

The Board met in due form with the following members present: Frances DuPey, 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 20<sup>th</sup> day of November, 2012 at about 2:30 p.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 20<sup>th</sup> day of November, 2012 at about 2:30 p.m.

Order #1 Agenda #5A

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

None. NAT.

Order #2 Agenda #5B

In the Matter of Notices/Agenda: B. Additions, deletions, and/or corrections to Agenda for a Regular Meeting.

DuPey made a motion, seconded by Scheub, to approve the Deletions (#7, 8, 9, & 10) from the Agenda. Motion carried 2-0.

Order #3 Agenda #5D-E

In the Matter of Notices/Agenda: D. Approved Final Agenda mad a matter of public record. E. Certificate of Service of Meeting Notice to those who have made such written request to be made a matter of public record.

DuPey made a motion, seconded by Scheub, to approve the A. Approved Final Agenda made a matter of public record, and B. Certificate of Service of Meeting Notice to those who have made such written request to be made a matter of public record. Motion carried 2-0.

Order #4 Agenda #6

In the Matter of Reorganization of the Board.

Scheub made a motion, to hand the gavel over to DuPey for the remainder of the Wednesday, November 21<sup>st</sup>, 2012 meeting, seconded by DuPey. Motion carried 2-0.

Order #5 Consent Agenda

In the Matter of Consent Agenda – Items #26A, 26B, 26C, 26D, 26E, AND 31.

Scheub made a motion, seconded by DuPey, to approve the Items of the Consent Agenda (Items #26A, 26B, 26C, 26D, 26E, AND 31.) Motion carried 2-0.

Order #5 Consent Agenda #26A

In the Matter of IDEM: Indiana Department of Environmental Management.

Scheub made a motion, seconded by DuPey, to make the notices of the IDEM – Indiana Department of Environmental Management a matter of public record (South Shore Slag LLC, Waste Services Transfer and Recycling Facility, Walsh & Kelly, Inc., Mason Corporation, Hammond Sanitary District, Tube City IMS, LLC, Lake County Juvenile Justice Complex – BP 1 Site Development, Tradebe Treatment and Recycling, LLC, Tradebe Treatment and Recycling, LLC). Motion carried 2-0.

Order #5 Consent Agenda #26B

In the Matter of IDEM: Certificates of Liability Insurance.

Scheub made a motion, seconded by DuPey, to make the notices of the IDEM – Certificates of Liability Insurance (Rock Solid Stabilization & Reclamation Inc., Johnson Controls, Inc., Johnson Controls, Inc., Johnson Controls, Inc., Johnson Controls, Inc., Trim-A-Seal of Indiana, Inc, DBA: Styled Rite, WiseWay Super Food Center, Inc., Ryan Trulley dba: T's Construction, TGB Unlimited Inc dba S/T Bancroft Electric). Motion carried 2-0.

Order #5 Consent Agenda #26C

In the Matter of IDEM: Continuation Certificates.

Scheub made a motion, seconded by DuPey, to make the notices of the IDEM – Continuation Certificates (Lindholm Roofing Inc., Donald Creed DBA Creed Seeding). Motion carried 2-0.

## Order #5 Consent Agenda #26D

In the Matter of IDEM: Reinstatement Notices.

Scheub made a motion, seconded by DuPey, to make the notices of the IDEM – Reinstatement Notices (Glen Ward DBA Park Forest Electric, Tiemens Heating & Air Conditioning LLP, Thunderbird Construction Service). Motion carried 2-0.

## Order #5 Consent Agenda #26E

In the Matter of IDEM: Cancellation Memos.

Scheub made a motion, seconded by DuPey, to make the notices of the IDEM – Cancellation Memos (Tiemens Heating & Air Conditioning LLP, Lexon Insurance Company, Ryan Trulley DBA: T's Construction, Summit Environmental Services, LLC, J.J. Jones & CO LTD, Quetzal Construction Inc., Glen Ward DBA Park Forest Electric). Motion carried 2-0.

## Order #5 Consent Agenda #31

In the Matter of Vendor Qualification Affidavits.

Scheub made a motion, seconded by DuPey, to approve the following Vendor Qualification Affidavits. Motion carried 2-0.

BOBB CHRYSLER DODGE JEEP ROOM  
HORIZON AWNING LLC  
PERFORMANCE AUTO

## Order #6 Agenda #11

In the Matter of L.C. Sheriff: Consulting Contract between On-Site Computer, LLC and the Board of Commissioners of the County of Lake on behalf of the Lake County Drug Task Force for technical support for its computer network inclusive of computer software and hardware as well as remote data archival and storage in an amount not to exceed \$262.50 per week payable monthly at the rate of \$45.00 per hour.

Scheub made a motion, seconded by DuPey, to amend the agenda adding, "Not to exceed the amount of \$13,650." Scheub also made a motion, seconded by DuPey, to approve the Consulting Contract between On-Site Computer, LLC and the Board of Commissioners of the County of Lake on behalf of the Lake County Drug Task Force for technical support for its computer network inclusive of computer software and hardware as well as remote data archival and storage in an amount not to exceed \$262.50 per week payable monthly at the rate of \$45.00 per hour. Not to exceed the yearly amount of \$13,650. Motion carried 2-0.

## Order #7 Agenda #12

In the Matter of L.C. Community Corrections: Amendment #1 EDS #D25-13-032 Amendment to the Grant Agreement entered into between the Indiana Department of Correction and the Board of Commissioners of the County of Lake on behalf of Lake County Community Corrections on July 6, 2012 to run thru June 30, 2013 at a cost not to exceed \$120,000.

Scheub made a motion, seconded by DuPey, to approve the Amendment #1 EDS #D25-13-032 Amendment to the Grant Agreement entered into between the Indiana Department of Correction and the Board of Commissioners of the county of Lake on behalf of Lake County Community Corrections on July 6, 2012 to run thru June 30, 2013 at a cost not to exceed \$120,000. Motion carried 2-0.

## Order #8 Agenda #13

In the Matter of L.C. Auditor: Consulting Contract Amendment between Randy H. Wyllie and the Board of Commissioners of the County of Lake on behalf of the Lake county Auditor for an additional \$15,000.00 payable at the rate of \$90.00 per hour.

Scheub made a motion, seconded by DuPey, to approve the Consulting Contract Amendment between Randy H. Wyllie and the Board of Commissioners of the County of Lake on behalf of the Lake county Auditor for an additional \$15,000.00 payable at the rate of \$90.00 per hour. Motion carried 2-0.

## Order #9 Agenda #14

In the Matter of L.C. Auditor: Second Modification Contract for Services dated September 16, 2010 between the DSG Lake, LLC and the Board of Commissioners of the County of Lake on behalf of the Lake County Auditor for review of all tax deductions claimed against the assessed value for real property in Lake County, Indiana for the past three (3) years for the period of November 21, 2012 to December 31, 2013.

DuPey made a request to amend the wording of Second Modification Contract for Services dated September 16, 2010 between the DSG Lake, LLC and the Board of Commissioners of the County of Lake on behalf of the Lake County Auditor for review of all tax deductions claimed against the assessed value for real property in Lake County, Indiana for the past three (3) years for the period of November 21, 2012 to December 31, 2013, amending it with the statement "extension of the 2010 thru December 31<sup>st</sup>, 2013". Scheub made a motion, seconded by DuPey, to approve the request to amend the wording of Item #14 on the Final Agenda for Wednesday, November 21, 2012. Motion carried 2-0.

Scheub made a motion, seconded by DuPey, to approve the Second Modification contract for Services dated September 16, 2012 between the DSG Lake, LLC and the Board of Commissioners of the County of Lake on behalf of the Lake County Auditor for review of all tax deductions claimed against the assessed value for a real property in Lake County, Indiana for the past three (3) years for the period of November 21, 2012 to December 31, 2013. Motion carried 2-0.

## Order #10 Agenda #15

In the Matter of L.C. Homeland Security/Emergency Management Agency: Memorandum of Understanding between Superior Air-Ground Ambulance Service, Inc. (Superior) and the Board of Commissioners of the County of Lake on behalf of Lake County Homeland Security/Emergency Management Agency and the District #1 Planning Council regarding use of the District #1 MCI Ford Super-Duty truck.

Scheub made a motion, seconded by DuPey, to approve the Memorandum of Understanding between Superior Air-Ground Ambulance Service, Inc. (Superior) and the Board of Commissioners of the County of Lake on behalf of Lake County Homeland Security/Emergency Management Agency and the District #1 Planning Council regarding use of the District #1 MCI Ford Super-Duty truck. Motion carried 2-0.

## Order #11 Agenda #16

In the Matter of L.C. Fairgrounds: Amendment #1 EDS# E16-12-JO110, Amendment to the Grant Agreement between the Indiana department of Natural Resources and the Board of Commissioners of the County of Lake on behalf of the lake County Fairgrounds extending one additional year to December 31, 2013.

Scheub made a motion, seconded by DuPey, to approve the Amendment #1 EDS# E16-12-JO110, Amendment to the Grant Agreement between the Indiana department of Natural Resources and the Board of Commissioners of the County of Lake on behalf of the lake County Fairgrounds extending one additional year to December 31, 2013. Motion carried 2-0.

## Order #12 Agenda #17

In the Matter of L.C. Data Processing: Facility Management Agreement between Cenifax Management Services, Inc. and the Board of Commissioners of the County of Lake for the management and support of all of the County's data processing services for the year 2013 in an amount not to exceed \$1,922,000.00 payable at the rate of \$166,000.00 per month.

Scheub made a motion, seconded by DuPey, to approve the Facility Management Agreement between Cenifax Management Services, Inc. and the Board of Commissioners of the County of Lake for the management and support of all of the County's data processing services for the year 2013 in an amount not to exceed \$1,922,000.00 payable at the rate of \$166,000.00 per month. Motion carried 2-0.

## Order #13 Agenda #18

In the Matter of L.C. B.O.C.: Order of the Board of Commissioners of the County of Lake on the General Obligation Bond Series 2012B. (The Jail Bond).

Scheub made a motion, seconded by DuPey, to approve the Order of the Board of Commissioners of the County of Lake on the General Obligation Bond Series 2012B. (The Jail Bond). Motion carried 2-0.

## Order #14 Agenda #19

In the Matter of L.C. B.O.C.: Order of the Board of Commissioners of the County of Lake on the General Obligation Bond Services 2012C. (The Note).

Scheub made a motion, seconded by DuPey, to approve the Order of the Board of Commissioners of the County of Lake on the General Obligation Bond Services 2012C. (The Note). Motion carried 2-0.

## Order #15 Agenda #20

In the Matter of L.C. B.O.C.: Order of the Board of Commissioners of the County of Lake General Obligation Bond Series 2012D-1 and 2012D-2. (The \$10,000,000. Bond Issue).

Commissioner Scheub made a comment regarding the General Obligation Bond Series 2012D-1 and 2012-D-2. (The \$10,000,000. Bond Issue). "We have till the end of the year, because we still don't quite know how we're going to spend the money. There was an article about the local income tax, leaving out one key word, that word was "option", we have an option in Lake County to either pass a tax or not pass a tax, we chose, Commissioner DuPey and I, chose to veto that and not pass an option tax, the state decided to punish us because we chose the option not to raise taxes on our homeowners, because it only affected our the homeowners, not the businesses and we were protecting our homeowners, so they froze our levy, illegally. If it wasn't for that frozen levy the state has caused this county so much grief, and we're getting penalized for it every day. We get blamed for the fine when it's the state that forced us, illegally to their frozen levy and not leaving us with an option. When they call for your option, we chose an option and they penalized us, this is a farce, such an insult to Lake County taxpayer, and to us, up here. It's so frustrating that we had nothing to do with this except we had to cut our costs. We cut our costs more than any other county in the state of Indiana, and we're still being punished for something that we opted to do, which was our choice."

Commissioners Attorney, John Dull, retaliates with reasons why he believes the Commissioners should continue to pass the General Obligation Bond Series 2012D-1 and 2012D-2. (The \$10,000,000. Bond Issue).

Commissioners DuPey states that she agrees with everything Commissioner Scheub has said.

Scheub made a motion, seconded by DuPey, to approve the Order of the Board of Commissioners of the County of Lake General Obligation Bond Series 2012D-1 and 2012D-2. (The \$10,000,000. Bond Issue). Motion carried 2-0.

## Order #16 Agenda #21

In the Matter of L.C. B.O.C.: Supplemental Order of the Board of Commissioners of the County of Lake concerning the \$8,000,000. in Bonds for the County's Judgment Funding obligation Bonds of 2012. (Judgment Bond).

Commissioner Scheub explains that the Supplemental Order of the Board of Commissioners of the County of Lake concerning the \$8,000,000. in Bonds for the County's Judgment Funding obligation Bonds of 2012. (Judgment Bond) is a bond that the county has to pay for the lawsuits from the previous sheriff's administration, for not doing his job.

John Dull, states that the "bad guy" in this situation, is Ex. Sheriff Roy Dominguez.

Scheub made a motion, seconded by DuPey, to approve the Supplemental Order of the Board of Commissioners of the County of Lake concerning the \$8,000,000. in Bonds for the County's Judgment Funding obligation Bonds of 2012. (Judgment Bond). Motion carried 2-0.

## Order #17 Agenda #22

In the Matter of L.C. B.O.C.: 9-1-1 PSAP Consolidation and Interoperable Communications System Project for Lake County, Indiana. A. Rescind prior action to use negotiated bid procedure., B. Utilize the request for proposal procedure in I.C. 5-22-9., C. In accordance with I.C. 5-22-9-4: Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation., D. Waive filling of County Forms 8 thru 14.

Comes now, Commissioner's Attorney, John Dull explains the 9-1-1 PSAP Consolidation and Interoperable Communications System Project for Lake County, Indiana. A. Rescind prior action to use negotiated bid procedure., B. Utilize the request for proposal procedure in I.C. 5-22-9., C. In accordance with I.C. 5-22-9-4: Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation., D. Waive filling of County Forms 8 thru 14. John Dull explains as "yesterday there was a meeting, with all the 9-1-1 vendors. Part of what we were doing at that meeting was attempting to clarify the procedures. Last month Les Miller was not quite certain what he wanted to do, but in order to move that project along, we approved some items in between that time. I went through and met with everyone, including the group of vendors." John Dull then suggests to the Board of Commissioners to Rescind prior action to use negotiated bid procedure.

Commissioner DuPey retaliates asking "why?"

John Dull then explains that instead, use a similar procedure dealing with requests for proposals. There are two (2) signatory sections, one is a negotiated bid, the other one is a request for proposals, both of them having the same concept. Last time Les Miller was confused about what he wanted. In between last time and now, we've straightened this out. Les was not prepared to move forward, after just being released from the hospital, he was getting a push to move forward, by the 9-1-1 employees, he was unprepared, now he is prepared and the vendor group is also prepared. What I need to do is get them on the correct cycle, which is why I put this item on the agenda. What I'm requesting is for you to Rescind prior action to use negotiated bid procedure.

Commissioner Scheub made a motion to accept the 9-1-1 PSAP Consolidation and Interoperable Communications System Project for Lake County, Indiana. A. Rescind prior action to use negotiated bid procedure., B. Utilize the request for proposal procedure in I.C. 5-22-9., C. In accordance with I.C. 5-22-9-4: Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation., D. Waive filling of County Forms 8 thru 14.

Commissioner DuPey does not second the motion, having a question regarding how they are going about the proposal.

Commissioners Attorney, John Dull then suggests that the Board of Commissioners tables this item. Suggesting that the Board of Commissioners "let those guys come in and defend what they want to do."

With that said, Commissioner Scheub then withdrawals his motion.

Commissioner Scheub made a motion, seconded by DuPey, to table the 9-1-1 PSAP Consolidation and Interoperable Communications System Project for Lake County, Indiana. A. Rescind prior action to use negotiated bid procedure., B. Utilize the request for proposal procedure in I.C. 5-22-9., C. In accordance with I.C. 5-22-9-4: Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation., D. Waive filling of County Forms 8 thru 14. Motion carried 2-0.

## Order #18 Agenda #23

In the Matter of L.C. B.O.C.: Amended Resolution of the Board of Commissioners of the County of Lake concerning settlement agreements.

Scheub made a motion, seconded by DuPey, to approve the Amended Resolution of the Board of Commissioners of the County of Lake concerning settlement agreements. Motion carried 2-0.

Order #18 Agenda #23 (cont'd)

**AMENDED RESOLUTION**

WHEREAS, The Board of Commissioners of the County of Lake enters into agreements to settle potential and actual litigation; and

WHEREAS, The Board of Commissioners of the County of Lake must manage its available funds diligently because of budget cuts in the Self Insurance System; and

WHEREAS, The Board of Commissioners of the County of Lake must budget its settlements; and

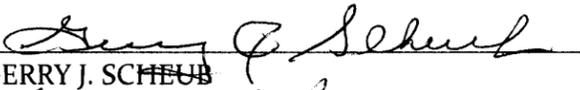
NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Lake hereby adopts this policy on paying settlement from the Self Insurance Fund:

1. All settlements reached between January 1 and June 30 of a calendar year will be paid before December 31 of the same calendar year;
2. All settlements reached between July 1 and December 31 of a calendar year will be paid before June 30 of the following calendar year

So Resolved, Passed and adopted this 21<sup>st</sup> day of November, 2012 by the Lake County Board of Commissioners, Lake County, Indiana.

LAKE COUNTY BOARD OF COMMISSIONERS

---

ROOSEVELT ALLEN, JR.  
GERRY J. SCHEUB  
FRANCES DuPEY

Order #19 Agenda #24

In the Matter of L.C. B.O.C.: Service Agreement between Professional Claims Management, Inc. and the Board of Commissioners of the County of Lake for Claims Administration for the year 2013 at the rate of \$20.50 per employee per month.

Scheub made a motion, seconded by DuPey, to approve the Service Agreement between Professional Claims Management, Inc. and the Board of Commissioners of the County of Lake for Claims Administration for the year 2013 at the rate of \$20.50 per employee per month. Motion carried 2-0.

Order #20 Agenda #25

In the Matter of L.C. B.O.C.: Requests for property disposal: A. Lake County Criminal Court., B. Lake County Prosecutor.

Scheub made a motion, seconded by DuPey, to approve the Request for property disposal for the Lake County Criminal Court, and to table the Request for property disposal for Lake County Prosecutor. Motion carried 2-0.

## Order #21 Agenda #27

In the Matter of Standard Items: Claims and Dockets.

Scheub made a motion, seconded by DuPey, to approve the Claims and Dockets. Motion carried 2-0.

## Order #21 Agenda #29

In the Matter of Standard Items: Service Agreements.

Scheub made a motion, seconded by DuPey, to approve the Service Agreements. Motion carried 2-0.

**L C AUDITOR**

**W/**

Institute, Inc.

## Order #21 Agenda #30

In the Matter of Standard Items: Poor Relief Decisions.

Scheub made a motion, seconded by DuPey, to approve the Poor Relief Decisions. Motion carried 2-0.

Troya Sr. Ross	Remanded to township for further consideration and review
Samira Glass	Approved
Lucy Stack	FURTHER CONSIDERATION AND/OR DISCUSSION
Janis Muhammad	Approved on condition
Donald III Dove	Denied for appellant's failure to appear
Tarya Terrell	Approved
Felice Lewis	Approved
Nieman Shabazz	Denied
Karl Powell	Denied
Anthony Sims	Approved
Craig, III	Approved on condition
Pamela Walker	Denied for appellant's failure to appear
Blanche McQuaf	Denied for appellant's failure to appear
Eddie Porrott	Denied
Robin Sanders	Partially Approved
Bryant Falkner	Approved
Alosso McDonald	Denied for appellant's failure to appear
Stephanie Pickers	Denied for appellant's failure to appear
Denise Crockett	Denied for appellant's failure to appear
Latisha Hicks	Approved
Brian Ellis	Approved
Theresa McCall	Approved
Elomda Onwuebuzie	Approved on condition
Crystal Kincard	Approved
Jacob Banks	Approved
Reeshell Simmens	Approved
Terrence Ballard	Approved
Calvina Johnson	Approved
Carmen Taylor	Denied for appellant's failure to appear
Fati Harris	Denied for appellant's failure to appear
Shelii Moore	Denied for appellant's failure to appear
Samira Glass	FURTHER CONSIDERATION AND/OR DISCUSSION
Lisa Chrismon	Approved
Tyra Taylor	Approved
Paul Hegwood	Denied
Albert Winston	Approved
Atira Nolan	Denied
Cindy Uylaki	Approved
Cletus Green	Approved
Elana Blackwell	Approved on condition
Andrew Pettingrew	Approved
Anna McCoy	Approved
Katrina Chillis	Approved
Michael Williams	Approved
Oscar Bryant	Approved
Phyllis Spurlock	FURTHER CONSIDERATION AND/OR DISCUSSION
Mattie Matthews	Denied for appellant's failure to appear
Chauncey Griffin	Denied for appellant's failure to appear
Ebony Whatley	FURTHER CONSIDERATION AND/OR DISCUSSION
Bernice Leonard	Approved on condition
Gregory Ballard	Approved
Fatimort Harris	Approved
Clifford Dauzy	Approved on condition
Josette Addisonmoman	Approved
David Sonn	Approved
Wanda Reyes	Approved
Robert Russell	Approved
Katherine Smart	Approved
Nicole Kinder	FURTHER CONSIDERATION AND/OR DISCUSSION
Janet Congress	Approved
Sandra Mage	Approved on condition
Monica Campbell	Approved
Cletus Green	Approved
Shaina Johnson	Denied

Order #21 Agenda #30 (cont'd)

Terrence Powell  
Jacqueline Allen  
Rochelle Long

Denied  
Approved  
Approved

Order #22 Agenda #28

In the Matter of Standard Items: Lake County Council Ordinances and Resolutions.

Scheub made a motion, seconded by DuPey, to approve the Lake County Council Ordinances and Resolutions. Motion carried 2-0.

Order #23 Agenda #32

In the Matter of Standard Items: Appointments.

None. NAT.

The following officials were Present:  
Attorney John Dull  
Brenda Koselke

The next Board of Commissioners Meeting will be held on Wednesday, December 12, 2012 at 10:00 A.M.

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

\_\_\_\_\_  
GERRY SCHEUB, PRESIDENT

\_\_\_\_\_  
FRANCES DuPEY, COMMISSIONER

\_\_\_\_\_  
ROOSEVELT ALLEN Jr., COMMISSIONER

ATTEST:

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