>APPROVED THIS 12TH DAY OF APRIL 20 11</b>

**WHEREAS,** the Sheriff's Department desires to pay the above jail invoices/debts due.

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

That the Lake County Sheriff's Department shall pay from its 2011 Budget the following jail invoices/debts incurred in the calendar year 2010 as follows:

<u>001-3100-43610</u>	<u>Building &amp; Structure</u>
Tee-Jay Service	\$ 92.00
McDaniel Fire Systems	409.00
Higgins Overhead Door	566.00
Crowder Detention	578.98
Equipment International	709.80
Emcor Hyre Electric	402.00
Ried's Fire	436.40
Leep's Supply Co.	459.10
Largura, Inc.	1,550.00
	<u>\$5,203.28</u>



SO RESOLVED THIS 12TH DAY OF APRIL, 2011.

*[Signature]*  
 \_\_\_\_\_  
 TED F. BILSKI, President

*[Signature]*  
 \_\_\_\_\_  
 CHRISTINE CID

*[Signature]*  
 \_\_\_\_\_  
 DANIEL E. DERNULC

*[Signature]*  
 \_\_\_\_\_  
 RICK NIEMEYER

*[Signature]*  
 \_\_\_\_\_  
 MICHAEL C. REPAY

*[Signature]*  
 \_\_\_\_\_  
 ELSIE FRANKLIN

*[Signature]*  
 \_\_\_\_\_  
 JEROME A. PRINCE

Members of Lake County Council

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-40**

**RESOLUTION PERMITTING THE LAKE COUNTY SHERIFF  
TO PAY OUTSTANDING 2010 ANIMAL CONTROL  
INVOICES/DEBTS FROM THE 2011 BUDGET**

**WHEREAS,** the Lake County Sheriff's Animal Control Department is currently operating in the 2011 Budget; and

**WHEREAS,** the following invoices/debts incurred in the Budget year of 2010 have not been paid:

<u>001-3200-43190</u>	<u>Other Professional Services</u>
Lake Station Pet Clinic	\$ 70.00
Munster Animal Hospital	153.02
South Suburban Humane	45.00
Leo's	805.15
Smith Animal Clinic	1270.79
Westchester Animal Clinic	1341.67
McPheron Animal Clinic	335.18
Hobart Animal Clinic	131.59
Webster Veterinary Supply	196.00
McAfee Animal Hospital	41.00
Southlake Animal Hospital	80.00
	<u>\$4469.40</u>

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*Frances Dubey*  
*Boonville*  
 APPROVED THIS 12<sup>th</sup> DAY OF April 20 11

**WHEREAS,** the Lake County Sheriff-Animal Control Department desires to pay the above invoices/debts due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Sheriff-Animal Control Department shall pay from its 2011 Budget the following invoices/debts incurred in the calendar year 2010 as follows:

<u>001-3200-43190</u>	<u>Other Professional Services</u>
Lake Station Pet Clinic	\$ 70.00
Munster Animal Hospital	153.02
South Suburban Humane	45.00
Leo's	805.15
Smith Animal Clinic	1270.79
Westchester Animal Clinic	1341.67
McPheron Animal Clinic	335.18
Hobart Animal Clinic	131.59
Webster Veterinary Supply	196.00
McAfee Animal Hospital	41.00
Southlake Animal Hospital	80.00
	<u>\$4469.40</u>



SO RESOLVED THIS 12th DAY OF APRIL, 2011.

*Ted F. Bilski*  
 TED F. BILSKI, President

*Christine CID*  
 CHRISTINE CID

*Daniel E. DERNULC*  
 DANIEL E. DERNULC

*Rick Niemeyer*  
 RICK NIEMEYER

*Michael C. Repay*  
 MICHAEL C. REPAY

*Elsie Franklin*  
 ELSIE FRANKLIN

*Jerome A. Prince*  
 JEROME A. PRINCE

Members of Lake County Council

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-41**

**RESOLUTION PERMITTING LAKE COUNTY SHERIFF TO PAY  
OUTSTANDING 2010 JAIL INVOICES/DEBTS FROM THE 2011 BUDGET**

**WHEREAS**, the Sheriff's Department of Lake County is currently operating in the 2011 Budget; and

**WHEREAS**, the following Jail invoices/debts were incurred in the Budget year of 2010 have not been paid:

<u>001-3100-43630</u>	<u>Maintenance &amp; Service</u>
Med Staff	\$ 57,775.70
Edgewater Systems	36,999.96
	<u>\$ 94,775.66</u>

**WHEREAS**, the Sheriff's Department desires to pay the above Jail invoices/debts due.

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

That the Lake County Sheriff's Department shall pay from its 2011 Budget the following Jail invoices/debts incurred in the calendar year 2010 as follows:

<u>001-3100-43630</u>	<u>Maintenance &amp; Service</u>
Med Staff	\$ 57,775.70
Edgewater Systems	36,999.96
	<u>\$ 94,775.66</u>



SO RESOLVED THIS 12th DAY OF APRIL, 2011.

*TFB*  
 TEB F. BILSKI, President

*Christine CID*  
 CHRISTINE CID

*D. E. DERNULC*  
 DANIEL E. DERNULC

*Rick Niemeyer*  
 RICK NIEMEYER

Members of Lake County Council

*Michael C. Repay*  
 MICHAEL C. REPAY

*Elsie Franklin*  
 ELSIE FRANKLIN

*Jerome A. Prince*  
 JEROME A. PRINCE

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*James DuPuy*

*Boonville Old*

*Larry Schenk*

APPROVED THIS 12th DAY OF April 20 11



Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-42**

**RESOLUTION PERMITTING LAKE COUNTY SHERIFF TO PAY  
OUTSTANDING 2010 JAIL INVOICES/DEBTS FROM THE 2011 BUDGET**

**WHEREAS,** the Sheriff's Department of Lake County is currently operating in the 2011 Budget; and

**WHEREAS,** the following Jail invoices/debts were incurred in the Budget year of 2010 have not been paid:

001-3100-43120	<u>Medical &amp; Hospital Services</u>
Anekal B. Sreeram, M.D.	\$ 2,500.00
David G. Gross, D.O.	120.00
Hung Dang, D.O.	8,595.00
Lanekal B. Sreeram, M.D.	3,455.00
Laboratory Corporation	171.00
Methodist Hospital Pathology	2,185.00
Nandini Menon	129.00
Northwest Emergency Assoc.	16,437.06
NW Indiana Radiology	5,202.00
Nandini Menon, M.D.	160.00
Oral Surgery Group	467.00
Pierce, William J., M.D.	10,960.00
Pinnacle Hospital	10,821.87
Marcus Wigutow, M.D.	200.00
	<u>\$61,402.93</u>

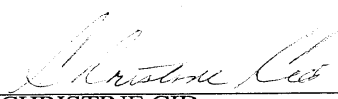
**WHEREAS,** the Sheriff's Department desires to pay the above jail invoices/debts due.

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

That the Lake County Sheriff's Department shall pay from its 2011 Budget the following jail invoices/debts incurred in the calendar year 2010 as follows:


001-3100-43120	<u>Medical &amp; Hospital Services</u>
Anekal B. Sreeram, M.D.	\$ 2,500.00
David G. Gross, D.O.	120.00
Hung Dang, D.O.	8,595.00
Lanekal B. Sreeram, M.D.	3,455.00
Laboratory Corporation	171.00
Methodist Hospital Pathology	2,185.00
Nandini Menon	129.00
Northwest Emergency Assoc.	16,437.06
NW Indiana Radiology	5,202.00
Nandini Menon, M.D.	160.00
Oral Surgery Group	467.00
Pierce, William J., M.D.	10,960.00
Pinnacle Hospital	10,821.87
Marcus Wigutow, M.D.	200.00
	<u>\$61,402.93</u>

SO RESOLVED THIS 12TH DAY OF APRIL, 2011.

  
TED F. BILSKI, President

  
DANIEL E. DERNULC

  
RICK NIEMEYER

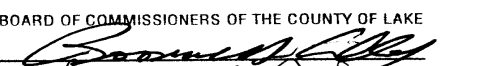
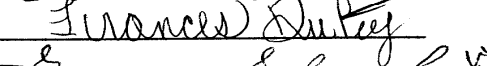
  
MICHAEL C. REPAY

  
ELSIE FRANKLIN

  
JEROME A. PRINCE

Members of Lake County Council



BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
  
  
APPROVED THIS 12th DAY OF APRIL 20 11

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-43**

**RESOLUTION PERMITTING THE OFFICE OF  
THE PUBLIC DEFENDER TO PAY  
OUTSTANDING 2010 INVOICE/DEBT FROM THE 2011 BUDGET**

**WHEREAS**, the Office of the Public Defender, is currently operating in the 2011 Budget; and

**WHEREAS**, the following invoice/debt incurred in the Budget year of 2010 has not been paid:

<u>001-4002-43190</u>	<u>Other Professional Service</u>
Manette Zeitler	\$ 9,850.00

**WHEREAS**, the Lake County Council desires to transfer funds and pay the above invoice/debt due.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the following 2010 expenses shall be paid from the Office of the Public Defender's 2011 Budget:

<u>001-4002-43190</u>	<u>Other Professional Service</u>
Manette Zeitler	\$ 9,850.00



SO RESOLVED THIS 12th day of April, 2011.

*[Signature]*  
TED F. BILSKI, President

*[Signature]*  
CHRISTINE CID

*[Signature]*  
DANIEL E. DERNULC

*[Signature]*  
RICK NIEMEYER

Members of Lake County Council

*[Signature]*  
MICHAEL C. REPAY

*[Signature]*  
ELSIE FRANKLIN

*[Signature]*  
JEROME A. PRINCE

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

*[Signature]*

*[Signature]*

*[Signature]*

APPROVED THIS 20<sup>th</sup> DAY OF April 20 11

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-44**

**RESOLUTION TO APPROVE TRANSFER OF \$250,000.00  
FROM THE LAKE COUNTY SELF INSURANCE LIABILITY  
FUND, FUND NO. 541 TO  
THE PAYROLL COURT JUDGMENT FUND, FUND NO. 441**

**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 Self Insurance Liability Fund, Fund No. 541 has on hand the sum of \$250,000.00; and

**WHEREAS,** the Lake County Council desires to transfer the sum of \$250,000.00 from the Lake County Self Insurance Liability Fund, Fund No. 541 to the Payroll Court Judgment Fund, Fund No. 441.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the sum of \$250,000.00 is hereby transferred from the Lake County Self Insurance Liability Fund, Fund No. 541 to the Payroll Court Judgment Fund, Fund No. 441.

SO RESOLVED THIS 12TH DAY OF APRIL, 2011.



T. F. Bilski  
TED F. BILSKI, President

Christine CID  
CHRISTINE CID  
Rick Niemeyer  
RICK NIEMEYER

Daniel E. Dernulc  
DANIEL E. DERNULC

Michael C. Repay  
MICHAEL C. REPAY  
Elsie Franklin  
ELSIE FRANKLIN  
Jerome A. Prince  
JEROME A. PRINCE

Members of the Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE  
James Dowling  
Barrett  
Henry Scheuch  
APPROVED THIS 14th DAY OF APRIL 20 11

Order #57 Agenda #57 (cont'd)

RESOLUTION NO. 11-45

RESOLUTION APPROVING PAYMENT BY LAKE COUNTY OF THE 1.5% OF THE LAKE COUNTY MAGISTRATES CONTRIBUTION TO THE JUDGES' RETIREMENT SYSTEM

WHEREAS, Lake County participates in the Judges' Retirement System (hereinafter "JRS") as authorized by I.C. 33-38-6-21 for the magistrates who are eligible to participate in JRS; and

WHEREAS, the Lake County Council desires to pick up one and one-half (1 1/2%) percent of the six (6%) percent mandatory contributions required for participating employees who are participating magistrates of the JRS; and

WHEREAS, I.C. 33-38-8-11 authorizes employers to pay all or a part of the mandatory contributions for employees participating in JRS.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

- 1. That effective as of April 1, 2011, the Lake County Council desires to pick-up one and one-half (1 1/2%) percent of the six (6%) percent mandatory contributions by the employees who are members of JRS through a reduction in salary through a payroll deduction. No contributions prior to the Council's action shall be picked-up. That the Magistrates listed in Exhibit "A" have elected to convert to JRS as authorized by I.C. 33-38-6-21.
2. That said picked-up contributions even though designated as employee contributions for State Law purposes, are being paid by Lake County in lieu of said contributions by the employee.
3. That said picked-up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from JRS.
4. That said picked-up contributions will be included in the gross income of the employees, for employment tax purposes, as the contributions are made to JRS.
5. That said employees shall not be entitled to any option of choosing to receive the contributed amounts directly

instead of having them paid by Lake County to JRS.



SO RESOLVED THIS 12th DAY OF APRIL, 2011.

Signature of Ted F. BILSKI, President

Signature of Christine CID

Signature of Daniel E. DERNULC

Signature of Rick NIEMEYER

Signature of Michael C. REPAY

Signature of Elsie FRANKLIN

Signature of Jerome A. PRINCE

Members of Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

Signatures of Board of Commissioners and date: APPROVED THIS 20th DAY OF April 20 11

\*see file for Exhibit "A"

Order #57 Agenda #57 (cont'd)

**RESOLUTION NO. 11-46**

**RESOLUTION SUPPORTING  
THE LITTLE CALUMET RIVER AND  
BURNS WATERWAY FLOOD CONTROL PROJECT**

- WHEREAS,** pursuant to I.C. 35-2-3.5-3, the Lake County Council is the fiscal and legislative body of Lake County, Indiana; and
- WHEREAS,** pursuant to I.C. 35-2-3.5-5(b)(3), the Lake County Council has authority to pass all ordinances, orders, resolutions and motions for the Government of Lake County, Indiana; and
- WHEREAS,** the Little Calumet River Basin Watershed located in Lake County, Indiana is subject to severe flooding; and
- WHEREAS,** the flooding has resulted in the loss of millions of dollars in property damage, higher flood insurance premiums and major safety hazards for the citizens of Lake County; and
- WHEREAS,** establishing, operating and maintaining a flood protection system within the watershed is needed to protect the citizens and property affected by the flooding; and
- WHEREAS,** the Little Calumet River Basin Development Commission has submitted an application to the Federal Emergency Management Agency (FEMA) to change the status of the Little Calumet River Floodway Plain rating which could cut flood insurance premiums by 75%; and
- WHEREAS,** a funded maintenance and operation plan for the flood protection system must be in place to obtain the FEMA rating change; and
- WHEREAS,** the lack of a funded maintenance and operation plan for the flood protection system could result in the de-certification of the current levy project and loss of federal funds; and
- WHEREAS,** current legislation in the Indiana General Assembly is considering using casino tax revenue for the construction of levies, and the operation and maintenance of a flood protection system within the watershed; and
- WHEREAS,** casino tax revenue is currently being used by Lake County to cover severe shortfalls in real estate tax revenue caused by the frozen tax levy, real estate tax caps, and reduced collections due to declining assessed valuations of real estate throughout Lake County; and
-

Order #57 Agenda #57 (cont'd)

WHEREAS, the Lake County Council supports passage of legislation which supports the construction of levies and the operation, and maintenance of a flood protection system within the watershed, but opposes the use of casino tax revenue for that purpose.

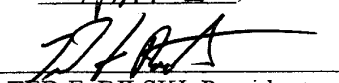
NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

1. That the Lake County Council recognizes the importance of obtaining funding to construct levies and to operate and maintain the flood control project for the Little Calumet River Basin, and Burns Watershed.
2. That the Lake County Council recognizes that the passage of legislation establishing funding for the flood control project will promote the general health and welfare of the citizens of Indiana.
3. That the Lake County Council supports legislation for the constructions, and operation and maintenance of a flood protection system within the watershed, however it opposes the use of casino tax revenue for that purpose.



SO RESOLVED THIS 12 DAY OF April, 2011.

  
 CHRISTINE CID

  
 TED F. BILSKI, President

  
 MICHAEL C. REPAY

  
 DANIEL E. DERNULC

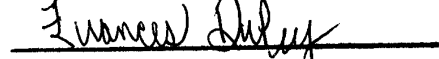
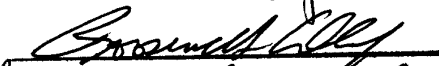

  
 ELSIE FRANKLIN

  
 RICK NIEMEIER

  
 JEROME A. PRINCE

Members of Lake County Council

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

  
  
  
 APPROVED THIS 12 DAY OF April 20 11

Order #58 Agenda #58

In the Matter of Appointments: Amendment of Agenda to Add Item 58G

DuPey made a motion, seconded by Scheub, to amend the Agenda of the Board of Commissioners Meeting adding "G" to Item #58 under Appointments. Motion carried.

Order #59 ADD Agenda #58G

In the Matter of Appointments: Whiting Library Board.

Scheub made a motion, seconded by DuPey, to appoint Judi Donovan to the Whiting Library Board. Motion carried.

Order #60 Agenda #58A

In the Matter of Appointments: Public Record of Certificates of Appointment from appointments made at the Commissioners meeting of March 23, 2011.

Order #60 Agenda #58A (cont'd)

DuPey made a motion, seconded by Scheub, to make a matter of public record the Certificates of Appointment from appointments made at the Commissioners meeting of March 23, 2011 (Mitre Kutanovski, PTABOA Board; Jill Williams, PTABOA Board). Motion carried.

Order #61 Agenda #58B

In the Matter of Appointments: Grievance Review Board Appointment.

Scheub made a motion, seconded by DuPey, to table. Motion to table carried.

Order #62 Agenda #58C & #58F

In the Matter of Appointments: Lake County Plan Commission Board Appointment; Board of Zoning Appeals Appointments (two).

Scheub made a motion to remove Martin Kroll from the Board of Zoning Appeals, seconded by DuPey. Motion carried.

Scheub made a motion to appoint Martin Kroll to the Lake County Plan Commission, seconded by DuPey. Motion carried.

Scheub made a motion to remove Don Parker from the Board of Zoning Appeals, seconded by DuPey. Motion carried.

Scheub made a motion to appoint Shawn Frazier to the Board of Zoning Appeals, seconded by DuPey. Motion carried.

Scheub made a motion to accept the resignation of Rick Niemeyer from the Plan Commission, seconded by DuPey. Motion carried.

Scheub made a motion to appoint George O'Donnell to the Board of Zoning Appeals, seconded by DuPey. Motion carried.

Order #63 Agenda #58E

In the Matter of Appointments: Letter from the Commissioners Attorney concerning correction of terms of Lake County Board of Health members.

DuPey made a motion, seconded by Scheub, to adopt terms in the letter from the Commissioners Attorney concerning correction of terms of Lake County Board of Health members. Motion carried.

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PAGE 01/01



OFFICE OF THE ATTORNEY TO THE BOARD OF COMMISSIONERS

LAKE COUNTY GOVERNMENT CENTER 2293 NORTH MAIN STREET CROWN POINT, IN 46307 PH. 219/755-3058 • FAX 219/648-6138

April 6, 2011

Mr. John Dull Lake County Board of Commissioners Via Facsimile Transmission Only

(219) 648-6138

In Re: TERMS OF HEALTH BOARD MEMBERS; CORRECTED DOCUMENTATION BY LAKE COUNTY BOARD OF COMMISSIONERS

Dear John:

I received a copy of the appointment document from the Board of Commissioners. That appointment document is different from what the State maintains and what the Lake County Health Department maintains. The Health Department has been following I.C. 16-20-2-10. Therefore, please correct your records as follows:

<u>CURRENT TERM</u>	<u>MEMBER</u>	<u>FUTURE TERM</u>
01/01/2008 - 12/31/2011	VanBuskirk	01/01/2012 - 12/31/2015
01/01/2008 - 12/31/2011	Conaway	01/01/2012 - 12/31/2015
01/01/2009 - 12/31/2012	Terpstra has retired and this position is presently vacant.	01/01/2013 0 12/31/2016
01/01/2010 - 12/31/2013	Stoval	01/01/2014 - 12/31/2017
01/01/2010 - 12/31/2013	Krejci	01/01/2014 - 12/31/2017
01/01/2011 - 12/31/2014	Radziwiecki	01/01/2015 - 12/31/2018
01/01/2011 - 12/31/2014	Farley	01/01/2015 - 12/31/2018

Let me know if you have any questions.

Very truly yours,

Handwritten signature of Frances DuPey

Handwritten signature of Joseph S. Irak

APPROVED THIS 20 DAY OF April 20 11

Joseph S. Irak, Assistant Attorney to the Lake County Board of Commissioners

JSI:tk

Order #64 Agenda #58F

In the Matter of Appointments: Board of Zoning Appeals Appointments (two).

Matter resolved in Order #62.

Order #65 Agenda #59

In the Matter of Staff Reports

DuPey made a motion, seconded by Scheub, to accept the Staff Reports. Motion carried.

Order #66 Agenda #61

In the Matter of Commentary: Members of the Board of Commissioners

DuPey opened commentary, stating, a Problem with Building being opened after hours and on weekends with out going to the Board of Commissioners first, and the Commissioners are not aware that people are in the building, this matter opens up a lot of liability, a letter should go out to the Judges and Elected Officials letting them know this practice needs to be looked at.

There being no further business before the Board at this time, Scheub made a motion, seconded by DuPey, to adjourn.

The next Board of Commissioners Meeting will be held on Wednesday, May 18, 2011 at 10:00 A.M.

The following officials were Present:

Attorney John Dull

Brenda Koselke

\_\_\_\_\_  
ROOSEVELT ALLEN Jr., PRESIDENT

\_\_\_\_\_  
FRANCES DUPEY, COMMISSIONER

\_\_\_\_\_  
GERRY SCHEUB, COMMISSIONER

ATTEST:

\_\_\_\_\_  
PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR