

The Board met in due form with the following members present: Rudolph Clay, 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 Hammond and Crown Point, the Post Tribune, WJOB Radio Station, the Crown Point Star, Cable Regional News Channel 3, Pilcher Publishing and the Valparaiso media on the 5th day of October, 2005 at about 4:45 p.m.

A copy of the meeting notice and agenda was posted at the entrance of the Commissioner's courtroom on the 5th day of October, 2005 at about 4:45 p.m.

Order#1 – Agenda # 5C

In the Matter of Notices/Agenda: Deletions to Agenda for a Special Meeting.

Clay made a motion, seconded by DuPey, to approve the Deletions – 6E, F, G, & S – Specifications for the year 2006 for the Highway Department, Bituminous Materials & Surface Milling (Delivered and Applied), Bituminous Materials & Surface Milling (Picked Up), Bituminous Materials for Roadway Patching, Bridge Deck and Approach Overlays (Delivered and Applied), Seal Coat (Chip and Seal). Motion passed 3-0.

Order#2 – Agenda #5D

In the Matter of Notices/Agenda: Approval of Final Agenda.

DuPey made a motion, seconded by Clay, to approve the final agenda. Motion passed 3-0.

Order#3 – Agenda #5E

In the Matter of Notices/Agenda: Certificate of Service of Meeting Notice.

DuPey made a motion, seconded by Clay, to accept and make a matter of public record the certificate of service of meeting notice. Motion passed 3-0.

Order#4 – Agenda #5A

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

DuPey made a motion, seconded by Clay, to approve the opening of the bids. Motion passed 3-0.

Order#5 – Agenda #6A-D, H-R; T-W

In the Matter of Specifications: L.C. Highway Dept. – Aggregate (Limestone) Delivered, Aggregate (Limestone) Picked Up, Back-Fill Material "B: Borrow Delivered, Back-Fill Material "B: Borrow Picked Up, Cold Patch Mix for Patching (Picked Up), Concrete Curb & Gutter Removal & Replacement, Gasoline & Diesel Fuel Delivered to Crown Point Garage, Gasoline & Diesel Fuel Delivered to Lowell Garage, Ice Control Aggregate Blast Furnace Slag, Liquid Calcium Chloride, Mulch Seeding (Delivered and Applied), New Tires and Tubes, Open Graded Bituminous Polymer Emulsion Mix for Patching (Picked Up), Painted Pavement Markings on Selected County Roads, Plastic Culverts, Tire Repair and Recapping, Traffic Signs and Accessories, Treated Timber Bridge Material, and Vegetation Management.

DuPey made a motion, seconded by Clay, to approve the Highway Department's Specifications for Aggregate (Limestone) Delivered, Aggregate (Limestone) Picked Up, Back-Fill Material "B: Borrow Delivered, Back-Fill Material "B: Borrow Picked Up, Cold Patch Mix for Patching (Picked Up), Concrete Curb & Gutter Removal & Replacement, Gasoline & Diesel Fuel Delivered to Crown Point Garage, Gasoline & Diesel Fuel Delivered to Lowell Garage, Ice Control Aggregate Blast Furnace Slag, Liquid Calcium Chloride, Mulch Seeding (Delivered and Applied), New Tires and Tubes, Open Graded Bituminous Polymer Emulsion Mix for Patching (Picked Up), Painted Pavement Markings on Selected County Roads, Plastic Culverts, Tire Repair and Recapping, Traffic Signs and Accessories, Treated Timber Bridge Material, and Vegetation Management, and ordered same to be advertised for receiving of bids on Tuesday, November 15, 2005 at 9:30 a.m. Motion passed 3-0.

Order#6 – Agenda #7

In the Matter of Specifications: L.C. Highway Department – One (1) 2005 – 58,000 GVWR Tandem Axle Truck with Snow Plow Frame, Salt Spreader and Ice Control Liquid Dispensing System in current production.

DuPey made a motion, seconded by Clay, to approve the Highway Department's Specifications for One (1) 2005 – 58,000 GVWR Tandem Axle Truck with Snow Plow Frame, Salt Spreader and Ice Control Liquid Dispensing System in current production, and ordered same to be advertised for receiving of bids on Tuesday, November 15, 2005 at 9:30 a.m. Motion passed 3-0.

Order#7 – Agenda #8

In the Matter of Specifications: L.C. Highway Department – One (1) 2005 or newer 22,000 lb. Operating Weight Vibratory Roller with 84" Smooth Drum, Water Spray System and Drum Scrapers in current production.

DuPey made a motion, seconded by Clay, to approve the Highway Department's Specifications for One (1) 2005 or newer 22,000 lb. Operating Weight Vibratory Roller with 84" Smooth Drum, Water Spray System and Drum Scrapers in current

Order#7 – Agenda #8 (Cont'd)

production, and ordered same to be advertised for receiving of bids on Tuesday, November 15, 2005 at 9:30 a.m. Motion passed 3-0.

Order#8 – Agenda #9

In the Matter of Specifications: L.C. Highway Department – One (1) 2005 or newer Four Wheel Drive, Rubber tire, Loader Backhoe with Extendable Dipperstick 15,000 lb. Minimum Operating Weight in current production.

DuPey made a motion, seconded by Clay, to approve the Highway Department's Specifications for One (1) 2005 or newer Four Wheel Drive, Rubber tire, Loader Backhoe with Extendable Dipperstick 15,000 lb. Minimum Operating Weight in current production, and ordered same to be advertised for receiving of bids on Tuesday, November 15, 2005 at 9:30 a.m. Motion passed 3-0.

Order#9 – Agenda #10

In the Matter of Specifications: L.C. Highway Department – One (1) New (Unused) 2005 or newer Four Wheel Drive, Rubber Tire Loader with Minimum 4 Cubic Yard Bucket 37,000 lb. Minimum Operating Weight in current production.

DuPey made a motion, seconded by Clay, to approve the Highway Department's Specifications for One (1) New (Unused) 2005 or newer Four Wheel Drive, Rubber Tire Loader with Minimum 4 Cubic Yard Bucket 37,000 lb. Minimum Operating Weight in current production, and ordered same to be advertised for receiving of bids on Tuesday, November 15, 2005 at 9:30 a.m. Motion passed 3-0.

Order#10 – Agenda #11

In the Matter of L.C. Highway Dept. – Amendment to the Specifications seeking Proposals for Plumbing Upgrades and Electrical Upgrades at the Lowell Highway Garage changing the return date to Wednesday, October 12, 2005 by 9:30 a.m. in the Lake County Auditor's Office to be ratified.

DuPey made a motion, seconded by Clay, to accept and make a matter of public record the L.C. Highway Department's Amendment to the Specifications seeking Proposals for Plumbing Upgrades and Electrical Upgrades at the Lowell Highway Garage changing the return date to Wednesday, October 12, 2005 by 9:30 a.m. in the Lake County Auditor's Office to be ratified. Motion passed 3-0.

Order#11 – Agenda #12

In the Matter of Proposals for Plumbing Upgrades at the Lowell Highway Garage for Highway Department.

This being the day, time and place for the receiving of proposals for Plumbing Upgrades at the Lowell Highway Garage for the Highway Department, there were no proposals received. DuPey made a motion, seconded by Clay, to approve the Highway Dept. go to an open market. Motion passed 3-0.

Order#12 – Agenda #14

In the Matter of L.C. Highway – Request for Commissioners to select a Consultant to provide Architectural Services for the Design of a New Mechanical and Storage Garage for the Lowell yard of the Lake County Highway Department.

DuPey made a motion, seconded by Clay, to approve DLZ, Indiana LLC, as the Consultant to provide Architectural Services for the Design of a New Mechanical and Storage Garage for the Lowell yard of the Lake County Highway Department. Motion passed 3-0.

Order#13 – Agenda #15

In the Matter of L.C. Highway – Request for permission to solicit qualifications for the selection of a Consulting Engineering Firm to provide Professional Engineering Services for the Biannual Bridge Inspection.

DuPey made a motion, seconded by Clay, to approve the L.C. Highway's request for permission to solicit qualifications for the selection of a Consulting Engineering Firm to provide Professional Engineering Services for the Biannual Bridge Inspection and ordered same to be returned by Tuesday, November 15, 2005 by 9:30 a.m. Motion passed 3-0.

Order#14 – Agenda #16

In the Matter of L.C. Highway – Request for permission to solicit qualifications for the selection of a Consulting Engineering Firm to perform Construction Engineering Services for the Rehabilitation of Lake County Bridge #247, Clark Road over the Little Calumet River.

DuPey made a motion, seconded by Clay, to approve the L.C. Highway's request for permission to solicit qualifications for the selection of a Consulting Engineering Firm to perform Construction Engineering Services for the Rehabilitation of Lake County Bridge #247, Clark Road over the Little Calumet River and ordered same to be returned by Tuesday, November 15, 2005 by 9:30 a.m. Motion passed 3-0.

Order#15 – Agenda #17

In the Matter of L.C. Highway Dept. – County Utility Agreement with John E. Phipps for Elizabeth Loudermilk, Secretary of Utilities, Inc. located generally along Parrish Avenue from 137th to North 151st, Cedar Lake, Indiana.

Order#15 – Agenda #17 (Cont'd)

DuPey made a motion, seconded by Clay, to approve the County Utility Agreement between the L.C. Highway Department and John E. Phipps for Elizabeth Loudermilk, Secretary of Utilities, Inc. located generally along Parrish Avenue from 137th to North 151st, Cedar Lake, Indiana. Motion passed 3-0.

COUNTY UTILITY AGREEMENT

The Board of Commissioners of Lake County, hereinafter referred to as the Board, and

John E. Phipps

Hereinafter referred to as the Permittee, hereby agree that utility facilities consisting of

12" WATER MAIN

Located at *Generally along Parrish Avenue from 137th to north of 151st. See attached plans.*

Is hereby granted permission to be located within the highway right-of-way in accordance with

The attached drawings or if no drawings are attached, the utility facility will be placed adjacent to

The present utility facilities and within two feet of the right-of-way line as indicated on the plans

for the proposed project. In consideration thereof the Permittee hereby agrees to abide by and

conform to the following terms and conditions:

1. Lake County Highway wants all utilities to be placed 2' (two Feet) from Right of Way line or, if different, then drawing must be pre-approved.
2. The above described utility facilities to be retained, installed, adjusted or relocated on, over, along or under the highway within the right-of-way limits will be located and accommodated in a manner that will not impair the planned highway, or its construction, or maintenance or interfere with its safe operation.
3. The Permittee hereby agrees to assume liability for making any necessary utility adjustments should future traffic conditions or road improvements necessitate when so requested by the Board and assume the cost thereof, except where Permittee has a compensable property right therein or where reimbursement of such costs is provided for by law.

The Permittee further agrees to comply with the rules and regulations of the Board in servicing, maintaining, replacing and removing the above described facilities, and to obtain a permit before performing any of these functions on such facilities located within the highway right-of-way.

4. The Permittee shall save harmless and indemnify the Board from any claim or damages of any nature whatsoever arising out of Permittee's negligence in connection with any work done pursuant to this agreement.

5. During the progress of any construction undertaken within the limits of the said highway in pursuance hereof, the Permittee shall provide watchmen and flagmen as may be reasonably required by the Board for safety and convenience of the public and shall furnish all barricades, signs and lights reasonably necessary to protect the public. Traffic shall be maintained at all times unless otherwise indicated hereon by special endorsement of the Board's duly authorized representative.
6. All damage to drainage structures, roadbeds, pavements and other highway appurtenances arising from the installation, maintenance or repair of Permittee's utility facilities shall be repaired at expense of Permittee. No portion of the pavement of any highway shall be disturbed without prior permission of the Board. Upon completion of any work within limits of the highway all disturbed portions shall be replaced as nearly as practicable in as good a condition as they were when work was begun.
7. It is understood and agreed by the Board and the utility that the utilities shall comply with the "State of Indiana, Indiana Highway Commission Policies Covering the Use and Occupancy of Public Highway Rights-of-way by Utilities 1971".
8. The filing of a Bond or a certificate of Insurance acceptable and approved by the Lake County Board of Commissioners for the amount of \$1,000,000.00.

Disclaimer: Lake County is not responsible for damages to utilities placed in violation or variation of the permit.

John E. Phipps for Elizabeth Loudervilk, Sec of Utilities, Inc
 Applicant or Authorized Representative
 Date of Signature 9-29-05

BOARD OF COMMISSIONERS OF
 LAKE COUNTY, INDIANA

[Signature]
 Member
 10/12/05

Recommended for Approval by:

[Signature]
 Lake County Highway Department

Francis Duley
 Member
 10/12/05

[Signature] 10.3.2005
 Lake County Highway Department

Member

ATTEST: Rozzy Duley Ketcher
 Lake County Auditor

Order#16 – Agenda #18A-D

In the Matter of L.C. Highway - Certificates of Liability Insurance for Buckeye GP LLP, Homer Tree Service, Inc., M S Consultants, Inc. etal, and Timber Masters, LLC.

DuPey made a motion, seconded by Clay, to accept and make a matter of public record the L.C. Highway's Certificates of Liability Insurance for Buckeye GP LLP, Homer Tree Service, Inc., M S Consultants, Inc. etal, and Timber Masters, LLC. Motion passed 3-0.

Order#17 – Agenda #13

In the Matter of Proposals for Electrical Upgrades at the Lowell Highway Garage for Highway Department.

This being the day, time and place for the receiving of proposals for Electrical Upgrades at the Lowell Highway Garage for the Highway Department, the following proposals were received:

| | |
|------------------------------|------------|
| Emcor/Hyre Electric Co. | \$2,490.00 |
| Credent Quality Electric Co. | \$2,508.00 |

DuPey made a motion, seconded by Clay, to accept the recommendation of the Highway Superintendent to approve Emcor/Hyre Electric Co. with \$2,490.00 for the Electrical Upgrades at the Lowell Highway Garage for Highway Department. Motion passed 3-0.

Order#18 – Agenda #19 & 20

In the Matter of Proposals for Bread & Dairy Products for the Fourth Quarter of 2005 for Lake County Sheriff.

This being the day, time and place for the receiving of proposals for Bread & Dairy Products for the Lake County Sheriff, the following proposals were received:

Dairy

| | |
|--------------------|-------------|
| Pleasant View | \$30,444.10 |
| U.S. Food Service | \$26,200.20 |
| Clover Crest Dairy | \$26,165.50 |

Bread

| | |
|------------------------|-----------|
| Interstate Brand Corp. | \$1975.00 |
|------------------------|-----------|

DuPey made a motion, seconded by Clay, to take the above proposals under advisement and refer to the Sheriff's Office for tabulation and recommendation. Motion passed 3-0.

Order#19 – Agenda #21

In the Matter of L.C. Surveyor – Monument Bond in the amount of \$30,000.00 for an Infrastructure (Storm Sewers, Earthwork, etc.) Bond in the form of Letter of Credit #706 from Lakeside Bank for the Marcotte Medical Building.

DuPey made a motion, seconded by Clay, to approve the L.C. Surveyor's Monument Bond in the amount of \$30,000.00 for an Infrastructure (Storm Sewers, Earthwork, etc.) Bond in the form of Letter of Credit #706 from Lakeside Bank for the Marcotte Medical Building. Motion passed 3-0.

Date: September 27, 2005
 SUBDIVISION: MARCOTTE MEDICAL BUILDING
 BONDING COMPANY: LAKESIDE BANK 2141 South Indiana Ave./Chicago, IL 60616-1313
 PETITIONER: GARY MARCOTTE; 10060 Gettler; Dyer, IN

The Board of Commissioners of the County of Lake does accept said Bond as of this date.

TOTAL: \$30,000.00

All of which is hereby resolve and adopted this 12th day of October, 2005.

ENTERED IN BOND BOOK NO. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE
 RUDOLPH CLAY, COMMISSIONER
 FRANCES DuPEY, COMMISSIONER

ATTEST: PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR

Order#20 – Agenda #22

In the Matter of L.C. Surveyor – Lease/Purchase Agreement with Gruel Brothers, Inc. for a FS80R Trimmer w/auto to be purchased in two payments of \$149.98 and \$149.97 for a total of \$299.95.

Order#20 – Agenda #22 (Cont'd)

DuPey made a motion, seconded by Clay, to approve the Lease/Purchase Agreement between the L.C. Surveyor and Gruel Brothers, Inc. for a FS80R Trimmer w/auto to be purchased in two payments of \$149.98 and \$149.97 for a total of \$299.95. Motion passed 3-0.

Order#21 – Agenda# 23

In the Matter of L.C. Public Defender, Conflicts Division – Consulting Contract Amendment entered into on December 15, 2004 with Yolanda Lewis Holden for an additional \$15,000.00 at the rate of \$60.00 per hour.

DuPey made a motion, seconded by Clay, to approve the Consulting Contract Amendment entered into on December 15, 2004 between the L.C. Public Defender, Conflicts Division and Yolanda Lewis Holden for an additional \$15,000.00 at the rate of \$60.00 per hour. Motion passed 3-0.

CONSULTING CONTRACT AMENDMENT

This is an amendment to the Agreement entered into between Yolanda Lewis Holden and the Board of Commissioners of the County of Lake on behalf of the Lake County Public Defender, Conflicts Division on the 15th Day of December, 2004 for Conflicts Attorney Services for the Lake County Public Defender to be paid for out of the Lake County Public's Defender's 2005 Budget.

The contract is amended as follows: This is for an additional Fifteen-Thousand (\$15,000.00) Dollars.

Approved this 12th Day of October 2005

Board of Commissioners
Of the County of Lake
Rudolph Clay
Frances DuPey

Consultant
Yolanda Lewis Holden

Attest:
Peggy Katona,
Lake County Auditor

Order#22 – Agenda #24

In the Matter of L.C. Public Defender, Conflicts Division – Consulting Contract Amendment entered into on December 15, 2004 with Bruce Parent for an additional \$15,000.00 at the rate of \$60.00 per hour.

DuPey made a motion, seconded by Clay, to approve the Consulting Contract Amendment entered into on December 15, 2004 between the L.C. Public Defender, Conflicts Division and Bruce Parent for an additional \$15,000.00 at the rate of \$60.00 per hour. Motion passed 3-0.

CONSULTING CONTRACT AMENDMENT

This is an amendment to the Agreement entered into between Bruce Parent and the Board of Commissioners of the County of Lake on behalf of the Lake County Public Defender, Conflicts Division on the 15th Day of December, 2004 for Conflicts Attorney Services for the Lake County Public Defender to be paid for out of the Lake County Public's Defender's 2005 Budget.

The contract is amended as follows: This is for an additional Twelve-Thousand (\$12,000.00) Dollars.

Approved this 12th Day of October 2005

Board of Commissioners
Of the County of Lake
Rudolph Clay
Frances DuPey

Consultant
Bruce Parent

Attest:
Peggy Katona,
Lake County Auditor

Order#23 - Agenda #25

In the Matter of L.C. Board of Elections and Registration – Request for Pledge from the Board of Commissioners of the County of Lake to refund any reimbursement monies that are not used after purchase of ADA Compliant Voting Equipment.

DuPey made a motion, seconded by Clay, to approve the L.C. Board of Elections and Registration's request for Pledge from the Board of Commissioners of the County of Lake to refund any reimbursement monies that are not used after purchase of ADA Compliant Voting Equipment. Motion passed 3-0.

Order#24 – Agenda #26

In the Matter of L.C. Data Processing – Software Maintenance Agreement with Identix, Inc. for the year 2006 in an amount not to exceed \$16,740.00 at the rate of \$1,395.00 per month.

DuPey made a motion, seconded by Clay, to approve the Software Maintenance Agreement between the L.C. Data Processing and Identix, Inc. for the year 2006 in an amount not to exceed \$16,740.00 at the rate of \$1,395.00 per month. Motion passed 3-0.

Order#25 – Agenda #27

In the Matter of L.C. Data Processing – Software Maintenance Agreement with Spillman Technologies, Inc. for the year 2006 in an amount not to exceed \$72,660.00 at the rate of \$18,165.00 per quarter.

DuPey made a motion, seconded by Clay, to approve the Software Maintenance Agreement between the L.C. Data Processing and Spillman Technologies, Inc. for the year 2006 in an amount not to exceed \$72,660.00 at the rate of \$18,165.00 per quarter. Motion passed 3-0.

Order#26 – Agenda #28

In the Matter of L.C. Plan Commission – Performance Bond in the form of a Subdivision Bond No. 5018377 in the amount of \$246,385.00 for Street Trees in The Galleries, Unit 2, Phase 1.

DuPey made a motion, seconded by Clay, to approve the L.C. Plan Commission’s Performance Bond in the form of a Subdivision Bond No. 5018377 in the amount of \$246,385.00 for Street Trees in The Galleries, Unit 2, Phase 1. Motion passed 3-0.

Date: October 19, 2005
SUBDIVISION: The Galleries, Unit 2, Phase 1
BONDING COMPANY: Sand Ridge Bank
PETITIONER: The Galleries, LLC

The Board of Commissioners of the County of Lake does hereby make acceptance of said Performance Bond as of this date.

TOTAL: \$22,750.00

Available by your drafts on us at sight.

All of which is hereby resolved and adopted this 12th day of October, 2005.

ENTERED IN BOND BOOK NO. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE
RUDOLPH CLAY, COMMISSIONER
FRANCES DuPEY, COMMISSIONER

ATTEST: PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR

Order#27 –Agenda #29

In the Matter of L.C. Plan Commission – Performance Bond No. 2005-ILC-586 in the amount of \$3,405.00 for improvements in Hawk’s Lair Subdivision.

DuPey made a motion, seconded by Clay, to approve the L.C. Plan Commission’s Performance Bond No. 2005-ILC-586 in the amount of \$3,405.00 for improvements in Hawk’s Lair Subdivision. Motion passed 3-0.

Date: October 19, 2005
SUBDIVISION: Hawk’s Lair Subdivision
BONDING COMPANY: Bank Calumet
PETITIONER: Frank M. Hawks

The Board of Commissioners of the County of Lake does hereby make acceptance of said Performance Bond as of this date.

TOTAL: \$3,405.00

Available by your drafts on us at sight.

All of which is hereby resolved and adopted this 12th day of October, 2005.

ENTERED IN BOND BOOK NO. _____ AND PAGE NO. _____

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE
RUDOLPH CLAY, COMMISSIONER
FRANCES DuPEY, COMMISSIONER

ATTEST: PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR

Order#28 – Agenda #30

In the Matter of Asbestos Abatement – Report.

DuPey made a motion, seconded by Clay, to accept the Asbestos Abatement Report. Motion passed 3-0.

John Blosky reported the following:

1. The mold remediation in the Public Defender’s Office has been satisfactorily completed.
2. We are still working on the Treasurer’s Office move from the Gary City Hall building. We met yesterday to discuss progress. We are still in the phase of cleaning out room 5 to allow for renovation.
3. Nothing else to report.

Order#29 – Agenda #33

In the Matter of Proposals for the Development of the Board of Commissioners Cost Allocation Plans to obtain cost reimbursements from the Federal Government and the State of Indiana.

Clay made a motion, seconded by Scheub, to delete this item from the agenda. Motion passed 3-0.

Order#30 – Agenda #34

In the Matter of Maximus, Inc. Cost Allocation Services Agreement for the year 2005 or for the years 2005-2007.

DuPey made a motion, seconded by Clay, to table the Maximus, Inc. Cost Allocation Services Agreement for the year 2005 or for the years 2005-2007. Motion passed 3-0.

Order#31 – Agenda #35

In the Matter of Specifications: Various County Offices and Departments - Printing Class 1, 2, 2A, 2B, 3, 4, 5, & 8 for the year 2006.

DuPey made a motion, seconded by Clay, to approve the Various County Offices and Departments' Specifications for Printing Class 1, 2, 2A, 2B, 3, 4, 5, & 8 for the year 2006, and ordered same to be advertised for receiving of bids on Tuesday, November 15, 2005 at 9:30 a.m. Motion passed 3-0.

Order#32 – Agenda #36

In the Matter of Requisitions from Various County Offices and Departments for the year 2006.

DuPey made a motion, seconded by Clay, to accept and make a matter of public record the Requisitions from Various County Offices and Departments for the year 2006. Motion passed 3-0.

Order#33 – Agenda #37

In the Matter of County Vehicles.

DuPey made a motion, seconded by Scheub, to approve the Amendment to the County Vehicle Proposal. Motion passed 2-1, Commissioner Clay against.

51



2293 North Main Street • Crown Point, IN 46307
 219-755-3200 ~ Fax 219-755-3064

TO: Commissioner DuPey
 Commissioner Clay

From: Commissioner Scheub,
 President

Date: September 26, 2005

Re:

CC:

Please find my report to you of August 24, 2004. My proposal at that time was to eliminate take home vehicles for approximately 28 employees. Not included was the Highway Department, uniformed County Police, special assigned officers (plain clothed), HIDTA and County Parks Department.

I am proposing that we cease take home county vehicles effective November 12, 2005. These vehicles will only be used by employees and elected officials during normal county employment hours. As we have many employees and elected officials currently receiving mileage for using personal vehicles (40.5 cents per mile). It is reasonable to have all civilian employees and elected officials operate under the same system. (Excluding the Coroner, Sheriff, and Prosecutor). Federal Government moved mileage to 45.5 cents per mile on September 1, 2005.

My motion on proposed elimination of take home vehicles died for a lack of a second back in 2004. Once again I am proposing the elimination of the following take home vehicles as the cost of vehicle use has to be controlled during this most difficult financial problem facing Lake County.

October 12, 2005

| <u>OFFICE</u> | <u>NUMBER OF VEHICLES EFFECTED</u> | |
|---------------------------|------------------------------------|---|
| 1. Emergency Management | 1 vehicle | Chief Deputy |
| 2. Surveyor | 6 vehicles | 6 employees |
| 3. Public Works | 1 vehicle | Director |
| 4. Engineering Department | 1 vehicle | Building Manager |
| 5. Community Development | 2 vehicles | Director & Assistant Director |
| 6. Coroner | 2 vehicles | Chief Deputies |
| 7. Solid Waste | 3 vehicles | Attorney & 2 employees |
| 8. HIDTA | 2 vehicles | All civilian employees |
| 9. Sheriff | 8 vehicles | All civilian employees, Warden, Assistant Warden |
| Total | 26 vehicles | |

Balance of all personnel with take home vehicle privileges (employees and elected officials) must not allow others to drive their County assigned vehicle at any time. The County Commissioners will follow up vehicle use requirements within the next 30 days after total review with Elected Officials and County Attorneys.

Sincerely,

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

Francis Dupuy

APPROVED THIS 12th DAY OF October 2005

We will meet with elected officials & department heads after John Dull reports on vehicle use.

I would like to make several reduction in staff effective January 1, 2006.

Order#34 – Agenda #38

In the Matter of Offer from Shared Resource Solutions, Inc. to provide Human Resources Services on a contract basis for an annual fee of \$40,000.00.

DuPey made a motion, seconded by Scheub, to review the Human Resource Services Contract, make some recommendations to amend it or add some of their own input and put it on the table for further consideration at a later date. Motion passed 2-1, Clay abstain.

Order#35 – Agenda #39

In the Matter of DVG, Inc. Hermits Lake Sanitary Sewer Utility System Project & Operations Management Proposal for the period of October 12, 2005 to December 31, 2006 in the amount of \$25,000.00 at the rate of \$95.00 per hour.

DuPey made a motion to table the above matter. This motion dies for a lack of a second.

Scheub made a motion, seconded by Clay, to approve the DVG, Inc. Hermits Lake Sanitary Sewer Utility System Project & Operations Management Proposal for the period of October 12, 2005 to December 31, 2006 in the amount of \$25,000.00 at the rate of \$95.00 per hour. Motion passed 2-1, Commissioner DuPey against.

630 West 81st Avenue (US30)
Merrillville, IN 46410



219.769.2070
Fax 219.769.2103

DVG Inc.

October 4, 2005

Commissioner Gerry Scheub
Lake County Commissioners
2293 North Main Street
Crown Point, IN 46307

Subject: Hermits Lake Sanitary Sewer Utility System
Project & Operations Management Proposal

Dear Commissioner Scheub:

Thank you for considering Development Visions Group for the Project Management of the Hermits Lake Sanitary Sewer Utility System. We understand that Lake County has worked diligently in upgrading the Hermits Lake Collection and Wastewater Treatment System to meet operational standards and effluent discharge permit limits.

We also understand that Lake County as a governmental agency has limited financial and human resources to operate a wastewater collection and treatment utility. As you have requested, we have prepared a proposal defining services to be provided by Development Visions Group in association with managing the wastewater treatment plant operations, collection system operations and capital development of the necessary rehabilitation of treatment plant and collection system infrastructure.

Over the past several years under Lake County ownership, several alternate scenarios have been presented for rehabilitation of the Hermits Lake sanitary sewer utility system. The two optimal solutions to correcting the treatment plant problems include demolition and replacement of the existing plant or the demolition of the plant and connection into the City of Crown Point wastewater collection system.

Our approach to the management of the Hermits Lake Sanitary Sewer Utility System will always center around minimizing cost impacts on the Hermits Lake Rate Payers while preserving the integrity of environmental compliance.

Scope of Services

Specifically, we will provide the following scope of services associated with managing the on-going utility operations, infrastructure rehabilitation and capital development planning of the Hermits Lake Sanitary Sewer Utility System.

1. Provide operational leadership and point source responsibility related to the management of the Hermits Lake Sanitary Sewer Utility System. We will be

DEVELOPMENT VISIONS GROUP
Project Management ■ Design ■ Consulting ■ Real Estate Development

DVG Inc.

- available on a daily basis if required and called upon to address issues related to the proper operations of the Hermits Lake Sanitary Sewer Utility System.
2. Establish Annual Operations, Maintenance and Capital Budgets for presentation and approval by the Lake County Commissioners and Council.
 3. Establish an Annual Schedule of Maintenance Improvements and Capital Development Improvements.
 4. Direct and coordinate the activities of consultants associated with the Hermits Lake Sanitary Sewer Utility System. Consultants may include and provide Lake County with Accounting Services, Engineering Design Services, Legal Services and Direct Plant Operation Consultants.
 5. Coordinate existing State Revolving Fund (SRF) Loan obligations and commitments with IDEM and the State Budget Agency.
 6. Coordinate existing Grants Fund obligations and commitments with IDEM and the State Budget Agency.
 7. Assist in streamlining the receipt and disbursement of Hermits Lake utility funds
 8. Provide the County Commissioners and Council with a quarterly report of the operational status of the Hermits Lake Sanitary Sewer Utility utilizing the services of the contracted consultants referenced in Scope Item #3. The operational report will include details of the financial condition of the utility. A presentation of sources and uses of funds on quarterly basis will be included. Also included will be a current accounting of the SRF Loan and balance of funds from the State Grant.
 9. Assist in the acquisition of additional capital improvement grants and low interest loans.
 10. Coordinate and facilitate negotiations with the City of Crown Point on the potential connection of the Hermits Lake collection system into the City of Crown Point collection and treatment service territory.
 11. Meet regularly with the Hermits Lake Utility Operations Team. The Operations Team includes:
 - a. Lake County Commissioners
 - b. Lake County Council
 - c. Wastewater Treatment Plant Operations Consultant (Citizens Environmental Inc.)
 - d. Lake County Plan Commission
 - e. Lake County Departments that are assigned responsibility effected by the Hermits Lake Utility System Operations
 - f. Legal Advisors
 - g. Engineering Design and Permitting Consultants

Compensation

Development Visions Group proposes to provide the services listed above on an hourly rate basis. Understanding that there are limited funds within the current Hermits Lake Operational Budget, we propose to work at an hourly rate of \$95.00 per hour with a not to exceed amount of

DVG Inc.

\$25,000.00 per year. This equates to providing approximately 22 hours per month of management services. If additional man-hour resources are required, we will provide you with written notice of anticipated fees in excess of the Not to Exceed amount defining the requirements of additional services. Work in excess of the Not to Exceed amount will be provided once Lake County authorizes such work.

Proposal Terms

The work defined in the Scope of Services of this proposal shall commence once it is accepted by the Lake County Commissioners and shall extend to December 31, 2006. Extension of this proposal into 2007 shall occur only under the mutual consent of Development Visions Group and the Lake County Commissioners.

Additional Services

Additional services not covered in this proposal include construction observation services and construction administration services specifically associated with the defined infrastructure rehabilitation work. Additional services also not covered in this proposal are specific negotiation work with the Indiana Utility Regulatory Commission and specific project design work. Development Visions Group will provide proposals for the specific capital rehabilitation work for construction observation and administration work and will be incorporated into the specific capital rehabilitation work budget.

We are capable of beginning the proposed work immediately after receipt of an executed proposal. If you should have any specific questions regarding our proposal, please feel free to contact me at 219-769-2070. Once again, thank you for your confidence in DVG Inc. in providing professional management of the Hermits Lake Utility System.

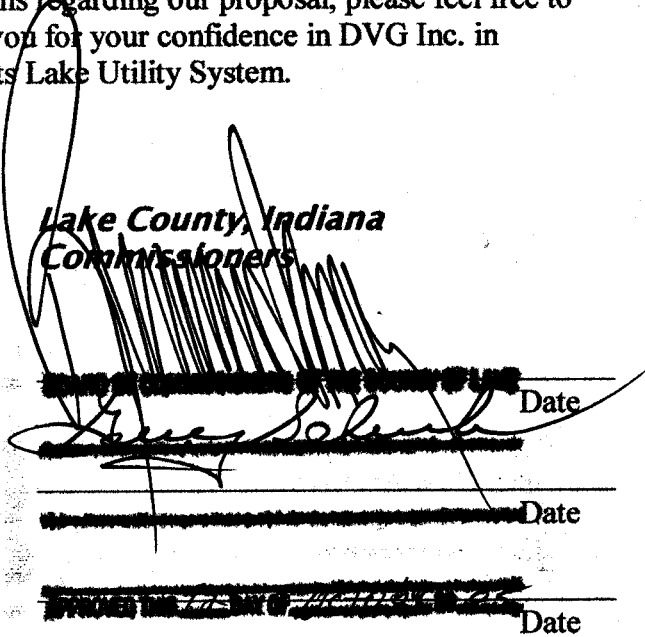
Very truly yours,

DVG Inc.



Jeffrey R. Ban
President

**Lake County, Indiana
Commissioners**



Date

Date

Date

Order#36 – Agenda #40

In the Matter of Operations Contract with Development Visions Group and Utilities Services Corporation (USCORP) for Hermit's Lake for the period of July 1, 2005 to June 30, 2006 in the amount of \$2,550.00 per month for Wastewater Operations and \$450.00 per month for Laboratory.

Clay made a motion, seconded by Scheub, to approve the Operations Contract between the Lake County Board of Commissioners of the County of Lake and Development Visions Group and Utilities Services Corporation (USCORP) for Hermit's Lake for the period of July 1, 2005 to June 30, 2006 in the amount of \$2,550.00 per month for Wastewater Operations and \$450.00 per month for Laboratory. Motion passed 2-1, Commissioner DuPey against.

OPERATIONS CONTRACT

THIS CONTRACT, made the 12 day of October, 2005, by and between DEVELOPMENT VISIONS GROUP (hereafter called the Responsible Official); and Utility Services Corporation (hereafter called USCorp); certified to operate per Indiana Department of Environmental Management, with offices located at 305 West 700 North, Valparaiso, Indiana 46385.

INTRODUCTION

The Responsible Official has a WASTEWATER treatment plant (hereafter called the Facility) serving the communities of HERMIT'S LAKE. The Responsible Official and USCorp desire to enter into a contract for operation of the Responsible Official's Facility.

NOW THEREFORE, in consideration of the mutual agreement herein contained and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, it is agreed between the Responsible Official and USCorp as follows.

I. TERM AND TERMINATION

Effective Date

This contract shall be effective as of the 1st day of JULY, 2005.

Duration of Contract

This contract shall be effective for a TWELVE - (12) month period commencing JULY 1, 2005 and ending JUNE 30, 2006.

Termination of Contract

Either party may cancel this Contract upon 30 days prior written notice with cause and 90 days written notice without cause. This contract may also be cancelled if the Responsible Official will not perform maintenance or upgrades, which directly affect the Facility performance.

The Responsible Official may cancel if the Indiana Department of Environmental Management (hereafter called IDEM) notifies Responsible Official in writing of any permit violations or violation of any other material environmental regulation has occurred due to the method of USCorp's performance or lack of performance of this Contract, and if USCorp has not corrected such failures after written notice from the Responsible Official and granted a reasonable opportunity to rectify.

II. SCOPE OF SERVICES

General

Utility Services Corporation (USCorp) shall operate the Facility as an agent for the Responsible Official. Manage its employees in performing operations; achieve compliance with environmental and other regulatory laws applicable to the systems; and report to the Responsible Official regularly on the status of such activities. USCorp's services are related to system operation, maintenance and management and do not include professional design or engineering services. The policy making and governmental functions relating to the utility shall remain fully vested in the Responsible Official. Such functions shall include, but not be limited to, changes of treatment process; approving all major contracting for services or goods; responsibility for IDEM, or the Environmental Protection Agency (hereafter called EPA) regulations regarding environmental regulatory compliance, and the like; and any other significant policy decisions regarding the departments. In the event of any questions regarding possible policy implications of an operation decision, USCorp shall consult with the Responsible Official to reach agreement of the degree of involvement of the Responsible Official that may be necessary under this paragraph. In the event the parties are unable to agree, the matter shall be deemed a policy function of the Responsible Official, and the Responsible Official's decision in the matter shall in all events be controlling.

Scope of Services

Without limiting the generality of the foregoing, the following is a list of specific contractual services which may be performed by USCorp under this Contract.

1. Operate the facility Monday – Friday, five - (5) days per week, performing all on-site testing required by IDEM and/or EPA permits and make all plant adjustments according to laboratory testing results.
2. Provide wastewater treatment plant sampling and laboratory testing as required to maintain the Facility in compliance with present IDEM and/or EPA permits.
3. Complete and submit all reports required by present IDEM and/or EPA permits. USCorp will generate copies of all reports for the Responsible Official, the Facility and USCorp files.
4. Inspect the Facility's Liftstation(s) Monday – Friday, five (5) days per week.
5. Maintain all chemical levels at the Facility.
6. Provide routine maintenance (oil upkeep, blower belt upkeep, etc..) to ensure proper preventative maintenance to the blower units at the Facility.
7. Provide certified operators to operate the Facility at rates specified under this Contract.
8. Provide a report of activities performed under the scope of this Contract that details recommendations, solutions, and projected costs to the Responsible Official and the facility by fax.
9. Provide common housekeeping at the Facility to a degree satisfactory to the IDEM.
10. Assist the Responsible Official with customer relations where appropriate.

III. RESPONSIBLE OFFICIALS FUNCTIONS

The Responsible Official shall exercise the following functions relative to the Facility.

1. All policy decisions regarding level or kind of treatment, water pollution control or other regulatory standards shall be reserved to the Responsible Official with the advice and guidance of USCorp.
2. All questions of capital improvements, or treatment or control strategies as they may affect the relative requirement for labor or capital.
3. The Responsible Official must approve all contracting and subcontracting by the Responsible Official or by USCorp on behalf of the Responsible Official.
4. The Responsible Official may direct USCorp to adjust specific strategies for operation in response to regulatory concerns, or administrative or court order. In such events, USCorp agrees to promptly follow such instructions, notwithstanding that USCorp may in good faith question whether its actions are within the scope of this Contract. USCorp agrees to respond to the environmental regulatory concerns of the Responsible Official in a timely and responsive manner.
5. The Responsible Official shall supervise and control USCorp's performance of this Contract by reviewing USCorp's reports and activities and monitoring performance with such frequency and methods as the Responsible Official may in its discretion determine.
6. When the Responsible Official's personnel are responsible for providing operations data to USCorp, said data shall be provided to USCorp on a daily basis by facsimile or other means.

IV. COMPENSATION

USC Compensation for Services Rendered

In consideration of the USCorp scope of services described, and in consideration of all other terms and conditions of this Contract, the Responsible Official shall compensate USCorp as follows:

\$ 2,550.00 /month – Wastewater Operations

\$ 450.00 /month – Laboratory

All supplies, materials, and other consumable items shall be billed to the Responsible Official at a separate rate per pre-approval with the Responsible Official.

Payment

Each month, USCorp shall bill the Responsible Official and the Responsible Official shall pay for services rendered. Invoices shall be payable within 30 days after the invoice date. All billings over sixty (60) days past due will be subject to interest charges of 1.5% per month on the unpaid balance. In the event any or all of the account remains unpaid in full ninety (90) days

after initial billing, the Responsible Official shall be responsible for all costs of collection, including reasonable attorney's fees.

Renegotiation of Contract

If USCorp's scope of services is required to change, such change resulting from mutual agreement of the parties, or acts or deeds beyond the control of USCorp, such as and without limitation:

1. Acts of God, floods, unforeseen emergencies, or other events or force making USCorp's performance as considered herein impracticable; or
2. Agreement of both parties to expand the scope of services to be provided; or
3. Changes in flows or characteristics of flow, a significant change in the number of users of the Facility (defined as in excess of 20% change from the level at the effective date of this Contract), or changes in IDEM or EPA programs or directives, or other applicable rules and regulations, if such changes in flow, characteristics, number of users or regulations are unforeseen and substantially change the nature of operational responsibility in order to continue to operate the Facility in a cost effective and environmentally sound manner; then USCorp and the Responsible Official shall either:
 - a. Immediately renegotiate the scope of services and renegotiate USCorp compensation related to such change in circumstances; or,
 - b. Nothing herein shall prevent the Responsible Official and USCorp from mutually agreeing in writing to amend the scope of services and compensation, or any other terms herein, for any reason they deem appropriate.

V. GENERAL PROVISIONS

Insurance Provisions

The Responsible Official shall continue to carry and provide and pay for all fire, general casualty and public liability insurance insuring the Responsible Official's Facility and the Responsible Official from and against all damage claims incurred casualties or public liability/property damage.

USCorp shall carry Worker's Compensation coverage as is required by statute and comprehensive general liability insurance insuring USCorp and its employees and any subcontractors retained by USCorp, if any, and naming Responsible Official in the amount of not less than \$500,000.00 in respect to property damage or bodily injury or death of any one person, not less than \$1,000,000.00 in respect to bodily injury or death to any persons in any one occurrence. USCorp shall furnish proof of compliance with this paragraph to the Responsible Official.

Warranties and Representations

USCorp represents to and for the benefit of the Responsible Official that it has the ability to operate and maintain the Responsible Official's Facility as provided in the scope of services set forth.

USCorp represents and warrants that it will perform all of its duties, functions and obligations under this contract in a non-negligent manner and with due diligence, and that it has the knowledge of the Responsible Official's Facility the Responsible Official's permit requirements, and the requisite expertise and staff, to maintain the Responsible Official's facility in compliance with applicable existing environmental laws, rules, regulations and permit terms. This representation is subject to any material changes of conditions that meet the terms of this contract. In the event any amendment occurs, the representations and warranties of this subsection shall be deemed extended to such new USCorp duties, functions and obligations, absent an express exclusion of such matters from USCorp's competence by mutual agreement. Absent such exclusions, it shall be agreed that USCorp has the requisite knowledge to operate the Facility as called for by this Contract as amended.

Except as stated and provided, USCorp expressly disclaims any warranties or representations, direct or indirect, that in performing management, supervision, operations and maintenance of the Responsible Official's Facility is guarantees that the Responsible Official's Facility will be of a quality or quantity required to comply with any laws, rules, regulations or orders of IDEM, EPA or any other governmental or administrative body having jurisdiction over the Facility and its operations, now or hereinafter enacted.

So long as USCorp does not materially breach these provisions of this Contract describing USCorp's duties hereunder, any fines levied or the costs of any other enforcement action taken against the Responsible Official, including any damages and costs attributed directly or indirectly thereto, shall be the financial responsibility of the Responsible Official.

Force Maieure

Either party may be relieved from performance of this Contract in case of causes beyond the party's practical control, including among other, injunction, strike, riot, invasion, fire, freezing, flood, explosion, breakdown, act of God, or the public enemy, or the like.

Construction

The headings to the sections hereof have been inserted for convenience of reference only and shall in no way modify or restrict any provisions hereof or be used to construe any of such provision. All questions of construction, interpretation, performance, breach, or enforcement of this Contract shall be determined in accordance with the laws, both statutory and common, of the State of Indiana. USCorp shall not construct but will maintain the Responsible Official's Facility.

Assignment

Neither this Contract, nor any right under it, is assignable, whether by operation of law or otherwise, by any party, without the prior written consent of the other party hereto.

Waiver of Breach

The failure of any party to require performance by the other party of any provision of this Contract shall not affect the right of such party to require future performance of that provision, and any waiver by any party of any breach of any provision of or delay in the exercise of any right under this Contract shall not be construed as a waiver of any continuing or succeeding breach of such provision, a waiver of the provision itself, or a waiver of any right under this Contract.

Entire Contract; Amendments

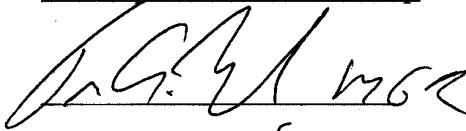
This Contract constitutes the entire contract and understanding between the parties relative to the subject matter hereof, and merges all prior discussions and agreements between them relating thereto. This Contract cancels and supersedes all previous agreements and understandings, if any, whether written or verbal, between the Responsible Official and USCorp, relating to the subject matter hereof. For purposes of this paragraph, "the subject matter hereof" means the operation of the Responsible Official's Facility. This Contract may not be changed, amended, modified or released or discharged, in whole or in part, except by an instrument in writing referred to an amendment to this Contract signed by all parties.

Severability

If any covenant, condition or provision of this Contract is held to be invalid or unenforceable by reason of any statute, rule or public policy, all other covenants, conditions and provision of this Contract shall nevertheless remain in full force and effect as if this Contract had been executed with the invalid or unenforceable portion thereof eliminated, and no covenant, condition or provision shall be deemed dependent upon any other covenant, condition or provision unless so expressed.

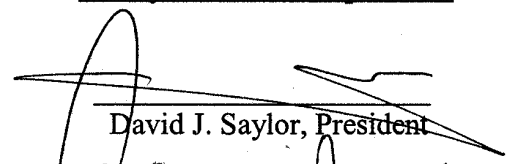
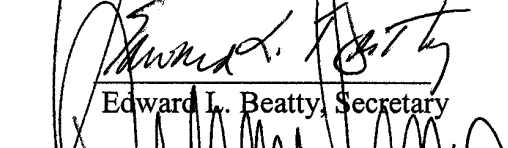
IN WITNESS WHEREOF, the parties hereto, by their duly authorized officers, have executed this Contract as of the date first above written.

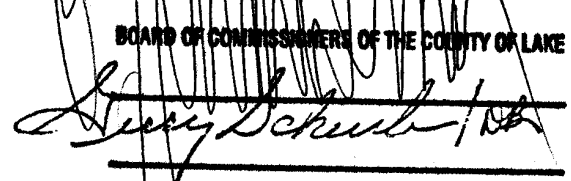
Development Visions Group



10/3/05

Utility Services Corporation


David J. Saylor, President
Edward L. Beatty, Secretary

BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE


APPROVED THIS 12 DAY OF OCTOBER 2005

Order#37 – Agenda #41

In the Matter of Tauber, Westland, & Jasaitis, P.C. correspondence concerning Hammond Development Corp. Lease Agreement for Lake County Board of Commissioners, 219 Russell Street, Hammond, Indiana concerning carpet removal in the affected areas.

DuPey made a motion, seconded by Clay, to delete the above matter. Motion passed 3-0.

Order#38 – Agenda #42

In the Matter of Correspondence from Crowe Chizek and Company, L.L.C. concerning Invoice No. 1353501 dated December 8, 2004 in the amount of \$35,000.00.

Clay made a motion, seconded by DuPey, to accept and make a matter of public record the Correspondence from Crowe Chizek and Company, L.L.C. concerning Invoice No. 1353501 dated December 8, 2004 in the amount of \$35,000.00. Motion passed 3-0.

Order#39 – Agenda #43

In the Matter of A Resolution Authorizing an Agent to Accept Pension Liability on behalf of Lake County Government.

DuPey made a motion, seconded by Clay, to approve the Resolution Authorizing an Agent to Accept Pension Liability on behalf of Lake County Government. Motion passed 3-0.

Order#40 – Agenda #44

In the Matter of Key No. 26-37-0111-0015.

DuPey made a motion, seconded by Clay, to table the Key No. 26-37-0111-0015. Motion passed 3-0.

Order#41 – Agenda #45

In the Matter of Meals on Wheels request for funding to help build a new kitchen and administrative office space.

Clay made a motion, seconded by DuPey, to turn over to the Lake County Council the matter of Meals on Wheels request for funding to help build a new kitchen and administrative office space. Motion passed 3-0.

Order#42 – Agenda #46

In the Matter of Gary Library Board President Tax Delinquency in an amount in excess of \$130,000.00.

No Action was taken on the above matter.

Order#43 – Agenda #48

In the Matter of Poor Relief Decisions.

Clay made a motion, seconded by DuPey, to approve and make a matter of public record the following Poor Relief Decisions. Motion passed 3-0.

| | |
|--------------------|--|
| Kenneth Washington | -Denied. |
| Bridgett Bullock | -Approved. |
| Priscilla Vetaw | -Approved. |
| Edward Thompson | -Approved. |
| Kathleen Sheehan | -Denied. |
| Alishia Thomas | -Approved. Approved on condition. |
| Wallace Burns | -Remanded to township for further consideration and review. |
| Miguel Bradley | -Approved on condition. |
| Andrea Crouch | -Denied. |
| Casandra Mitchell | -The Township shall lift the 60 day penalty for failure to comply with I.C. 12-20-6.5 on condition that appellant show the township proof of application with welfare medical based on good cause shown. |
| Teresa Griffin | -Denied. |
| Sharmin Ford | -Approved on condition. |
| J. Baldauf | -Denied for appellant's failure to appear. |
| K. Jackson | -Denied for appellant's failure to appear. |
| L. Thomas | -Denied for appellant's failure to appear. |
| B. Record | -Denied. Denied for appellant's failure to appear. |
| A. Ballard | -Denied for appellant's failure to appear. |
| L. Bush | -Denied for appellant's failure to appear. |
| L. Patton | -Denied for appellant's failure to appear. |
| Sherlonda Sweet | -Approved. |
| Carol Carcelli | -Approved. |
| Rene Lucas | -Approved. |
| Sharon Shammel | -Approved on condition. |
| Tiffany Sumpter | -Approved. |
| Larry Perry | -Approved. |
| Johnny Walker | -Approved. |

Carla Dotson
Linda Wooden

-Denied.
-Denied.

Order#43 – Agenda #48 (Cont'd)

Irene Butler
Debora Adams
Ma Lee
Patricia Brown
Missie Summers
Katrina Butler
Cassandra Anderson
Willie Moore

-Approved. Approved on condition.
-Approved on condition.
-Approved. Approved on condition.
-Approved.
-Approved.
-Approved on condition.
-Denied.
-The Township shall lift the 60 day penalty for failure to comply with I.C. 12-20-6.5 on condition that appellant show the township proof of application with welfare medical based on good cause shown.

J. Jones
K. Curry
S. Britton
Robert Hester
Yvette Aldridge
Everett Weddington
Rebbie Woods
Rita Squzert
Arvietta Hayes
June Brannon
William Porter
Manuel Bernacet
Reginald Flemming
Shanay Hopson
Valerie MacClendon
Joynicesa Huley
Ruthie Jones
Yvette Reed
Barbara Pickett
C. Juarez
C. Love
L. Rainey
Cyndi Glees
Rose Aguila
Gloria Santana
Lueada Theus

-Denied for appellant's failure to appear.
-Denied for appellant's failure to appear.
-Denied for appellant's failure to appear.
-Approved.
-Denied.
-Denied.
-Approved.
-Approved.
-Approved.
-Approved.
-Approved.
-Approved.
-Approved on condition.
-Denied.
-Approved.
-Approved. Approved on condition.
-Denied.
-Approved on condition.
-Denied for appellant's failure to appear.
-Denied for appellant's failure to appear.
-Denied for appellant's failure to appear.
-Approved.
-Approved.
-Approved.
-Approved on condition.

Order#44 – Agenda #49

In the Matter of Lake County Expense Claims to be Allowed on Wednesday, October 12, 2005.

The Board hereby orders Commissioners Allowance of Lake County Expense Claims of Wednesday, October 12, 2005 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.

Clay made a motion, seconded by Schueb, to approve and make a matter of public record the Claims and Docket. Motion passed 3-0.

Order#45 – Agenda #50

In the Matter of Vendor Qualifications Affidavits.

Clay made a motion, seconded by Scheub, to approve and make a matter of public record the following Vendor Qualifications Affidavits. Motion passed 3-0.

RAEHL, ESTHER
JEFFREY S. WENDT PHD.
PATRICIA ANN STARR
GREYHOUND LINES, INC.
CLEAVER CABLING & CONSULTING INC.
US NIGHT VISION CORP.
ZAK BUILDERS

Order#46 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 1154A-1, Ordinance Amending the Ordinance Establishing a Lake County Civil Defense and Emergency Management Program, Ordinance No. 1154A.

Clay made a motion, seconded by Scheub, to approve the L.C. Council Ordinance No. 1154A-1. Motion passed 2-1, Commissioner DuPey against.

ORDINANCE NO. 1154A-1

ORDINANCE AMENDING THE ORDINANCE ESTABLISHING A LAKE COUNTY CIVIL DEFENSE AND EMERGENCY MANAGEMENT PROGRAM, ORDINANCE NO. 1154A

WHEREAS, on April 9, 1996 the Lake County Council adopted the Ordinance Establishing Management Program and Repealing Any Ordinance in Conflict Therewith, Ordinance No. 1154A; and

WHEREAS, the Lake County Council desires to amend said Ordinance by changing the title to the Ordinance Establishing the Lake County Department of Homeland Security/Emergency Management.

Order#46 – Agenda #52 (Cont'd)

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Ordinance Establishing a Lake County Civil Defense and Emergency Management Program, Ordinance No. 1154A, shall be amended to change the title to:

“Lake County Civil Defense and Emergency Management Program shall be substituted with “Lake county Department of Homeland Security/Emergency Management”.

SO ORDAINED THIS 26TH DAY OF SEPTEMBER, 2005

WILL A. SMITH JR., President
RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN
LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC
Members of the Lake County Council

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#47 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 1255E-2, Ordinance Amending the Lake County Mileage Rate Ordinance for 2005, Ordinance NO. 1255E-1.

Clay made a motion, seconded by Scheub, to approve the L.C. Council Ordinance No. 1255E-2. Motion passed 2-1, Commissioner DuPey against.

ORDINANCE NO. 1255E-2

ORDINANCE AMENDING THE LAKE COUNTY RATE ORDINANCE
FOR 2005, ORDINANCE NO. 1255E-1

WHEREAS, on December 14, 2004, the Lake County Council adopted Ordinance No. 1255E-1, increasing the mileage rate to forty and a half (.40.5) cents per mile for County employees duly entitled to same; and
WHEREAS, the Federal Government has increased the Federal mileage rate to forty eight and half (.48.5) cents per mile for miles driven between September 1, 2005 and December 31, 2005.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the Lake County Council does establish a mileage rate of forty eight and a half (.48.5) cents per mile for County employees duly entitled to same. This rate is effective from September 1, 2005 to December 31, 2005.

DATED THIS 26TH DAY OF SEPTEMBER, 2005.

WILL A. SMITH JR., President
RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN
LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC
Members of the Lake County Council

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#48 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 1255G-7, Ordinance Amending the Lake County Part-Time Employees Salary Ordinance for 2005, Ordinance No. 1255G.

Clay made a motion, seconded by DuPey, to approve the L.C. Council Ordinance No. 1255G-7. Motion passed 3-0.

ORDINANCE NO. 1255G-7

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME
EMPLOYEES SALARY ORDINANCE FOR 2005, ORDINANCE NO. 1255G

WHEREAS, on September 7, 2004, the Lake County Council adopted the Lake County Part-Time Employees Salary Ordinance for 2005, Ordinance No. 1255G; and
WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be added and adopted as follows:

Section III.

- 37. Township Assessor
Real Estate Deputy \$10.00

Order#48 – Agenda #52 (Cont'd)

SO ORDAINED THIS 26TH DAY OF SEPTEMBER, 2005.

WILL A. SMITH JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID

Members of the Lake County Council

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#49 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 1255G-8, Ordinance Amending the Lake County Part-Time Employees Salary Ordinance for 2005, Ordinance No. 1255G.

Clay made a motion, seconded by DuPey, to approve the L.C. Council Ordinance No. 1255G-8. Motion passed 3-0.

ORDINANCE NO. 1255G-8

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME
EMPLOYEES SALARY ORDINANCE FOR 2005, ORDINANCE NO. 1255G

WHEREAS, on September 7, 2004, the Lake County Council adopted the Lake County Part-Time Employees Salary Ordinance for 2005, Ordinance No. 1255G; and

WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be added and adopted as follows:

Section III.

- 39. Township Assessor
Real Estate Deputy \$10.00 – 12.50/hr.

SO ORDAINED THIS 26TH DAY OF SEPTEMBER, 2005.

WILL A. SMITH JR., President

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#50 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 1268A, Ordinance Establishing the Jail Oversight Committee.

Clay made a motion, seconded by DuPey, to approve the L.C. Council Ordinance No. 1268A. Motion passed 3-0.

ORDINANCE NO. 1268A

ORDINANCE ESTABLISHING THE JAIL OVERSIGHT COMMITTEE

WHEREAS, Lake County has completed the Lake County Jail Expansion Project, providing additional housing for jail inmates; and

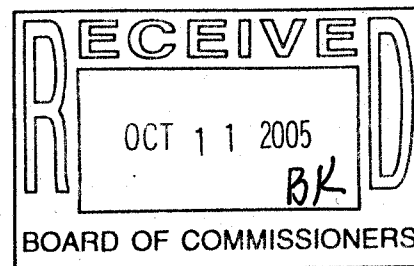
WHEREAS, several agencies and programs currently exist in Lake County to safely divert jail inmates from incarceration in the Lake County Jail both before and after conviction; and

WHEREAS, public officials of Lake County desire to act efficiently, and utilize existing facilities, and criminal justice programs to safely and efficiently manage the Lake County jail inmate population.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

I. JAIL OVERSIGHT COMMITTEE

- A. There is hereby established a Lake County Jail Oversight Committee.
- B. The actions of the Committee shall be advisory in nature.
- C. The purposes of the Committee shall be to:
 - 1. Develop a program to implement a county-wide approach to safely maintain the Lake County Jail inmate population.
 - 2. Coordinate the existing programs used by criminal justice agencies both pre-trial and post-trial to increase utilization of the programs by the courts in order to reduce the length of confinement for appropriate inmates.
 - 3. Make recommendations for policy, program selection, and guidelines, to be used by the criminal justice agencies.
 - 4. Establish policy for the implementation of a criminal justice management information system on the composition of the jail population, and make the information available to all county-wide criminal justice agencies on a daily basis.



CB
2PM

II. COMPOSITION AND MEETINGS

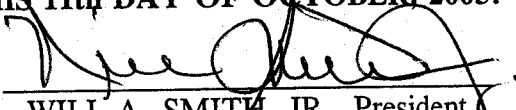
- A. The Committee shall consist of the following members or their respective designated representatives:
1. One member of the Board of County Commissioners, appointed by the Lake County Board of Commissioners.
 2. Two members of the County Council, appointed by the Lake County Council.
 3. Lake County Sheriff.
 4. Warden of the Lake County Jail.
 5. Lake County Clerk.
 6. Lake County Prosecutor.
 7. One Lake Superior Court, Criminal Division, Judge, to be selected by the Judges of the Criminal Division.
 8. One Lake Superior Court, County Division, Judge, to be selected by the Judges of the County Division.
 9. Two City Court Judges, selected by the City Court Judges of Lake County, Indiana.
 10. Director of Lake County Data Processing. The Director shall be a non-voting member of the Committee.
- B. All members shall be appointed within 30 days of the adoption of this Ordinance. In the event a position is vacated, the appointing entity shall appoint the replacement within 30 days of notice.
- C. Within 30 days of appointment of its members, the Committee shall meet at the Lake County Council, and Lake County Commissioners' Chambers to select a chairman, establish rules and procedures, and proceed with business. Thereafter, the Committee shall meet on a monthly basis on a date and place to be determined by the Committee.


- D. A quorum shall consist of at least five (5) of the eleven (11) voting members, and a majority of those present shall determine a majority vote.

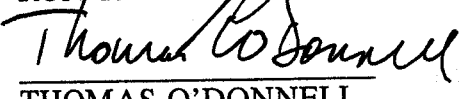
III. ADOPTION OF ORDINANCE

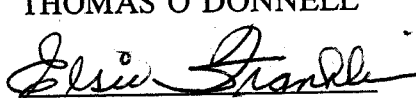
Adoption of this Ordinance hereby repeals Ordinance No. 1230A, the Ordinance Establishing the Oversight Committee to Alleviate Jail Overcrowding.

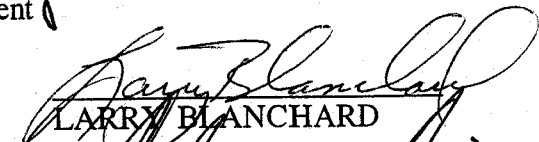
SO ORDAINED THIS 11th DAY OF OCTOBER, 2005.



 WILL A. SMITH, JR., President



 RON TABACZYNSKI


 THOMAS O'DONNELL

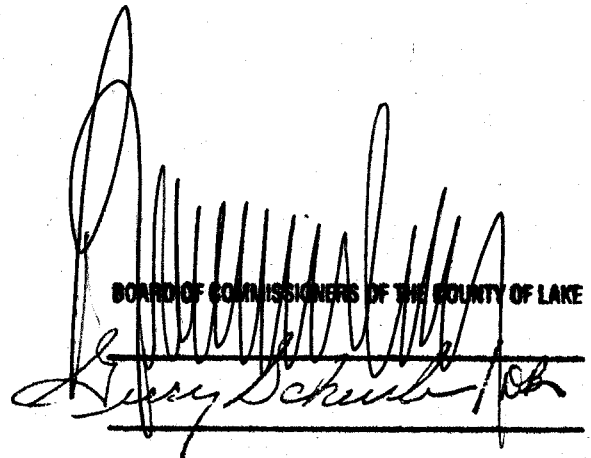

 ELSIE FRANKLIN


 LARRY BLANCHARD


 CHRISTINE CID


 DONALD POTREBIC

Members of the Lake County Council


 BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE

APPROVED THIS 12 DAY OF OCTOBER 20 05

Order#51 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 1077C-14, Ordinance Amending Ordinance No. 1077C, (Lake County Code Sec. 32.115) Lake County Personnel Policy/Grievance Procedures.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Ordinance No. 1077C. Motion passed 3-0.

ORDINANCE NO. 1077C-14

ORDINANCE AMENDING ORDINANCE NO. 1077C, (LAKE COUNTY CODE SEC. 32.115) LAKE COUNTY PERSONNEL POLICY/GRIEVANCE PROCEDURES

WHEREAS, on July 10, 1990, the Lake County Council adopted the Lake County Personnel Policy Ordinance, Ordinance No. 1077C; and
WHEREAS, the Lake County Council now desires to amend Ordinance No. 1077C by changing grievance procedures and stating the authority of the Grievance Board.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That Ordinance No. 1077C, Lake County Personnel Policy Ordinance, (Lake County Code Sec. 32.115) be amended as follows:

INSERT:

Sec. 32.115 Scope of Grievance Procedures

- D. Only grievances filed by an employee that expressly indicated on the grievance form that the action taken against the employee was based upon race, sex, religion, age, national origin, handicap, political affiliation, or protection speech will be scheduled for hearing before the Grievance Review Board. The attorney assigned to the Grievance Review Board will review each grievance to determine whether the grievance is within the scope of the grievance procedure. If the grievance does not allege that the action was taken for one of the aforementioned prohibited reasons the attorney will so indicate in writing and sent the determination to the members of the Grievance Board. The Grievance Review Board is without authority to hear any grievance unless the attorney assigned to represent the Grievance Review Board states in writing that the grievance is within the scope of the grievance procedures.
- E. The Grievance review procedure is an advisory procedure only and does not constitute a hearing wherein any factual issues are found to be true and any legally binding determinations are made. The authority of the Grievance Review Board is limited to making non-binding advisory opinions.
- F. The Grievance Board has no authority to order reinstatement of an employee who has been terminated, rescind the suspension of any employee, overrule any written reprimands, or overrule any oral reprimand that is memorialized in writing, or take any action that would have the effect of overruling the disciplinary action taken against the employee.

SO ORDAINED THIS 11TH DAY OF OCTOBER, 2005.

| | | |
|---|--|---|
| RON TABACZYNSKI THOMAS O'DONNELL ELSIE FRANKLIN | WILL A. SMITH JR., President Members of the Lake County Council | LARRY BLANCHARD CHRISTINE CID DONALD POTREBIC |
|---|--|---|

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#52 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Ordinance No. 992C-25, Ordinance Amending Lake County Ordinance No. 992C-18.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Ordinance No. 992C-25. Motion passed 3-0.

ORDINANCE NO. 992C-25

ORDINANCE AMENDING LAKE COUNTY ORDINANCE NO. 992C-18

WHEREAS, on May 13, 2003 the Lake County Council amended the Lake County Self Insurance Ordinance, Ordinance No. 992C-3; and
WHEREAS, the Lake County Council now desires to amend Ordinance No. 992C-18.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

SECTION IV. EMPLOYEE ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE EMPLOYEE BENEFIT PROGRAM

- D. Cost Center Contributions for Health Care.

DELETE:

- 1. Effective January 1, 2003, costs center contributions for health care are hereby established at \$400.00 per pay period for each insured employee, single or family, effective date January 1, 2003

Order#52 – Agenda #52 (Cont'd)

- 2. That the \$400.00 per pay period contribution shall be make by all offices, departments and agencies that have insured employees.

INSERT:

- 1. Effective January 1, 2006, costs center contributions for health care are hereby established at \$462.00 per pay period for each insured employee, single or family, effective January 1, 2006.
- 2. That the \$462.00 per pay period contribution shall be made by all offices, departments, and agencies that have insured employees.

SO ORDAINED THIS 11TH DAY OF OCTOBER, 2005.

| | | |
|---|--|---|
| RON TABACZYNSKI THOMAS O'DONNELL ELSIE FRANKLIN | WILL A. SMITH JR., President Members of the Lake County Council | LARRY BLANCHARD CHRISTINE CID DONALD POTREBIC |
|---|--|---|

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#53 - Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Resolution No. 05-82, Resolution Honoring Special Olympics Lake County.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Resolution No. 05-82, Resolution Honoring Special Olympics Lake County. Motion passed 3-0.

RESOLUTION NO. 05-82

RESOLUTION HONORING
SPECIAL OLYMPICS LAKE COUNTY

WHEREAS, South Lake County Community Services, Inc. is the coordinating agency for Special Olympics Lake County; and
 WHEREAS, the agency has been sponsoring Special Olympics teams for the past seven years, and currently there are over 220 athletes participating in year round training and competitions in nine different sports; and
 WHEREAS, athletes for Special Olympics Lake County live in every community in Lake County; and
 WHEREAS, in August, Special Olympics Lake County captured a gold medal in the State Finals in Softball and silver medals in individual skills pay in the State Finals in Gold.

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 Special Olympics Lake County, for capturing a gold medal in the State Finals in Softball and gold and silver medals in individual skills play in the State Finals; and that a copy of this Resolution be spread on the official records the Lake County Council, and an official copy be delivered to SPECIAL OLYMPICS LAKE COUNTY.

DATED THIS 26th day of September, 2005.

| | | |
|---|--|---|
| RON TABACZYNSKI THOMAS O'DONNELL ELSIE FRANKLIN | WILL A. SMITH JR., President Members of the Lake County Council | LARRY BLANCHARD CHRISTINE CID DONALD POTREBIC |
|---|--|---|

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#54 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Resolution No. 05-86, Resolution Proclaiming November as County Diabetes Month.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Resolution No. 05-86, Resolution Proclaiming November as County Diabetes Month. Motion passed 3-0.

RESOLUTION NO. 05-86

RESOLUTION PROCLAIMING
NOVEMBER AS COUNTY DIABETES MONTH

WHEREAS, diabetes is a condition which affects millions of Americans and their families; and
 WHEREAS, public awareness and education enhance a community's understanding of the issues affecting people with diabetes; and
 WHEREAS, the Lake County Council desires to proclaim November as County Diabetes Month in an effort to increase public awareness and education of diabetes.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

Order#54 – Agenda #52 (Cont'd)

That the Lake County Council declares November as County Diabetes Month in Lake County.

SO RESOLVED THIS 11th day of October, 2005.

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

WILL A. SMITH JR., President

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#55 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Resolution No. 05-88, Resolution Requesting the Indiana Department of Local Government Finance to Reduce the 2006 Lake County Combined Election and Registration Department in Fund No. 680 by \$2,085,270.00.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Resolution No. 05-88, Resolution Requesting the Indiana Department of Local Government Finance to Reduce the 2006 Lake County Combined Election and Registration Department in Fund No. 680 by \$2,085,270.00. Motion passed 3-0.

RESOLUTION NO. 05-88

RESOLUTION REQUESTING THE INDIANA DEPARTMENT OF LOCAL GOVERNMENT FINANCE TO REDUCE THE 2006 LAKE COUNTY COMBINED ELECTION AND REGISTRATION DEPARTMENT IN FUND NO. 680 BY \$2,085,270.00

- WHEREAS, on September 8, 2005, the Lake County Council adopted the 2006 Lake County Budget, which included the budget for the Combined Election and Registration Department Budget; and
- WHEREAS, the 2006 Lake County Combined Election and Registration Department Budget was approved at \$4,400,000.00, \$2,085,270.00 of which represented anticipated miscellaneous revenues (see Exhibit "A"); and
- WHEREAS, the expected miscellaneous revenue in the sum of \$2,085,270.00 will not materialize and it is necessary to reduce Fund No. 680 in the Budget by \$2,085,270.00.
- WHEREAS, the miscellaneous revenue in the sum of \$2,085,270.00 will not materialize and it is necessary to reduce Fund No. 680 in the Budget by \$2,085,270.00.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council requests the Indiana Department of Local Government Finance to reduce the 2006 Lake County Combined Election and Registration Department Budget, Fund No. 680, by \$2,085,270.00 due to a decrease in miscellaneous revenues in the sum of \$2,085,270.00.

SO RESOLVED THIS 11th day of October, 2005.

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

WILL A. SMITH JR., President

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#56 - Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Resolution No. 05-87, Resolution Opposing the Use of Eminent Domain to take Property from One Private Owner for the Benefit of Another Without Reasonable Limitations.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Resolution No. 05-87 Resolution Opposing the Use of Eminent Domain to take Property from One Private Owner for the Benefit of Another Without Reasonable Limitations. Motion passed 3-0.

RESOLUTION NO. 05-87

RESOLUTION OPPOSING THE USE OF EMINENT DOMAIN TO
TAKE PROPERTY FROM ONE PRIVATE OWNER FOR THE
BENEFIT OF ANOTHER WITHOUT REASONABLE LIMITATIONS

WHEREAS, in the wake of the Supreme Court's June 2005 decision in Kelo v. The City of New London, the American Farm Bureau Federation and Indiana Farm Bureau Federation and Indiana Farm Bureau have undertaken initiatives to restore reasonable limits on the use of eminent domain by government; and

WHEREAS, in the Kelo decision, the Court held that it was not an inappropriate use of eminent domain for a governmental entity to take property from on private owner and turn it over to another private owner for economic development; and

WHEREAS, the decision in Kelo unreasonably expands the definition of legitimate public purpose; and

WHEREAS, the Lake County Council opposes the Kelo decision as an unreasonable judicial intrusion into the rights of private property owners and opposes the use of eminent domain to take property from one private owner for the benefit of another without reasonable limits.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council opposes the use of eminent domain to take property from one private owner for the benefit of another without reasonable limits. That the Lake County Council supports a comprehensive study of this issue by the Indiana General Assembly in order to adopt legislation which will balance the interests of private property owners with the needs of the community. That the Lake County Council supports the efforts of the American Farm Bureau Federation and the Indiana Farm Bureau and its initiatives to restore reasonable limits on the use of eminent domain by Government.

SO RESOLVED THIS 11th day of October, 2005.

| | | |
|------------------|------------------------------------|-----------------|
| | WILL A. SMITH JR., President | |
| RON TABACZYNSKI | | LARRY BLANCHARD |
| THOMAS O'DONNELL | | CHRISTINE CID |
| ELSIE FRANKLIN | | DONALD POTREBIC |
| | Members of the Lake County Council | |

Board of Commissioners
Rudolph Clay
Frances DuPey
Approved this 12th October, 2005

Order#57 – Agenda #52

In the Matter of L.C. Council Ordinances and Resolutions: Resolution No. 05-85, Resolution Requesting the Indiana Department of Local Government Finance to Reduce the 2006 Lake County Health Department Budget by \$664,000.00.

DuPey made a motion, seconded by Clay, to approve the L.C. Council Resolution No. 05-85, Resolution Requesting the Indiana Department of Local Government Finance to Reduce the 2006 Lake County Health Department Budget by \$664,000.00. Motion passed 3-0.

RESOLUTION NO. 05-85

RESOLUTION REQUESTING THE INDIANA DEPARTMENT OF
LOCAL GOVERNMENT FINANCE TO REDUCE THE
2006 LAKE COUNTY HEALTH DEPARTMENT BUDGET BY \$664,000.00

WHEREAS, on September 8, 2005, the Lake County Council adopted the 2006 Lake County Budget, which included the budget for the Lake County Health Department; and

WHEREAS, the 2006 Lake County Health Department Budget was approved at \$2,806,312.00, \$664,000.00 of which was for expected services to be provided to the citizens of the City of Hammond, Indiana, in 2006 for the reason that the City of Hammond, Indiana, indicated it would discontinue its Health Department (see Exhibit "A"); and

WHEREAS, on September 28, 2005, the Common Council of the City of Hammond, Indiana, adopted its 2006 Hammond City Budget which in fact included a budget for the City of Hammond's Health Department; and

WHEREAS, the \$664,000.00 included in the 20056 Lake County Health Department Budget for expected Health Department services to the citizens of the City of Hammond, Indiana, will not be needed.

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council requests the Indiana Department of Local Government Finance to reduce the 2006 Lake County Health Department Budget by \$664,000.00 to reflect the savings in the budget made possible by the City of Hammond, Indiana, continuing to provide Health Department services to the citizens of its City.

SO RESOLVED THIS 11th day of October, 2005.

WILL A. SMITH JR., President

Order#57 – Agenda #52 (Cont'd)

RON TABACZYNSKI
THOMAS O'DONNELL
ELSIE FRANKLIN

LARRY BLANCHARD
CHRISTINE CID
DONALD POTREBIC

Members of the Lake County Council

Board of Commissioners

Rudolph Clay

Frances DuPey

Approved this 12th October, 2005

Order#58 – Agenda #54

In the Matter of Staff Reports – Dan Ombac.

DuPey made a motion, seconded by Scheub, to accept and make a matter of public record the following Staff Report from Dan Ombac, Building Superintendent. Motion passed 2-1, Commissioner Clay absent.

#54



LAKE COUNTY BOARD
OF COMMISSIONERS

RUDOLPH CLAY
GERRY J. SCHEUB
FRANCES DUPEY

Dan Ombac
Building Superintendent

October 7, 2005

ENGINEERS OFFICE
Lake County Government Center
2293 North Main Street
Crown Point, Indiana 46307
Phone (219) 755-3165
Fax (219) 755-3832

Frances DuPey
R. J.
10/7/05

L.C. Board of Commissioners
Hon. Gerry Scheub, President
2293 North Main Street
Crown Point, Indiana 46307

Dear Commissioners:

This letter is to inform you that two emergency situations occurred last month.

The first emergency occurred on Wednesday, September 21, 2005 at 3:00 P.M. when the underground domestic water main serving Westwind Manor and Paramore building sprung a leak. Boyd Construction Company was called in and made the repair. The repair was completed late that evening.

The second emergency occurred on Monday morning, September 26, 2005, due to a break in the electrical power main that feeds the Boiler room from the sub-station. The power outage shut down the entire boiler room and prevented us from providing air conditioning system in Building A, B and C. The mild weather allowed us to circulate the cool outside air inside the building until the power was restored on Wednesday, September 28, 2005.

Meade Electric Company, Continental Electric Company and Sweney Electric Company were called to respond to the power main break. Meade Electric Company was first to respond and did the initial evaluation but was unable to perform the repair because of prior commitment. Sweney Electric Company was ordered to repair when Continental Electric Company did not send a representative.

The final cost of the two emergencies is not available at this time. You will be notified as soon as the information became available. If you have any questions concerning this matter please call me at (219) 746-9780.

Respectfully,

[Handwritten Signature]
Dan Ombac

DO/bh

Cc: Commissioner Rudolph Clay
Commissioner Fran DuPey
Mr. Jim Bennett

The following officials were Present:
Attorney John Dull
Dan Ombac
Marcus Malczewski
Bill Henderson
Tom Yancy

The next Board of Commissioners Meeting will be held on Wednesday, November 16, 2005 at 10:00 A.M.

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

GERRY SCHEUB, PRESIDENT

FRANCES DUPEY

RUDOLPH CLAY

ATTEST:

PEGGY HOLINGA KATONA, LAKE COUNTY AUDITOR